

CITY OF BAY CITY

ORDINANCE NO. 689

AN ORDINANCE ESTABLISHING A PERSONNEL POLICY, RULES, POLICIES AND PROCEDURES FOR CITY EMPLOYEES, PROVIDING FOR JOB CLASSIFICATIONS, DESCRIPTIONS, AND SALARY COMPENSATION, REPEALING ORDINANCE 686 and 678 AND DECLARING AN EMERGENCY.

THE CITY OF BAY CITY ORDAINS AS FOLLOWS:

Section 1. Repeal. Ordinance No. 678 and 686, codified as Bay City Ordinance 1-3, is hereby repealed in its entirety. All other ordinances and resolutions inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.

Section 2. General Provisions. The general provisions for the personnel policy, rules, policies, procedures, job classifications, descriptions and salary compensation are as follows:

- A. The purpose of the personnel policy is to establish an equitable and uniform procedure for dealing with personnel matters; to attract and retain in municipal service, the best and most competent persons available; to assure that all appointments and promotions of municipal employees will be based on merit and fitness and to provide satisfactory working conditions.
- B. The rules, policies, and procedures shall provide the means for the recruitment, selection, development, and maintenance of an effective and responsive work force. They shall include policies and procedures for employee hiring and advancement, training and career development, method of job description and classification, salary administration, retirement, fringe benefits, discipline, discharge, and other related activities.
- C. The purpose of job classification and descriptions and salary compensation is to provide a concise, descriptive title, a description of the duties and responsibilities of each position in the City of Bay City, and a systematic and equitable procedure relating to the compensation of employees. Job descriptions and requirements however, may be altered on a temporary basis at the discretion of supervisory personnel.
- D. The City Council shall be responsible for administering all the provisions of this ordinance.
- E. The City shall comply with any federal or state employment-related mandates that apply to the City. If such mandates are inconsistent with the terms of this Ordinance, the federal and state laws and rules shall apply to the City.

Section 3. Definitions. As used in this document, the following terms shall have the meaning indicated:

- A. Appointing Authority: The City Council of Bay City.
- B. Benefits: Refers only to health, unemployment, life insurance and retirement provisions.
- C. Breach of Discipline: Breaking of rules and guidelines for job performance.
- D. Domestic Partners: Domestic Partners are same sex couples who have registered their domestic partnership with the County Clerk, as required by law.
- E. Drug Test. A drug test refers to all controlled substances and to alcohol. The drug test may be conducted by urinalysis or by any other sampling that the City may require, in its' sole discretion.
- F. Employee: Salaried or hourly personnel whether such employment be for full-time or part-time.
- G. Exempt employee: A department supervisor.
- H. Family member: Includes the employee's spouse, same-sex domestic partner (registered), child, (including step-children) parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner (registered) or spouse.
- I. Full-time employee: An employee who works the normal amount of working hours as set forth in paragraph (K) below.
- J. Harassment: Harassment is any verbal or physical behavior that denigrates or shows hostility towards an individual. Harassment may include, but is not limited to: jokes, drawings, epithets, slurs, negative stereotyping, threatening, intimidating or hostile acts or unwanted advances or any written material or verbal communication which shows hostility or aversion toward an individual or group because of the protected class, including, but not limited to a person's race, color, religion, sex, national origin, age or disability. Sexual harassment including unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature.
- K. Hours of work: The normal work day with the exception of the Fire Chief's position will be 8:00 a.m. to 4:30 p.m. for public works employees and 8:30 a.m. to 5:00 p.m. for office personnel and a 10- minute break each in mid morning and mid afternoon with an unpaid 1/2 hour lunch period at mid day. Subject to Council approval, the Department Supervisor may adjust the hours of work when the work load or weather conditions or other extreme conditions make

it advantageous to do so.

L. Immediate family: Includes the husband, wife, son, daughter, father, mother, brother, sister, grandchild, father-in-law, mother-in-law, domestic partner as defined in Section 3(D).

M. Insubordination: Unwillingness to submit to job related requests of supervisor or City Council.

N. Lawful Duty: Tasks prescribed by statute and arising in the performance of one's duties as outlined in the job descriptions contained herein.

O. Negligent: Acting with disregard for safety rules and precautions which would be observed by the average responsible adult in the performance of any given action.

P. Overtime. Hourly employees will receive overtime pay at one and one-half the times of the employee's hourly rate for all hours worked over 40 hours in a work week. Salaried employees will receive compensatory time at the rate of one and one-half times each hour worked over 40 hours per workweek. Paid hours not actually worked (for example, sick, vacation, holidays, family leave, etc.) will not be counted toward the 40 hours for calculation of overtime or compensatory pay. All overtime must be authorized by the supervisor prior to being incurred.

Q. Parental leave: Leave relating to pregnancy, birth and the health of a dependent child under the age of 18 years.

R. Part-time employee: An employee who is employed regularly for less than the normal number of working hours, as set forth in paragraph (H), but who normally works a predetermined number of working hours.

S. Pay Day. The first working day of each month and the 16th day of each month, or, if the 16th is on a weekend or a holiday, the following work day. Each paycheck shall include earnings for all work performed through the end of the previous calendar month or through the 15th of the month, whichever is appropriate.

T. Probationary Period: The initial six months of employment from the date of hiring.

U. Rate of pay: The base salary the employee receives, not including the cost of any benefits received by the employee.

V. Regular employee: A non-probationary, non-temporary employee whether full or part-time.

W. Sexual preference: An individual's choice of sexual partners, the race,

sex, etc. of which is considered to be a matter of personal preference and not a job-related variable.

X. Temporary employee. An employee who is employed full time or part-time for a set period of time, at the end of which time period the employment terminates.

Y. Volunteer Firefighters. Volunteer Firefighters are included in this ordinance for worker's compensation, state worker's benefit, and federal social security purposes solely. In all other particulars, the provisions of this ordinance do not apply to them, unless specifically included.

Z. Work day: (365 days a year). Every day of the year.

AA. Work week: The normal work week will run from Monday at 12:00 a.m. through the following Sunday at 11:59 p.m. and will consist of 40 hours. The 40-hour work week includes all hours worked and all paid holiday hours.

BB. Scheduled Weekend Work: On a rotating basis, a Public Works employee will be scheduled for four hours each Saturday and for four hours each Sunday to perform work as directed by the Public Works Director. The Friday prior to the scheduled weekend work shall be taken off by the working employee, unless other arrangements are made with the Public Works Director.

Section 4. Employment Policies. It is the policy of the City of Bay City to provide equal employment opportunity to all persons seeking employment with the City through the following policies:

A. To provide equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, gender, sexual orientation, national origin, age, according to one's ability, genetic information, veteran's status, or any other status protected by applicable federal, state or local law.

B. To ensure that all vacancies be filled solely on the basis of merit, qualifications, and fitness. These qualities shall be determined through careful and impartial evaluation of:

1. The applicant's level of education and/or training relative to the requirements of the applied for position.
2. The applicant's experience relative to the requirements of the applied for position.
3. The applicant's physical and/or mental fitness relative to the requirements of the position.
4. The results of an interview.

5. When deemed relevant and necessary, the results of a competitive written examination or demonstration test, designed to fairly and effectively test the abilities and aptitudes of applicants relative to the duties required in the applied for position.
- C. To ensure that all relevant and important statements submitted on an individual applicant's application or attached resume are verified prior to employment, including, but not limited to reference checks from employment and other persons, a criminal record check and a driving record check, where verification is available, as a matter of public record.
- D. To provide for medical examinations of applicants for positions whose duties make such information relevant to the hiring process in order to identify existing conditions for future reference and not for purposes of denying employment.
- E. To provide for a safe work environment and to minimize conditions conducive to accidents by requiring random drug testing and screening and, as a condition of employment.
- F. To provide a safe workplace, free of harassment, including sexual and other forms of harassment that occur during working hours, during city-related events and functions and during non-working hours when the off-duty conduct creates an unlawful hostile work environment for any employee at their workplace.
- G. To make reasonable efforts to accommodate a qualified applicant or employee with a known disability, upon their request, unless such accommodation creates an undue hardship on the operation of the City.
- F. To encourage local City residents to apply for openings in City employment and to encourage those hired from outside the City to take up residence in the City and participate in civic affairs.

Section 5. Screening and Hiring of Exempt Employees. The following procedure will be used in the screening and interviewing of applicants for the positions of exempt employees.

- A. The starting and cut-off dates to receive applications will be set by the City Council. The City application will have an option for an applicant to identify themselves as a veteran of military service in the United States, so that preference is applied to their application, in accordance with the City's hiring procedures. If the applicant does not indicate on the application form that they are a veteran with an honorable discharge, they will get no preference.
- B. City Recorder will run a reference check on all applicants the City Recorder deems suitable as to their recent work history and performance.

C. Two separate committees will review all applications and choose the top applicants that would be most qualified to fill the position. The committees will consist of the following:

1. Three capable and experienced residents of the City, picked from a selection approved by the Council and appointed by the Mayor.
2. The City Council and the Mayor sitting as a "Committee of the Whole".

D. The Citizen Committee will meet on a date to be set by the City Council to choose the top applicants the Committee deems most suitable.

E. The Council will review all applications deemed relevant as well, and shall choose the top applicants which are most suited to the position.

F. The Council will then determine which applicants it will interview; such applicants to be taken from those recommended by the Citizen Committee and from the Council Committee. Interviews will then be set with the chosen applicants at a time to be determined by the Council.

G. Interviews:

1. Prior to the interviews, further reference checks will be made on the chosen applicants. These further reference checks may consist of, but are not limited to, driving records, criminal records and personal references.
2. Personal interviews will be scheduled on the same meeting date, to be determined at a later time or at such other time set by the Council.

a) Interviews will be scheduled in a manner set by the Council with each Councilor being given the opportunity to ask questions of each applicant.

b) After all interviews are completed, the Council will meet to discuss the merits and qualifications of each applicant.

c) All interviews and discussions on applicants will take place in Executive Session in accordance with Oregon Revised Statutes.

H. Following the interview and discussion procedures, the Council will then reconvene in open meeting to take motions on the hiring of the new employee. At that time, job requirements, expectations of performance, and salary requirements will be finalized. A physical exam may be required if there are physical requirements for the job. A successful drug screening will be required as a condition of employment for safety-sensitive positions.

Section 6. Probationary Employment. All new employees and all who are promoted within the City are subject to a probationary period of six (6) months from the date of hiring or

promotion.

A. During the probationary period, the employee shall receive the following benefits:

1. Health insurance beginning the first day of the first month succeeding the initial thirty (30) days of employment.
2. Life insurance beginning the first day of the first month succeeding the initial thirty (30) days of employment.
3. Public Employee Retirement System (PERS) retirement benefits only if the employee is already within the PERS program and such benefits would provide continuous coverage for the employee.

B. During the probationary period, the employee shall accrue the following time benefits:

1. Vacation time shall accrue but no vacation time shall be taken until the end of one (1) year of employment.
2. Sick leave shall accrue but no sick leave shall be taken until the end of six (6) months of employment. Only sick leave accrued to date shall be taken.

C. At or before the end of the probationary period, the employee's probationary period may be extended, the employee may be moved to regular, full-time or regular, part-time status or the employment may be terminated at any time at the will of his or her supervisor, subject to Council approval. The probationary employee shall have no right to appeal a termination decision once it has been approved by the City Council.

D. Upon completion of the probationary period, the employee shall be considered as having satisfactorily demonstrated qualification for the position, shall gain regular status, and shall be so informed in writing.

Section 7. Employment Rules. All employees, whether probationary or regular, full-time or part-time, are subject to the following rules of employment:

A. Attendance.

1. Employees shall be in attendance at their work in accordance with the rules regarding hours of work, holidays, and leaves of absence contained herein.
2. Absence from work, for any other reasons than those specified in these policies, requires the prior approval of the employee's immediate supervisor.

3. Employees are to make a sincere effort to notify their supervisor by telephone, text or email of any unforeseen absences by the start of the work day and shall indicate the reasons for the absence in question at that time.
4. Should any absence continue beyond the first day, the employee shall notify his supervisor on a daily basis, unless other arrangements have been approved by the supervisor. Absence extending beyond the second work day may require written medical confirmation at the discretion of the employee's supervisor or the City Council.
5. Unauthorized absences shall constitute absence without pay and may lead to disciplinary action, including termination.
6. Department heads shall maintain an up-to-date record of their own attendance and hours worked, as well as all employee attendance within their department.

B. In-Service Training.

1. Employees are encouraged to participate in training programs when such programs are available and relate to the employee's job description.
2. In some cases, attendance at in-service training programs may be required by the employee's immediate supervisor. In such cases, failure to participate without prior arrangement with the supervisor may be considered cause for disciplinary action.
3. The employee's costs for such approved training will be paid by the City.
4. In the event any employee voluntarily terminates their employment with the City, reimbursement of training expenses shall be made as per Section 8(D) herein.

C. Harassment. No employee shall engage in any harassment of another employee, City volunteer or any elected or appointed City officials. Harassment is any verbal or physical behavior that denigrates or shows hostility towards an individual, as defined in Section 3(J) above.

D. Political Activity.

1. No City employee, official, or appointed citizen volunteer shall solicit any assessments, contributions, or services, or engage in any other political activity for any political party or cause during regular hours of work or in public meetings.
2. Nothing contained within this section shall affect the right of the employee

to hold membership in and support a political party or cause, to vote as he or she chooses, to privately express his or her opinions on all political subjects and candidates, to maintain political neutrality, or to attend political meetings.

- D. Outside Employment. All employees shall be allowed to hold gainful employment, including self-employment, to the extent that such employment is secondary to, and does not interfere with, the performance of the duties required by his or her City employment.
- E. Employees as Elected Officials. No person who is an employee of the City shall be eligible to serve as an elected official of the City without first resigning from the employee position before taking office. No person who is an elected official shall be eligible for employment with the City without first resigning from the elected position.
- F. Family Relationships.
 - 1. More than one member of the same immediate family shall not be employed by the City as a probationary employee or regular employee at the same time.
 - 2. The provisions of this section shall apply to promotions, demotions, transfers, reinstatements and new appointments.
- G. General Conduct.
 - 1. Good public relations shall be an integral part of each employee's job.
 - 2. All employees shall be appropriately neat and clean in appearance for their particular job and shall conduct themselves in a manner which is appropriate for an employee in the public service.
 - 3. Employees shall be courteous, efficient, and helpful to everyone in their work and shall do the best job possible on every assignment.
- H. Legal Liability.
 - 1. Employees shall abide by all laws and regulations which govern the performance of their duties, and shall perform their duties as reasonable, prudent persons.
 - 2. If an employee is reckless or negligent in the performance of duties and responsibilities, and if an accident or injury results from such reckless or negligent performance of duties and responsibilities, the employee may be held personally and legally liable for such occurrence. A drug test will be required whenever there is an accident or injury to an employee or to a third person or to property while on the job.

I. Safety.

1. The supervisors of each department shall be responsible for the development and maintenance of a safety program within the department.
2. Department heads, supervisors, and employees shall act in such a way as to ensure the safety of themselves, fellow employees, and the public.
3. When accidents occur during employment, the employee shall contact his or her supervisor immediately and the supervisor shall complete an accident report form. In case of a motor vehicle accident, appropriate forms shall be filed. A drug test will be required of any employee who has an accident or causes an injury to himself/herself, to third persons or to property while on the job.
4. The Mayor shall be notified of all accidents involving City employees and City equipment as soon as possible.

J. Cost Consciousness.

1. City employees shall practice every economy possible in the discharge of their duties.
2. Employees are encouraged to recommend to their supervisors, work procedures which will result in savings or improved services to the public.

K. Employee Organizations. Employees of the City shall have the right to form, join, and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining on matters relating to wages, hours, and work conditions.

L. Selling and Peddling. No peddling, soliciting, or selling for charitable or other purposes shall be allowed among or by employees during work hours without the approval of the Mayor.

M. Mileage. Employees shall make every attempt to use a City vehicle for City purposes. In the event that a City vehicle is not available for use, the employee may use his or her personal vehicle for City purposes and be compensated at the IRS standard mileage rate.

N. Drug Testing. No person shall report to work under the influence of drugs or alcohol. Further, consumption, possession, sale and/or use of intoxicating beverages, non-prescription drugs or substances during work hours is strictly forbidden.

As used in this policy, “drug” includes, but is not limited to, any controlled substance listed in Schedules 1 through V of the Federal Controlled Substance

Act, including marijuana. An employee who uses prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or that may affect the safety or well-being of others, must notify their supervisor of such use immediately before starting or resuming work. This includes, without limitation, medical marijuana. Employees who use medical marijuana in connection with a disability should discuss with their supervisor other means of accommodating the disability in the workplace, as City will not agree to allow an employee to use medical marijuana as an accommodation.

At any time, the City may require any employee, at the City's expense, to submit to urinalysis or other drug testing for applicants who are given a conditional offer of employment in a safety-sensitive position, employees who are reasonably suspected of using drugs or alcohol in violation of the City's policy and whenever a City employee is involved in any accident or injury while on the job. Further, the City may search an employee's possessions for alcohol and non-prescription drugs when a reasonable cause exists to believe an employee possesses such items on city property.

When an employee is requested to submit to urinalysis or other drug testing, the Supervisor, or other designated employee not being tested, shall transport the subject employee to the testing site. In the event that the employee tests positive, the employee will subject to disciplinary proceedings.

Section 8. Terms of Altered Status.

A. Transfers. Requests from employees for transfers from one department to another shall be made in writing and shall be directed to the employee's present department head and referred to the appropriate department head and appointing power. Such requests shall be given consideration when a suitable vacancy occurs; however, no employee shall be transferred to a position for which he or she does not possess the minimum qualifications.

B. Promotions.

1. All job vacancies shall, whenever possible, be filled by promoting qualified employees within the City service.
2. Nevertheless, the City Council may recruit applicants outside the City service whenever it has reason to believe better qualified applicants are available outside the service.
3. The appointment to fill the vacancy shall be made on a competitive basis, utilizing the criteria for appointment established in Section 4 of this Ordinance. Where qualifications and abilities are relatively equal, seniority within the service shall be the determining factor.

C. Layoffs. If there are changes of duties in the City, lack of work, or lack of funds, the City Council may lay off employees; however, the City Council shall

first make every reasonable effort to integrate those employees into another department by transfer. When layoffs are required, the City Council shall base the decision on relative merit and shall give due consideration to seniority in the City service only where two or more candidates qualifications and abilities are relatively equal. Whenever possible, two weeks advance written notice of impending layoff will be given to affected employees by their immediate supervisor.

D. Resignations.

1. To resign in good standing, an employee shall give the Council not less than ten (10) working days prior notice of such resignation, during which time the employee shall remain on the job, unless the Council agrees to permit a shorter period of notice because of extenuating circumstances. The notice of resignation shall be in writing and shall contain the reasons for leaving City service.

In addition, the city may require the employee to reimburse the City for the actual cost of all training the employee received in the year preceding his/her termination. Said reimbursement shall include the actual course fee, and any testing or licensing fees. Reimbursement shall be made by the last day of employment.

Employee must return all City-issued cell phones, keys, pagers and any other device issued to the employee, undamaged, by the end of their employment to be considered "in good standing"

2. Failure to comply with this section shall be entered in the employee's service record and may be cause for denying future employment with the City.

E. Re-employment. Regular and probationary employees with a satisfactory record of service who resign their positions in accordance with the provisions of paragraph D(1) above will be considered for re-employment in the same or comparable classification for up to one year thereafter, if such an opening exists.

Section 9. Administration of Discipline. Department Supervisors shall administer all discipline of employees under their direct supervision, subject to review by the Council. The Council shall administer all discipline of Department Supervisors.

A. Grounds.

1. When any employee's conduct or performance falls below desirable standards, he or she may be subject to disciplinary action.
2. General reasons for which an employee may be disciplined include, but are not limited to:

- a) Possession, use, consumption, sale, transfer or distribution of intoxicating beverages or illegal drugs on the job or arriving on the job under the influence of intoxicating beverages or illegal drugs.
- b) Violation of a lawful duty, including violation of personnel policies and City Ordinances.
- c) Insubordination or other disrespectful conduct.
- d) Breach of discipline; fighting, disrupting behavior or threatening violence in the workplace.
- e) Being excessively absent or tardy for any reason.
- f) Theft or inappropriate removal, possession or unauthorized use of City property.
- g) Falsification of time keeping or other City records.
- h) Possession of dangerous, unauthorized materials, such as explosives or firearms, in the workplace.
- i) Accepting fees, gifts, or other valuable things as a condition for the performance of the employee's official duties for the City.
- j) Smoking in prohibited areas.
- k) Unwillingness to perform tasks as assigned.
- l) Conviction of driving under the influence or of any crime of moral turpitude involving dishonesty or fraud or a felony of any kind.
- m) Sexual or other unlawful or unwelcome harassment of any person.
- n) Substandard work performance or conduct.
- o) Negligence or improper conduct leading to damage of publicly or privately owned property.
- p) Failing a drug or alcohol test, failing to promptly submit to urinalysis or other drug testing when requested, failing to provide a urine sample or other sample for completing the test, providing a diluted urine sample or in any other regard frustrating the purpose of the City's drug and alcohol policy.
- q) For any other reasons deemed sufficient by the Supervisor or Council.

B. Procedures.

1. Disciplinary action by the Supervisor or Council ranges from oral reprimands or written reprimands to suspension, demotion or termination from City employment and depends on the severity of the offense as well as the number and the frequency of previous acts of misconduct.
2. When an employee is disciplined for theft or inappropriate removal, possession or unauthorized use of City property, including but not limited to the use of City of Bay City credit cards and charging personal items on City charge accounts, the employee may be terminated immediately and be required to reimburse the City for all costs the City incurred. If the employee refuses to reimburse the City, the City may take whatever appropriate action necessary to effect collection.
3. When it is deemed necessary to immediately relieve an employee of his or her job responsibilities pending an investigation of facts prior to reaching a final decision, the employee should be placed on suspension without pay and informed in writing of the reason(s) for suspension. Should the findings indicate that the employee was found innocent of the allegations, the employee will be reimbursed for time lost.

C. Discipline, Grievances and Appeals. The City shall promptly consider and equitably adjust employee grievances relating to employment conditions and relationships.

1. The following steps shall be followed in submitting and processing a grievance initiated by an employee.
 - a) Step 1. The employee and their immediate supervisor shall discuss the concern informally in an attempt to resolve the matter.
 - b) Step 2. The aggrieved party shall submit, in writing, his or her concerns and complaints to his or her supervisor, or, if a supervisor has a grievance with another employee, then the supervisor shall submit, in writing, his or her concerns and complaints to the employee. The person in receipt of the grievance shall have three (3) working days to prepare and submit a written response to the aggrieved party.
 - c) Step 3. If the grievance is not resolved in Step 2, then either party may elect to submit the issues of concern to the City Council within three (3) working days after receipt of the response to the grievance referred to in Step 2 above. The initial written complaint, the response and all written supporting documentary evidence shall be submitted to the City Council by filing all such information with the City Recorder. The City Recorder shall provide copies of all submitted information to the aggrieved party and to the responding party and to the Mayor and all City Council members, within one (1) working day after its submission. The City Council shall hold a hearing on the concerns not earlier than three (3) or

more than ten (10) working days after the submission of the information to the City Recorder.

- d) Hearing. At the City Council hearing, the following procedures shall be used:
 - 1) The aggrieved party (the party filing the issue with the City Recorder) shall state his or her case, including submitting any evidence and calling any witnesses on his or her behalf.
 - 2) The responding party shall have an opportunity to respond, including submitting any evidence and calling any witnesses on his or her behalf.
 - 3) The aggrieved party shall have an opportunity to rebut any information submitted by the responding party.
 - 4) The responding party then shall state his or her case, including submitting any evidence and calling any witnesses on his or her behalf.
 - 5) The aggrieved party shall have an opportunity to respond, including submitting any evidence and calling any witnesses on his or her behalf.
 - 6) The responding party shall have an opportunity to rebut any information submitted by the aggrieved party.
 - 7) All testimony and evidence shall be directed to the City Council.
 - 8) The City Council may ask questions at any time.

The City Council shall then issue its decision in the matter. The decision of the City Council shall be final and binding on all parties involved. There is no right of appeal. Any decision of the City Council resulting in disciplinary action shall be made a part of the personnel records of the employee disciplined.

- 2. Grievances and discipline may be initiated by the City Council. In such an event, the City Council shall submit its complaint to the employee, in writing. The employee shall have three (3) working days to prepare and submit his or her response to the City Council. The Council may request a written response from other employees or citizens regarding the factual situation pertinent to the complaint of the City Council. The employee response, all written supporting documentary evidence, the response of all other employees or citizens shall be submitted to the City Council by filing all such information with the City Recorder. The City Recorder shall provide copies of all submitted information to the City Council within one (1) working day after its submission. The City Council shall hold a hearing on the complaint not earlier than three (3) or more than ten (10) working days after the submission of the information to the City Recorder.

At the City Council hearing, the following procedures shall be used:

- a) The responding party shall state his or her response to the complaint, including submitting any evidence and calling any witness on his or her behalf.
- b) Any other employees or citizens shall state any information they have regarding the complaint, including submitting any evidence.
- c) The responding party shall have an opportunity to rebut any information submitted by the other persons.
- d) All testimony and evidence shall be directed to the City Council.
- e) The City Council may ask questions at any time.

The City Council shall then issue its decision in the matter. The decision of the City Council shall be final and binding on all parties involved. There is no right of appeal. Any decision of the City Council resulting in disciplinary action shall be made a part of the personnel records of the employee disciplined.

- 3. If the grievance procedures are not initiated within the time limits established by this section, the grievance shall be considered not to have existed.
- 4. Any grievance not taken to the next step of the grievance procedure shall be considered settled.
- 5. The time limits prescribed in this section for the initiation and completion of the steps of the grievance procedure may be extended by mutual consent of the parties so involved. Likewise, any step in the grievance procedure may be eliminated or modified by mutual consent. Mutual consent shall be indicated either orally at the time of hearing or in writing signed by all parties involved.
- 6. No employee shall be disciplined or discriminated against in any way because of the employee's proper use of the grievance procedure.

Section 10. Personnel Records and Evaluations:

- A. Personnel Records.
 - 1. A personnel record is to be maintained at City Hall for each employee in the service of the City.
 - 2. The personnel record shall show the employee's name, current address,

title of position held, the department to which assigned, salary, change in employment status, training received, employee evaluations, disciplinary actions, commendations and such other information as may be considered pertinent. The employee has the responsibility to see that the employer is provided with current address information.

3. Employee personnel records shall be considered confidential and shall be accessible only to the following:
 - a) The employee.
 - b) The employee's supervisor.
 - c) The City Council.
 - d) The Mayor.
 - e) The City Recorder.
 - f) The City Attorney.
 - g) All other persons as may be required by law or by court order.
4. In the event any persons under Section 10(A)(3)(g) request any personnel records of any City employee, the City Recorder shall first determine whether or not the requested information exists and if so, shall notify the affected employee of the specific nature of the request, giving the employee a time and day deadline at least 3 business days later so that the employee can object in writing to the City Recorder to the release of any portion of the requested material. The City Recorder and upon request, the City Attorney, shall also review the requested material for exemption information under personnel privacy exemptions or any other exemptions allowed by law and shall delete said information from any documents which are otherwise available for public disclosure.

B. Annual Evaluations. By March 31 of each year, each employee shall be evaluated in writing by his or her immediate supervisor on an appropriate evaluation form. The employee and the supervisor will confer on the evaluation noting areas requiring attention and devise a plan to accomplish improvements. All annual pay raises will be granted in accordance with the provisions of Section 13(A).

Section 11. Benefits and Leaves.

A. Benefits. The City may change benefit plans at any time. The City may require cost sharing by the employees of any benefits other than 11(A)(1) below.

1. All City employees shall be covered under Social Security, Worker's Compensation and Oregon Unemployment benefits.
2. All regular, non-temporary, employees shall be covered under the Oregon Public Employee Retirement System. The employees shall not have the option of: 1) receiving their 6 percent employee contribution in salary

payment or, 2) paying their required employee contribution directly to PERS. The PERS employee contribution of 6 percent of salary is deemed to be "picked up" by the employee for purposes of the Internal Revenue Code. To effectuate this provision, the employees reported salary on their W-2 form for tax purposes will be reduced by the PERS employee contribution.

3. Full-time, non-temporary employees will be provided with life insurance coverage after the employee's initial month of employment, CIS Employee Benefits Services Trust, life insurance. This coverage shall include the Accidental Death and Dismemberment option.
 - a) In addition, the employee will be given the option of the CIS Employee Benefits Services Trust Voluntary Dependent Life insurance. This option shall be at the employee's sole expense.
 - b) After the initial month of employment, part-time, non-temporary employees may elect to be provided with life insurance coverage as per any plan available to the full-time non-temporary employees. The City shall pay that portion of the employee's premium based on the percentage of the 40-hour work week which the regular part-time employee is employed. To effectuate this option, the employee must authorize the City, in writing, to withhold the employee's portion of the premium from the employee's paycheck.
 - c) Full-time, non-temporary employees shall be covered for 90% of the employee's medical, vision, and dental insurance premiums. The employee shall be responsible for 10% of the total cost of the employee's medical, vision, and dental insurance premiums each month. Each employee shall authorize the City, in writing, to withhold the employee's portion of the premium from the employee's paycheck under the City's health insurance plan, vision plan and dental plan. The employee will be covered by the CIS Employee Benefits Services so long as the City provides for such insurance. The employee has the option at his/her expense, of including dependent medical, dental and vision coverage, so long as such coverage is available through the City. Employee shall be responsible for payment of 10% of the dependent coverage premium charges to effectuate this option for dependent coverage, the employee must authorize the City, in writing, to withhold the employee's portion of the dependent premium from the employee's paycheck. The City also provides a Medical Savings Plan for each employee of \$400.00 per fiscal year and increasing to 700.00 per fiscal year on 01/01/2018, plus an additional \$400.00 for each covered employee dependent, up to two dependents for each employee per fiscal year.
5. Part-time, non-temporary employees may elect to be covered by the City's health insurance plan after the initial month of employment, as well as the City's dental and vision insurance plans, if such plans are available

through the City. If the employee elects this option, the City shall pay that prorated percentage of the employee's premium of the 40-hour work week which the part-time employee is employed for the City less 10%. The employee shall be responsible for the remaining balance of the premium. All dependent coverage shall be paid in the same pro-rata rate as is utilized for the employee insurance. To effectuate this option, the employee must authorize the City, in writing, to withhold the employee's portion of the premium and any dependent premium, if elected, from the employee's paycheck.

6. Same sex partner and partner dependent coverage is available to those who qualify pursuant to Oregon law, by registering the domestic partnership with the County Clerk, in addition to completing the enrollment application. The same rules for coverage, eligibility and payment of partner and dependent coverage as set forth in paragraphs 11(A)(4) and (5) applies to same sex partner and partner dependent coverage.
7. The City may elect to establish a Medical Savings Plan for the employees on such terms and conditions that may be imposed by the Council by Resolution.

B. Paid Leaves.

1. Vacation.

- a) All vacation time must be requested and approved by the employee's supervisor, prior to taking the vacation time. Exempt employees shall notify the City Council of their upcoming vacation time in excess of two consecutive days. In the event that there is not sufficient time to notify the City Council, the exempt employee shall notify the Mayor of any vacation time. All vacation time shall be taken to minimize any adverse affect on the operation of the City.
- b) The year, for the purpose of computing earned vacation leave, shall be on a work year basis; that is, it shall be computed from the day the employee becomes a regular full-time employee to a period twelve (12) months hence. Any person who has served for twelve (12) months in any City department or departments without formal termination of service during such period shall be deemed to have been continuously employed. Employees whose terms of employment are less than six (6) months shall not be allowed any vacation credit; but after six (6) months employment, vacation credits shall be computed for the full employment period retroactive to the date of hire.
- c) Vacation shall accrue in accordance with the following schedule:

- 1) After one (1) year, five (5) days (40 hours) of vacation.
 - 2) After two (2) years through five (5) years, ten (10) days (80 hours) of vacation.
 - 3) After five (5) years through ten (10) years, fifteen (15) days (120 hours) of vacation.
 - 4) After ten (10) years through fifteen (15) years, twenty (20) days (160 hours) of vacation.
 - 5) After fifteen (15) years, twenty-five (25) days (200 hours) of vacation.
- d) Regular part-time employees shall be entitled to vacation benefits based on the percentage of the 40-hour work week which the regular part-time employee is employed.
 - e) One 40-hour week of unused vacation time may be accrued and be carried over for one additional year.
 - f) Vacation may be used as sick leave when long-term illness has exhausted the sick leave.
 - g) Upon retirement or termination of a regular full-time employee or a regular part-time employee, he or she shall be paid a lump sum for all unused vacation leave accrued in conformance with the provisions of this policy.

2. Holidays.

- a) All regular, full-time employees shall be entitled to holidays off with pay except Public Works employees as may be designated by the Director. Holidays, as used herein, are those days set forth by Oregon law as legal holidays together with the Friday after Thanksgiving holiday; and if any of such holidays shall at any time fall on Sunday, then the following Monday shall be a holiday; if such holiday shall fall on Saturday, then the preceding Friday shall be a holiday.
- b) If it is necessary for employees to work on authorized holidays, such work shall be construed as overtime and shall be compensated by time off.
- c) An unexcused absence immediately before or after a holiday will result in forfeiture of the pay for that holiday.

3. Sick Leave.

- a) All regular City employees shall be allowed sick leave with full pay computed on the basis of an 8-hour working day for each full

month of service.

- b) No sick leave shall be allowed for employees absent due to on the job injury for the reason that such injuries are covered by Worker's Compensation.
- c) Absences due to off duty injuries shall be charged at the rate of 8 hours of sick leave for each day of absence.
- d) No sick leave credit shall be allowed until the employee has worked for six (6) months. At the end of six (6) months, credit shall be computed from the date of employment. No sick leave shall be allowed to be taken until the end of six (6) months of employment.
- e) There shall be no accumulation of additional sick leave while the employee is absent on sick leave.
- f) Sick leave with pay may be accumulated to a total not to exceed ninety (90) working days, and any unused calendar year sick leave credit shall be accumulated for the next calendar year.
- g) Regular part-time employees of the City shall be entitled to sick leave benefits based on the percentage of the 40-hour work week which the regular part-time employee is employed.
- h) Sick leave is granted by the City as insurance and security against the possibility of illness or inability to work on the part of the employee. In no sense shall such leave be considered a right which the employee may use for any purpose. The City may require a certificate from attending physician for personnel absent on sick leave for more than three (3) continuous days. No compensation for accrued sick leave shall be allowed to any employee when he or she is separated from the City service except upon retirement where one-half of accumulated sick leave is given credit under the rules of the Public Employees Retirement System. Sick leave shall not be accrued during any period of leave of absence without pay other than military service.

Accrued sick leave may be taken for the diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventative medical care of the employee or any of the employee's covered "family" members. "Family" member means the eligible employee's grandparent, grandchild, spouse, or registered domestic partner, the domestic partner's child or parent; the employee's stepchild, partner-in-law or a person with whom the employee was in a relationship and the employee's biological, adoptive or foster child.

- i) An employee may be terminated if the employee has not returned to work with a medical release within two (2) weeks after using all his or her accumulated sick leave and vacation leave.
- 4. Compassionate Leave. In the event of a death or verifiable serious illness in the immediate family, an employee may be granted a leave of absence not to exceed 40 hours per incident with pay. Such leave shall not accumulate from year to year.
- 5. Long term illness. Vacation or sick leave may be donated from other employees.
- 6. Judicial Leave. Judicial leave shall be granted in accordance with the provisions of Oregon law. This leave is to be treated as paid leave, except that monies received from such duties, excluding expense monies, will be deducted from the employee's salary.

C. Unpaid Leaves.

- 1. Worker's Compensation Injuries. Any employee who has been injured on the job shall not be paid a wage while drawing compensation benefits. No sick leave or vacation leave shall accrue while off the job due to a Worker's Compensation injury. At the discretion of the City Council, other employees may be hired to perform the injured worker's job during the injured worker's absence. The injured worker must be available to return to work immediately upon obtaining a release from the treating physician. Such release may be either full-duty or to a position that fits within the scope of the treating physician's restrictions. The City shall establish and cause to be put into effect an Early Return to Work Program by which injured employees may be returned to the workplace as soon as possible. If the injured worker does not return to work within one (1) week of receiving a medical release to return to work, the employee may be terminated even though he or she may be exercising other accumulated leaves.
- 2. Leaves of Absence. Leave without pay must have the approval of the City Council or supervisor and will be granted only if the employee's absence does not materially affect the physical or economical operation of his or her work and if the circumstances warrant such leave.
- 3. Parental Leave. Leave shall be in accordance with federal and state laws.
- 4. Military Service. Military service shall be granted in accordance with the provisions of Oregon law for any regular employee. This

service is to be treated as unpaid except that benefits will continue to accrue for up to two weeks (10 days) of the employee's absence, after which time, benefits shall cease. In the event that an employee is deployed for active duty in the United States armed forces, the City shall provide the employee with the same job level and seniority, should the employee come back to work for the City after discharge, in accordance with ORS 408.290.

D. Overtime and Compensatory Time.

1. Nonexempt employees shall be compensated for overtime in accordance with Oregon State Wage and Hour Laws. Any work performed in excess of forty (40) hours in one work week constitutes overtime. All overtime shall be in the form of compensatory time off at the rate of one and one half times the amount of overtime worked or, if on Sunday or holidays, at the rate of double time.
2. Compensatory time shall not be allowed to accrue to an amount greater than forty (40) hours without prior approval by the supervisor. In extenuating circumstances payment of compensatory time may be considered by the City Council.
3. All compensatory time off shall be at the convenience of the City. The employee's supervisor shall adjust work schedules to ensure that compensatory time off is utilized as soon as possible.
4. Upon termination or resignation of a regular employee, the employee shall be paid his or her accumulated compensatory time calculated at the final regular rate of pay received by the employee.

Section 12. Employee salary compensation and job descriptions shall be as follows:

A. Exempt Employees.

1. City Recorder/Treasurer. (\$3,718 to \$6,056)
 - a) Description. The City Recorder/Treasurer is under the direction of the City Council. It is a position encompassing the position of City Recorder and City Treasurer, is responsible to the Council for the execution of all office activities, which include, but are not limited to, the fiscal management of the City, its budget processes, accounting and payroll operations, and investment of City funds. He or she also performs specialized clerical work involving the recording of City Council proceedings, keeping and typing of City Council minutes, custody of official City records, and correspondence of same with citizens. He or she processes and signs official documents, issues all licenses granted by the Council or authorized by ordinance, makes regular reports to the Council

of all monies received and all disbursements made, and works with the enforcement of city ordinances and resolutions. He or she is expected to utilize independent thought and judgment in the performance of his or her duties and other tasks which may be assigned by the Council. He or she hires, fires, transfers and disciplines employees under his or her direct supervision, subject to review by the Council. The Recorder is responsible for the cross-training of all employees under his/her supervision to perform all daily routine office functions and procedural steps for dealing with unexpected issues and/or emergencies. Portions of City Recorder/Treasurer's duties may be delegated by him or her as needed, to ensure the uninterrupted functioning of City government. The City Recorder/Treasurer is the supervisor of the City Clerk and of the Planning/Special Projects Technician.

- b) Minimum Qualifications. Applicants should hold a master's degree in business administration or public administration or a bachelor's degree in business administration or accounting with two years of related government experience. It is suggested that applicants not holding a college degree have a combined total of four (4) years related course work and/or work experience including experience in municipal administration and fiscal management.

2. Public Works Director (\$3,718 to \$6,056)

- a) Description. The Public Works Director is under the direction of the City Council and is responsible to provide general management and long-range planning for all activities of the Public Works Department and the Kilchis Regional Water District distribution system and reservoirs, including construction and maintenance of streets, storms drains, sewer facilities, parks and equipment and do related physical work as required. Oversee and ensure that all functions of the Public Works Department are in full compliance with the appropriate regulatory entities. Establish goals and objectives. Plan and develop programs, policies and procedures related to areas of responsibility, based on analysis of City needs, workload, staffing levels, and related economic legislative and judicial influences, to deliver department services appropriately and effectively. Direct maintenance of work progress records and prepare periodic reports of department activities to the City Council. Develop and present the annual department budget; manage and monitor the approved budget. Prepare and/or review requests for proposals, grant requests, etc. Review and approve expenditures. Develop long range Capital Improvement Plan; initiate, prioritize, schedule and supervise construction and maintenance work. Actively seek grant opportunities for all functions of the Public Works Department. Assign, supervise, do physical work with, and evaluate work of subordinates. Demonstrate ability to be a "hands on Supervisor." Prepare and deliver annual employee performance reviews; monitor employee performance throughout the year. Hear grievances and administer disciplinary action. Interview applicants; hire qualified

applicants and recommend termination when necessary, subject to review by the City Council. Develop and administer training program for all Public Works employees. Assure timely renewal of employee certifications where required. Manage public works projects and contracts; develop scope of work, budget, and work site inspection; coordinate with consultants and/or other governmental bodies; recommend necessary actions to the City Council. Working with City Planner, monitor property development and construction to assure conformity with Comprehensive Plan, Development Ordinance, conditions established by Planning Commission and other applicable Bay City ordinances. Oversee and approve off-site and on-site infrastructure improvements and Public Works standards. Supervise the Code Enforcement Officer and assist Officer with citations, when appropriate. Receive and resolve citizen complaints and concerns regarding public works functions and personnel and forward complaints to Code Enforcement Officer when appropriate. Attend City Council, Public Works Committee, and other meetings, providing input and receiving direction or other information. Prepare reports and review resolutions and ordinances for Council information or action. Ensure compliance with all safety rules and procedures for work areas.

- b) Minimum Qualifications. Broad knowledge of public work functions, engineering and public administration principles. Thorough knowledge of the principles of supervision and personnel practices; materials, methods and techniques used in the construction, maintenance and operation of public works facilities; contract administration; and budgeting. Completion of four year university education in civil engineering discipline or public administration, or equivalent, and a minimum of five (5) years progressively responsible experience in a public works environment which includes supervisory responsibilities; or any satisfactory combination of experience and training which demonstrates knowledge, skills and abilities to perform the above duties.

3. Fire Chief (\$3,300.00/month)

- a) Description. The Fire Chief position is hired by the City Council and is under the direction and supervision of the Bay City Council. The Bay City Fire Chief is a half time exempt employee, subject to his/her own hours, as needed, to carry out his/her job duties in completing the duties of Fire Chief. The position is eligible for employee benefits at a rate of half time as covered under part time benefits within this ordinance. The Fire Chief is responsible to the City Council to provide on-going leadership and supervision of the City Fire Department, including but not limited to: provide job descriptions for all members of the department; provide training for all members in basic fire tactics; provide safety training for all department members; provide documentation of training for future use of the department and the firemen; prepare office procedures manual for required reports; timely file all required reports; recruit and train additional members for the Bay City Department;

develop and initiate a cross training program with neighboring public safety agencies; prepare an annual budget; maintain all department records in a current condition; assist in grant writing and procurement when possible; keep the City Council informed of successes and problems within the department; and attend monthly City Council meetings and provide monthly written reports on the Department's activities. Code enforcement duties are limited to fire issues as set forth as an assistant to the State Fire Marshall as defined in ORS 476.060 and to other fire and life safety issues if an immediate danger to life and/or property exists.

- b) Desired Qualifications. Applicants must have seven (7) years of Fire Department experience with increasing responsibilities and at least 2 years at the Captain's position or higher. Demonstrated leadership qualities required. Management and/or budget responsibilities with the fire fighting organization or in a related organization desirable. Must have a valid Oregon's driver's license.

B. Non-Exempt Employees.

1. Planning/Special Projects Technician (\$2,788 to \$4,540)

- a) The Planning/Special Projects Technician is responsible to the City Recorder/Treasurer for the performance of his or her duties. He/she is expected to answer questions related to City Ordinances and policies and to relieve the City Recorder/Treasurer of routine administrative functions such as typing, telephone calls, and minor accounting functions. The Planning/Special Projects Technician serves as the Planning Commission secretary and will be responsible to the Planning Commission for those duties associated with that position. Such duties include, but are not limited to, attending meetings of the Planning Commission, keeping and typing minutes, typing correspondence, notifying concerned parties of Planning Commission actions and decisions and preparing documents for planning affairs. The Planning/Special Projects Technician will be responsible for answering building/planning questions from the public and working with the City Planner on building/planning issues. He/she will keep the property files current and continually work on upgrading the City's filing systems and general record keeping. The Planning/Special Projects Technician shall be responsible for maintaining and updating the City's web site and to perform other duties as may be assigned by the City Recorder.
- b) Minimum Qualifications. Applicants must have a high school diploma or GED. Applicants must have the ability to type, be proficient with a 10-key office machine, and must be familiar with office microcomputer applications and be good at working with the public.

2. City Clerk (\$2,401 to \$3,911)

- a) Description. The City Clerk is responsible to the City Recorder/Treasurer for the performance of his or her duties. The City Clerk will maintain all necessary records for the water and sewer departments including billing and collection of the fees for these two departments and maintain the daily register of all other monies received by the City. The Clerk will perform responsible secretarial functions such as typing of correspondence, minutes, public notices, reports, and general office work as assigned by the City Recorder/Treasurer. The City Clerk is responsible for the preparation and delivery of bank deposits. He/she will perform purchasing duties such as obtaining quotes, when feasible, on all items for the office and the public works department, and shall perform general secretarial functions such as answering phones, dealing with the public, scheduling appointments and scheduling rental of the Community Hall. He/she will continually work on upgrading the City's filing systems and general record keeping. He/she is expected to answer questions related to City Ordinances and policies and to relieve the City Recorder/Treasurer of routine administrative functions such as typing, telephone calls, and minor accounting functions. The City Clerk serves as the alternate Planning Commission secretary and will be responsible to the Planning Commission for those duties associated with that position, as needed. Such duties include, but are not limited to, attending meetings of the Planning Commission, keeping and typing of minutes, typing correspondence, notifying concerned parties of Planning Commission actions and decisions and preparing documents for planning affairs. The City Clerk shall be responsible for maintaining and updating the City's web site, and to perform other duties as may be assigned by the City Recorder.
- b) Minimum Qualifications. Applicants must have a high school diploma or GED. Applicants must have the ability to type, be proficient with a 10-key office machine, and must be familiar with office microcomputer applications and be good at working with the public.

3. Water/Wastewater Technician (\$3,254 to \$5,300)

- a) Description. Under the general direction of the Public Works Director, assume operational responsibility for the Wastewater Plant, Water Distribution facilities, and related components. May train and supervise part-time or full-time employees that are in the same or lower classification. Perform other duties as assigned by the Public Works Director.

The Water/Wastewater Technician is required to drive to various works locations, and have the mobility and agility to move about each site as the work demands dictate. The Water/Wastewater Technician will operate pumps, motors, generators, chemical feeders, basic laboratory apparatus, sludge field applicators and tankers, personal computers and various other office equipment, etc. for water distribution, wastewater treatment plant,

wells, reservoirs, lift stations, etc.

Performs advanced maintenance on all water/wastewater equipment. Performs advanced chemical and bacteriological analyses in the laboratory or at the various treatment components. Instructs subordinate operators in making adjustments on operational and equipment changes. Must be available to work in emergencies. Maintains plant records, prepares reports, and data processing of the water and wastewater departments. The Water/Wastewater Technician shall perform all necessary laboratory tests and operate systems to meet all water/wastewater standards.

The Water/Wastewater Technician shall have accelerated knowledge of water distribution, wastewater treatment plant operations and processes, standard methods in water/wastewater treatment test and test procedures; knowledge of occupational hazards and safety precautions. Water/Wastewater Technician must have accelerated knowledge and skills for personal computers, computerized equipment and computer processing. Duties require heavy lifting, working in extreme environmental conditions, working at different heights above and below ground level, long periods of walking, and abiding by all City, State and Federal safety rules.

- b) Minimum Qualifications. High School diploma or GED. Successful completion of technical college water/wastewater operations program and hold a valid Oregon Certification level for the City's water and wastewater systems, as set forth in OAR Chapter 333 and OAR Chapter 340 for wastewater. Must have a valid Oregon driver's license and ability to obtain a commercial endorsement.

4. Utility Worker Grade I (\$2,401 to \$3,911)

- a) Description. Under the direction of the Public Works Director, or designated employee, he or she is expected to operate manual and power equipment required for the maintenance of roads, parks, sewer and water facilities, and public buildings. He or she is expected to maintain gasoline, diesel, and mechanical equipment and machinery such as backhoes, automobiles, fire trucks, dump trucks, pumps, generators, and propane and chlorine equipment. He or she is expected to maintain and operate wells, pumps, and chlorine equipment and to perform other duties as assigned by the Public Works Director. Duties require heavy lifting, working in extreme environmental conditions, working at different heights, above and below ground level, long periods of walking, and abide by all City, state and federal safety rules. A commercial driver's license must be obtained.

The Utility Worker shall be required to obtain certification (Mandatory Certification). The worker shall be certified in either water systems or wastewater systems within five (5) years of the date of employment. The

Public Works Director shall decide which certification the employee shall obtain after the first year of employment.

- b) Minimum Qualifications. A high school diploma or GED. A valid Oregon driver's license is required.

5. Utility Worker Grade II (\$2,788 to \$4,540)

- a) Description. Under the direction of the Public Works Director, operates and maintains wastewater treatment and water distribution facilities. He or she shall perform all necessary laboratory tests and operate system to meet all water/wastewater quality standards. On-site lead workers' duties may occasionally be expected. He or she is expected to operate manual and power equipment required for the maintenance of roads, parks, sewer and water facilities and public buildings. He or she is expected to maintain gasoline, diesel, and mechanical equipment and machinery such as backhoes, automobiles, fire trucks, dump trucks, pumps, generators, and propane and chlorine equipment. He or she is expected to maintain and operate wells, pumps, and chlorine equipment and to perform other duties as assigned by the Public Works Director. Duties require heavy lifting, working in extreme environmental conditions, working at different heights, above and below ground level, long periods of walking, and abide by all City, state and federal safety rules. A commercial driver's license must be obtained.

The Grade II Utility Worker shall be required to obtain the certification level of the City's water and wastewater systems as set forth in OAR Chapter 333 for water and OAR Chapter 340 for wastewater.

- b) Minimum Qualifications. A high school diploma or GED, and three (3) years of related work experience and Level 1 Certification in water or wastewater certification. A valid Oregon driver's license is required.

6. Code Enforcement Officer (\$15.00 to \$25.00 per hour)

- a) Description. Part-time position under the supervision and direction of the Public Works Director, with hours set by the Public Works Director. Investigates activities and complaints, as directed by the Public Works Director to determine if there is non-compliance with City Ordinances and policies. Takes enforcement action, in compliance with City policies and ordinances, and when appropriate, brings issues to the Public Works Director for Council action, as may be appropriate. Duties require operation of a city vehicle, good physical mobility and may require running and manipulating and lifting heavy objects. Duties require working with difficult people and public education. Must be able to communicate in clear and courteous manner. Complaints to be investigated include, but are not limited to: abandoned vehicles, weeds, signs, visibility, debris, encroachments, water diversions and public health

or safety issues. Responsibility for issuing letters, citations and arranging for towing and impoundment, as appropriate. Must follow all safety rules and procedures. Testify in Court, as may be necessary. Must maintain current knowledge of City ordinances and policies. Monthly written report to the Public Works Director of all activities, letters, citations and complaints required. Will require cooperative communications with the Public Works Director, City Recorder, the Fire Chief and other City staff.

- b) Minimum Qualifications. A high school diploma or GED, any specialized courses, and two (2) years of related work experience or any satisfactory combination of experience and training which demonstrates knowledge, skills and abilities to perform the above services. A valid Oregon driver's license is required. Must be proficient with computer for reports. Knowledge of animal behavior, or current Animal Control certificate is desirable. CPR/First Aid certificate is desirable. Spanish bilingual capability preferred. Police or other dispatch radio experience preferred.

7. Fire Department Administrative Assistant/Training Administrator. (\$16.00-\$24.00 Hr.)

- a) Description. The Administrative Assistant position provides administration, financial management and record keeping support to the Bay City Fire Department. The position is intended to be 24 hours per week and may include night and weekend time, depending on the requirements of the Volunteer Firefighters. The position answers to the Fire Chief and Assistant Fire Chief, in the Chief's absence.

The position requires application of department policies and procedures, requires confidentiality, assists in the departmental budget, purchases and maintains office supplies, maintains firefighter's training and other records, maintains department files, including inventory and maintenance of equipment, prepare reports and correspondence as needed, assist with recruitment and orientation of new volunteer firefighters, update and maintain the department website, follow all safety rules and procedures, perform other related duties and special projects as assigned by the Fire Chief or his designee.

- b. Minimum Qualifications. High school degree or GED Must be able to work independently, have good word processing skills, be computer literate with Microsoft Office software and be accurate in spelling, ability to learn software programs designed for fire departments; good organizational skills and attention to detail. Must possess excellent interpersonal skills with the ability to communicate effectively orally and in writing in English with the public, elected officials, department heads and other fire department members.
- c. Desired Qualifications. In addition to the above, possess the ability to develop, implement and utilize a records management system, possess the ability to

assist the Fire Chief and/or Department Training Officer with the development and implementation of a training program designed to meet the Department and the Volunteer Firefighter's needs. Assist the Fire Chief with the training and equipment budget process, including design specifications and material selection. Possess the ability to deliver training through prepared curriculum. Possess the ability to conduct routine vehicle and equipment tests and inspections as well as minor maintenance and repairs. Possess the ability and credentials to direct Volunteer Firefighters in training drills and exercise with a prepared curriculum including tests and skill sheets.

8. Temporary Employee (At least minimum wage)

- a) Description. Employees in this position perform a variety of semi-skilled manual tasks in the performance of assigned duties. He or she will operate light equipment, simple power tools and hand tools. He or she will work as a crew member under frequent supervision. Duties require heavy lifting, working in extreme environmental conditions, working at different heights, above and below ground level, long periods of walking, and abide by all City, state and federal safety rules. A valid Oregon driver's license is required.

Section 13. Salary Compensation

A. Annual Step Increases. The following salary schedule will be used by the City Council as a general guide in granting annual step increases. The schedule is not intended as a guarantee of annual pay increase to any or all employees. It has been established as a means of providing employees with a reasonable indication of how they may progress through the established salary range for their position as they complete successive years of satisfactory service to the City and to provide an incentive for employees to continue this service. The authority to grant an annual step increase rests with department supervisors, or with the City Council in the case of department supervisors. Increases may be for the amounts shown below or any portion thereof, subject to a favorable evaluation of the employee's performance and the availability of funds to support the increase. After the employee reaches Step 10, a cost of living adjustment based upon the most recent consumer price index shall be given annually upon the employee's hiring anniversary date. The cost of living increase shall be computed by taking the first and second halves of the previous year's Portland CPI-U index and dividing by 2.

1. Exempt Employees (Monthly Salary) City Recorder; Public Works Director.										
Entry	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step
Level	1	2	3	4	5	6	7	8	9	10
3718	3904	4099	4304	4519	4745	4982	5231	5493	5768	6056

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2. Non-Exempt Employee (Monthly Salary) City Clerk, Utility Worker Grade I										
Entry	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step
Level	1	2	3	4	5	6	7	8	9	10
2401	2521	2647	2779	2918	3064	3217	3379	3548	3725	3911

3. Non-Exempt Employees (Monthly Salary) Utility Worker Grade II; Planning/Special Projects Technician										
Entry	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step
Level	1	2	3	4	5	6	7	8	9	10
2788	2927	3073	3227	3388	3557	3735	3922	4118	4324	4540

4. Non-Exempt Employees (Monthly Salary) Water/Wastewater Technician										
Entry	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step
Level	1	2	3	4	5	6	7	8	9	10
3254	3417	3588	3767	3955	4153	4361	4579	4808	5048	5300

B. Longevity Pay. Longevity pay is to encourage (valued) employees to remain with the City. The longevity pay plan shall be an annual payment, after completing five years of employment, as follows:

1. \$350 per year after completing five (5) through ten (10) years.
2. \$575 per year after completing ten (10) through fifteen (15) years.
3. \$800 per year after completing fifteen (15) through twenty (20) years.
4. \$1150 per year after completing twenty (20) years or more.

For the purpose of computation of the longevity pay, the commencing date of employment shall be on the employee's anniversary date. No payments can be applied for if the employment terminates prior to serving at least the minimum number of years necessary for the initial payment.

Section 14. Review. This ordinance should be reviewed by the City Council at least once each three (3) years.

Section 15. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect

the validity of the remaining portions of this ordinance, which shall continue in full force and effect.

Section 16. Emergency. The City Council desires to retain continuity of having a personnel policy, but has found difficulty administering the current policy; therefore, the City Council declares an emergency to exist and declares that this ordinance shall become immediately effective upon passage by the City Council and approval by the Mayor.

PASSED and ADOPTED by the City Council this 9th day of July, 2019 and APPROVED by the Mayor this 9th day of July, 2019.

/s/ Christopher Kruebbe

Christopher Kruebbe, Mayor

ATTEST:

/s/ Linda Downey

Linda Downey, City Recorder

First Reading:

Second Reading:

Adoption:

Ayes: 6

Nays: 0

Abstentions: 0