

CITY OF SEASIDE EMPLOYEE HANDBOOK AND POLICY MANUAL



Mission of Excellence: The mission of the City of Seaside is to improve the livability of our city by offering exemplary public service for all citizens and guests, thereby creating a strong spirit of community and a safe and enjoyable environment for everyone.

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Employees of the City of Seaside,

We're glad to have you on our team. We believe that our employees are our most valuable assets. In fact, we attribute our success as an organization in significant part to our ability to recruit, hire, and maintain a motivated and productive workforce. We hope that during your employment with the City, you will become a productive and successful member of Seaside's team.

This employee handbook describes, in summary, the personnel policies and procedures that govern the employment relationship between the City of Seaside and its employees, other than those found in applicable collective bargaining agreements. The policies stated in this handbook are subject to change at any time at the sole discretion of the City with or without prior notice. This handbook supersedes any prior handbooks or written policies of the City of Seaside that are inconsistent with its provisions. It does not, however, substitute for collective bargaining agreement provisions. To the extent that a provision in a valid collective bargaining agreement contradicts or is inconsistent with what is in this employee handbook, the collective bargaining agreement provision controls.

This handbook does not create a contract of employment between the City of Seaside and its employees. With the exception of employees who are subject to a collective bargaining agreement, all employment at the City of Seaside is "at will." That means that either you or the City may terminate this relationship at any time, for any reason, with or without cause or notice (unless you are subject to a written contract of employment). No supervisor, manager, or representative of the City of Seaside other than the City Manager and Administrative Office has the authority to enter into any agreement with you regarding the terms of your employment that changes our at-will relationship or deviates from the provisions in this handbook, unless the change or deviation is put in writing and signed by the City of Seaside (or that is included in a collective bargaining agreement).

You may receive updated information concerning changes in policy from time to time, and those updates should be kept with your copy of the handbook. If you have any questions about any of the provisions in the handbook, or any policies that are issued after the handbook, please ask the Human Resources Representative for the City.

The City makes every effort to ensure that this handbook complies with all applicable laws. However, in the event that any provision in this handbook conflicts with any local, state or federal law, the applicable law shall control. Similarly, to the extent that the terms of written benefit plans or a collective bargaining agreement ever conflict with this handbook, the inconsistent terms of the written contract, policies and/or plans shall control.

The rules in this handbook apply to employment with the City, and the rules of conduct in this handbook apply whether an employee is working, attending work-related conferences or social events, or travelling on work-related business.

Sincerely,

Mark Winstanley
City Manager
City of Seaside

I. EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICIES

The following EEO Policies apply to all employees. Members of management elected officials and employees alike are expected to adhere to and enforce the following EEO Policies. Any employee's failure to do so may result in discipline, up to and including termination.

All employees are encouraged to discuss these EEO Policies with Human Resources at any time if they have questions relating to the issues of harassment, discrimination or bullying, or what it means to work in a respectful workplace.

A. No-Discrimination, No-Retaliation Policy

The City of Seaside provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, sex, gender identity, pregnancy (including childbirth and related medical conditions), sexual orientation, national origin, marital status, age, expunged juvenile record, disability, genetic information, veteran status, domestic violence victim status, or any other status or characteristic protected by applicable federal, Oregon, or local law. The City of Seaside also recognizes an employee's right to engage in protected activity under Oregon and federal law, as discussed in various policies below, and will not retaliate against an employee for engaging in protected activity.

The City of Seaside's commitment to equal opportunity applies to all aspects of the employment relationship — including but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall, and termination of employment.

B. Statement Regarding Pay Equity

The City of Seaside supports Oregon's Pay Equity Law and federal and Oregon laws prohibiting discrimination between employees on the basis of a protected class (as defined by applicable law) in the payment of wages or other compensation for work of comparable character. Employees who believe they are receiving wages or other compensation at a rate less than that at which the City of Seaside pays wages or other compensation to other employees for work of comparable character are encouraged to discuss the issue with Human Resources.

See also "Statement Regarding Pay Practices" (section Q, p.20)

C. No-Harassment Policy

The City of Seaside prohibits unlawful discrimination, harassment or sexual assault in the workplace. Specifically, the City of Seaside prohibits harassment or conduct related to an individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, marital status, age, expunged juvenile record, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or characteristic protected by Oregon, federal or local law. It is the City's policy that all employees, customers, clients, contractors, and visitors to the workplace are entitled to a respectful and productive work environment free from behavior, action, or language that constitutes workplace harassment or discrimination.

The policy prohibits any conduct at work that a reasonable person in the individual's circumstances would consider unwelcome, intimidating, hostile, threatening, violent, abusive, or offensive. It also prohibits employment actions, including hiring, promotion, termination, and compensation decisions, to be taken based on a protected characteristic. This policy also prohibits any form of retaliatory action toward an employee for filing a complaint of discrimination or harassment, or for participation in an investigation of a complaint.

Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and sexual assault. Further, all employees are responsible for respecting the rights of other employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether others participate in the conduct or did not appear to be offended. All employees are encouraged to discuss this policy with their immediate supervisor, any member of the management team, or with Human Resources at any time if they have questions relating to the issues of discrimination or harassment.

This policy applies to and prohibits discrimination, sexual assault, and sexual or other forms of harassment that occur during working hours, during City of Seaside-related or – sponsored trips (such as conferences or work-related travel), and during non-working hours when that off-duty conduct creates an unlawful hostile work environment for any of the City of Seaside's employees. ***Such harassment is prohibited whether committed by City of Seaside employees or by non-employees (including elected officials, members of the community, volunteers, interns and vendors).***

- **Sexual Harassment**

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is "welcome"), when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Some examples of conduct that could give rise to sexual harassment, include, but are not limited to, unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess, or deficiency; talking about your sex life or asking others questions about theirs; leering or whistling; unwelcome touching or assault; sexually suggestive, insulting, or obscene comments or gestures; displays of sexually suggestive objects or pictures; making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex.

This is not a complete list.

▪ **Other Forms of Prohibited Harassment**

The City of Seaside's policy also prohibits harassment against an individual based on the individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, marital status, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or characteristic recognized under Oregon, federal or local law.

Such harassment may include verbal, written or physical conduct that denigrates, makes fun of, or shows hostility towards an individual because of that individual's protected class or protected activity, and can include:

- Jokes, pictures (including drawings), epithets, or slurs;
- Negative stereotyping;
- Displaying racist symbols anywhere on City of Seaside properties;
- "Teasing" or mimicking the characteristics of someone with a physical or mental disability;
- Criticizing or making fun of another person's religious beliefs, or "pushing" your religious beliefs on someone who doesn't have them;
- Threatening, intimidating, or hostile acts that relate to a protected class or protected activity; or
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of the protected status.

This is not a complete list. All employees are expected to exercise common sense and refrain from other similar kinds of conduct.

▪ **Complaint Procedure**

Employees, volunteers or interns who have experienced a sexual assault, any harassment, or discrimination in violation of this policy, who have witnessed such behavior, or who have credible information about such behavior occurring, are expected and should bring the matter to the attention of a Supervisor, Department Head, Human Resources Representative or member of management as soon as possible. Employees are strongly encouraged to document the information or incident in any written or electronic form, or with a voicemail message (or phone call). An employee who experiences or witness's harassment is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted, and that he/she wants it to stop.

▪ **Investigation and Confidentiality**

All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent reasonably possible, consistent with the City of Seaside's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, the City of Seaside will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment. The City may also subject

managers and supervisors who fail to report known harassment – or fail to take prompt, appropriate corrective action — to disciplinary action, including potential dismissal.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the City of Seaside's complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation. Employees may, however, seek redress from the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or in a court under any other available law, whether criminal or civil. Although the City of Seaside cannot provide employees with legal advice, employees should be aware of the statute of limitations applicable to harassment or discrimination claims under ORS 659A.030, 659A.082 or 659A.121 (five years). Further, before an employee can take any legal action against the City of Seaside, the employee must provide written notice of the claim within 180 days of the act or omission the employee claims harm was caused. When an employee can prove harm as a result of unlawful harassment or discrimination in an administrative proceeding or in a court, remedies available to the employee include enforcement of a right, imposition of a penalty, or issuance of an order to the employee's employer (in limited circumstances).

- **Protection Against Retaliation**

The City of Seaside prohibits retaliation in any way against an employee because the employee has made a good-faith complaint pursuant to this policy or the law, has reported (in good faith) sexual assault, harassing or discriminatory conduct, or has participated in an investigation of such conduct.

Employees who believe they have been retaliated against in violation of this policy should immediately report it to a Supervisor, Department Head, Human Resources Representative or member of management as soon as possible. Any employee who is found to have retaliated against another employee in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

See also the No-Discrimination, No-Retaliation Policy, above – section A, and the Reporting Improper and Unlawful Activity Policy, below – section G.

Other Resources Available to Employees

The City of Seaside provides an Employee Assistance Program (EAP) through Cascade Centers to employees and dependents who are enrolled in the City of Seaside's medical coverage. For access to confidential help 24 hours a day, seven days a week, call toll-free: 1-800-433-2320, or go online to www.cascadecenters.com. The EAP program provides confidential counseling services and educational tools such as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, and others.

The City of Seaside cannot provide legal resources to its employees or referrals to specific attorneys. Employees may contact the Oregon State Bar for more information: <https://www.osbar.org>.

Nondisclosure or Non-disparagement Agreements

Nothing in this policy is intended to diminish or discourage an employee who has experienced workplace harassment or discrimination, or sexual assault, from talking about or disclosing his/her experience.

The City of Seaside is committed to creating and maintaining a workplace free of sexual assault, harassment, discrimination, and retaliation and it has confidence in the process it has developed for addressing good-faith complaints. However, Oregon law requires the City of Seaside to inform employees that if they have been aggrieved by workplace harassment, discrimination or sexual assault and want to enter into an agreement with the City of Seaside regarding the experience and/or employment status, the employee should contact Human Resources. The employee's request to enter into such an agreement must be in writing (email or text is acceptable). Requests of this nature will be considered on a case-by-case basis; such agreements are not appropriate for every situation.

The City of Seaside will not require an employee to enter into any agreement if the purpose or effect of the agreement prevents the employee from disclosing or discussing conduct constituting discrimination, harassment, or sexual assault. An employee claiming to be aggrieved by discrimination, harassment, or sexual assault may, however, voluntarily request to enter into a settlement, separation, or severance agreement which contains a nondisclosure agreement (which would prohibit the employee from discussing or communicating about his/her experiences in the workplace or the terms of the agreement,) a non-disparagement agreement (which would prohibit the employee from speaking slightly about the City of Seaside or making comments that would lower the City of Seaside in rank or reputation), or a no-rehire agreement (prohibiting the employee from seeking employment with the City and allows the City not to rehire that person). The employee will have seven days to revoke any agreement containing a nondisclosure, non-disparagement, or no-rehire provision after signing it.

D. No-Bullying Policy

The City of Seaside strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. The City of Seaside, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate, or that creates a hostile work environment for another employee for any reason. For purposes of this policy, "bullying" refers to repeated, unreasonable actions of individuals (or a group) directed towards an individual or a group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee(s). **Examples of bullying include:**

1. **Verbal Bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
2. **Physical Bullying:** Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
3. **Gesture Bullying:** Non-verbal threatening gestures, glances that can convey threatening messages.

4. **Exclusion Bullying:** Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with co-workers may be viewed as bullying.

5. **Cyber Bullying:** Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on websites for co-workers, managers or supervisors or elected officials.

**This is not be a complete list but gives guidance to the types of bullying employees and employers may see in the workplace.

Employees who have experienced bullying in violation of this policy, who have witnessed an incident of bullying, or who have credible information about an incident, are expected and should bring the matter to the attention of their supervisor or a member of management as soon as possible. If conduct in violation of this policy is found to have occurred, the City of Seaside will take prompt, appropriate action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

E. Disability Accommodation Policy

The City of Seaside is committed to complying fully with the Americans with Disabilities Act (ADA) and Oregon's disability accommodation and anti-discrimination laws. The City is also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

- **Reasonable Accommodations**

The City of Seaside will make reasonable efforts to accommodate a qualified applicant or employee with a known disability, unless such accommodation creates an undue hardship on the operations of the City.

- **Requesting an Accommodation**

A reasonable accommodation is any change or adjustment to a job or work environment that does not cause an undue hardship on the City and that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, a reasonable accommodation may include providing or modifying equipment or devices, job restructuring, allowing part-time or modified work schedules, reassigning an individual, adjusting or modifying examinations or training materials provided by the City, providing readers and interpreters, or making the workplace readily accessible to and usable by people with disabilities.

Employees should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to perform the essential duties of a position. All requests for accommodation should be made to both a

Supervisor and also to the City HR Representative and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, an employee will need to secure medical verification of his/her need for a reasonable accommodation. Both the City and employee will engage in an interactive process in order to determine whether and to what extent accommodation is possible, and also to monitor the employee's ability to perform all essential functions of the position and make adjustments to the work performed and nature and extent of accommodation as the employee's ability to attend and perform the work changes.

- **No Discrimination, No Retaliation**

The City prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by the City; (3) needed an accommodation, or (4) refused an accommodation which is unnecessary to the full performance of essential job functions. The City will not deny employment opportunities solely because an employee or applicant is entitled to employment with reasonable accommodation under this policy.

F. Pregnancy Accommodation Policy

Employees who are concerned that their pregnancy, childbirth, or a related medical condition (including lactation) will impact their ability to work should contact a Supervisor and HR Representative to discuss their options for continuing to work and, if necessary, leave of absence options. The City will provide reasonable accommodation for employees with known limitations if the City can do so without an undue hardship on the City's operations.

Requesting a Pregnancy-Related Accommodation

Employees who are concerned that their pregnancy, childbirth or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with Human Resources and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's doctor will be needed to inform the City and the employee concerning performance limitations and an effective accommodation, and to verify the employee's need for an accommodation. Both the City and employee will engage in an interactive process to identify reasonable accommodations and to monitor the employee's condition, needs and reasonableness of accommodations and make adjustments as needed.

No Discrimination, No Retaliation

The City prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by the City; or (3) needed an accommodation. The City will not deny employment opportunities solely because an employee or applicant is entitled to employment with reasonable accommodation under this policy.

Employees have the right to refuse an accommodation that is unnecessary for the employee to perform the essential functions of the job or when the employee doesn't have a known limitation. Under Oregon law, an employer cannot require an employee to use FMLA/OFLA or accrued sick leave if a reasonable accommodation can be made that doesn't impose an undue hardship on operations.

Leave of Absence Options for Pregnant Employees

Employees who are pregnant or experiencing pregnancy-related medical conditions should also be aware of their leave of absence options under the Oregon Family Leave Act and the Family Medical Leave Act. **See policies beginning on page 25, Section Y, or speak with a Human Resources Representative.**

G. Reporting Improper or Unlawful Conduct — No Retaliation

Employees may report reasonable concerns about the City of Seaside's compliance with any law, regulation or policy, using one of the methods identified in this policy. The City will not retaliate against employees who disclose information that the employee reasonably believes is evidence of:

- A violation of any federal, Oregon, or local law, rules or regulations by the City;
- Mismanagement, gross waste of funds, abuse of authority;
- A substantial and specific danger to public health and safety resulting from actions of the City; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, the City will not prohibit an employee from discussing the activities of a public body or a person authorized to act on behalf of a public body with a member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision, or an elected auditor of a city, county or metropolitan service district.

Employee Reporting Options

In addition to the City's Open-Door Policy (see page 47, Section PP) employees who wish to report improper or unlawful conduct may first talk to his/her supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, employees are encouraged to speak with the department head, Human Resources Representative, Assistant City Manager or City Manager. Supervisors and managers are required to inform the HR Representative about reports of improper or unlawful conduct they receive from employees.

Reports of unlawful or improper conduct will be kept confidential to the extent possible consistent with the City's duties to conduct a full and fair investigation, take appropriate remedial and/or disciplinary action, and report violations of law to appropriate authority if it is appropriate to do so.

If an employee believes the City acted unlawfully to prohibit, discipline, or threaten to discipline him/her for engaging in an activity described above, he/she may file a complaint with the Oregon Bureau of Labor and Industries or bring a civil action in court to secure all remedies provided for under Oregon law.

- **Additional Protection for Reporting Employees**

Oregon law provides that, in some circumstances, an employee who discloses a good faith and objectively reasonable belief of the City's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the employee's disclosure must relate to the conduct of his/her coworker or supervisor acting within the course and scope of his/her employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) a manager with the City of Seaside; or (4) an Oregon-licensed attorney who represents the employee making the report/disclosure. The defense applies in situations where the information disclosed was lawfully accessed by the reporting employee.

Policy Against Retaliation

The City will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes improper or unlawful conduct was committed based on lawfully accessed information, if any, related to the violation (including information that is exempt from disclosure as provided in Oregon law or by City policy).

In addition, the City prohibits retaliation against an employee for participating in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no City employee will be adversely affected because they refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. The City may discipline (up to and including termination of employment) an employee who has engaged in retaliatory conduct in violation of this policy.

This policy is not intended to protect an employee from the consequences of their own misconduct or inadequate performance simply because the employee reported misconduct or inadequate performance; and an employee is not entitled to protections under this policy if the City determines that the report was known to be false, or information was disclosed with reckless disregard for its truth or falsity because making such a report is adequate cause for discipline up to and including termination of employment.

II. EMPLOYMENT STATUS

H. Probationary Period of Employment

All new employees and employees who are promoted or transferred within the City shall serve a probationary period of six months during which time their performance and qualification will be evaluated by the City. Police Department employees shall complete a probationary period of 12 months for non-sworn and 18 months for sworn personnel. Fire Department employees shall complete a probationary period of 12

months. The probationary period is an extension of the selection process. During this period, probationary employees are considered to be in training and under observation and evaluation. Evaluation includes adjustment to work tasks, conduct and other work rules, attendance, suitability and ability to perform job functions successfully. During this period the newly hired or promoted employee must demonstrate satisfactory performance for the position, and knowledge, skills and abilities which predict continued success in the position. It is also an opportunity for the probationary new hire to confirm that the City of Seaside meets expectations and is a desirable employer.

At or before the end of the probationary period, a decision about your employment status will be made. The City will decide whether to: (1) Extend your probationary period; (2) Move you to regular, full-time or regular, part-time status in the position; or (3) Terminate your employment or, in cases of promotion return you to a prior or lower position which is available and suitable.

Employees are not guaranteed any length of employment upon hire or transfer/promotion; both you and City may terminate the employment relationship during the probationary period for any lawful reason. Further, completion of the probationary period or continuation of employment after the probationary period does not entitle you to remain employed by the City for any definite period of time or to any specific terms and conditions of employment. Both you and the City are free to terminate the employment relationship, at any time, with or without notice and for any reason not prohibited by law. The City will follow the terms of collective bargaining agreements and affords subject employees the rights and procedures described therein.

I. Employment Classification

City of Seaside classifies employees as follows:

1. Regular Full-time: Employment in an established position requiring 40 hours or more of work per week. Generally, full-time employees are eligible to participate in the City of Seaside's benefit programs.
2. Regular Part-time: Employment requiring at least 20 hours of work per week but less than 40 hours per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 40 hours will not constitute a change in status from part-time to full-time. Regular, part-time employees are eligible to receive prorated employee benefits outlined in this Handbook, based on number of hours worked.
3. Temporary/Seasonal: Employment in a job established for a specific purpose (e.g., summer help, lifeguards, project-based), for a specific period of time (typically not to exceed six (6) months), or for the duration of a specific project or group of assignments. Temporary employment can either be full-time or part-time. Temporary employees are not eligible for benefits other than those mandated by applicable law.

Additionally, all employees are defined by federal and Oregon law as either "exempt" or "nonexempt," which determines whether the employee is eligible for overtime. Employees will be instructed as to whether they are exempt or non-exempt at

the time of hire or when a promotion or demotion occurs. All employees, regardless of employment classification, are subject to all City rules and procedures.

J. The Workweek

The workweek (for payroll and overtime purposes) is a seven-day work period beginning Monday at 12:00 a.m. through Sunday at 11:59 p.m. Typically, business hours are from Monday through Friday, 8:00 a.m. through 5:00 p.m. For departments that are staffed 24 hours a day, or include weekend shifts, work schedules may constitute a schedule that includes eight (8), ten (10) or 12-hour shifts. Some City departments have very specific workweeks, and shifts/schedules may vary depending on the needs of the department and facility they oversee. Please discuss any concerns you have with the workweek with your supervisor and/or HR representative. The workweek is also discussed at length within Collective Bargaining Agreements if you are a covered employee.

K. Meal Periods and Rest Breaks

Non-exempt employees may take a paid fifteen (15) minute rest period during each half shift, scheduled at or as near as feasible to the middle of each half shift. Consistent with operating requirements, employees who at the request of the City work two or more hours beyond their regular quitting time will receive a fifteen (15) minute rest period in addition to the regular rest periods occurring during the shift. Each rest period will not exceed fifteen (15) minutes total. Rest periods will not interfere with or be detrimental to the public safety.

Rest periods shall be taken at the direction of the person in charge of each department crew. Employees engaged in an operation, such as driving a truck, whose job duties require that they must wait intermittently before engaging in their own duties are deemed to be working during such waiting periods which are not construed as or included in the regularly established rest period taken near the middle of the half shift.

Non-exempt employees are required to take at least a 30-minute unpaid meal period when the work period is six hours or greater. The law requires an uninterrupted period in which the employee is relieved of all duties. A collective bargaining agreement may supersede break and meal period rules that otherwise would apply. No meal period is required if the work period is less than six hours. If, because of the nature or circumstances of the work, an employee is required to remain on duty or to perform any tasks during the meal period, the employee must inform his/her supervisor before the end of the shift so that the City may pay the employee for that work.

Generally, Public Works employees are granted a one-half hour uncompensated meal period during each work shift. City Hall, Convention Center, Visitors Bureau, Community Development and Library employees receive a one-hour uncompensated meal period. Meal periods may be scheduled at or about the middle of the work shift consistent with operating requirements of the Departments. **Police and Fire Department employees are granted a compensated meal period during each work shift because they remain subject to call and interruption.** To the extent consistent with operating requirements of the Department, meal periods shall be taken at or about the middle of the work shift at the work location.

Meal periods and rest breaks are mandatory and are not optional. An employee's meal period and rest break(s) may not be taken together as one break. Meal periods and rest breaks may not be "skipped" in order to start work late or leave early. The law requires that employees take the rest and meal periods described in this policy; an employee who fails to abide by this policy may be disciplined, up to and including termination.

The daily work schedule and timing of rest periods and meal breaks will be predicated upon anticipated operations. Rest breaks are paid time within employees' regularly scheduled hours of work (generally between 5 to 12 minutes per rest break to meet BOLI requirements reflected in the following table which specifies the rest breaks and meal periods which all employees are expected take).

Sample Break Requirement Grid for Employees not granted a compensated meal period.		
Length of Work Period	Rest Breaks	Meal Periods
2 hours or less	0	0
2 hrs, 1 min – 5 hrs, 59 min	1	0
6 hrs	1	1
6 hrs, 1 min – 10 hrs	2	1
10 hrs, 1 min. – 13 hrs, 59 min	3	1
14 hrs	3	2
14 hrs, 1 min – 18 hrs.	4	2
18 hrs, 1min – 21 hrs, 59 min	5	2
22 hrs	5	3
22 hrs, 1 min – 24 hrs	6	3

L. Rest Breaks for Expression of Breast Milk

The City will provide reasonable rest periods to accommodate an employee who needs to express milk for her child eighteen (18) months of age or younger. If possible, the employee will take the rest periods to express milk at the same time as the rest breaks or meal periods that are otherwise provided to the employee. If not possible, or if the employee is exempt from overtime laws, the employee is entitled to take a reasonable period each time the employee has a need to express milk.

The City will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time the City is required to provide as paid rest breaks and/or meal periods under applicable personnel rules or collective bargaining agreements.

Additional time needed beyond the paid rest breaks and/or meal periods may be taken as unpaid time.

If an employee takes unpaid rest breaks, the City may, at the discretion of the employee's supervisor, allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid rest periods. The City will allow, but not require, an employee to substitute paid leave time for unpaid rest periods taken in accordance with this policy.

The City will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

If a private location is not within close proximity to the employee's work area, the City will identify a private location the employee can travel to. The travel time to and from the private location will not be counted as a part of the employee's break period.

- Notice

An employee who intends to express milk during work hours must give their supervisor or Human Resources representative reasonable oral or written notice of her intention to do so in order to allow the City time to make any preparations necessary for compliance with this rule.

- Storage

Employees are responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration.

M. Overtime

- Time-and-a-Half

The City pays one and one-half times a non-exempt employee's hourly rate for all hours worked over 40 in any workweek. See "Employee Classification," above.

- Limitation on Overtime Pay

Paid hours not actually worked (for example, sick, vacation, holidays, and family leave) will not be counted toward the 40 hours worked per workweek required to receive overtime pay.

- Assignment of Overtime Work

You may be required to work overtime. When overtime work is required by the City on a particular job on a shift commencing on a day other than Saturday, Sunday, or a holiday, the non-exempt employee performing that job at the conclusion of his/her straight-time hours will normally be expected to continue to perform the job on an overtime basis. When overtime work is assigned by the City on a Saturday, Sunday, or holiday, it generally

will be assigned either based on requirements of the work and unique experience and ability of an employee assigned or in order of seniority among the employees who regularly perform the particular work involved.

When foreseeable overtime is required by the City on a Sunday or on a holiday, the City will endeavor to give the employees required to work notice of their assignment during their last shift worked prior to such Sunday or holiday.

- Supervisor Authorization

No overtime may be worked by non-exempt employees unless specifically authorized in writing by a supervisor or manager. Employees who work unauthorized overtime may be subject to discipline up to and including termination.

- Compensatory (Comp) Time for Hourly Employees

Overtime hours can be paid or, at the employee's option with City approval, accumulated at time and one-half and taken as comp time off at a later date. An employee's supervisor or department head must authorize all overtime before it is worked, unless emergency circumstances prevent prior approval. Employees must take comp time off with supervisor approval which will be granted consistent with operational needs. In any case, where approval cannot be granted, the employee will be offered alternative times or, if the time off can't be granted, the comp time balance will be reduced, and the hours paid. Comp time balances should not be held in excess of 200 hours. Employees with more than 200 hours will have until June 30, 2021 to bring balance into compliance. Compensatory time accrual, if any, in excess of 200 hours after July 1, 2021 will be paid down to the 200 hours cap.

When an employee is separated from employment with the City, any remaining comp time will be paid to the employee at current hourly rate at time of termination.

N. Timekeeping Requirements

All non-exempt employees must accurately record time worked via the City's timecard system for payroll purposes. Time worked typically means all time an employee is required to be on employer's premises, on duty or at a prescribed workplace. It includes all time spent performing job activity or performing an activity preparing an employee for work as required by your job.

Employees are required to record their own time at the beginning and end of each work period, including before and after the meal period. Employees also must record their time whenever they leave the building for any reason other than City business. Filling out another employee's timecard, allowing another employee to fill out your timecard, or altering any timecard (unless authorized to do so by management staff) will be grounds for discipline up to and including termination.

Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your timecard. Any employee who knowingly fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination.

Salaried, FLSA exempt employees also may be required to record time on either a timecard or timesheet for reasons related to time and paid-time-off accountability. These employees will be instructed separately on this process.

O. Employee-Incurred Expenses and Reimbursements

The City will pay actual and reasonable business-related expenses you incur in the performance of your job responsibilities if they are: (1) listed below or elsewhere in this handbook; and (2) pre-approved by your supervisor/manager before they are incurred. The City will not pay for or reimburse the costs incurred by a spouse, registered same-sex domestic partner or travel companion who accompanies the employee on City of Seaside-approved travel.

Employees must provide a completed and signed expense report and evidence of proof of purchase (receipts) within one month of the expense being incurred or the employee risks forfeiting his/her payment or reimbursement.

If an advance of expenses is made by the City to an employee, final receipts must be submitted within seven (7) business days of costs incurred. Failure to report final expenses or return unused funds in a timely manner may result in discipline or deduction from wages as an offset for the overpayment of compensation. If an employee receives a cash advance for work related travel, meals or other expenses and the need for the expenditures does not occur for any reason, the employee must disclose the facts and return all advanced funds; otherwise, the employee's failure to do so will be regarded as theft of City funds and cause for adverse action.

Some examples of actual and reasonable business-related expenses that the City will reimburse/pay for include are:

- **Conferences or Workshops:** Must be recommended and/or approved by supervisor prior to registering and attending.
- **Education:** This includes online and in-person classes that have been approved.
- **Meals:** Refer to Employee Reimbursement form for amount that is reimbursable.
- **Mileage and Parking:** Employees will be reimbursed for authorized use of their personal vehicles at a rate established by the Internal Revenue Service (rates are usually updated at the beginning of a new calendar year). Reasonable parking costs are also reimbursed upon submission of receipts on an expense report. Any traffic citations or court-ordered fees relating to driving or parking offenses (including parking tickets) are the sole responsibility of the employee and will not be reimbursed by the City.

Forms for reimbursement and advances can be obtained from your department head, supervisor or the City's Accounts Payable Clerk. If seeking an advance, requests must be made at least 14 days prior to travel to ensure funds can be processed appropriately. Advanced funds also require employee and supervisor signatures prior to release.

P. Payroll Policies

The City will utilize its best efforts to issue payroll checks on the last working day of the month. A payroll draw (if desired and signed up for) will be issued on the fifteenth (15th) day of the month and will not exceed one-half (1/2) of wages due. If the 15th is either a Saturday or Sunday, the draw will be paid on the preceding Friday.

Outside of mid-month draws, the City of Seaside does not provide advance payments of salary or loans against salary not yet earned.

Net pay will be directly deposited into the employee's bank account, unless an employee requests otherwise. If an employee requests to pick up his/her paycheck from the City, only the employee named on the paycheck will be allowed to do so unless the employee provides written permission to the City for someone else to receive the check.

Q. Statement Regarding Pay Practices

The City of Seaside makes all efforts to comply with applicable Oregon and federal wage and hour laws. In the event you believe that an error has been made, you should report the error and circumstances to the Human Resources or the City's Payroll Specialist. Possible errors that could occur include improper deductions, failure to pay for all hours worked or for overtime, or miscalculating wages in some way. The City will investigate all reports and promptly correct any payroll error found to have occurred. No employee will suffer retaliation or discrimination for reporting an error or complaint regarding the City's pay practices.

See also "Statement Regarding Pay Equity" policy, above. **(section B, p.5)**

R. Reporting Changes to an Employee's Personal Data

Because personnel records are used to administer pay and benefits, and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiaries, etc. Keeping your personnel records current with regard to pay, deductions, benefits and other matters is important. If you have changes in any of the following items, please utilize the City's online HR system to make the necessary change and notify Human Resources or the Payroll Specialist to ensure that the proper updates are completed as quickly as possible:

- Name;
- Marital status/Domestic Partnership (for purposes of benefit eligibility determination only);
- Address or telephone number;
- Dependents;
- Person to be notified in case of emergency;
- Other information having a bearing on your employment; and
- Tax withholding.

Employees may not intentionally withhold from or provide misleading information to the City about the items listed above in order to continue to receive benefits or anything of value for themselves or anyone else. Upon request, the City of Seaside may require employees to provide proof of marital status/domestic partnership status. Employees who violate this policy may be subject to discipline, up to and including termination.

S. Personal Appearance and Professionalism

City employees are expected to be dressed and groomed in a clean and neat manner according to current social standards. Inappropriate attire includes excessive visible tattoos and facial piercing (other than earrings). In addition, employees should dress and groom in a manner that will not impair or restrict their movements in cases where this might cause safety problems.

Employees of the City are required to treat all citizens and coworkers with respect. Employees are expected to act in a professional manner at all times. Our employees are the City's representative to the public in whatever position they hold in the City. The combination of all the employee's talents, skills and personalities make up that composite that is known as "The City." It is important that all employees do their part to reflect a good image.

Additionally, employees must act as good stewards of public resources and strive to conserve costs of supplies and services in every practical manner and to be careful with public property.

T. Performance Reviews

All City employees receive periodic performance reviews. Performance reviews serve as one factor in decisions related to employment, such as training, merit pay increases, job assignments, employee development, promotions, retention and discipline/termination. Any employee who fails to satisfactorily perform the duties of his/her position is subject to disciplinary action (including termination).

The City of Seaside's goal is to provide an employee with his/her first formal performance evaluation within six months after hire or promotion. After the initial evaluation, the City will strive to provide a formal performance review on an annual basis.

Reviews will generally include the following:

- An evaluation of the employee's job performance, quality and quantity of work
- A description of exceptional employee accomplishments, and a description of any significant deviations from conduct or performance expectations and discipline or corrective action during the review period
- A statement of goals for career development and job enrichment
- Identification of areas needing improvement
- Performance goals for the following year.

Employees who disagree with a performance evaluation may submit a written response that states relevant fact and reasons for disagreement. The employee's response will be

filed with the employee's performance evaluation in the employee's personnel file. Such response must be filed not later than 30 days following the date the performance evaluation was received.

Supervisors and managers are encouraged to provide employees with informal evaluations of their employees' work on an as-needed basis.

III. TIME OFF AND LEAVES OF ABSENCE

U. Attendance, Punctuality and Reporting Absences

The ability to attend work reliably and predictably is an essential function of every City job position. Employees are expected to report to work as scheduled, on time and prepared to start work at the beginning of shift. Employees are also expected to remain at work their entire work schedule, except for unpaid break periods or when required to leave on authorized City business, and perform the work assigned to or requested of them. Late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided.

Unless specified otherwise in a policy below, employees who will be unexpectedly absent from work for any reason or who will not show up for work on time must inform their supervisor via phone call or text message (supervisor's decision) no later than 30 minutes before the start of the employee's shift/workday. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three days may be considered job abandonment and may result in termination of employment.

V. Vacation

It is the policy of the City of Seaside to provide each full-time employee with vacation time on a periodic basis. The amount of vacation to which an employee becomes entitled is determined by the employee's length of service as of his/her employment anniversary date. For regular, full-time employees, vacation accrues as follows:

1. For the first five years (1-60 months), an employee shall accrue vacation at the rate of 8 hours per month (96 hours or 12 days per year).
2. From five years to 10 years of service, employees shall accrue three weeks, or 120 hours, of vacation per year (10 hours per month).
3. Years 10-14, employees shall accrue 12 hours per month (144 hours/18 days per year).
4. After 14 full years of full-time employment, an employee shall accrue 14.67 hours per month (176 hours/ 22 days per year).
5. Following 20 full years of service, employees shall accrue 16.67 hours per month (200 hours/25 days per year).

Regular, part-time, union employees currently earn vacation in the proportion that their normally scheduled number of hours bears to 40 per week. For example, a regular, part-time employee who works 30 hours per week would earn six (6) hours of vacation per month during the first five years of employment.

Vacation may not be taken until it is earned. Earned vacation can carry over from year to year but vacation shall not accrue in excess of five hundred (500) hours. (A collective bargaining agreement may state different maximum accrual limitations. Refer to your CBA for precise maximum accruals.)

Vacation accruals over 500 hours will be paid out in the month that the hours are earned. It is the employee's responsibility to manage leave balances appropriately and in consideration of the policies that have been set forth.

The vacation benefit is offered with the expectation that employees will take the time off from work in order to receive the benefits time away from the job affords. Vacation must be scheduled with one's supervisor and will be approved based on operational needs of the City. Requests for vacation time are to be made by using the City's electronic HR system (currently BambooHR) at least seven days before the requested time off.

If multiple employees request the same vacation period and staffing needs prevent multiple employees off work at the same time, the City will take into account all the circumstances and the desires and flexibility of the employees concerned, including but not limited to seniority, when deciding which vacation request(s) will be approved or denied.

Upon termination of employment for any reason, a regular employee will be paid for all accrued but unused vacation pay.

W. Sick Leave

The City provides eligible employees with sick leave in accordance with Oregon's Paid Sick Leave Law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law.

Employees with questions about this policy may contact Human Resources. Please also refer to the Oregon Sick Leave Law poster that is posted in your break area and is incorporated here by visiting the following [link](https://oregon.gov/boli/workers/). (<https://oregon.gov/boli/workers/>)

Eligibility and Accrual of Paid Sick Leave

Under Oregon's Paid Sick Leave Law and this policy, "employee" includes part-time, full-time, hourly, salaried, exempt and non-exempt employees. Sick leave runs concurrently with Oregon Family Medical Leave, federal Family and Medical Leave and other leave where allowed by law.

Regular full-time employees shall accrue sick leave at the rate of eight hours for each full month of service. Regular part-time employees accrue sick leave on a prorated basis, based on scheduled hours.

Sick leave does not accrue when an employee is on an unpaid leave of absence.

Employees may accrue an unlimited number of sick hours. Paid sick leave shall accrue at the rate of one hour for every 30 hours worked for part-time employees and eight (8) hours per month for full-time staff.

Pay Rate and Carryover

Paid sick leave is a short-term disability plan which the City self-funds. The sick leave benefit is paid at the employee's regular rate of pay. Exempt employees are presumed to work 40 hours in each workweek for purposes of their sick leave accrual unless their normal workweek is less than 40 hours, in which case sick leave is accrued based on the employee's normal workweek. Generally, sick leave pay will be included in the paycheck for the payroll period when sick leave is used and reflected on the time sheet, provided the employee submits required documentation, if any, verifying that the absence was for a qualifying reason as defined in the "Use of Sick Leave" section below.

Upon retirement, the City will make contributions to the employee's Section 457 deferred compensation plan to the full extent of the IRS limits for the year in which the payment is made as follows: for any employee hired before December 31, 2014, the value of one-half (1/2) his/her unused sick leave; for employees hired on and after January 1, 2015, the value of one half (1/2) of the value of the employee's sick leave balance up to a maximum of five hundred (500) hours (that is: not more than two hundred and fifty (250) hours). The value of these contributions is computed as (hours x the employee's final base rate of pay).

If an employee leaves employment and is rehired within 180 days, the employee's sick leave balance will be restored.

Use of Sick Leave

Paid sick leave may be used each calendar year for any of the following reasons:

1. For the diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care. This is available for the employee or his/her covered family member.
 - "Family member" means the eligible employee's spouse, same-gender domestic partner (as described in ORS 106.300 to 106.340), biological child, adopted child, stepchild, foster child; same-gender domestic partner's child, parent, adoptive parent, stepparent, foster parent, parent-in-law; same-gender domestic partner's parent, grandparent, grandchild; and any individual with whom the employee has or had an *in loco parentis* relationship.
2. For any purpose allowed under the Oregon Family Leave Act, including bereavement leave.
3. If the employee, or the employee's minor child or dependent, is a victim of domestic violence, harassment, sexual assault or stalking as defined by Oregon law and requires leave for any of the purposes under Oregon's domestic violence leave law (ORS 659A.272).

4. If the employee's place of business is closed, or the employee's child's school or place of care is closed, by order of a public official due to a public health emergency; or
5. To care for a covered family member whose presence in the community would jeopardize the health of others, as determined by a lawful public health official or a licensed health care provider who is primarily responsible for providing health care to the family member; Employees absent from work for a qualifying reason must use accrued sick time hours for that reason and on each subsequent day of absence.

Employees may use sick time as it accrues, except that new employees may not begin using sick time until their 91st calendar day of employment

Employee Notice of Need for Sick Leave

Foreseeable Sick Leave. If the need for sick leave is foreseeable, an employee must notify their supervisor as soon as practicable before the leave is to begin. Generally, an employee must provide at least 5 days' notice for foreseeable sick leave (such as medical appointments/procedures). The request shall include the anticipated duration of the sick leave, if possible. Employees must make a reasonable effort to schedule foreseeable sick time in a manner that minimally disrupts the operations of the City. Employees must notify their supervisor of any change in the expected duration of sick leave as soon as is practicable.

Unforeseeable Sick Leave: If the need for sick leave is unforeseeable, the employee must notify their supervisor as soon as practicable and comply generally with the City's call-in procedures. **See page 22, Section U.**

An employee must contact his/her supervisor daily while on sick leave, unless an extended period of sick leave has been prearranged with the supervisor or when off work on protected leave. The employee shall inform his/her supervisor of any change in the expected duration of the need for sick leave as soon as practicable.

If an employee fails to provide proper notice or make a reasonable effort to schedule leave in a manner that is only minimally disruptive to the organization and operations or fails to adequately document the need for and entitlement to use sick leave, the City may deny the use and legal protections of sick leave and may treat the absence as job abandonment.

Sick Leave Documentation

If an employee takes more than three consecutive scheduled workdays as sick leave, the City may require medical or other appropriate verification of eligibility due to medical or other reasons. Reasonable documentation includes documentation signed by a healthcare provider, or documentation of victims of domestic violence, harassment, sexual assault or stalking, or other qualifying circumstances.

Sick Leave Abuse

Abuse of sick leave constitutes theft, deceit and misappropriation of compensation, and is serious misconduct. If the City suspects sick leave abuse, including but not limited to repeated use of unscheduled sick leave or repeated use of sick leave adjacent to

weekends, holidays, vacations and paydays, the City may require substantiating evidence of eligibility such as verifications from a healthcare provider. Employees found to have abused sick leave may be subject to discipline, up to and including termination.

X. Time Donation

Purpose

To provide income protection for employees who have exhausted all accrued leave by allowing fellow employees who have sufficient accrued earned leave to donate a portion of their leave to:

Employees adversely affected by a "medical emergency," meaning an illness or condition or accident or health crisis; or

A bank for the benefit of employees adversely affected by a "major disaster," meaning employees affected by an event that has caused severe hardship to the employee or the employee's family member that requires the employee to be absent from work.

As used in this policy, "earned leave" refers to vacation, compensatory time, other forms of personal leave. "Earned leave" as this term is used in this policy does not include sick leave.

Scope

Any employee who has worked at least six (6) months in a benefits eligible position is eligible to participate in this leave donation program as a recipient. Any employee who has earned leave available for the employee's own use may participate in this program as a donor.

Donations due to a medical emergency may be made to a leave donation bank administered by the City in accordance with this policy. Donations by any employee may be made for the benefit of any other employee regardless of bargaining unit, non-represented or union-represented status, subject to applicable conditions or restrictions, if any, stated in a collective bargaining agreement.

Donations due to a major disaster may be made only to a bank and not directly between employees.

Policy

City employees are a caring community. As such, when an employee exhausts his/her earned leaves and sick leave balance and is adversely affected by either a medical emergency or major disaster this policy allows those employees who have sufficient accrued earned leave to donate some of their earned leave, if they so elect, to the City's leave donation bank for the benefit of such employees in need.

Employees receive earned leave accruals as a component of employees' total compensation, the economic value of which is an earned entitlement the cash value of which employees have earned, and which must be paid. Earned leave is treated as a wage benefit under Oregon law. Sick leave represents a short-term disability benefit which the City funds when employees become entitled under the terms of sick leave to receive sick leave benefits. There is no entitlement to be paid the value of an employee's

sick leave accrual unless the conditions for sick leave are met and therefore sick leave is not appropriate for donation to others.

An employee may donate a portion of his/her accrued earned leave in one-hour increments to another employee under this Policy if the donee meets the eligibility criteria stated in this policy.

An employee may donate to the leave donation bank when the City has announced that it is accepting donations. Employees who desire to do so must submit a completed Earned Leave Donation Form to the Assistant City Manager or designee, specifying the donor's leave accrual balances and the amount of earned leave hours to be donated. To be valid, the Earned Leave Donation Form must include signatures of the donor and the Assistant City Manager or City Manager or designee, and the donee must submit it at a time when one or more Leave Donation Request Forms have been submitted (or are reasonably anticipated by the donee and the City) and approved.

The Assistant City Manager and City Manager or designee shall have the authority to determine whether or not to authorize earned leave donations, case-by-case, based on the following criteria:

1. The qualifying nature of the prospective recipient's extended illness or injury;
2. The prospective recipient's history of sick leave use;
3. Any documentation provided by the prospective recipient, such as a doctor's note. Verification of an employee's "medical emergency" by a treating physician may be required to establish eligibility to receive donated leave;
4. The applicant for donated leave has been employed by the City for six months or more at the time of onset of the qualifying serious health condition or catastrophic event.

The Assistant City Manager, City Manager or designee shall have the authority to approve donations of earned leave and sick leave, and allocations and payments from the Earned Leave Donation Bank, based on the following criteria:

1. An employee donee must have exhausted his or her earned leaves and accrued sick leave balances before any donated leave may be applied to fund compensation continuation in accordance with this Policy.
2. The employee is not receiving and is ineligible at the time of the donation and during the period that will become compensable from the donated leave balance under this leave donation program, for any other income to which the donee is entitled by reason of City employment (e.g., Workers' Compensation Insurance time loss or disability benefits, or Long-Term Disability benefits, or Retirement Plan disability benefits).
3. The amount of donated leave transferred to the leave donation bank shall be an amount reasonably estimated as necessary for a known, the prospective

recipient
(or recipients) due to the prospective recipient's prolonged absence from duty due to medical emergency or major disaster during a future period of employment.

4. The donee has applied or when eligible to do so will apply for benefits to which the employee is entitled through PERS, workers' compensation, social security and/or disability insurance. Failure to meet this criterion may be deemed basis to discontinue the City's payment of continuation compensation funded by hours donated to the earned leave donation bank.

Except for extenuating circumstances approved by the City Manager or designee as a basis to increase donations transferred to the leave donation bank, the City will accept donations in amounts sufficient to cover foreseeable, projected salary continuation needs of eligible employees and/or catastrophic circumstances.

A particular donee's need generally will be for a period of ninety (90) calendar days per rolling twelve (12) month period. Eligibility for continuation compensation funded from donated leave allocations from the leave donation bank may be extended by the City based on anticipated contingencies, such as application periods for retirement plan disability retirement and Social Security disability benefits.

If at the time of a donated leave payment for the benefit to an employee that employee is not entitled to City-paid premiums for health insurance and the employee is enrolled as a participant in the City plan or for COBRA continuation, the amount of health insurance premium will be deducted as a non-taxable benefit payment from donated leave payments to pay for the employee's share of health/dental/vision insurance unless the employee has elected not to enroll in COBRA continuation.

Employees are not eligible for donated leave when they are eligible to receive or are receiving worker compensation time loss or disability income replacement payments.

When medical-emergency leave donations are approved for a donee, sufficient donations may be solicited and transferred to the leave donation bank in the administration of this program by the City Manager or designee based on the anticipated needs of identified and anticipated donees. Continuation of compensation for donees will be funded from leave hour debits from the leave donation bank each payroll period.

All leave donations are non-refundable; the excess of transferred leave in the leave donation bank, if any, of donations made for an eligible donee in a particular qualifying circumstance and not needed in a current circumstance, will be retained in the leave donation bank to be applied for the benefit of future donees. In the event a donee is required to pay back to the City benefits for which the employee was not eligible (as described in the donation request form), the City will reinstate the appropriate number of hours to the donation leave bank.

Employees may donate a number of hours in whole hour increments from their earned leave balance without limit applicable to any single donation (provided that no gift may

exceed limitations imposed by the Internal Revenue Code and regulations). At the time a gift of earned leave is made by a donor, the donor may elect in writing in the donor's leave donation application request to donate from the donor's sick leave balance, an amount of sick leave hours equal to or less than the number of earned leave hours then being donated.

The City reserves the right to determine and permit transfer of only enough donated leave to cover the recipient's reasonably current, anticipated need, and to increase the amount and inform City employees of evolving needs for additional donations. Additional donated leave may be approved subject to factors listed in this Policy. The City Manager or designee may suspend or end the transfer of donated hours to the leave donation bank when it appears the leave donation bank has a sufficient leave balance to meet foreseeable needs. In doing so the City Manager may make determinations and limitations calculated to bridge compensated status to the anticipated date of recovery or, in the case of an employee whose prognosis is predictive of inability to return to work, bridge the time through the end of protected FMLA leave, or retirement disability or LTD benefit eligibility or otherwise. Such determinations shall be made in the City's discretion as the City determines appropriate and compassionate under the circumstances, with regard to current and reasonably foreseeable eligible donees.

All donations of leave will be transferred on an hour-for-hour basis and shall not be subject to salary conversion based on the donor's or a donee's relative rates of pay. Donated leave in the leave donation bank will be paid at the recipient's/donee's current rate of pay.

Employees who have received compensation continuation funded by leaves donated to the leave donation bank will not receive payment for any donated hours not used for the benefit of the donee as continuation of compensation during the period the donee is eligible to be paid under this policy. If, for any reason, an employee has leave accruals in the employee's bank earned during the period compensation was funded through donated leave, such accruals shall be transferred to the leave donation bank at the end of the eligibility period when the employee returns to paid and active status or separates from employment.

This policy and the Leave Donation Program do not establish for the benefit of any employee a right to receive continuation compensation at any time or in any amount other than the compensation paid by the City during a period of eligibility in the City's discretion in the administration of this program irrespective of the availability of hours in the City's leave donation bank.

This policy is not subject to the grievance or arbitration section of any collective bargaining agreement, nor is it subject to any appeal procedure provided under the Personnel Policies.

The Assistant City Manager or designee will ensure the proper paperwork for each donation is completed and is responsible for the administration of this Leave Donation Program.

Y. Holidays and Floating Holidays

The City of Seaside recognizes ten holidays each year. All full-time employees will receive their regular straight-time compensation for each holiday. Regular part-time employees

receive pay for each designated holiday in the proportion that their normally scheduled number of hours bears to 40 hours per week. The holidays celebrated are:

City of Seaside Holiday Schedule	
New Year's Day	Labor Day
Martin Luther King Jr. Day	Veterans Day
President's Day	Thanksgiving Day
Memorial Day	Day After Thanksgiving
Independence Day	Christmas Day

Veterans Day

Oregon employees who served on active duty in the Armed Forces for at least 6 months and received a discharge under honorable conditions or were deployed or served on active duty in a reserve or National Guard unit for at least 6 months are eligible to take Veterans Day off. The time off shall be unpaid unless the employee elects to use available vacation to cover the time. Requests for the day off shall be made at least 21 days in advance, and the requests shall be granted unless the time off creates an undue hardship for the City or would cause a significant economic or operational disruption. In such case, Employer will allow the veteran to take another day off before the Veterans Day holiday. Employees may be required to provide documents demonstrating eligibility for Veterans Day off.

A holiday that falls on a weekend will be observed on either the preceding Friday or the following Monday to coincide with local custom. Departments that staff facilities during the weekend shall use their "holiday" within a seven-day period in which the holiday occurs. There are no exceptions to this policy.

To be eligible for holiday pay, an employee must have worked his/her regularly scheduled hours the workday before and the workday after the holiday or have been on an approved vacation day or any other excused absence under City policy. If an employee is on vacation when a holiday is observed, the employee will be paid for the holiday and will be granted an alternate day of vacation at a later date.

A regular, full-time employee receives eight hours of holiday pay as paid time, regardless of the number of hours scheduled to work on the holiday. Regular part-time employees will receive paid time based on their regularly scheduled hours for that day. If an employee works on any of the holidays listed above, the employee shall receive regular compensation for all hours worked on that holiday computed at the rate of 1 ½ times the regular rate, in addition to regular holiday pay.

- **Floating Holidays**

Employees may select four additional days with pay (known as "floating holidays") during a calendar year, on any four days they choose.

Floating holidays may only be used in full-day increments; **partial days are not allowed.**

Employees must coordinate requests for floating holidays with their manager.

Part-time employees who are eligible for benefits will be granted floating holidays based on the total number of hours they work per week. Employees who begin employment after July 1 receive a pro-rated number of floating holidays depending on the quarter in which they start. See Human Resources or Payroll Specialist for more information.

Z. Family Medical Leave

▪ **FMLA/OFLA Policy**

The following is a summary of Family and Medical Leave policy and procedures under the federal Family Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA). Generally, and as will be discussed, eligible employees are entitled to 12 weeks of unpaid leave for the reasons identified below. Federal and state law prohibit retaliation against an employee with respect to hiring or any other term or condition of employment because the employee asked about, requested or used Family and Medical Leave. In all cases of conflict, applicable Oregon and federal laws, rules, policies and collective bargaining agreements govern the employee's and the City of Seaside's rights and obligations, not this policy.

Employees seeking further information should contact Human Resources. Please also refer to the "Employee Rights and Responsibilities Under the Family Medical Leave Act" and "Oregon Family Leave Act" notices posted in the break area of your main work area, which are incorporated here by reference.

▪ **Definitions**

Child/Son or Daughter

For purposes of OFLA, "child" includes a biological, adopted, foster or stepchild, the child of a registered same-sex domestic partner or a child with whom the employee is in a relationship of *in loco parentis*. For purposes of OFLA Serious Health Condition Leave, the "child" can be any age; for all other types of leave under OFLA, the "child" must be under the age of 18 or over 18 if incapable of self-care.

A "son or daughter" is defined by FMLA as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis* who is either under 18 years of age or is 18 years of age or older and "incapable of self-care because of a mental or physical disability" at the time FMLA leave is to commence. FMLA also provides separate definitions of "son or daughter" for FMLA military family leave that are not restricted by age — see below.

▪ **Eligible Employee**

OFLA – To qualify for OFLA leave for a Serious Health Condition or Sick Child Leave, an employee must have been employed for at least 180 days and worked an average of at least 25 hours per week. To qualify for Parental Leave under OFLA, an employee must have been employed for at least 180 days (no per-week hourly minimum is required).

OMFLA — For purposes of Oregon Military Family Leave Act leave, the employee need have only worked 20 hours per week (no minimum length of employment required). A different calculation method applies for reemployed service members under USERRA who seek OMFLA leave; see Human Resources for more information.

FMLA — Employees are eligible for FMLA leave if they have worked for the City for at least one year (which may be based on separate stints of employment) and for 1,250 hours during the 12 months preceding the date leave is to begin. They must also be employed at a worksite where 50 or more employees are employed by the City within 75 miles of that worksite.

Leave under Oregon and federal law will run concurrently when permitted.

- **Family Medical Leave**

This includes all of the types of leave identified in the section below, entitled “Reasons for Taking Leave,” unless otherwise specified.

Family Member

- For purposes of FMLA, “family member” is defined as a spouse, parent or a “son” or “daughter” (defined above).
- For purposes of OFLA, “family member” includes the definitions found under FMLA and also includes adult children (for “serious health condition” leave only), a parent-in-law, grandparent, grandchild, registered same-sex domestic partner, and parent or child of a registered same-sex domestic partner.

- **Serious Health Condition**

“Serious health condition” is defined under FMLA and OFLA as an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job or prevents the qualified family member from participating in school or other daily activities. Under OFLA only, “serious health condition” includes any period of absence for the donation of a body part, organ or tissue, including preoperative or diagnostic services, surgery, post-operative treatment and recovery.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition.

Other conditions may meet the definition of a “serious health condition;” see Human Resources for more information. The common cold, flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, and cosmetic treatments (without complications), are examples of conditions that generally do not qualify as serious health conditions.

- **Reasons for Taking Leave**

Family Medical Leave may be taken under any of the following circumstances:

1. **Call to Active-Duty Leave:** Eligible employees with a spouse, son, daughter or parent on active duty or call to active-duty status in the regular Armed Forces, National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain “qualifying exigencies.” “Qualifying exigencies” may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal

arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. This type of leave is available under FMLA only; however, under OFLA, specifically under the Oregon Military Family Leave Act, during a period of military conflict, as defined by the statute, eligible employees with a spouse or registered same-sex domestic partner who is a member of the Armed Forces, National Guard, or military reserve forces of the U.S. and who has been notified of an impending call or order to active duty, or who has been deployed, is entitled to a total of 14 days of unpaid leave per deployment after the military spouse or registered same-sex domestic partner has been notified of an impending call or order to active duty and before deployment and when the military person is on leave from deployment.

2. **Employee's Serious Health Condition Leave:** To recover from or seek treatment for an employee's serious health condition, including pregnancy-related conditions and prenatal care.

3. **Family Member's Serious Health Condition Leave:** To care for a family member with a serious health condition.

4. **Parental Leave:** For the birth of a child or for the placement of a child under 18 years of age for adoption or foster care. Parental leave must be completed within 12 months of the birth of a newborn or placement of an adopted or foster child.

5. **Pregnancy Incapacity Leave:** For incapacity due to pregnancy, prenatal medical care or birth.

6. **Servicemember Family Leave:** Eligible employees may take up to 26 weeks of leave to care for a "covered servicemember" during a single 12-month period. A "covered servicemember" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his/her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. Under some circumstances, a veteran will be considered a "covered servicemember." This type of leave is available under FMLA only.

7. **Sick Child Leave:** To care for a child who suffers from an illness or injury that does not qualify as a serious health condition but that requires home care. This type of leave does not provide for routine medical and dental appointments or issues surrounding the availability of childcare when the child is not ill or injured. Sick child leave is not available if another family member is able and willing to care for the child. This type of leave is available only to employees who are eligible under OFLA.

8. **Bereavement Leave:** For up to two weeks of leave per death of a family member, up to a maximum of twelve weeks per leave year, for dealing with the death of a family member attending the funeral (or alternative) of the family member, making arrangements necessitated by the death of a family member, or grieving the death of a family member. The City also provides paid

bereavement leave; see the Bereavement Leave Policy on page 35 for more information.

- **Length of Leave**

In any One-Year Calculation Period, eligible employees may take:

- Up to 12 weeks of Parental Leave, Serious Health Condition Leave (employee's own or family member's), Sick Child Leave, or Call to Active Duty Leave;
- An additional 12) weeks of leave may be available to an eligible employee for an illness, injury or condition related to pregnancy or childbirth that disables the employee; and
- Employees who take the entire 12 weeks of OFLA Parental Leave may be entitled to an additional 12 weeks of Sick Child Leave.
- When leave is taken for Servicemember Family Leave, an eligible employee may take up to 26 weeks of leave during the One-Year Calculation Period to care for the servicemember. During the One-Year Calculation Period in which Servicemember Family Leave is taken, an eligible employee is entitled to a combined total of 26 weeks of FMLA Leave (some of which may include other types of FMLA-specific leaves of absence).

- **One-Year Calculation Period**

The "12-month period" during which leave is available (also referred to as the "One-Year Calculation Period") will be determined by a rolling 12-month period measured forward from the date an employee first uses any Family Medical Leave. Each time an employee takes Family Medical Leave, the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately following 12 months.

- **Intermittent Leave**

Intermittent or reduced schedule leave may be taken during a period of Family Member or Employee Serious Health Condition Leave or Servicemember Family Leave. Additionally, Call to Active-Duty Leave may be taken on an intermittent or reduced leave schedule basis. An employee may be temporarily reassigned to a position that better accommodates an intermittent or reduced schedule; employees covered by OFLA will not be reassigned without his/her expressed consent and agreement. Employees must make reasonable efforts to schedule planned medical treatments to minimize disruption of City operations, including consulting management prior to the scheduling of treatment in order to work out a treatment schedule which best suits the needs of both the City of Seaside and the employee. Intermittent leave for Parental Leave is available but must be prescheduled with supervisors and Human Resources prior to initiation of leave.

- **Employee Responsibilities — Notice**

Employees must provide at least 30 days' notice before Family Medical Leave is to begin if the reason for leave is foreseeable based on an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or of a family member, or the planned treatment for a serious injury or illness of a covered servicemember (Servicemember Family Leave). If 30 days' notice is not practicable, because of a lack of knowledge of approximately when leave will be

required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable. If the situation giving rise to a Sick Child Leave is unforeseeable, an employee must give verbal or written notice to City within 24 hours of commencement of the leave.

For Call to Active-Duty Leave, notice must be provided as soon as practicable, regardless of how far in advance such leave is foreseeable.

Whether leave is to be continuous or is to be taken intermittently or on a reduced schedule basis, notice need only be given one time, but the employee must let Human Resources and their supervisor know as soon as practicable if dates of scheduled leave change or are extended or were initially unknown.

If circumstances change during the leave and the leave period differs from the original request, the employee must notify Human Resources and their supervisor within three business days, or as soon as possible. Further, employees must provide written notice within three days of returning to work.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees will be expected to comply with the City's normal call-in procedures. Employees who fail to comply with the City of Seaside's leave procedures may be denied leave, subject to discipline, or the start date of the employee's Family Medical Leave may be delayed.

- **Certification**

Generally speaking, employees must provide sufficient information for the City to determine if the leave may qualify for FMLA or OFLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for either Call to Active Duty or Servicemember Family Leave.

Employees also must inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. Additionally:

1. Employees requesting serious health condition leave for themselves or to care for a covered family member will be required to provide certification from the health care provider of the employee or the covered family member to support the request.
2. Employees requesting sick child leave under OFLA may be required to submit, at a minimum, a note from a doctor if the employee has requested to use more than three days (i.e., one three-day occurrence or three separate instances) of sick child leave within a one-year period.

Employees must furnish the City's requested medical certification information within 15 calendar days after such information is requested by the City. In some cases (except for leave to care for a sick child), the City of Seaside may require a second or third opinion, at the City's expense. Employees also may be required to submit subsequent medical verification. The consequences for failing to provide adequate notice for OFLA-only

leave are that the City may reduce the period of unused OFLA by the number of days the employee took leave without notice (not to exceed three weeks per leave year).

Employees will not be asked for, and they should not provide, any genetic information about themselves or a family member in connection with a FMLA/OFLA medical certification.

- **Medical Certification Prior to Returning to Work**

If Family Medical Leave is for the employee's own serious health condition, the employee must furnish, prior to returning to work, medical certification from his/her health care provider stating that the employee is able to resume work.

- **Substitution of Paid Leave for Unpaid Leave**

Employees are required to use accrued paid leave, including floating holidays, vacation, compensatory time, and sick leave prior to a period of unpaid leave of absence on Family Medical Leave. Use of accrued paid leaves will run concurrently with Family Medical Leave where allowed by law. Represented employees may reserve accrued leave and compensatory time if provided by their collective bargaining agreement. If the employee has no accrued paid leave, floating holidays, vacation, compensatory time or sick leave available to use during a Family Medical Leave, the leave will be unpaid, or the employee may request leave from fellow employees through the donated leave policy. See Human Resources for more information if this type of leave is desired and/or needed.

- **Holiday Pay While on Leave**

Employees receiving short or long-term disability will not qualify for holiday pay. Employees using vacation pay or sick pay during a portion of approved Family Medical Leave in which a holiday occurs will qualify to receive holiday pay. Employees who are on unpaid leave during a holiday will not qualify to receive holiday pay.

- **On-the-Job Injury or Illness**

Periods of employee disability resulting from a compensable on-the-job injury or illness will qualify for FMLA Leave if the injury or illness is a "serious health condition" as defined by applicable law.

OFLA leave will not be reduced by and will not run concurrently with any period the employee is unable to work because of a disabling compensable on-the-job injury; however, if the injury or illness is a "serious health condition" as defined by Oregon law and the employee has refused a bona fide offer of light-duty or modified employment, OFLA leave will commence.

If the employee's serious health condition is the result of an on-the-job injury or illness, the employee may qualify for workers' compensation time-loss benefits.

- **Benefits While on Leave**

If an employee is on approved FMLA or OFLA Leave, the City will continue the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. An employee wishing to maintain health insurance during a period of approved FMLA or OFLA leave will be responsible for bearing the cost of his/her share of group health plan premiums which had been paid by the employee

prior to the OFLA/FMLA leave. Employees will not accrue vacation, sick leave or other benefits (other than health insurance) while the employee is on a FMLA or OFLA leave. The leave period, however, will be treated as continuous service (i.e., no break in service) for purposes of vesting and eligibility to participate in City of Seaside benefit plans.

- **Job Protection**

Employees returning to work from Family Medical Leave will be reinstated to their former position. If the position has been eliminated, the employee may be reassigned to an available equivalent position. Reinstatement is not guaranteed if the position has been eliminated under circumstances where the law does not require reinstatement.

Employees are expected to promptly return to work when the circumstances requiring Family Medical Leave have been resolved, even if leave was originally approved for a longer period. If an employee does not return to work at the end of a designated Family Medical Leave period, reinstatement may not be available unless the law requires otherwise.

The use of Family Medical Leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employees who work for other employers during a "serious health condition" leave may be subject to discipline up to and including termination. Additionally, all employees who use Family Medical Leave for reasons other than the reason for which leave had been granted may be subject to discipline up to and including termination.

AA. Paid Bereavement Leave

In the case of death in an employee's family, the employee shall be granted leave as follows in subparagraph a) and b) for the purposes of attending the funeral(s) and making necessary arrangement.

a) Employees who have to travel more than three hundred (300) miles from Seaside to assist with and attend funeral services of an immediate family member will receive five (5) days' bereavement leave with pay.

b) Employees who have to attend funeral services of an immediate family member within two hundred and ninety-nine (299) miles of Seaside will receive three (3) days' bereavement leave with pay.

c) Bereavement leave must be taken within fourteen (14) days of the event of the death of the relative. An exception will be made if a memorial service is planned at a later date, not to exceed four (4) months.

d) Employees who experience the death of a child will receive seven (7) days of bereavement leave with pay. Immediate family of employee, employee spouse or spousal equivalent shall be defined as: parents, children, siblings, stepchildren, stepparents, grandparents, grandchildren, aunt, uncle, niece, nephew and cousin. Spousal equivalent is defined as a person living in a committed co-habitational relationship where both parties share responsibilities for finances and major decisions, with duration of at least one year.

The City Manager may, at his sole discretion, extend the period of paid or unpaid bereavement leave.

BB. Jury and Witness Duty

- **Jury Duty**

The City of Seaside will grant employees time off for mandatory jury duty and/or jury duty orientation. A copy of the court notice must be submitted to the employee's manager to verify the need for such leave. Employees shall be granted leave with regular straight time pay for any time they miss from their regularly scheduled shift because they are required to report for jury duty or jury service. An eligible employee shall endorse any jury duty fees to the City as a condition to receipt of jury pay.

The employee is expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep his/her supervisor or manager informed about the amount of time required for jury duty.

During jury duty leave, the City will maintain an employee's health coverage under the City's group health plan on the same terms as if the employee had continued to work. The City will recover premiums paid on behalf of an employee who does not return to work for reasons other than a serious health condition of the employee or family member, or other circumstances beyond the control of the employee.

- **Witness Duty**

Except for employee absences covered under the City "Crime Victim Leave Policy" or "Domestic Violence Leave and Accommodation Policy," employees who are subpoenaed to testify in non-work-related legal proceedings must use available vacation time to cover their absence from work. If the employee does not have any available vacation time, the employee's absence in order to comply with a subpoena will be approved as time off without pay. Employees must present a copy of the subpoena served on them to their supervisor for scheduling and verification purposes no later than 24 hours after being served.

CC. Religious Observances Leave and Accommodation Policy

The City respects the religious beliefs and practices of all employees. The City of Seaside will make, upon request, an accommodation for such observances when a reasonable accommodation is possible which does not create an undue hardship on City operations. Employees may use vacation or unpaid time for religious holy days or to participate in a religious observance or practice; if accrued leave is not available, then an employee may request to take unpaid leave. Requests for religious leave or accommodation should be made with a supervisor.

DD. Crime Victim Leave Policy

Any employee who has worked an average of at least 25 hours per week for 180 days is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or his/her immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson, and assault.

"Immediate family member" includes a spouse, registered same-sex domestic partner, father, mother, sibling, child, stepchild or grandparent.

Employees who are eligible for crime victim leave t:

- May use any accrued, but unused vacation/sick leave during the leave period;
- Must provide as much advance notice as is practicable of his/her intention to take leave (unless giving advance notice is not feasible); and
- Must submit a request for the leave in writing to Human Resources as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

In all circumstances, the City may require certification of the need for leave, such as copies of any notices of scheduled criminal proceedings that the employee receives from a law enforcement agency or district attorney's office, police report, a protective order issued by a court, or similarly reliable sources.

EE. Domestic Violence Leave and Accommodation Policy

All employees are eligible for reasonable unpaid leave to address domestic violence, harassment, sexual assault, or stalking of the employee or his/her minor children or dependents.

Reasons for taking leave include the employee's (or the employee's children's or dependent's) need to: seek legal or law enforcement assistance or remedies; secure medical treatment for or time off to recover from injuries; seek counseling from a licensed mental health professional; obtain services from a victim services provider; or relocate or secure an existing home.

Leave is generally unpaid, but the employee may use any accrued vacation or sick leave while on this type of leave.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of his/her intention to take leave, unless giving advance notice is not feasible.

Notice of need to take leave should be provided by submitting a request for leave in writing to Human Resources as far in advance as possible, indicating the time needed, when the time will be needed, and the reason for the leave. The City of Seaside will then generally require certification of the need for the leave, such as a police report, protective order or other evidence of a court proceeding, or documentation from a law enforcement officer, attorney, healthcare professional, member of the clergy, or victim services provider.

If more leave than originally authorized needs to be taken, the employee should give the City notice as soon as is practicable prior to the end of the authorized leave. When taking leave in an unanticipated or emergency situation, the employee must give verbal or written notice as soon as is practicable. When leave is unanticipated, this notice may be given by any person on the employee's behalf.

Finally, employees who are victims of domestic violence, harassment, sexual assault or stalking may be entitled to a "reasonable safety accommodation" that will allow the employee to more safely continue to work, unless such an accommodation would

impose an “undue hardship” on the City. Please contact Human Resources immediately with requests for reasonable safety accommodations.

FF. Military Leave

Employees who wish to serve in the military and take military leave should contact Human Resources for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by applicable law.

Further, eligible employees called for initial active duty for training and for all periods of annual active duty for training as a member of the National Guard, National Guard Reserve or of any reserve component of the Armed Forces of the United States or of the United States Public Health Service, may be entitled to leave with pay for all regular workdays that fall within a period, not to exceed 15 calendar days in any federal training year. Weekend drill obligations are not considered “federal active duty” for training under this policy; other requirements apply. Please contact Human Resources for more information and to make arrangements for this paid leave.

IV. EMPLOYEE BENEFITS

GG. Healthcare Benefits

Employees who meet the definition of “benefit eligible” under both the City policy and that of its health insurance provider are entitled to the benefit options offered by the City. Generally speaking, that means the City of Seaside offers medical insurance for all of its regular, full-time employees unless otherwise required by law. The City pays a large portion of the cost of individual and family coverages for its regular, full-time employees with employees picking up the remaining percentage of the premium on a payroll deduction basis. Part-time employees who serve in a regular position and who are regularly assigned to work twenty (20) hours or more each week may be entitled to enroll in City health insurance benefits and if so, the City will pay the *pro rata* portion of premium based on regularly scheduled hours of work. (For example, if the employee works 20 hours per week/half time the employee will contribute the portion of premium paid by other City employees in the same classification and in addition 50% of the remaining premium due; and the City will contribute the balance.)

The group insurance policy and the summary plan description issued to employees set out the terms and conditions of the health insurance plan offered by the City. These documents govern all issues relating to employee health insurance. As other employee benefits are offered by the City, employees will be advised and provided with copies of relevant plan documents. Copies are available from Human Resources.

HH. Employee Assistance Program (EAP)

This free, confidential service is provided by Cascade Centers and is available to all employees and dependents covered on a CIS Regence medical plan. The EAP can be used to assist employees and eligible family members with any personal problems, large or small. Each covered employee (including volunteer firefighters and police reserves) and eligible family members can receive up to five (5) personal counseling

sessions per situation per year. Sessions can be face to face, over the phone, or online for concerns such as marital conflict, conflict at work, depressions, stress management, family relationships, anxiety, alcohol or drug abuse, grieving a loss, and career development services.

Cascade Centers also provides educational tools as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, home ownership, and gym membership discounts.

More information regarding this service can be obtained by contacting Human Resources, or you can contact Cascade Centers directly at 1-800-433-2320, or at [ww.cacadecenters.com](http://www.cacadecenters.com).

II. Workers' Compensation and Safety on the Job

You are protected by workers' compensation insurance under Oregon law. This insurance covers you in case of occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Employees are expected to work safely and in a safe environment.

▪ **Steps to Take if You are Injured on the Job**

If you are injured on the job, the City of Seaside wants to know about it and expects to learn about it no later than 24 hours after you become aware of your injury (report all work-related injuries to your supervisor, regardless of if you seek medical treatment or not).

If you seek treatment for your work-related injury and want to apply for workers' compensation benefits, you must do all of the following:

1. Report any work-related injury to your supervisor. You must report the injury no later than 24 hours after you become aware you are injured.
2. Seek medical treatment and follow-up care if required.
3. Promptly complete an incident packet if you haven't already. If you sought medical care or plan to, call Rapid Care, 24 hours a day, 7 days a week at 855-959-2741. This replaces previous "801 Forms." Have your supervisor sign your incident report and return it to HR as quickly as possible.

Failure to timely follow these steps may negatively affect your ability to receive benefits.

▪ **Return to Work**

If you require workers' compensation leave, you will — under most circumstances — be reinstated to the same position that you held at the time your leave began, or to an equivalent position, if available. However, you must first submit documentation from a health care provider who is familiar with your condition certifying your ability to return to work and perform the essential functions of your position.

When returning from a workers' compensation leave, you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not been on leave, or if your position is eliminated, and no equivalent or comparable positions are available, then you may not be entitled to reinstatement. These are only examples and all

reinstatement/reemployment decisions are subject to the terms of any applicable collective bargaining agreement. The City of Seaside does not discriminate or allow retaliation against employees who suffer a workplace injury or illness.

- **Early Return-to-Work Program**

The City's Return-to-Work program provides guidelines for returning you to work at the earliest possible time after you have suffered an on-the-job injury or illness that results in time loss. This program is not intended as a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability. The Return-to-Work Program is intended to be transitional work, to enable you to return to your regular job in a reasonable period of time.

The Return-to-Work program for job-related injuries consists of a team effort by the City, injured employees and their treating physicians, and our workers' compensation insurance carrier claims staff. The goal is to return our employees to full employment at the earliest possible date that is consistent with their medical condition and the advice of the treating physician.

If your doctor determines that you are able to perform modified work, the City will attempt to provide you with a temporary job assignment for a reasonable period of time until you can resume your regular duties (or accommodate a disability in accordance with law). If, due to a work-related injury, you are offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect your compensation and employment with the City. While you are on modified or transitional work, you are still subject to all other City rules and procedures.

- **Overlap with Other Laws**

The City will take into account other applicable leave and disability laws which are found applicable to your situation, such as the Americans with Disabilities Act (ADA), Oregon disability discrimination law, and FMLA or OFLA. If, after returning from a workers' compensation leave, it is determined that you are unable to perform the essential functions of your position because of a qualifying disability, you may be entitled to a reasonable accommodation, disability retirement and/or Social Security disability.

JJ. Retirement Benefits

The City of Seaside provides retirement benefits for its qualified employees through a defined benefit retirement plan funded through contributions by the City and administered in accordance with the Plan terms by The Standard Insurance Company.

Employees also have the option of making pre-tax contributions to a Deferred Compensation Plan. Additional information is available from the Business Office and HR Representative. For information about the City's contributions to employee retirement, please see Human Resources.

V. MISCELLANEOUS POLICIES

KK. Alcohol/Drug Use, Abuse and Testing

The City of Seaside works to maintain a safe and efficient work environment. Employees who misuse controlled substances, prescription or illegal drugs, or alcoholic beverages pose a risk both to themselves and to everyone who comes into contact with or depends upon them and risks damage to the City's reputation.

The City expects employees to report to work in a condition that is conducive to performing their duties in a safe, effective and efficient manner. An employee's off-the-job as well as on-the-job involvement with drugs and alcohol can have a significant impact on the workplace and can present a substantial risk to the employee who is using alcohol and drugs, to coworkers and others.

This policy applies to all employees (except where noted in this policy or where it is inconsistent with applicable law and/or collective bargaining agreement principles). This policy revises and supersedes all previous drug and alcohol testing policies and practices.

▪ **Prohibited Conduct**

- Possession, transfer, use or being under the influence of any alcohol while on City property, on City time, while driving City vehicles (or personal vehicles while on City of Seaside business), or in other circumstances which adversely affect City operations or safety of City employees or others.
- Law enforcement employees may possess or transfer alcohol during the performance of their law enforcement duties, e.g., collecting evidence.
 - The conduct prohibited by this rule includes consumption of any intoxicating liquor within four hours of reporting to work or during rest breaks or meal periods. If use of alcoholic liquor or an alcohol "hangover" adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee's blood alcohol content exceeds .02 percent, the employee will be deemed "under the influence" for purposes of this rule.
- Possession, distribution, dispensing, sale, attempted sale, use, manufacture or being under the influence of any narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance while on City of Seaside property, on City time, while driving City vehicles (or personal vehicles while on City business), or in other circumstances which adversely affect City operations or safety of City employees. Employees may not have any detectable amount of narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance in system while on City property or on City time.
 - Law enforcement and fire department employees may possess narcotics, drugs or other controlled substances while engaging in law enforcement duties or fire-related activities, e.g., collecting or transporting evidence.

- The conduct prohibited by this rule includes consumption of any such substance prior to reporting to work or during rest breaks or meal periods. If use of such substances or withdrawal symptoms adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee tests "positive" for any such substances by screening and confirmation tests, the employee will be deemed "under the influence" for purposes of this rule.
- As used in this policy, "controlled substance" includes, but is not limited to, any controlled substance listed in Schedules I through V of the Federal Controlled Substance Act, including marijuana that is otherwise lawful to use under Oregon, Washington or any other state's law.
- Bringing to City property, or possessing, items or objects on City property that contain any "controlled substance," including, for example, "pot brownies" and candy containing marijuana. This prohibition does not apply to law enforcement employees who bring or possess such items in connection with law-enforcement work. No employee, regardless of position held, may knowingly serve items containing marijuana or any other "controlled substance" to co-workers, members of the public, or elected officials while on work time or on/in City property.
- Bringing marijuana-related equipment or any devices marketed for use or designed specifically for use in ingesting, inhaling or otherwise introducing marijuana (among other drugs), such as pipes, bongs, "vape" pens, smoking masks, roach clips, and or other drug paraphernalia. This prohibition does not apply to employees who possess such items in connection with law enforcement work.
- Bringing equipment, products or materials that are marketed for use or designed for use in planting, propagating, cultivating, growing, or manufacturing marijuana, including live or dried marijuana plants to City property. This prohibition does not apply to employees who possess such items in connection with law enforcement work.
- **Prescription Drugs and Medical Marijuana**

With the exception of medical marijuana, nothing in this rule is intended to prohibit the use of a drug taken under supervision by a licensed health care professional, where its use does not present a safety hazard or otherwise adversely impact an employee's performance or City operations.

Employees must inform their supervisor about their use of any prescription or over-the-counter drugs that could affect their ability to safely perform the duties of their position. If an employee's use of such prescription drugs could adversely affect City operations or safety of City employees or other persons, City may reassign the employee using the prescription drugs to other work or take other appropriate action to accommodate the physical or mental effects of the medication. Failure to report use of prescription drugs covered by this rule will subject an employee to disciplinary action, up to and including termination. (Although an employee is not required to provide the City with the name(s)

of the prescription medication(s) taken, medical verification of the prescription may be required.)

The use of marijuana, which is a Schedule 1 controlled substance under federal law, is expressly prohibited under this policy, even if its medical use is authorized under state law. 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 the City will not agree to allow an employee to use medical marijuana as an accommodation. (See "Disability Accommodation Policy," above.)

▪ **Reasonable Cause Testing**

If there is reasonable cause to suspect that an employee is under the influence of controlled substances or alcohol during work hours or has used drugs or alcohol in violation of this policy, the City may require the employee to undergo testing for controlled substances or alcohol.

As used in this policy, unless the context indicates otherwise:

- The terms "test" and "testing" shall be construed to mean job impairment field tests, laboratory tests, breathalyzer tests, and other tests of saliva, blood and urine. No testing shall be performed under this rule without the approval of the City Manager, HR Representative or their designee.
- "Reasonable cause" as used in this policy means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is more likely than not under the influence of controlled substances or alcohol or has used drugs or alcohol in violation of this policy. Circumstances which can constitute a basis for determining "reasonable cause" may include, but are not limited to:
 - a pattern of abnormal or erratic behavior;
 - information provided by a reliable and credible source;
 - direct observation of drug or alcohol use;
 - presence of the physical symptoms of drug or alcohol use (*i.e.*, glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
 - unexplained significant deterioration in individual job performance;
 - unexplained or suspicious absenteeism or tardiness;
 - employee admissions regarding drug or alcohol use; and
 - unexplained absences from normal work areas where there is reason to suspect drug or alcohol related activity.

Supervisors should detail in writing the specific facts, symptoms or observations that form the basis for their determination that reasonable cause exists to warrant alcohol or controlled substance testing of an employee or a search. This documentation shall be forwarded to Human Resources. Whenever possible, supervisors should locate a second employee or witness to corroborate their "reasonable cause" findings.

An employee whose initial laboratory screening test for controlled substances yields a positive result shall be given a second test. The second test shall use a portion of the same test sample withdrawn from the employee for use in the initial screening test. If the second test confirms the initial positive test result, the employee shall be notified of the results in writing by Human Resources. The letter of notification shall state the particular substance identified by the laboratory tests. The employee may request a third test of the sample within 24 hours of receiving the letter of notification, but such testing will be paid for by the employee.

▪ **Post-Accident Testing**

Employees are subject to testing when they cause or contribute to accidents that seriously damage a City vehicle, machinery, equipment or property or result in an injury to themselves or another employee requiring offsite medical attention; or when the City has reasonable cause to believe that the accident or injury may have been caused by drug or alcohol use.

▪ **Search of Property**

When reasonable cause exists to believe an employee possesses alcohol or a controlled substance on City property or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, the City may search the employee's possessions located on City property, including but not limited to, clothes, locker, lunchbox, toolbox, and desk. Employees should have no expectation of privacy in any items they bring on to City property, or in property, equipment or supplies provided by the City to employee.

▪ **Employee Refusal to Test/Search**

An employee who refuses to consent to a test or a search when there is reasonable cause to suspect that the employee has violated this policy is subject to disciplinary action up to and including termination. The reasons for the refusal shall be considered in determining the appropriate disciplinary action.

An employee who refuses to cooperate with any tests required by this policy is also subject to discipline, up to and including termination. This includes, but is not limited to, tampering with, or attempting to tamper with, a specimen sample, using chemicals or other ingredients to mask or otherwise cover up the presence of metabolites, drugs or alcohol in a specimen, or providing a blood or urine specimen that was produced by anyone or anything other than the employee being tested.

▪ **Crimes Involving Drugs and/or Alcohol**

Employees shall report:

- Any criminal arrest or conviction for drug- or alcohol-related activity within five days of the arrest or conviction;
- Entry into a drug court or diversion program; or
- Loss or limitation of driving privileges when the employee's job is identified as requiring a valid driver's license (regular or CDL).

Failure to report as required will result in disciplinary action up to and including termination.

- **Drug and Alcohol Treatment**

The City of Seaside recognizes that alcohol and drug use may be a sign of chemical dependency and that employees with alcohol and drug problems can be successfully treated. The City of Seaside is willing to help such employees obtain appropriate treatment.

An employee who believes that he/she has a problem involving the use of alcohol or drugs should ask a supervisor or Human Resources for assistance.

The City of Seaside will work with an employee to identify all benefits and benefit programs that may be available to help deal with the problem. Attendance at any rehabilitation or treatment program will be a shared financial responsibility of the employee and the City to the extent its existing benefits package covers some or all of the program costs.

Although the City recognizes that alcohol and drug abuse can be successfully treated and is willing to work with employees who may suffer from such problems, it is the employee's responsibility to seek assistance *before* drug or alcohol problems lead to disciplinary action. Once a violation of City policy is discovered, the employee's willingness to seek City of Seaside or outside assistance will not "excuse" the violation and generally will have no bearing on the determination of appropriate disciplinary action.

- **Discipline and Consequences of Prohibited Conduct**

An employee who tests positive for drugs or alcohol in accordance with this policy will be subject to either termination or a last-chance agreement.

A last-chance agreement is an agreement whereby an employee who would otherwise be terminated is provided an opportunity to address his/her substance abuse issue and/or performance or safety issues. The last-chance agreement will inform the employee of the problems noted with his/her performance and to specify the performance required for the employee to achieve in order to continue to be employed by the City of Seaside. Violation of the provisions of a last-chance agreement shall result in immediate termination of the employee, notwithstanding the provisions of any other personnel rule.

- **Confidentiality**

All information from an employee's drug and alcohol evaluation is confidential and only those with a need to know are to be informed of test results. Disclosure of such information to any other person, agency, or the City is prohibited unless written authorization is obtained from the employee.

LL. Cellular Devices Policy

This policy applies to employee use of cell phones, smart phones (including iPhones, "smartphones" and similar devices), tablets and similar devices, all of which are referred to as "cellular devices" in the Cellular Devices Policy.

- **Cell Phones and Cellular Devices in General**

Employees are allowed to bring personal cell phones and cellular devices to work with them. During working hours, however, employees should refrain from using them except in an emergency or during a meal period or rest break.

Employees who use personal or City-provided cell phones/cellular devices may not violate the City's policies against harassment and discrimination. Thus, employees who use a personal or City-provided cell phone/cellular device to send a text or instant message to another employee (or to a citizen or someone not employed by the City) that is harassing or otherwise in violation of the City's no-harassment and no-discrimination policies will be subject to discipline up to and including termination.

Nonexempt employees may not use their personal or City-provided cell phone/cellular device for work purposes outside of their normal work schedule without written authorization in advance from their department head / supervisor. This includes, but is not limited to, reviewing, sending and responding to emails or text messages, and responding to calls or making calls. The ONLY EXCEPTION to this rule is to receive a call from the employee's supervisor or department head.

- **Employee Use of City -Provided Cell Phones/Cellular Devices**

Cell phones/cellular devices are made available to City of Seaside employees on a limited basis to conduct the City's business. Determinations as to which employees receive City-provided cell phones will be made on a case-by-case basis; employees are not guaranteed a cell phone or cellular device. In some cases, the City may provide a monthly cellular telephone allowance to employees who regularly make calls on behalf of the City away from the office (**see a supervisor and/or HR for more information**).

Employees who receive a cell phone or cellular device from the City must agree to not use the cell phone/cellular device for personal use except in emergency situations and must abide by all aspects of the Cellular Device Policy. Further, employees who receive a cell phone or cellular device from the City must acknowledge and understand that because the cell phone/cellular device is paid for and provided by the City, or subsidized by the City, any communications (including text messages) received by or sent from the cell phone/cellular device may be subject to inspection and review if the City has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Cellular Device Policy or any other City policy. An employee who refuses to provide the City access to his/her personal cell phone/cellular device in connection with an investigation and after reasonable notice may be subject to discipline, up to and including termination.

Employees may not use City-provided cell phones or cellular devices to call 1-900, 1-976 or similar "pay per minute" services. Further, family and friends may not use an employee's City-provided cell phone/cellular device.

- **Employee Use of Cell Phones/Cellular Devices with Cameras**

Cameras of any type, including cell phones or cellular devices with built-in cameras and video photography options, may not be used during working hours, or at any City-sponsored function unless using for work-related purposes or unless prior authorization has been granted by an immediate supervisor, your department head or HR.

- **Cell Phones/Cellular Devices and Public Records**

City-related business conducted on City-provided or personal cell phones/cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against the City of Seaside.

- **Cell Phone/Cellular Device Use While Driving**

The use of a cell phone or cellular device while driving may present a hazard to the driver, other employees and the general public. Subject to a few narrow exceptions for emergency or public safety purposes, Oregon law also prohibits the use of handheld cell phones while driving, even if the driving is for work-related reasons. This policy is meant to ensure the safe operation of City vehicles and the operation of private vehicles while an employee is on work time. It applies equally to the usage of employee-owned cell phones and phones provided or subsidized by the City of Seaside.

Employees are prohibited from using handheld cell phones for any purpose while driving on City-authorized or City-related business. This policy also prohibits employees from using a cell phone or other cellular device to send or receive text or "instant" messages while driving on City business (other than those employees engaged in law enforcement or fire service work). Should an employee need to make a business call while driving, the employee must locate a lawfully designated area to park and make the call, unless the employee uses a hands-free cell phone or cellular device for the call. In either situation, such calls should be kept short and should the circumstances warrant (for example, heavy traffic, bad weather), the employee should locate a lawfully designated area to park to continue or make the call, even if the employee is using a hands-free device. Violation of this policy will subject the employee to discipline, up to and including termination.

MM. Use of City Email and Electronic Equipment, Facilities and Services

The City uses multiple types of electronic equipment, facilities and services for producing documents, research and communication including, but not limited to, computers, software, email, copiers, telephones, voicemail, fax machines, online services, cell phones (including text messaging), the Internet and any new technologies used in the future. This policy governs the use of such City of Seaside property.

- **Ownership**

All information and communications in any format, stored by any means on or received via the City's electronic equipment, facilities or services is the sole property of the City of Seaside.

- **Use**

All of the City's electronic equipment, facilities and services are provided and intended for City business purposes only and not for personal matters, communications or entertainment. Access to the Internet, websites and other electronic services paid for by the City are to be used for City of Seaside business only. This means, for example, that employees may not use the City-provided Internet, or City of Seaside electronic equipment, facilities and services to:

- Display or store any sexually explicit images or documents, or any images or documents that would violate City's no-harassment, no-discrimination or bullying policies;
- Play games (including social media games) or to use apps of any kind;
- Engage in any activity that violates the rights of any person or the City of Seaside, and that is protected by copyright, trade secrets, patent or other intellectual property (or similar laws or regulations);
- Engage in any activity that violates the rights to privacy of protected healthcare information or other City-specific confidential information;
- Engage in any activity that would introduce malicious software purposefully into a workstation or network (e.g., viruses, worms, Trojan horses).
- Download or view streaming video for personal use. This includes, without limitation, YouTube videos, movies, and TV shows. Streaming audio is allowed, provided it does not contain explicit material, adversely affect network speed, or interfere with others' ability to work.

Further, employees may not use City-provided email addresses to create or manage personal accounts (e.g., shopping websites, personal bank accounts, and social media accounts). City email addresses for professional-based social media accounts such as LinkedIn may be allowed with the approval of the employee's supervisor.

- **Inspection and Monitoring**

Employee communications, both business and personal, made using City of Seaside electronic equipment, facilities, and services are not private. Any data created, received or transmitted using City of Seaside equipment, facilities or services are the property of the City of Seaside and usually can be recovered even though deleted by the user.

All information and communications in any format, stored by any means on the City's electronic equipment, facilities or services, are subject to inspection at any time without notice. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the City's ownership of the electronic information, electronic equipment, facilities, or services, or the City's right to inspect such information. The City reserves the right to access and review electronic files, documents, archived material, messages, email, voicemail and other such material to monitor the use of all of the City's electronic equipment, facilities and services, including all communications and internet usage and resources visited. The City of Seaside will override all personal passwords if it becomes necessary to do so for any reason.

- **Personal Hardware and Software**

Employees may not install personal hardware or software on the City of Seaside's computer systems without approval from our IT Contractor and HR Representative. All software installed on the City's computer systems must be licensed. Copying or transferring of City of Seaside-owned software may be done only with the written authorization of the System Administrator/IT Contractor/HR Representative.

- **Unauthorized Access**

Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by City management. No employee can examine, change or use another person's files, output or username unless he/she has explicit authorization from City management to do so.

- **Security**

Many forms of electronic communication are not secure. Employees who use cell phones, cordless phones, fax communications or email sent over the Internet should be aware that such forms of communication are subject to interception and these methods of communicating should not be used for privileged, confidential, or sensitive information unless appropriate encryption measures are implemented.

- **Inappropriate Web Sites**

The City of Seaside's electronic equipment, facilities or services must not be used to visit Internet sites that contain obscene, hateful or other objectionable materials, or that would otherwise violate the City's policies on harassment and discrimination.

NN. Social Media

For purposes of this policy, "social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal or commercial website, social networking website, web bulletin board or a chat room, whether or not associated or affiliated with the City of Seaside, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of co-workers, or otherwise adversely affects our citizens or people who work on behalf of the City of Seaside or the City's legitimate business interests may result in disciplinary action up to and including termination.

- **Prohibited Postings**

Employees will be subject to discipline, up to and including termination, if they create and post any text, images or other media that violate any City policies, including the City's no-harassment and no-discrimination and workplace violence policies. Similarly, postings that include threats of violence, that are physically threatening or intimidating, bullying or harassing, will not be tolerated and may subject an employee to discipline, up to and including termination.

Do not create a link from your blog, website or other social networking site to a City-owned or maintained website without identifying yourself as a City employee.

Express only your personal opinions. Never represent yourself as a spokesperson for the City of Seaside, unless you are authorized by your manager/supervisor to do so. If the City of Seaside is a subject of the content you are creating, be clear and open about the fact that you are a City employee and make it clear that your views do not represent those of the City of Seaside or its employees or elected officials.

- **Encouraged Conduct**

Always be fair and courteous to co-workers, the citizens we serve, the City of Seaside's employees and elected officials, and suppliers or other third parties who do business with the City.

Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers, or by utilizing our Open-Door Policy, than by posting complaints to a social media outlet. If you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage citizens, co-workers, City employees or elected officials, that might constitute harassment or bullying, and/or that violate City policies. Examples of such conduct might include offensive posts that a reasonable person would perceive as calculated to intentionally harm an individual's personal or professional reputation, posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

Maintain the confidentiality of the City's confidential information. Do not post internal reports, policies, procedures or other internal, City-related confidential communications or information. (See "Confidential City Information" policy, below.)

Nothing in this policy is meant to prevent an employee from exercising his/her right to make a complaint of discrimination or other workplace misconduct, engage in lawful collective bargaining activity, or to express an opinion on a matter of public concern that does not unduly disrupt City of Seaside operations. Employees are free to express themselves as private citizens on social media sites, but an employee's exercise of expression is balanced against the City's interest in the effective and efficient fulfillment of its responsibilities to the public.

- **Request for Employee Social Media Passwords**

The City of Seaside's supervisors and managers are prohibited by law from requiring or requesting an employee or an applicant for employment to disclose or to provide access through the employee's or applicant's username and password, password or other means of authentication that provides access to a personal social media account. This includes, without limitation, a username and password that would otherwise allow a supervisor/manager to access a private email account not provided by the City.

Nothing in this policy prohibits the City of Seaside from requiring an employee to produce content from his/her social media or internet account in connection with a City-sponsored investigation into potential misconduct, unlawful or unethical behavior, or policy or rule violations.

OO. Confidential City of Seaside Information

Employees must not access, use or disclose sensitive or confidential information or data except in accordance with City policies, practices and procedures, and as authorized by state or federal laws or regulations. Employees with access to confidential information, including but not limited to customer or employee financial, medical or personal information (including, without limitation, Social Security numbers), are responsible for the safekeeping and handling of that information to prevent unauthorized disclosure.

Employees who access, use or disclose confidential information contrary to Oregon or federal laws or for personal use or financial gain may be subject to civil or criminal penalties under those laws, in addition to appropriate disciplinary action for violating this policy.

No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City) may be removed from our premises without permission from Human Resources. Likewise, any materials developed by the City of Seaside's employees in the performance of their jobs is the property of the City and may not be used for personal or financial gain. Additionally, the contents of records or information otherwise obtained in regard to the City's business may not be disclosed to anyone, except where required for a business purpose or when required by law.

PP. Ethics

At the City of Seaside, we believe in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that may compromise their reputation or integrity, or that might cause their personal interests to conflict with the interests of the City of Seaside or the City's citizens.

We at the City of Seaside are public employees, and as such, are also subject to the State of Oregon's ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts and strict definitions of conflict of interest. If you are coming to the City of Seaside from work in the private sector, you may find that some activities that are common business practices in the private sector are prohibited in the public sector. Information on these laws is available at the Oregon Government Ethics Commission website: <http://www.oregon.gov/OGEC>.

If you have questions about whether an activity meets the City of Seaside's or Oregon's ethical standards, please talk with Human Resources. Employees who violate the Ethics Policy, or who violate Oregon ethics laws, may be subject to disciplinary action up to and including termination.

QQ. Open-Door Policy

The City of Seaside's Open-Door Policy is based on our belief that open, honest communication between managers and employees should be a common business practice. The City's managers and supervisors are responsible for creating a work environment where employee input is welcomed, and where issues are identified early and shared without the fear of retaliation (when the employee provides the input in good faith). If you have a complaint, suggestion, or question about your job, working conditions, or the treatment you are receiving from anyone in the City of Seaside, please raise them first with your immediate supervisor. If you are not satisfied with the response from your immediate supervisor, or if your issue involves your immediate supervisor, request to have the facts/situation reviewed by Human Resources.

RR. Outside Employment

Generally, employees may obtain employment with an employer other than the City or engage in private income-producing activity of their own so long as that activity is not

otherwise prohibited by these rules. Employees are responsible for assuring that their outside employment does not conflict with these rules.

An employee is prohibited from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the employee's official action.

Employees may not accept outside employment that involves:

- The use of City of Seaside time (including the employee's work time), City of Seaside facilities, equipment and supplies, or the prestige or influence of the employee's position with the City of Seaside. In other words, the employee may not engage in private business interests or other employment activities on the City's time or using the City of Seaside's property;
- The performance of an act that may later be subject to control, inspection, review or audit by the department for whom the employee works (or by a State agency); or
- Receipt of money or anything of value for performance of duties that the employee is required to perform for the City of Seaside; or
- Placing the City in disrepute by association with employee off-duty conduct or behaviors that reflect adversely on the employee's character and trustworthiness as a public employee.

The City requires employees to report outside employment to their supervisor before the outside employment begins. Thereafter, an employee must provide an update to his/her supervisor on an annual basis, or sooner if any changes in outside employment occurs. Employees who accept outside employment in violation of this policy may be subject to discipline, up to and including termination.

SS. Family Relationships

Nepotism, defined as the exercise of preferential selection practices based on family relationship rather than merit, is prohibited. "Family" is defined the same as immediate family under family bereavement leave. Present employees who marry will be permitted to continue work only if they do not work in a direct supervisory relationship with one another. Employees will be allowed, if positions are available, to take a transfer or demotion to avoid direct supervision by a relative. If this cannot be accomplished, the least senior employee (relative) will be terminated.

Appointments, transfers and promotions to positions with the City shall be based on merit as determined by a comparison of job-related qualification. Discrimination in favor of candidates who are related to persons involved in, or having an effective influence upon, the selection of those candidates is prohibited.

No hiring, promotion, or transfer of an individual shall occur if such action would place the individual in a position of exercising supervisory, appointment or grievance adjustment authority over a member of the individual's family or in a position of being subject to such authority which a member of the individual family exercises.

TT. Criminal Arrests and Convictions

Employees must promptly and fully disclose to their supervisor on the next working day:

1. All drug- or alcohol-related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on City property, or in a City vehicle (see "Alcohol/Drug Use, Abuse and Testing" policy above);
2. All arrests, citations, convictions, guilty pleas or no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
3. If you are arrested, cited or convicted of a violation of any law that will prevent you from performing the essential functions of your position.

Reporting an arrest or conviction will not automatically result in termination of employment. Situations will be evaluated on a case-by-case basis.

Employees who are unavailable to report for work because they have been sent to jail or prison may not use sick leave or vacation time to cover the absence, and may be subject to disciplinary action, including termination.

UU. Political Activity

Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours. In addition to the requirements and prohibitions of Oregon elections and ethics laws, employees cannot:

- Be required to give money or services to aid any political committee or any political campaign;
- Solicit money or services (including signatures) to aid or oppose any political committee, nomination or election of a candidate, ballot measure or referendum, or political campaign while on the job during working hours (this is not intended to restrict the right of City employees to express their personal political views); or
- Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

VV. Bad Weather/Emergency Closing

Except for regularly scheduled holidays identified by the City (see "Holidays" section, above), the City is open for business on Mondays through Fridays during normal business hours. The City has an obligation to its citizens to continue offering public and emergency services during inclement weather and disasters, and employees are to consider City offices open and operating. Employees are encouraged to make every attempt to report to and remain at work, unless otherwise notified by the City Manager or other authorized designee.

Employees must use their own judgment in determining their ability to get to work safely, which includes seeking alternative transportation arrangements when feasible. If

there is a question of whether the offices will be open in the case of inclement weather, you should contact your department head/supervisor or listen to local stations:

KSWB – 840 AM KBGE – 94.9 FM KAST – 1340 AM
KMUN – 91.9 FM KVAS – 103.9FM KOAC – 89.7 AM

Only the City Manager or a specifically authorized designee can give the direction for a partial City closure or curtailment to minimal staffing levels due to inclement weather or disasters. This will be done only in rare and very extreme circumstances.

Each department will develop a procedure for identifying and informing employees who are required to report for duty and shall inform those employees of their designation as critical and the expectations for reporting to work.

The City does not provide inclement weather/disaster pay in the event of partial closures or curtailed staffing, and employees will be paid in accordance with applicable law. Employees are encouraged to prepare for the possibility of being unable to work during inclement weather or disasters by reserving some accrued vacation or, if eligible, compensatory time.

In the event of extreme bad weather, we recognize that each employee's ability to safely reach work may be different. If you cannot safely report to work in such circumstances, you should contact your supervisor. If staff cannot reach the office and are able to serve the City from home, you should do so subject to approval by your manager or supervisor. Safety and a trustworthy approach are your guides.

WW. Driving While on City Business

Employees using a private vehicle to conduct the City's business must possess a valid driver's license and must carry auto liability insurance. Employees who use their own vehicles for authorized City business use should make any necessary arrangements with their insurance carriers.

The City may verify the validity of your driver's license and/or your driving record at the time of hire and at any point during your employment. Once you are employed with the City, we may receive automated reports from the Department of Motor Vehicles (DMV). The reports notify the City when there are transactions on your driving record such as speeding tickets and citations.

While on City business, drivers are expected to make every reasonable effort to operate their vehicle safely, with due regard for potential hazards, weather, and road conditions. Drivers are to obey all traffic laws, posted signs and signals, and requirements applicable to the vehicle being operated. Seatbelts are to be used in all vehicles while on business. Drivers are to ensure that the use of prescribed or over the counter drugs does not interfere with their ability to drive while on business; operating a vehicle under the influence of alcohol or controlled substances is prohibited. Employees are responsible for notifying their manager of any subsequent restrictions, limitations, or other change in their driving status within 72 hours of the change or new restrictions/limitations. See also, "Cell Phone Use While Driving" policy, above.

Unless prior approval has been given by a supervisor and/or a situation aids in operational needs, employees are prohibited from driving City vehicles during their lunch hour. This

includes drive-thru restaurants or convenience stores in Seaside or Clatsop County. Should the need arise, and it does in fact assist with the operational needs of the City, authorization may be given, but the use must be pre-approved with a direct supervisor.

Employees who receive a ticket or citation while driving a City-owned vehicle or while on City business/time will be responsible for paying the fine (if any) associated with the ticket or citation and may face discipline, up to and including termination.

XX. Workplace Violence

The City recognizes the importance of a safe workplace for employees, customers, vendors, contractors, and the general public. A work environment that is safe and comfortable enhances employee satisfaction as well as productivity. Therefore, threats and acts of violence made by an employee against another employee, volunteer, elected official, or member of the public with respect to that person's life, health, well-being, family, or property will be dealt with in a zero-tolerance manner by the City.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with the City, or that threaten the safety, security or financial interests of the City. Employees are also strongly encouraged to report threats or acts of violence by non-employees, such as vendors or citizens, against any employee, volunteer or elected official. Employees should make such reports directly to their supervisor and/or City Administration.

The City of Seaside also may conduct an investigation of a current employee where the employee's behavior raises concern about work performance, reliability, honesty, or potentially threatens the safety of co-workers or others. See policy on "Workplace Inspections."

YY. Workplace Inspections — No Right to Privacy or Confidentiality

This policy applies to inspections and investigations conducted by the City pursuant to policy or law unless otherwise modified by a different policy in this Handbook.

An employee investigation may include, but is not limited to, investigation of misconduct, City policy violation and/or a potential crime; it may also include a search of desks, work areas, file cabinets, voicemail systems and computer systems. *Employees are strongly discouraged from storing personal items in the desks, lockers, work areas, file cabinets and other office equipment or furniture, as well as voicemail and computer systems assigned to them by the City; these areas are not private, and employees have no expectation or privacy or confidentiality with respect to such places, spaces and personal items on City premises.*

ZZ. Smoke-Free Workplace

The City of Seaside provides a tobacco-free environment for all employees and visitors. For purposes of this policy, "tobacco" includes the smoking of any tobacco-based product, smoking in any form (including, without limitation, cigars and e-cigarettes). The use of oral tobacco products or "chew/spit" tobacco is discouraged, and the City expects its employees to maintain a professional and positive image at all

times – especially when interacting with the public. Marijuana use is also prohibited under this policy. This policy applies to employees, volunteers, and any visitors to City property, vehicles or facilities/buildings.

City buildings and vehicles are tobacco- and marijuana-free areas. Tobacco/marijuana use is prohibited during working hours. Further, the City prohibits tobacco/marijuana use in or around City vehicles and equipment or machinery.

If you wish to smoke tobacco, you must do so outside of the City's facilities/buildings, only in designated smoking areas, and out of visitor and the public's view. Smoking is not allowed near building entrances; Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows. The Library property is completely smoke free. The City of Seaside has established employee smoking areas that your supervisor can show you.

VI. TERMINATION OF EMPLOYMENT

AAA. Workplace Rules and Prohibited Conduct

Any violation of the rules or prohibited conduct in this policy may result in discipline, up to and including termination. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and the City's operations, some of which are described elsewhere in this Handbook, may also be grounds for discipline, up to and including termination.

- Falsification of employment or other City of Seaside records.
- Recording of work time of another employee or allowing any other employee to record your work time or allowing falsification of any time sheets (your own or another employee's).
- Theft or the deliberate or careless damage or destruction of any City property, or the property of any other employee, citizen, vendor or third party.
- Unauthorized use of City equipment, materials or facilities.
- Provoking a fight or fighting during work hours or on City property.
- Carrying firearms or any other dangerous weapon on City premises at any time unless you are a police officer.
- Engaging in criminal conduct while at work.
- Causing, creating or participating in a significant or substantial disruption of work during working hours on City property.
- Insubordination, including but not limited to failure or refusal to obey orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward another City employee, customer or vender.
- Failure to notify a supervisor when unable to report to work, or when leaving work during normal working hours without permission from supervisor to do so.

- Failure to observe work schedules, including rest breaks and meal periods. You are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you.
- Sleeping or malingering on the job.
- Excessive personal telephone calls during working hours.
- Unprofessional appearance during normal business hours.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by the City.
- Misrepresentation of City policies, practices, procedures, or your status or authority to enter into agreements on behalf of the City. Employees may not use the City of Seaside's name, logo, likeness, facilities, assets or other resources of the City of Seaside for personal gain or private interests.
- Violations of the Ethics Policy or Oregon's Ethics laws.
- Violation of any safety, health, security or City of Seaside policy, rule or procedure. Employees are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the City of Seaside or outside regulatory or legislative bodies.
- Failing to timely pay water/sewer/tax accounts with the City of Seaside on time, and/or whose City -provided services are disconnected. This includes, without limitation, situations where the employee writes a check to the City of Seaside that is refused for payment due to non-sufficient funds.
- Harassment or discrimination that violates City of Seaside policy.

This statement of prohibited conduct does not alter the City of Seaside's policy of at-will employment. Except for employees' subject to a collective bargaining agreement or written contract of employment signed by the City Manager, the City remains free to terminate the employment relationship at any time, with or without cause or notice.

BBB. Corrective Action/Discipline Policy

Employees are expected to perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet City standards, the City will determine what corrective or disciplinary action is appropriate and likely effective or whether it will terminate the employee's employment. When the City elects to provide an employee a reasonable opportunity to correct the deficiency(ies) it may identify a step of progressive discipline (such as, in no particular order, counselling, warning, suspension without pay, or demotion). A corrective action process will not always commence with a counseling or include a particular sequence of steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including termination) on the first offense.

In lieu of terminating the employment of an employee for serious violations of City policies, procedures and rules and for other inappropriate behavior or conduct, the City

may in its discretion choose to provide the employee a final opportunity to continue employment under the terms of a last-chance agreement.

In all cases, the City will determine the nature and extent of discipline based upon the circumstances of each individual case. The City may proceed directly to a written warning, demotion, or termination for misconduct or performance deficiencies, without any prior disciplinary steps, when the City deems such action appropriate.

CCC. Retirement or Resignation from Employment

If you choose to resign or retire, it is anticipated that you will give the City as much notice as possible — preferably a minimum of two weeks. When giving your two-weeks' notice, vacation, personal, or sick days should not be used in lieu of notice. If you do not give two-weeks' notice of your intent to leave the City, you may not be considered eligible for re-employment at a later date.

Employees who miss three or more consecutive workdays without contacting their immediate supervisor are typically considered to have resigned and abandoned their employment unless otherwise required by law.

If the employee's decision to resign is based on a situation that could be corrected, the employee is encouraged to discuss it with Human Resources before making a final decision.

Employees must return all City property, including phones, computers, identification cards, credit cards, keys, and manuals, to Human Resources or immediate supervisor on or before their last day of work. If items are not properly returned or arrangements have not been made identifying when the items will be returned, the City generally has the right to take action for theft of property with the Seaside Police Department.

DDD. References

All requests for references or recommendations must be directed to Human Resources. No manager, supervisor or employee is authorized to release references for current or former employees. Managers and supervisors are expressly prohibited from providing LinkedIn "recommendations" or using a website on the internet to discuss a current or former employee's performance or termination of employment.

By policy, the City of Seaside discloses only the dates of employment and position(s) held of former employees. Former employees who authorize additional disclosures must make a request to do so in writing.

Employee Acknowledgement

*Acknowledgment of receipt of the City of Seaside's
Employee Handbook and Policy Manual, Revised December 2020*

I acknowledge that I have received and will read a copy of the City of Seaside's 2020 Employee Handbook and Policy Manual. I also understand that a copy of the Employee Handbook and Policy Manual is available to me at any time to review in the Human Resources Office and via the City's online HR Portal (currently Bamboo HR).

I understand that the City of Seaside has adopted the Employee Handbook and Policy Manual as a general guide about policies, work rules and the work environment, and that the policies in the Employee Handbook and Policy Manual are subject to change at any time in the City of Seaside's sole discretion. I also understand that the Employee Handbook and Policy Manual's control over any other contradictory statements made verbally by any City employee. I acknowledge that the Employee Handbook and Policy Manual is not an employment contract and is not intended to give me any express or implied right to continued employment or to any other term or condition of employment which the City retains the right to modify.

I understand that either the City or I may terminate my employment relationship at any time, for any lawful reason, with or without cause, and with or without notice, unless my employment is subject to different terms set forth in a contract of employment signed by the City Manager or a collective bargaining agreement. I acknowledge that no promises have been made to me that are inconsistent with this "at will" statement.

I have reviewed or will review the City of Seaside's policies regarding equal employment opportunity and acknowledge that the City aims to provide a workplace free of harassment and discrimination. Should events warrant, I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to Human Resources or a manager or supervisor of my choice so that the City may address them appropriately in accordance with City policies.

During my employment with the City of Seaside, I understand that it is my responsibility to remain informed about the policies as revisions, updates and new policies as issued, and to ask questions about any interpretation of any of the policies.

I have read this acknowledgement carefully before signing.

Employee Signature

Date

The original of this document will be kept in the Employee's personnel file. A copy will be provided to the Employee upon request.