85.410. MONTHLY PAY PERIOD. All monthly salaried employees shall be paid upon the basis of a monthly pay period beginning upon the first day of each calendar month and ending upon the last day of that calendar month. All hourly salaried employees shall be paid upon the basis of a monthly pay period beginning on the 26th day of each calendar month and ending upon the 25th day of the following calendar month. It shall be the County's policy to pay each employee on or about the last judicial day of each calendar month that compensation, less authorized and required deductions, which he has earned in the current monthly pay period.

85.430. EMERGENCY DRAW. Upon recommendation of the department head and under circumstances of an emergency nature, the County Court may authorize the County Clerk to pay an employee a sum of money representing an advance upon wages which he has already earned.

85.435. MONTHLY PAY DRAW. Each employee shall be entitled to one pay draw each month. This pay draw may be made on the 15th day of each month or the first business day after the 15th day of the month. Each employee may request a draw up to no more than the net amount earned by the employee on the date the draw is requested.

85.450. ANNIVERSARY DATE. For the purpose of computing eligibility for salary rate increases, each person appointed, promoted or reclassified into a position or classification or salary range shall be deemed to have been so on date such action occurred, if it was the next succeeding monthly pay period.

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85.460. PAY FOR PARTIAL MONTH. In computing a partial month's pay, the amount paid to salaried personnel for working less than a full month shall be determined on the basis of pro-rating the number of days worked with the number of work days, including holidays, in that month.

85.470. HOURLY RATES. Hourly rates of pay shall be used for those positions within the County service where conditions of employment may warrant.

85.480. DAILY RATES. Daily rates shall be used only where conditions of employment warrant.

85.510. OVERTIME. Department Heads, whenever in their judgment deem it necessary, may require employees to work overtime on any day, at any hour, and for so long a period of time as they specify. A full time employee who is not exempt from the overtime pay requirements of Oregon or federal law shall be compensated at the rate of time and one-half (1-1/2) for periods worked in excess of forty (40) hours in the workweek regularly scheduled for that position, but in no event shall such compensation be paid twice for the same hours. Where the regular schedule for a non-exempt employee is less than 40 hours, the time worked beyond the regularly scheduled hours up to 40 hours per week is paid at the straight time hourly rate. All overtime must be pre-approved by the department head or an authorized management person.

85.520. ELIGIBILITY FOR OVERTIME. The eligibility of positions within the classified service for overtime compensation shall be determined by applicable state and federal laws. If, in its judgment, the County Court determines the circumstances warrant making an
exception, a position which is otherwise exempt from the statutory
overtime requirements may be approved for overtime compensation.

85.530. OVERTIME COMPENSATION. Unless the employee's department
head wishes to compensate overtime worked in the form of compensatory
time off, compensation for overtime worked will be in the form of paid
compensation at the rate of time and one-half (1-1/2). Except for
overtime earned in the last month of any Fiscal Year, compensatory time
off and/or cash compensation must be provided within the Fiscal Year in
which it has been earned for overtime worked. When an employee is
terminated, he/she shall receive cash compensation for any unused
overtime he/she has accrued.

CHAPTER 86 - ATTENDANCE

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86.010. NORMAL HOURS OF WORK. The regular hours of work each day shall be consecutive except for interruptions for rest and meal periods, or for instances where a different practice may be in effect. The normal workday shall consist of a seven and one-half (7 1/2) hour day for employees who work in the Courthouse, excepting the Sheriff's Department, and eight (8) hours for all other employees, exclusive of meal periods. However, in the event the County elects to schedule four (4) consecutive days of ten (10) hours work per day as the regular work week in any department or departments, regular hours of work shall be scheduled within such department(s) consistent with such weekly schedules.

86.020. DEPARTMENTAL DESIGNATIONS. Any department head may file with the County Clerk a designation of office hours for his department, unless disapproved by the County Court as applicable to that department.

86.030. DESIGNATION OF DEPARTMENT SHIFTS. Except where continuous operations are involved, and insofar as consistent with the normal operations of the department in which they work, all employees shall be scheduled to work on a regular shift and each shift shall have a regular starting and quitting time. Changes in regular work schedules may be made, provided that employees are given notice of such schedule changes, except for emergency situations, and for the duration of the
seventy-two (72) hours in advance. (An emergency situation shall be
deemed to be one where the County reasonably believes that immediate
action on its part is necessary if serious public or private injury or
damage is to be limited or avoided.)

86.110. HOLIDAYS. The following days are holidays for persons
employed in the County service:

(1) New Years Day - January 1
(2) Martin Luther King Day - The Third Monday in January
(3) Presidents Day - The Third Monday in February
(4) Memorial Day - The Last Monday in May
(5) Independence Day - July 4
(6) Labor Day - The First Monday in September
(7) Veteran's Day - November 11
(8) Thanksgiving Day - The Fourth Thursday in November
(9) Christmas Day - December 25
(10) Floating Holiday - An eligible employee's floating
holiday each contract year shall be scheduled by mutual agreement
between the employee and his/her supervisor.

86.120. WEEKEND HOLIDAYS. Whenever a holiday shall fall on
Sunday, the succeeding Monday shall be observed as the holiday. When-
ever a holiday shall fall on Saturday, the preceding Friday shall be
observed as the holiday. However, where continuous operations are
involved, should a day of holiday observance fall on an employee's
regularly scheduled workday, in lieu of observance of the holiday on
that date, another day off may be scheduled for the employee as his/her
holiday.

86.140. HOLIDAY COMPENSATION. Each regular full-time employee who
works his last regularly scheduled day before and his first regularly
scheduled day after any of the above holidays shall be eligible for
holiday pay. However, an employee's failure to work on such prior or

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next following scheduled workday shall be excused if due to one of the following:

(1) jury selection;
(2) scheduled vacation;
(3) bona fide injury or illness. The County will not normally require a signed statement from a licensed physician as verification of the injury or illness the first time an employee fails to satisfy the "day before" or "day after" requirements of this section because of an injury or illness. However, unless specifically excused from doing so by the employee's supervisor or department head, such a statement will be required in all subsequent instances where the employee fails to satisfy these requirements because of injury or illness;
(4) any other verified reason excused by the County.

Employees who are on layoff or unpaid leave of absence are not eligible for holiday pay for holidays occurring during the layoff or leave.

An eligible full-time employee shall receive one day's pay for each of the holidays listed above where no work is performed.

Should an employee be on authorized leave when a holiday occurs, such holiday shall not be charged against such leave.

Subject to the exception provided for continuous operations in Section 86.120, if an employee performs work on a scheduled holiday the employee shall be compensated as follows:

The employee's regular hourly rate times the number of hours for the holiday (7.5 hours for Courthouse and Annex Employees; 8 hours for Sheriff's, Road and Nursing Home Employees), plus one and one-half times the employee's regular hourly rate for only those hours the employee actually works.

86.211. PAID VACATION FOR FULL-TIME EMPLOYEES. Regular full-time employees who have at least one (1) year of continuous
employment with the County will be awarded vacation (see 86.216) on January 1st of each calendar year. A vacation week is defined as the normal number of hours of work scheduled in a workweek for any given full-time position or part-time position.

86.212. PAID VACATION FOR PART-TIME EMPLOYEES. Regular part-time employees who have at least one (1) year of continuous employment with the County and who work at least 21.75 hours per week will be awarded vacation on January 1st of each calendar year (see 86.216). A vacation week is defined as the normal number of hours of work scheduled in a workweek for any given full-time position or part-time position.

86.213. VACATION FORFEITURE. All awarded vacation must be used within a fifteen (15) month time period beginning on January 1st of any given year. Any vacation awarded in the prior year and not used by March 31st of the following year will be forfeited.

86.214. VACATION SCHEDULING. Employees must schedule their vacation consistent with the judgement of the Department Head as to the needs and requirements of the department. Subject to such requirements, vacation time shall be scheduled between employees on the basis of seniority, provided, however, each employee will be permitted to exercise seniority only once a year. Department Heads shall have the final determination of vacation times based on operations and the availability of vacation relief.

86.215. VACATION AWARD. Vacation is awarded and not earned or accrued. Vacation is not owned by the employee and cannot be sold, exchanged or bartered by the employee, except as may otherwise be
specifically provided for in this or another policy of the County Court.

86.216. VACATION AWARD LEVEL(S). Vacation will be awarded as follows:

At the end of his/her first 12 months of employment, an employee will be awarded two (2) weeks of vacation.

Two weeks of paid vacation will be awarded to an employee on January 1st of each "Anniversary" year for years 2 through 5 (the second through the fifth January 1st on which he/she is employed).

Beginning with the employee's 6th "Anniversary" year (6th January 1st employed) and continuing through his/her 10th "Anniversary" year, he/she will be awarded three (3) weeks' vacation each calendar year.

Beginning with his/her 11th "Anniversary" year and every year thereafter (each January 1st), an employee will be awarded four (4) weeks of vacation.

86.217. VACATION AWARD FOR NEW EMPLOYEES. No vacation will be awarded to an employee until he/she has completed one full year (12 consecutive months) of full-time or part-time employment with Wasco County.

Periods of excused absence of less than one (1) month shall be considered as continuous employment. An employee who terminates employment before completing one full year of employment will not receive any vacation pay. At the end of his/her first 12 months of employment, an employee will be awarded two (2) weeks of vacation. A week is defined as the normal number of hours of work scheduled in a workweek for any given full-time position or part-time position.
86.218. EMPLOYEES WITH MORE THAN ONE YEAR OF SERVICE. After receiving two weeks of vacation upon completion of 12 months of employment, an employee will thereafter be awarded vacation on a calendar year basis, without regard to his/her actual employment anniversary date.

86.219. VACATION EARNED PRIOR TO JANUARY 1, 1998. All unused vacation time accrued before January 1, 1998, will remain available for use by the employee who accrued it. The employee may choose to: (1) save the accrued vacation (2) use for additional paid time off (3) "cash out" some or all of the vacation at its face value in one (1) week blocks as provided in Section 86.220.

86.220. VACATION "CASHOUT". Any employee who has at least five (5) years of continuous employment with the County may choose to take pay rather than time off for one (1) week of vacation. The "cash out" payment can be from the awarded vacation balance or any vacation earned prior to January 1, 1998. The vacation "cash out" must be in conjunction with at least one (1) week of vacation leave. In addition, employees who have a vacation balance from prior to January 1, 1998 may "cash out" an additional week of vacation without having to take any additional time off once they have satisfied the time off requirement.

86.221. VACATION – RETIRING EMPLOYEE. Any employee who retires from County employment in compliance with the provisions of the Oregon Public Employees Retirement System will be paid in full of any unused vacation that was awarded to him/her for the calendar year in which

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he/she retires plus any remaining vacation earned prior to January 1, 1998.

86.222. VACATION - LAYOFF. An employee, placed on involuntary layoff will be paid for any unused vacation that was awarded to him/her for the calendar year in which he/she is laid off plus any remaining vacation earned prior to January 1, 1998. Employees returning within one (1) year of the layoff will be entitled to credit for service immediately prior to the layoff.

86.223. VACATION - SEPARATION. Any employee, who is terminated either voluntarily or for cause, will not receive compensation for unused vacation awarded on or after January 1, 1998. Any employee, who is terminated either voluntarily or for cause, will receive compensation for unused vacation earned prior to December 31, 1997.

86.310. SICK LEAVE. Persons regularly employed full-time in the County service shall be excused from attendance at work when unable to perform their duties by reason of:

(1) illness;
(2) injury;
(3) necessary medical or dental care;
(4) quarantine - exposure to contagious disease which will endanger the health of the employee if he continues to work or the health of those who associate with him;
(5) serious illness in the employee's immediate family, which shall be defined to include the employee's mother, father, spouse, sister, brother, children and grandparents, or any relative residing in the employee's immediate household. This does not provide extended household or child care. A maximum of three (3) days' absence shall be allowed for each such serious illness.

86.320. VERIFICATION OF ILLNESS OR INJURY. Certification by an attending physician or practitioner showing sufficient disability to require the employee's absence from his duties may be required of an
employee after three (3) days absence as a precondition to receipt of compensable sick leave. If the certification does not show such disability, sick leave shall not be paid and the employee will be subject to disciplinary action.

86.330. FAMILY DEATH. Regular full-time employees shall be allowed up to three (3) days leave with pay (22 1/2 hours pay for employees who work in the Courthouse, excepting the Sheriff's Department, and 24 hours pay for other employees) in any year for scheduled work time lost when necessary to arrange for and/or attend a funeral of a member of the employee's immediate family. Funeral leave shall not be cumulative from year to year.

Immediate family for purpose of this Section shall mean the employee's mother, father, spouse, sister, brother, child and grandparents, and any relative residing in the employee's immediate household.

86.340. PAID SICK LEAVE. After an employee has completed six (6) full months of employment, he shall be credited with forty-eight (48) hours of accrued sick leave, unless he works in the Courthouse, in which event he shall be credited with forty-five (45) hours of accrued sick leave. Thereafter, the employee shall continue to accrue sick leave at the rate of eight (8) hours per month (seven and one-half (7 1/2) hours per month if he works in the Courthouse) for each full calendar month of active employment. Sick leave is provided by the County to cover "sickness" and is not to be used as a supplement for vacation. Sick leave may be taken only for the purposes specified in Section 86.310 hereof. Except as provided in Section 88.410 below, no
compensation for accrued sick leave shall be provided for any employee
upon his death or termination of employment, for whatever reason. Sick
leave shall not accrue during any period of layoff or leave of absence,
except for a leave of absence required by the County for job-related
educational or training purposes.

In the event an employee suffers from "sickness" and is unable
to perform his duties, he shall notify his supervisor of his expected
absence and the nature and expected length thereof prior to the start
of his regular work shift.

86.350. ABSENCE PAID BY STATE ACCIDENT INSURANCE FUND. When an
injury occurs in the course of employment, the injured employee may
utilize accrued sick leave to receive the difference between payments
received under Workmen's Compensation and his regular salary. In such
instances, prorated charges will be made against the employee's
accrued sick leave.

86.360. SICK LEAVE WITHOUT PAY. Upon application by an employee
and recommendation of the appointing authority, the County Court may
authorize sick leave absence without pay not to exceed one year's dur-
atation. Such sick leave without pay shall not be granted until all
accrued sick leave with pay has been exhausted. The appointing
authority may require an employee to submit a certificate from an
attending or examining physician, as a condition to recommending or
continuing the leave. In the event of a failure or refusal to supply
such certificate, or if the certificate does not clearly show suffi-
cient disability to preclude the employee from performance of duties,
such sick leave shall be cancelled and the employees service terminated.
86.370. SICK LEAVE COMPENSATION. Accumulated sick leave shall be payable at the employee's regular straight-time rate commencing with his/her first scheduled workday absent because of illness or injury and shall continue for the duration of the illness or injury or until the employee's sick leave bank has been exhausted. However, should an employee have more than three (3) instances in a calendar year when he/she misses work because of a nonhospitalized illness or injury within subparagraphs (1) and/or (2) of Section 86.310, in all subsequent instances of absence because of such nonhospitalized illness or injury within that calendar year, sick leave payments may commence on the second scheduled workday of absence.

86.410. COMPUTATION OF LONGEVITY. In computing periods of continuous County service for the purpose of vacation and sick leave longevity, all periods of excused absence less than a month may be ignored. Leaves of absence of a month or more due to sick leave or other authorized leaves of absence shall be excluded from the computation but shall not break continuity of service. Transfer of employees from one department to another shall transfer accrued vacation and sick leave days. No promotion, demotion or change of classification shall affect the computations and all paid sick or vacation leave shall be paid at the rate current when taken.

86.430. TRANSFER FROM PART-TIME TO FULL-TIME EMPLOYMENT. Any person in the County service who has accrued paid vacation or sick leave credits as a part-time employee and subsequently is appointed to a full-time position in the County service shall be credited with /////
such proportionate accrual. A seasonal employee who is subsequently employed in a full-time position shall be similarly credited.

86.440. DATE OF EMPLOYMENT. For purposes of computing accrual of paid vacation and sick leave days, the date of employment for each person in the County service shall be the date of his employment if occurring on the first day of a monthly pay period. Provided that when a part-time or seasonal employee entitled to vacation or sick leave credits is appointed to a full-time position within the County service his date of employment shall be his date of employment in such position and for purposes of computation thereto shall be added any accrued sick or vacation days.

86.510. TEMPORARY INTERRUPTION OF EMPLOYMENT. Any temporary interruption of employment because of adverse weather conditions, shortage of supplies or for other unexpected or unusual reasons, which does not exceed ten (10) days shall not be considered a layoff if, at the termination of such conditions, employees are to be returned to employment. Such interruptions of employment may be charged to accrued vacation leave or may be recorded as leave without pay.

86.520. LONGEVITY FOLLOWING RE-EMPLOYMENT OR REINSTATEMENT. An employee who is re-employed following a Civil Service Hearing, a layoff, or a separation of leave without pay, shall have vacation and sick leave credits accrued during the previous employment restored. An employee who is reinstated within one year of a voluntary separation may have all or a portion of his sick leave credits restored by the appointing authority and the County Court.

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86.610. JURY AND WITNESS LEAVE OF ABSENCE. A person holding a regular full-time position in the County service shall be credited a leave of absence with pay for attendance:

(1) in Court for jury service, provided that the salary paid to the employees for the period of absence shall be reduced by the amount of money he receives for jury service;
(2) before a Court, legislative committee, or a judicial or quasi-judicial body, as a witness in response to a subpoena or other direction by proper authority, provided that the salary paid to the employee for that period of absence shall be reduced by the amount of any witness fees he receives;
(3) in Court in connection with the employees officially assigned duties, including the time required to go to the Court and to return to his place of work.

86.620. MILITARY LEAVE WITH PAY. A person employed within the County service upon a regular full-time basis who has served in such capacity for six (6) months or more immediately preceding his application for military leave, and who is a member of the National Guard or any reserve components of the armed forces of the United States, is entitled to a leave of absence from his duties for a period not exceeding fifteen (15) calendar days in any calendar year. Such leave shall be granted without loss of time, pay or other leave, and without impairment of merit ratings or other rights or benefits to which he is entitled. Military leave with pay must be granted only when an employee receives bona fide orders to active or training duty for a temporary period, and shall not be paid if the employee does not return to his position immediately following the expiration of the periods for which he was ordered to duty. Leave with pay shall not be granted to employees entering the military service for extended and indefinite periods of active duty.

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86.630. EDUCATIONAL LEAVE. An appointing authority may require an employee to attend designated educational or training courses. When so required, the attending employee shall be reimbursed for all or part of the costs and expenses thereof. An appointing authority may authorize an employee to attend designated educational or training courses at his own expense. For such educational or training purpose an appointing authority may grant a leave of absence to the employee. The appointing authority may grant no such leave of absence with pay exceeding one (1) month unless he has first obtained the approval of the County Court. The appointing authority shall grant no leave of absence with or without pay for a period longer than one (1) month unless he has first received the approval of the County Court.

86.640. MILITARY LEAVE OF ABSENCE WITHOUT PAY. A person employed within the County service upon a regular full-time basis who has served in such capacity for six (6) months or more immediately preceding his application for military leave shall be entitled to a military leave of absence without pay during a period of service with the armed forces of the United States. He shall, upon honorable discharge from such service, be returned to a position in the same or similar class as his last held position, at the salary rate prevailing for such class, without loss of seniority or employment rights. If it is established that he is not physically qualified to perform the duties of his former position by reason of such service, he shall be reinstated in other work that he is able to perform at the nearest appropriate level of the pay of his former class. Such employees shall make application for reinstatement and shall report for duty
within ninety (90) days following separation from active duty. Failure to comply may terminate military leave. Where an employee voluntarily re-enlists, or extends his period of military service, his military leave shall be deemed cancelled.

86.650. OTHER LEAVES OF ABSENCE WITHOUT PAY. In instances where the County service will not be seriously handicapped by the temporary absence of an employee, the County Court, upon recommendation of the appointing authority, may authorize a leave of absence without pay of appropriate duration. All requests for such leave must be in writing and must establish reasonable justification for approval of the request. Normally, such leave of absence will not be approved for an employee who has accepted employment outside the County service.

CHAPTER 87 - EMPLOYEE RELATIONS

87.010 - Educational and Training Policy
87.020 - Departmental Training
87.030 - Educational Leave
87.040 - Tuition Aid
87.110 - Employee Representation, Generally
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87.130 - Excluded Employees
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87.150 - Election Procedure
87.160 - Recognition of Representatives
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87.210 - Negotiations
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87.310 - Grievance Policy
87.320 - Grievance Procedure
87.330 - Departmental Grievances
87.340 - Civil Service Commission

87.010. EDUCATIONAL AND TRAINING POLICY. It is the policy of the County Court to encourage appointing authorities to familiarize new employees with departmental functions, to familiarize employees with
the general functions of County government and it is further the policy
of the County Court to provide assistance to selected employees for
the purpose of obtaining advanced education or training and to assist
in the development of County personnel of superior ability and
potential.

87.020. DEPARTMENTAL TRAINING. Appointing authorities are
encouraged to develop departmental training programs, conducted either
during or after regular working hours, or both. Attendance by employees
at training sessions conducted after regular working hours shall be
voluntary unless arrangements for such training includes the granting
of an equal amount of compensatory time off.

87.030. EDUCATIONAL LEAVE. The appointing authority is authorized
to require or permit employees to attend educational or training courses
and for that purpose to grant educational leaves of absence as provided
in Section 86.630, within the limitations of the department's budget.
No appointing authority shall authorize such a leave of absence, paid or
unpaid, in excess of thirty (30) days without prior approval by the
County Court.

87.040. TUITION AID. Upon approval by the County Court, tuition
aid in the amount of a required course fee and necessary travel expenses
may be authorized to employees who successfully complete classes when
such training will be beneficial to the County. Requests for tuition
aid must be in writing and provide sufficient information to permit the
County Court to review the request and determine whether or not such
action would be in the best interest of the County service and the
availability of funds therefore. Where grants, scholarships or other
outside sources of funds are available, the County Court will make provisions for such grants, but shall not permit the duplication of funds for any purpose nor permit the combination of income sources to exceed the monthly salary of the individual granted educational assistance.

87.110. EMPLOYEE REPRESENTATION, GENERALLY. Employees shall have the right to form, join and participate in organizations of their own choice for the purpose of representation and collective bargaining on matters concerning employment relations; employees shall also have the right to refrain from joining and participating in the activities of employee organizations.

(1) Nothing in this ordinance shall be interpreted to preclude an individual in the County service from representing himself in individual personnel matters.
(2) Employees shall not be interfered with, intimidated, restrained, coerced or discriminated against in the application of these rights.

87.120. FORMATION OF BARGAINING UNIT. A bargaining unit may consist of:

(1) all eligible employees in the County service;
(2) if the Civil Service Commission determines that a bargaining unit of all employees within the County service is inappropriate, then one bargaining unit composed of all employees within the classified service and one bargaining unit composed of all other employees within the County; or
(3) any other proposed bargaining unit which appears to the County Court to be appropriate on the basis of the existence of distinct and homogeneous group of employees.

87.130. EXCLUDED EMPLOYEES. No bargaining unit shall include persons occupying positions within the County service of an elected, professional, management or supervisory nature.

87.140. CANDIDATES FOR REPRESENTATIVE. A petitioning candidate for employee representative may be a person, club, organization, or
council of organizations. Petitions for representative election shall
be submitted in writing and must include:

(1) the identity of petitioning candidates;
(2) the identity of bargaining units to be formed;
(3) acceptable evidence that at least thirty (30)
percent of the employees within the proposed bargaining
unit desire to be represented by the petitioner; and
(4) a statement that the petitioning candidate for
representative supports the constitution of the State
of Oregon and of the United States and pledges non-
discrimination in regard to age, color, creed, political
affiliation, race, sex, mental or physical handicap.

87.150. ELECTION PROCEDURE. All requests for representative
elections which shall include within the bargaining unit persons within
the classified service shall be processed in accordance with applicable
Civil Service Commission Rules. When such requests include within the
bargaining unit employees both within and without the classified
service, the appropriate Civil Service Commission Rules shall be deemed
applicable and by this reference are incorporated herein. When the
request includes only persons who are not employed within the classified
service, the request shall be processed in accordance with Sections
89.310 through 89.370.

87.160. RECOGNITION OF REPRESENTATIVES. When a candidate for
employee representation receives a majority of the votes cast, the
County Court shall recognize and certify that representative for that
unit. The representative shall serve without discrimination as to
membership, if the representative is for all employees in the bargaining
unit.

87.170. WITHDRAWAL OF REPRESENTATIVE RECOGNITION. After the
recognized representative has served for at least one (1) year, the
representation may be challenged by petition requesting a new election and supplying acceptable evidence that at least thirty (30) percent of the employees in the bargaining unit desire different representation or no representation.

87.210. NEGOTIATIONS. The County Court shall negotiate in good faith with all employee representatives on matters concerning employment relations. Similarly, appointing authorities shall negotiate in good faith upon matters concerning employment relations within their departments.

87.220. AGREEMENTS. Any agreement between the County Court and recognized representatives may be reduced to writing in the form of a memorandum of agreement, exchange of letters, or any other appropriate form.

87.310. GRIEVANCE POLICY. It is the policy of the County Court to assure persons employed within the County service that they may have their complaints considered as fairly and rapidly as possible without fear of reprisal. To that purpose individual employees are encouraged to discuss their complaints informally with their immediate supervisor.

87.320. GRIEVANCE PROCEDURE. If the complaint arises under these rules or arises within administered or supervised departments, and after presenting any grievances to the department head, an employee, employees or employee representative may present any grievances or complaint to the County Court for consideration. The complaint or grievance should be in writing within ten (10) days from occurrence, and should be so framed as to include all items necessary to assist the County Court in reaching an equitable
decision. The County Court may uphold the original decision, action
or failure to act which motivated the complaint or may modify,
reverse or cancel such decision or action.

87.330. DEPARTMENTAL GRIEVANCES. Any employee, employees, or
recognized representative may present a complaint or grievance to a
department head in whose department the matter occurred. If the depart-
ment head requests, the complaint should be in writing and so framed
as to include all items necessary to assist the department head in
reaching an equitable decision. The department head may decide whether
to uphold the original decision action or failure to act which motivated
the complaint or grievance or he may decide to modify, reverse or cancel
such decision or action.

87.340. CIVIL SERVICE COMMISSION. As to grievances or complaints
against the Civil Service Commission or its rules, and as to matters
arising under the Civil Service Act, complaints or grievances may be
directed to the commission in accordance with its rules.

CHAPTER 88 - SEPARATION

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88.410 - Retirement
88.420 - Police Officers
88.430 - Extended Service
88.520 - Vacation Pay on Termination
88.010. REDUCTION IN FORCE. An appointing authority may layoff
an employee for any of the following reasons:

(1) abolition of position;
(2) shortage of funds or work;
(3) a material change in duties;
(4) changes in an organization unit or department; and
(5) any other reason which does not reflect discredit on
the service of the employee.

88.011. REASSIGNMENT OF DUTIES. The department head may reassign
to any other employee, holding a position in an appropriate class,
those duties formerly performed by the laid off employee.

88.012. ORDER OF LAYOFF, (LAYOFF AND RECALL). In the event of a
layoff of employees in a department, selection of employees retained
will be in accordance with the seniority within the affected job clas-
sification(s) in that department, so long as the senior employees
possess qualifications, aptitude and ability to perform the work equal
to those of the employees laid off. Except in unusual circumstances,
employees shall normally be given at least two (2) weeks’ notice of
layoff.

An employee displaced from his job by reason of a layoff shall
be entitled to displace an employee in an equal or lower job clas-
sification, provided the displacing employee has greater seniority
and possesses qualifications, aptitude and ability to perform the
work equal to the employee he displaces.

88.110. SUSPENSION. An appointing authority may peremptorily
suspend any subordinate for cause for a reasonable period not
exceeding thirty (30) days with loss of salary or other compensation.
Cause, within the meaning of this Section, shall consist of that
conduct listed in Section 89.220. No person within the classified
service shall be suspended except upon written charges served upon
him and filed with the Civil Service Commission.

88.115. INVESTIGATIVE SUSPENSION. Where the appointing authority
has reason to believe that cause may exist for disciplinary suspension,
demotion, salary reduction, or dismissal, he may suspend a subordinate,
with pay, pending investigation of allegations. No such suspension
shall exceed the suspension periods permitted in Section 88.110. In
the event that the allegations appear to be unfounded, no entry
regarding suspension under this Section shall be made or retained in
any record of the County, except upon the employee's request.

88.120. SUSPENSION REVIEW. No suspension pursuant to Section
88.110 or Section 88.115 shall be subject to review by the Civil Service
Commission or any other tribunal.

88.210. DISCIPLINARY DEMOTION AND SALARY REDUCTION. An appointing
authority may demote an employee for cause or may reduce the salary of
an employee within the range provided for positions of that class. A
written statement of the reasons for such action shall be furnished to
the employee and, in the case of classified employees, a copy filed with
the Civil Service Commission, at least five (5) days prior to the
effective date of the action. Disciplinary demotions shall not be made
unless the employee is eligible for employment in the lower class nor
when such action will cause a person in the classified service to be
laid off.

88.220. DISMISSAL. An appointing authority may dismiss any
subordinate for one or more of those causes listed in Section 89.220.
A written statement of the cause for dismissal shall be served upon the employee and a copy filed with the County Court or, in case of classified employees, with the Civil Service Commission. Such statement should normally be served and filed ten (10) working days prior to the effective date of the dismissal.

88.230. **IMMEDIATE EFFECTIVE DISMISSAL.** The appointing authority may, when in his judgment the good of the service so requires, suspend an employee without pay during the notice period required by Section 88.220. Such period of suspension may be with or without pay at the discretion of the appointing authority.

88.240. **DEPARTMENTAL HEARING.** No person who has been continuously employed in the County service for five (5) or more years shall be dismissed by an appointing authority unless the employee has been afforded a hearing by the appointing authority, but this section shall not prevent suspension pending hearing.

88.310. **METHOD OF RESIGNATION.** In order to resign in good standing, an employee shall give at least fourteen (14) calendar days written notice to the appointing authority. The appointing authority may agree to a shorter period of notice. Because of extenuating circumstances with the approval of the appointing authority, an employee may withdraw his resignation at any time within ten (10) days after the effective date of such resignation; in such case, time not worked shall be treated as authorized leave of absence without pay.

88.320. **FAILURE TO GIVE NOTICE.** Willful failure to give that notice required by Section 88.310 shall constitute insubordination and shall be cause for peremptory dismissal from the service.
88.410. RETIREMENT. The County shall be a member and participant in the Public Employees Retirement System. Employees shall be subject to the laws and rules administered by the Public Employees Retirement Board. Upon the service or disability retirement of an employee, the retiring employee's accumulated sick leave shall be reported to the Public Employees Retirement System, and, pursuant to procedures of the PERS, taken into account in determining the employee's retirement benefits.

88.420. POLICE OFFICERS. The mandatory retirement age for persons employed within the criminal department of the Sheriff's Office shall be age 60.

88.430. EXTENDED SERVICE. Upon recommendation of a department head, an employee who applies to the County Court may be granted permission to continue employment past the mandatory retirement age.

CHAPTER 89 - PROCEDURE

89.010 - Records and Reports
89.020 - Classified Service Records
89.030 - Reports to County Clerk
89.210 - Disciplinary Action
89.220 - Causes for Disciplinary Action
89.230 - Types of Disciplinary Action
89.240 - Suspension
89.250 - Demotion
89.260 - Salary Reduction
89.270 - Dismissal
89.280 - County Court Hearing
89.290 - Hearings Procedure
89.310 - Representative Election Procedure
89.320 - Notice of Election
89.330 - Additional Candidates
89.340 - Eligible Voters
89.350 - Supervision of Election
89.360 - Report of Election
89.370 - Improper Election Practices
89.610 - Amendments to Ordinance
89.010. RECORDS AND REPORTS. It is deemed necessary for the 
purposes of this Ordinance to provide the preparation, maintenance and 
use of certain records and reports. It shall be the duty of each 
department head to submit to the County Court, the Civil Service Com-
mission, and/or the County Clerk those records and reports herein 
required. It shall be the duty of each person employed within the 
County service to furnish to the department head such information as he 
may deem necessary to the preparation of such reports. All such reports 
and records are privileged and their inspection is hereby limited to the 
individuals and officers of the County engaged in the administration and 
enforcement of this act.

89.020. CLASSIFIED SERVICE RECORDS. Each department head shall 
furnish to the Civil Service Commission that information regarding 
classified employees which may be necessarily required by Civil 
Service Commission Rules, upon forms provided by the Commission.

89.030. REPORTS TO COUNTY CLERK. Each department head shall 
furnish to the County Clerk, upon forms provided by him, information 
concerning every personnel action occurring within his department. Each 
department head shall maintain within his department detailed records 
reflecting the absence of any employee upon vacation leave, sick leave, 
military leave, educational leave, or other authorized or unauthorized 
absence. He shall also maintain records reflecting authorized overtime 
worked; provided, that periods of less than one-half hour may be dis-
regarded. He shall, monthly, submit to the County Clerk, upon forms 
provided by him, a summary containing the detailed accounting of the 
foregoing information, as to each employee, together with an accounting
of the accumulated vacation leave, sick leave, and overtime which that
employee has accumulated. As to overtime, the monthly report shall
instruct the Clerk, subject to approval of the County Court, whether
the employee is to receive compensatory time off or a money compen-
sation. This Section shall not be construed to prohibit separate
accounting within those departments authorized by the County Court.

89.210. DISCIPLINARY ACTION. All disciplinary action shall con-
form to the following procedure except where Civil Service Commission
Rules otherwise specifically provide as to classified employees.

89.220. CAUSES FOR DISCIPLINARY ACTION. Any person within the
County service, holding non-elective office, may be subject to dis-
ciplinary action for:

(1) incompetency;
(2) inefficiency;
(3) inattention to or dereliction of duty;
(4) dishonesty;
(5) intemperance;
(6) immoral conduct;
(7) insubordination;
(8) discourteous treatment of the public;
(9) discourteous treatment of fellow employees;
(10) willful violation of the provisions of the Civil
Service Act or of Civil Service Commission Rules adopted
pursuant thereto;
(11) willful violation of the provisions of this
Ordinance, including but not limited to: Sections 83.010-
83.100; Sections 84.310-84.320; Section 86.320; Section
87.110(2); Section 88.320; and Section 89.010.

89.230. TYPES OF DISCIPLINARY ACTION. For a cause specified
in Section 89.220, a department head may initiate and appointing
authority may impose: suspension, with or without pay; demotion;
reduction in salary; or dismissal from the County service. In no event

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shall the investigative suspension provided in Section 88.115 be con-
sidered disciplinary action.

89.240. SUSPENSION. No regular full-time employee who has
completed his probationary period shall be suspended without furnishing
to him a written statement of cause.

89.250. DEMOTION. No regular full-time employee shall be
demoted unless he has been furnished with a written statement of
cause. A copy of which shall be furnished to the County Court,
which copy shall contain the appointing authority’s certification
that the employee is eligible for employment in the lower class
and that the action will not cause a person in the classified ser-
vice to be laid off.

89.260. SALARY REDUCTION. No regular full-time employee who
has completed his probationary period shall be reduced in salary
for disciplinary reasons unless he has been furnished with a written
statement of the reasons for such action.

89.270. DISMISSAL. No regular full-time employee who has com-
pleted his probationary period shall be dismissed from the County
service unless he has been first served with a written statement of
cause and a copy thereof has been filed with the County Court, and when
applicable the provisions of Section 88.240 have been followed.

89.280. COUNTY COURT HEARING. As to any person not included
within the classified service, action pursuant to Sections 89.250,
89.260 and 89.270 may be appealed to the County Court for hearing.
Provided, that written request for such hearing is filed with the
County Clerk no more than ten (10) days after such action would other-
wise become effective. The County Court shall forthwith schedule a
hearing to consider such appeal and shall cause notice thereof to be
served upon the employee, the appointing authority, and the District
Attorney.

89.290. HEARINGS PROCEDURE. All hearings held pursuant to
Section 89.280 shall be conducted informally and unless the employee
requests otherwise, in private. The requesting employee may appear in
person and by counsel or employee representative. The District Attorney
shall appear and advise the County Court. The department head shall
appear and offer evidence in support of his action. Any such hearing
may be postponed from time to time for the convenience of the Court and
parties. The County Court may submit the question presented to a fact
finding referee, mediator, conciliator or arbitrator. The County Court
shall, in writing, adopt or reject the report of any fact finding
referee, mediator, conciliator or arbitrator; reversing or, with the
appointing authority's approval, modifying the action taken; or
sustaining the action taken. As to all persons other than those within
the classified service, the County Court's decision shall be final.

89.310. REPRESENTATIVE ELECTION PROCEDURE. When the County
Court receives a candidate's petition for employee representative,
conforming to Section 87.140, including within the Bargaining Unit
only persons who are not employed within the classified service, the
County Court shall without undue delay conduct a representative
election.

89.320. NOTICE OF ELECTION. The County Court shall provide
notice of the election to employees within the Bargaining Unit and
to the appointing authorities affected at least fifteen (15) calendar
days in advance of the election. The notice shall include the date
when the election is to be held.

89.330. ADDITIONAL CANDIDATES. The County Court will place
the names of additional candidates for representative on the election
ballot if:

(1) such request is received in writing at least five
(5) calendar days in advance of the election;
(2) the request shows acceptable evidence of at least
ten (10) percent representation within the Unit; and
(3) the request otherwise complies with the provisions
of Section 87.140.

89.340. ELIGIBLE VOTERS. Persons within the Bargaining Unit
who will be eligible to vote will be those regularly employed within
the County service within the Bargaining Unit, and excluding those
employees described in Section 87.130 and on a pay status 30 calendar
days prior to the date of the election. A roster of such employees
will be posted by the County Court and copies thereto shall be fur-
nished to the affected appointing authorities and to the candidates
on the ballot five (5) days before the election.

89.350. SUPERVISION OF ELECTION. The County Court shall super-
vise all elections held hereunder and voting shall be by secret ballot
and shall permit an opportunity to vote for any one of the candidates
on the ballot, or for no representative. The District Attorney and
parties to the election may be present as observers during the election
and at the counting of ballots.

89.360. REPORT OF ELECTION. The results of the election shall
be reported to the appointing authorities affected and to the candi-
dates listed on the ballot.

89.370. IMPROPER ELECTION PRACTICES. Any charge of improper
election practices, in violation of Section 87.110, must be filed
with the County Court not later than ten (10) calendar days following
the date of the election. The person, persons, candidates or
organizations, so charged will be given an opportunity to answer
the charges. If the County Court finds that improper election
practices were used, it may invalidate the election and it may order
a new election.

89.610. AMENDMENTS TO ORDINANCE. Amendments to this Ordinance
may be adopted at any regularly scheduled meeting of the County Court
and shall be effective immediately upon adoption or upon such later
date as the amendment may specify.

This Ordinance being necessary for the immediate preservation
of the public peace, health and safety, an emergency is declared
to exist, and this Ordinance takes effect March 4, 1998.

Regularly passed and adopted by unanimous vote of all members of
the County Court of the County of Wasco, State of Oregon, present on
this day.

DONE AND DATED this 4th day of March, 1998.

WASCO COUNTY COURT

John Mabrey, County Judge

Scott McKay, County Commissioner

Dan Ericksen, County Commissioner
APPROVED AS TO FORM:

Bernard L. Smith
Wasco County District Attorney

ATTEST:

Karen LeBreton
Wasco County Clerk