

# EMPLOYEE

Handbook



# Welcome!

Welcome to Wasco County, 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 at Wasco County in significant part to our ability to recruit, hire, and maintain a motivated and productive workforce. We hope that during your employment with Wasco County, you will become a productive and successful member of Wasco County's team.

This employee handbook describes, in summary, the personnel policies and procedures that govern the employment relationship between Wasco County 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 Wasco County with or without prior notice. This handbook supersedes any prior handbooks or written policies of Wasco County 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 Wasco County and its employees. With the exception of employees who are subject to a collective bargaining agreement, all employment at Wasco County is "at will." That means that either you or Wasco County may terminate this relationship at any time, for any reason, with or without cause or notice (unless you are subject to a collective bargaining agreement or written contract of employment). No supervisor, manager, or representative of Wasco County other than the Human Resources Director 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 Wasco County (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 Human Resources.

Sincerely,

**Board of Wasco County Commissioners**

Scott Hege  
Steve Kramer  
Kathy Schwartz

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# 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.

## **NO-DISCRIMINATION, NO-RETALIATION POLICY**

Wasco County 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, age, disability, genetic information, veteran status, domestic violence victim status, or any other status protected by applicable federal, Oregon, or local law. Wasco County 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.

For purposes of this and all other Wasco County policies, "race" is defined to include physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hair styles), Further, "protective hairstyles" is defined as "hairstyle, hair color or manner of wearing hair, including braids (regardless of whether the braids are created with extensions or styled with adornments, locs and twists)".

Wasco County'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.

## **STATEMENT REGARDING PAY EQUITY**

Wasco County 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 Oregon or federal 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 Wasco County 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" policy, below.*

## **NO-HARASSMENT POLICY**

Wasco County prohibits harassment and sexual assault in the workplace, or harassment and sexual assault outside of the workplace that violates its employees, volunteers and interns' right to work in a



harassment-free workplace. Specifically, Wasco County prohibits harassment or conduct related to an individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal or local law.

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 sexual or other forms of harassment that occur during working hours, during County-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 Wasco County's employees. ***Such harassment is prohibited whether committed by Wasco County 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 are 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

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

Wasco County policy also prohibits harassment such as 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 Wasco County property;
- "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.
- Negative comments or teasing a person about their natural hair, hair texture, hair type or hair style (see definition of "race" on page 1). Employees may not touch another employee's hair without permission to do so, even if the touch is extended out of curiosity or as a compliment.

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

### Complaint Procedure

Employees, volunteers or interns who have experienced a sexual assault, any harassment, 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 Human Resources or the County Administrator, or a supervisor 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 voice mail message (or phone call). An employee who experiences or witnesses harassment is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted, and that they want it to stop.

### Investigation and Confidentiality

All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with Wasco County's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, Wasco County 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.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use Wasco County'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 Wasco County 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 Wasco County, the employee must provide written notice of the claim within 180 days of the act or omission the employee claims has caused him/her harm. 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**

Wasco County 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 Human Resources or the County Administrator or any supervisor or member of management. 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, and the Reporting Improper and Unlawful Activity Policy, below.

### **Other Resources Available to Employees**

Wasco County provides an Employee Assistance Program (EAP) through Canopy to employees and dependents who are enrolled in Wasco County'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.canopywell.com](http://www.canopywell.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.

Wasco County 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/public/>.

### **Other Employee Rights**

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.

Wasco County 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 Wasco County to inform employees that if they have been aggrieved by workplace harassment, discrimination or sexual assault and want to enter into an agreement with Wasco County regarding his/her 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. If Wasco County and employee do reach an agreement, Wasco County will not require an employee to enter into 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) or a non-disparagement agreement (which would prohibit the employee from speaking slightly about Wasco County or making comments that would lower Wasco County in rank or reputation). If, however, the employee makes a request for an agreement under this paragraph, nondisclosure and non-disparagement are terms that Wasco County and the employee may agree to. The employee will have seven days to revoke the agreement after signing it.

## **NO-BULLYING POLICY**

Wasco County strives to promote a positive, professional work environment free of physical or verbal harassment, “bullying,” or discriminatory conduct of any kind. Wasco County, 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 a complete list.

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 Wasco County 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.

## **DISABILITY ACCOMMODATION POLICY**

Wasco County is committed to complying fully with the Americans with Disabilities Act (ADA) and Oregon’s disability accommodation and anti-discrimination laws. We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

### **Accommodations**

Wasco County 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 Wasco County.

## 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 department or unit (or, in some cases, Wasco County) 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 Wasco County, 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 with Human Resources 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 Wasco County and employee must monitor the employee's accommodation situation and make adjustments as needed.

## 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 Human Resources to discuss their options for continuing to work and, if necessary, leave of absence options. Wasco County will provide one or more reasonable accommodations pursuant to this policy for employees with known limitations unless such accommodations impose an undue hardship on Wasco County's operations.

Although this policy refers to "employees," Wasco County will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.

## 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 may be needed to assist Wasco County and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both Wasco County and employee must monitor the employee's accommodation situation and make adjustments as needed.

## No Discrimination, No Retaliation

Wasco County prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by Wasco County; or (3) needed an accommodation.

Employees who ask about, request or use accommodations under this policy and applicable Oregon law 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 can't require an employee to use sick leave, OFLA or FMLA if a reasonable accommodation can be made that doesn't impose an undue hardship on the operations of Wasco County. Also, no employee will be denied employment opportunities if the denial is based on the need of Wasco County to make reasonable accommodations under this policy.

### 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 Oregon's sick leave law, the Oregon Family Leave Act and the Family Medical Leave Act. See the above referenced policies or speak with Human Resources.

### REPORTING IMPROPER OR UNLAWFUL CONDUCT — NO RETALIATION

Employees may report reasonable concerns about Wasco County's compliance with any law, regulation or policy, using one of the methods identified in this policy. Wasco County 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 Wasco County;
- A violation of law, regulation, or standard pertaining to safety and health in the place of employment;
- Mismanagement, gross waste of funds, abuse of authority;
- A substantial and specific danger to public health and safety resulting from actions of Wasco County; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, Wasco County 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 Wasco County's Open Door Policy (see section, "Open Door" Policy) employees who wish to report improper or unlawful conduct should 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, you are encouraged to speak with Human Resources. Supervisors and managers are required to inform Human Resources about reports of improper or unlawful conduct they receive from employees.

Reports of unlawful or improper conduct will be kept confidential to the extent allowed by law and consistent with the need to conduct an impartial and efficient investigation.

If Wasco County were to prohibit, discipline, or threaten to discipline an employee for engaging in an activity described above, the employee 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 Wasco County'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 Wasco County; or (4) an Oregon-licensed attorney who represents the employee making the report/disclosure. The defense also only applies in situations where the information disclosed was lawfully accessed by the reporting employee.

## Policy Against Retaliation

Wasco County will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes their is disclosing information about conduct that is improper or unlawful, and who lawfully accessed information related to the violation (including information that is exempt from disclosure as provided in Oregon law or by Wasco County policy).

In addition, Wasco County 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 Wasco County employee will be adversely affected because their refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. Wasco County may take disciplinary action (up to and including termination of employment) against 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 his/her own misconduct or inadequate performance simply by reporting the misconduct or inadequate performance. Furthermore, an employee is not entitled to protections under this policy if Wasco County determines that the report was known to be false, or information was disclosed with reckless disregard for its truth or falsity. If such a determination is made, an employee may be subject to discipline up to and including termination of employment.

# Employment Status

## INTRODUCTORY PERIOD OF EMPLOYMENT

All new employees, including current employees who are promoted or transferred within Wasco County, are hired into an introductory training period that generally lasts no less than six months (18 months for public safety). The introductory period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your manager. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance and job responsibilities will be considered during the introductory period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge, skills and abilities and the requirements of the position match. It is also an opportunity for you to decide if Wasco County meets your expectations of an employer.

At or before the end of the introductory period, a decision about your employment status will be made. Wasco County will decide whether to: (1) Extend your introductory period; (2) Move you to regular, full-time or regular, part-time status; or (3) Terminate your employment.

Employees are not guaranteed any length of employment upon hire or transfer/promotion; both you and Wasco County may terminate the employment relationship during the introductory period for any lawful reason. Further, completion of the introductory period or continuation of employment after the introductory period does not entitle you to remain employed by Wasco County for any definite period of time. Both you and Wasco County are free to terminate the employment relationship, at any time, with or without notice and for any reason not prohibited by law.

## **EMPLOYEE CLASSIFICATION**

Wasco County classifies employees as follows:

1. **Regular Full-time:** Employment in an established position requiring 37.5 hours or more of work per week. Generally, full-time employees are eligible to participate in Wasco County's benefit programs.
2. **Regular Part-time (Benefits Eligible):** Employment requiring 21.75 hours per week but less than 40 hours of work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 37.5 hours will not constitute a change in status from part-time to full-time. Regular, part-time employees are eligible to participate in Wasco County's benefit programs.
3. **Regular Part-time (Not Benefits Eligible):** Employment requiring less than 21.75 hours of work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 21.75 hours will not constitute a change in benefit status. Regular, part-time employees working 21.75 hours or less per week are not eligible for benefits except those mandated by applicable law.
4. **Temporary:** Employment in a job established for a specific purpose, for a specific period of time, 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 Wasco County rules and procedures.

## **New Employee Orientation**

New employees are asked to attend an orientation on their first day of employment. This helps ensure positive integration into our operations and helps new employees start a productive and satisfying employment relationship. At the orientation, you will receive detailed information about general policies, procedures, benefits, and basic information on pay and leave policies.



## Reinstatement

Employees who resign from Wasco County in good standing may be eligible for re-employment consideration. To determine eligibility, former employees must re-file an employment application with Wasco County and await notification of an available position. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. When a position becomes available, the hiring manager/supervisor will review the former employee's performance record and the circumstances surrounding his/her departure from Wasco County. We are not obligated to rehire former employees. Reinstated employees will not retain previous seniority, banks, or benefit eligibility unless specifically stated in a collective bargaining agreement or required by law.

## Prior Service Credit

Employees who are rehired by Wasco County will receive credit for prior time worked as follows:

Employees who were terminated because of a reduction in workforce will receive credit for prior time worked for the purposes of benefit eligibility if they are re-employed within one year after the termination date.

Employees who voluntarily terminated their employment with Wasco County will receive credit for prior time worked for the purposes of benefit eligibility, subject to management approval, if re-employed within 30 days after the termination date. However, a new anniversary date will be established based on the date of reinstatement.

Rehired employees will be subject to the introductory/probationary period and may be asked to attend to all assessments required of employees otherwise hired.

## Job Applicant Recall

It is the practice of Wasco County to maintain job application tracking for all open positions. Should a vacancy in a position warrant a possible recall of previously interviewed candidates, Wasco County, at their discretion, may contact applicants for up to 6 months from the date the position was originally filled.

## THE WORKWEEK

Wasco County has established regular working hours to promote a productive work environment that will serve our citizens. The workweek is a seven-day work period beginning Sunday at 12:00 midnight through Saturday at 11:59 p.m. Typically, business hours are from Monday through Friday, 8:00 a.m. through 5:00 p.m.; however some departments may have different hours and workdays. Please consult your supervisor for hours of work that are specific to your department.

The normal workday is seven and a half (7.5) hours and the normal work week is 37.5 hours. If you are a non-exempt employee, you should not begin work before your normal starting time nor continue to work beyond the normal quitting time without advance approval from your direct supervisor. The direct supervisor scheduled specific work hours for individual employees. Changes to work schedules may be made on an individual basis based on business necessity, at the discretion of the direct supervisor. Management reserves the right to modify schedules consistent with the needs of the County.

## MEAL PERIODS AND REST BREAKS

Non-exempt employees are required to take a paid, uninterrupted 10-minute rest break for every four-hour segment or major portion thereof in the work period. The rest break should be taken in the middle of each segment, whenever possible. Whenever a segment exceeds two hours, the employee must take a rest break for that segment.

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. 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 Wasco County may pay the employee for that work.

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. An employee who fails to abide by this policy and applicable laws may be subjected to discipline, up to and including termination.

Sample rest and meal break schedules are listed below. Employees with questions about the rest or meal breaks available should contact Human Resources.

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Requirement		
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

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### Rest Breaks for Expression of Breast Milk

Wasco County 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.

Wasco County will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time Wasco County 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.

Wasco County 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, Wasco County 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 reasonable oral or written notice of her intention to do so in order to allow Wasco County 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.

## **OVERTIME**

### **Time-and-a-Half**

Wasco County 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 Wasco County 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 Wasco County on a

Saturday, Sunday, or holiday, it generally will be assigned in order of seniority to the employees who regularly perform the particular work involved.

When overtime is required by Wasco County on a Sunday or on a holiday, Wasco County 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**

Your department supervisor must approve any overtime hours in advance; employees who work unauthorized overtime may be subject to discipline, up to and including termination. Supervisors/managers are responsible to ensure that no unauthorized overtime hours are worked. Represented employees should also refer to their collective bargaining agreement for additional information on overtime pay.

### **Compensatory (Comp) Time**

Overtime hours can be paid or, at the employee's option with Wasco County approval, accumulated at time and one-half up to a maximum of 40 hours and taken as comp time off. Employees are encouraged to work with their manager/supervisor to schedule and use comp time within 6 months of when it is accrued. At the discretion of an employee's manager/supervisor, employees who have accrued less than 40 comp hours may be able to choose whether to have the accrued comp time cashed out at the rate earned by the employee at the time the employee receives the payment. Any hours not taken in the fiscal year in which they were earned will be paid to the employee with the last payroll check in June of each year. When an employee is separated from employment with Wasco County, any remaining comp time will be paid to the employee.

## **TIMEKEEPING REQUIREMENTS**

All exempt and non-exempt employees must accurately record time worked on a timecard and/or through Wasco County's timekeeping portal for payroll purposes. 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 Wasco County business. Filling out another employee's timecard, allowing another employee to fill out your timecard, or altering any timecard will be grounds for discipline up to and including termination. An employee who fails to record their time may be subjected to discipline as well.

Salaried exempt employees also may be required to record their time on either a timecard or timesheet. These employees will be instructed separately on this process.

## **EMPLOYEE-INCURRED EXPENSES AND REIMBURSEMENTS**

All department heads share in the responsibility of reviewing the County's long-term financial viability, its general spending trends, its projected incomes, and educating themselves and employees on the necessary short and long-term balance between revenues and expenditures. Department heads are responsible for administering their department budget.

All expenses are reviewed by the Finance Department for evaluation of taxability, in accordance with current tax code and/or IRS Publication 15-B.

Employee purchasing cards (p-cards) should be leveraged during travel. If a p-card is not available at the time of travel, employees should submit an Employee Reimbursement Request to the Finance Department with the same documentation as would be with use of a card. Travel meals and lodging expenses for business should be approved in advance by the Department Director and should be in alignment with then current GSA rates ([www.gsa.gov](http://www.gsa.gov)). If expenses are found to be in excess of current GSA rates, the employee may be responsible for reimbursing the County if it was purchased on their P-Card. Employees should use government rates when available.

Wasco County 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. Wasco County 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 Wasco County approved travel.

Employees must provide a completed and signed expense report and evidence of proof of purchase (receipts) within the next statement cycle for the reconciliation of p-cards or as soon as possible if submitting an employee reimbursement request of the expense being incurred or the employee risks forfeiting their payment or reimbursement.

For additional information on Employee-Incurred Expenses and Reimbursements please refer to Wasco County's Financial Policies on Expenditures.

### **Mileage Reimbursement**

It is the policy of Wasco County to use County vehicles when available for all business related travel. When you use your own vehicle for Wasco County business, you will be reimbursed for Wasco County-related business travel at the current rate per mile determined by the IRS, provided that you are not on a vehicle plan.

In order to recover these costs, an expense report must be signed by you and dated, initialed by your supervisor/manager, and submitted to the Finance Office for processing according to policy. If you have questions about expense reports and mileage allowances, ask your supervisor.

You assume liability for your vehicle when you use it for business purposes. All employees who want to use their personal vehicles for Wasco County business must receive authorization to do so by their department Director, sign statements verifying that they have a current driver's license and the minimum vehicle liability insurance required by state law. Your auto insurance will be primary. You will be responsible for your vehicle upkeep, premiums and deductibles related to its use. Any employee that drives a County vehicle will be required to participate in vehicle safety measures, including annual driving record checks.

## **PAYROLL POLICIES**

You will be paid semi-monthly. Paydays are generally on the 10<sup>th</sup> and 25<sup>th</sup> day of each month with timesheets due to payroll on the 1<sup>st</sup> and 16<sup>th</sup> of each month. If the payday falls on Saturday or Sunday it will be paid on the preceding Friday. If a Wasco County holiday falls on payday, you will receive your check on the last workday prior to the holiday unless it falls on a Saturday or Sunday as described above.

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

## **STATEMENT REGARDING PAY PRACTICES**

Wasco County makes all efforts to comply with applicable Oregon and federal wage and hour laws. In the event you believe that Wasco County has made any improper deductions, has failed to pay you for all hours worked or for overtime, has failed to pay you in accordance with the law, or has failed to properly calculate your wages in any way, you must immediately report the error to the Finance Office. Wasco County will investigate all reports of improper pay practices and will reimburse employees for any improper deductions or omissions. No employee will suffer retaliation or discrimination for reporting an error or complaint regarding Wasco County's pay practices.

See also "Statement Regarding Pay Equity" policy, above.

## **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, beneficiary, 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 notify Human Resources 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 information from Wasco County about the items listed above in order to continue to receive benefits or anything of value for themselves or anyone else. Upon request, Wasco County 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.

## Access to Personnel Files

Wasco County maintains employee personnel records file(s) for each employee. This file documents all aspects of an employee's tenure with the County, facilitating decisions about transfers, promotions, compensation and other personnel activities.

Entry of Material: Department Directors, or their designees, will routinely place, or have placed, all official documents relating to an individual's employment history with Wasco County in the employees' personnel records file.

Examples include (not all inclusive): performance evaluations, letters of hire, letters of promotion or demotion, application form for initial employment, copies of all disciplinary actions (including verbal reprimands) and other materials deemed relevant to an individual's employment history as determined by the County or as required by law.

If an employee believes material which has been, or is to be, placed in his/her personnel file is incorrect, they may prepare a written explanation regarding the particular material and have it included in the personnel file. This written explanation must be presented to the Human Resources Division.

Removal of Materials: Once material has been entered into an employee's personnel file, it will remain with the contents of the file permanently.

Employee access to Employee Personnel Records: Upon written request an employee may review their personnel files during regular office hours with proper advance notice and within a reasonable time period.

Upon written request of the employee, copies of materials included in such files will be furnished within a reasonable time, the cost of which will be paid by the employee in accordance with the County fee schedule. The employee may designate in writing any non-County personnel to whom the personnel file contents should be sent.

Human Resources, Department Directors or their designees will normally have access to the files of their subordinates. Employee Personnel Records may not be removed from County property.

*Public Access to Employee Personnel Records:* All requests for access to, or information from, an Employee Personnel Record from someone other than the employee must be submitted in writing. Any and all such requests will be referred to, and reviewed by, Wasco County legal counsel.

*Medical Records:* All medical-related records will be maintained in separate confidential files. For purposes of this policy, medical records include (not all inclusive): post-offer pre-employment medical exam results, all medical exam results on current employees, documents gathered in connection with considering accommodations for employees under the Americans with Disabilities Act and applicable state nondiscrimination statutes, leave of absence request forms and medical certification information obtained in connection with an employee's request for a family and medical leave for a serious health condition for an employee or an employee's covered family member, any notes from an employee's physician supporting any sick time off and all other records of a medically-related nature.

*Drug-Testing Records:* Wasco County will treat drug-related records in the same manner as medical records and retain them in an employee's medical file.

*EAP Records:* EAP-related records, whether medical in nature or otherwise, will be maintained in separate, confidential, medical files.

*Workers Compensation Records:* Wasco County will retain workers compensation records in a separate confidential file.

*Collective Bargaining Agreements:* This policy shall apply to all employees, including any employee whose wages, hours and working conditions are controlled by the terms of a collective bargaining agreement; provided, however, that the collective bargaining agreement shall have control if the collective bargaining agreement explicitly conflicts with this policy.

## **PERFORMANCE REVIEWS**

All Wasco County employees will 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).

Wasco County's goal is to provide an employee with their first formal performance evaluation within six months after hire or promotion. After the initial evaluation, Wasco County will provide a formal performance review on an annual basis.

Reviews will generally include the following:

- An evaluation of the employee's quality and quantity of work
- A review of exceptional employee accomplishments
- Establishment of goals for career development and job enrichment
- A review of areas needing improvement
- Setting of performance goals for the employee for the following year.

Employees who disagree with a performance evaluation may submit a written response with reasons for the disagreement. The employee's response shall 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.

# **Time Off and Leaves of Absence**

## **ATTENDANCE, PUNCTUALITY AND REPORTING ABSENCES**



Employees are expected to report to work as scheduled, on time and prepared to start work. Employees are also expected to remain at work their entire work schedule, except for unpaid break periods or when required to leave on authorized Wasco County 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, text message or email no later than 1 hour before the start of the employee's shift/work day. 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.

## **VACATION**

Vacation benefits are outlined here and/or in any collective bargaining agreements. Please refer to the Wasco County Vacation Policy for additional clarification and for a copy of the full policy. All employees that work 21.75 hours or more are eligible for vacation awards according to the schedule below. Awards are based on the employee's FTE status at the time vacation is awarded. No vacation time may be taken or paid during the introductory/probationary period, unless specific arrangements have been made at the time of hire.

You will be awarded vacation benefits according to the following schedule:

Anniversary Years			37.5 hr work week		40 hour work week	
From	To	Annual Rate (Days per Year)	Per		Per	
			Monthly hours	Payperiod hours	Monthly hours	Payperiod hours
Hire	1st	12	7.5000	3.7500	8.0000	4.0000
1st	2nd	13	8.1250	4.0625	8.6667	4.3334
2nd	3rd	14	8.7500	4.3750	9.3333	4.6667
3rd	4th	15	9.3750	4.6875	10.0000	5.0000
4th	5th	15	9.3750	4.6875	10.0000	5.0000
5th	6th	16	10.0000	5.0000	10.6667	5.3334
6th	7th	17	10.6250	5.3125	11.3333	5.6667
7th	8th	18	11.2500	5.6250	12.0000	6.0000
8th	9th	19	11.8750	5.9375	12.6667	6.3334
9th	10th	20	12.5000	6.2500	13.3333	6.6667
10th	11th	20	12.5000	6.2500	13.3333	6.6667
11th	12th	21	13.1250	6.5625	14.0000	7.0000
12th	13th	22	13.7500	6.8750	14.6667	7.3334
13th	14th	23	14.3750	7.1875	15.3333	7.6667
14th	15th	24	15.0000	7.5000	16.0000	8.0000
15th	16th	25	15.6250	7.8125	16.6667	8.3334
16th	17th	25	15.6250	7.8125	16.6667	8.3334
17th	18th	26	16.2500	8.1250	17.3333	8.6667
18th	19th	27	16.8750	8.4375	18.0000	9.0000
19th	20th	28	17.5000	8.7500	18.6667	9.3334

We provide vacation so you can enjoy periods of time away from work. Vacation is intended for rest and recreation and may not be paid out. Vacation awards will be reflective on each pay period pub stub. Part time positions will be prorated to the FTE level of the position.

Employees who want to use vacation time should request time off as early as possible so that arrangements for coverage can be made. Requests for vacation time are to be made in writing and submitted to your supervisor. Generally, employees will not be allowed more than two weeks off at a time. We will try to grant each request, but we cannot guarantee your request will be approved. In the event of competing requests for times submitted concurrently, approval will be given to the employee with the longest tenure for the first week of vacation each calendar year.

### **SICK LEAVE**

Wasco County 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 each breakroom and outside the Human Resources office and is incorporated here by reference.

## 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.

Employees begin to accrue paid sick leave on the first day of employment but may not use paid sick leave until the 91st day of employment. After the 91st day of employment, paid sick leave may be used as it is accrued.

Paid sick leave shall accrue at the rate of one day for every month worked. Paid sick leave shall be taken in hourly increments.

## Pay Rate and Carryover

Paid sick leave will be paid at the employee’s regular rate of pay. Exempt employees are presumed to work at least 37.5 hours in each workweek for purposes of their sick leave accrual. Generally, sick leave pay will be included in the paycheck for the next payroll period after sick leave is used, provided the employee submits adequate documentation verifying that the absence was for a qualifying reason as defined in the “Use of Sick Leave” section below.

Sick leave is meant to be used or carried over; any unused sick leave will not be cashed out upon separation from employment. 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.
  - a. “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. In the event of certain public health emergencies or other reasons specified under Oregon’s sick leave law.



- Juneteenth June 19th
- Independence Day July 4th
- Labor Day First Monday in September
- Veterans Day November 11th
- Thanksgiving Fourth Thursday in November
- Christmas Day December 25th

A holiday that falls on a weekend will be observed on either the preceding Friday or the following Monday to coincide with local custom.

To be eligible for holiday pay, an employee must have worked their 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 Wasco County 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.

Any hourly, non-exempt employee required to work on a holiday will receive double-time payment for the hours worked.

### Floating Holidays

Each employee regularly scheduled to work 21.75 hours or more will be awarded, based on your FTE, one floating holiday each year starting on their 1<sup>st</sup> anniversary. This floating holiday must be used during your anniversary year or it will be lost.

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.

### 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, applicable Oregon and federal laws, rules, policies and collective bargaining agreements govern the employee’s and Wasco County’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 each breakroom and outside the HR office, 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;

FMLA — Employees are eligible for FMLA leave if they have worked for a covered employer 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 employer within 75 miles of that worksite.

Public Health Emergency Leave - Employees are eligible to take any OFLA leave during a Public Health Emergency if they have worked: (a) more than 30 days immediately before the date on which the leave would begin; or (b) an average of 25 hours per week in the 30 days immediately before the date on which the leave would begin. This is available to employees who are eligible for OFLA only. See the definition of “public health emergency” below.

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 are not generally defined 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 Disability 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*. This type of leave is addressed under OFLA; see the Bereavement Leave Policy 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), 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 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 preceding 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 Wasco County 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 Wasco County and the employee. Intermittent leave for Parental Leave is not available.

#### **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 Wasco County 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 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 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 Wasco County's normal call-in procedures. Employees who fail to comply with Wasco County'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 Wasco County 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 Wasco County 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 Wasco County's requested medical certification information within 15 calendar days after such information is requested by Wasco County. In some cases (except for leave to care for a sick child), Wasco County may require a second or third opinion, at Wasco County's expense. Employees also may be required to submit subsequent medical verification.

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 their 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. 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.

### **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, Wasco County 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 Wasco County 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 cannot 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.

### **Restoration of Leave Bank at Time of Re-Employment**

An employee who leaves employment with Wasco County for any reason may be eligible for OFLA leave if they are re-employed by Wasco County within 180 days of the separation and if the employee was eligible for OFLA leave at the time of the separation. Special rules apply to employees who temporarily stop working for Wasco County for 180 days or less; please speak with Human Resources for more information.

### **Hardship Leave Donation**

Wasco County has implemented a leave donation program to allow employees to voluntarily donate vacation time off to another employee who exhausts, or is likely to exhaust, accumulated paid leave due to an employee's family medical emergency that would otherwise likely cause the employee to take unpaid leave or terminate employment. A "family medical emergency" is defined as a medical condition of the employee or an immediate family member that will require prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. An immediate family member is defined as a spouse, child, or parent.

Any Wasco County employee who has worked at least six months in a benefits-eligible position is eligible to participate in the program as a recipient. Any employee who has vacation time available may participate in the program as a donor. Donations may be made between any employees.

Wasco County will keep donations confidential and donors will remain anonymous.

Employees seeking donated leave must provide Wasco County with medical verification of the need for the time off, which includes a certification of the employee's or family member's medical emergency and need for time off, and an estimated return-to-work date (if any).

An employee who is receiving, or is eligible to receive, any type of retirement disability, short-term or long-term disability, or other supplemental income is not eligible to receive donated leave. An eligible employee must apply for Wasco County's offered short-term disability, if available, and long-term disability benefits.

Employees who receive donated leave may receive no more than 65 hours within a calendar year. Any paid sick leave not used by the recipient for the specified incident will be returned to the donor employee. Donated leave may not be used to extend employment beyond the point that it would otherwise end by operation of law, rule, policy, or regulation. For example, if an employee would have otherwise been terminated due to layoff or other reasons, donated leave may not be used to extend employment.

Employees who would like to request donated leave are required to complete a Hardship Leave Request Form and submit it to Human Resources. Additional requirements for Hardship Leave can be found under the Hardship Leave Policy revised 6/20/2018.

## **BEREAVEMENT LEAVE**

Employees who have worked for Wasco County for 180 calendar days, and averaged at least 25 hours per week, may take up to two weeks of unpaid bereavement leave per death of a Family Member (defined below). Employees who have worked for Wasco County for 90-180 days may use up to 40 hours of accrued sick leave for bereavement purposes, and who have experienced the death of a Family Member (defined below). Employees who have worked for Wasco County for fewer than 90 days may not be eligible for leave; see Human Resources for more information.

Bereavement leave may be used to attend the funeral or alternative to a funeral of the family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member. The two weeks of bereavement leave must be taken in the 60-day period following notice of death of a family member and will be deducted from the employee's available leave time under OFLA. For purposes of this policy, "Family Member" is defined to include the employee's spouse, same-sex domestic partner (registered), child, parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner (registered) or spouse.

Employees who wish to take bereavement leave must inform Wasco County as soon as possible after receiving notification of a Family Member's death. Although prior notice is not required, verbal notice must be provided within 24 hours of beginning leave. Written notice must be provided to Wasco County within three days of returning to work. Employees are required to use any available sick leave during the period of bereavement leave; vacation time will be used if the employee has no available sick leave.

## **JURY AND WITNESS DUTY**

Employees subpoenaed to serve as witnesses or on jury duty may obtain a leave of absence. If we feel that your absence would cause an undue hardship to you or Wasco County, we may request that you attempt to be excused from jury duty. Service as a witness for court appearances or administrative proceedings based on your personal legal actions (or those of your immediate family) will be considered unpaid time away from work, but you may use any accrued vacation time to cover the absence.

### **Length of Leave**

Jury or witness duty leave is available for the period of time covered by the initial subpoena or court order and any involuntary extensions. You will be required to present proof of service.

### **Request Procedure**

You must notify your manager or supervisor as soon as is practicable after you receive notice asking you to serve as a witness or on a jury so that arrangements can be made to cover your position. You are expected to provide us with a copy of the subpoena or notice within five days after you've received it.

### **Pay While on Leave**

You will be compensated at your regular rate of pay for the duration of your service. Any pay or allowances that you receive for completing your civic duty must be signed over to Wasco County in order to receive your normal pay.

### **Status of Benefits**

Benefits are not affected by jury or witness duty leaves.

### **Reinstatement**

Upon return from jury or witness duty leave you will be reinstated to the same position you held at the time your leave began, subject to our general reinstatement policy. You are expected to report to work during regular work hours when not in court. If requested, you must supply proof of appearance in court or jury service.

## **RELIGIOUS OBSERVANCES LEAVE AND ACCOMMODATION POLICY**

Wasco County respects the religious beliefs and practices of all employees. Wasco County will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on Wasco County's business. 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 Human Resources.

## **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 must:

- Use any accrued, but unused vacation/sick leave during the leave period;
- Provide as much advance notice as is practicable of his/her intention to take leave (unless giving advance notice is not feasible); and
- 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, Wasco County 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.

## **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 dependents.

Reasons for taking leave include the employee’s (or the employee’s 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. Wasco County 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 Wasco County 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 Wasco County. Please contact Human Resources immediately with requests for reasonable safety accommodations.

## **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 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.

# Employee Benefits

**Collective Bargaining agreements will generally identify and clarify all benefits as they pertain to their members. If you are a member of a collective bargaining group please refer to your agreement for specific information on Wasco County benefits.**

## **HEALTHCARE BENEFITS**

Wasco County currently provides health insurance coverage for all employees and their dependents if they are eligible to participate in the plan. You will be provided with information about the plan at the time you become eligible to participate. You are asked to review the summary plan description for answers to questions you may have. Any need for further information should be referred to the plan provider or Human Resources.

Policies, provisions, and procedures that govern Wasco County's benefit program apply to all regular full-time and part-time employees, whether exempt or non-exempt, unless otherwise stated in a particular benefit plan. Benefits do not apply to temporary or on-call employees.

## **MEDICAL, VISION AND DENTAL INSURANCE**

Employees working 21.75 hours or more per week are eligible for insurance on the first of the month following two complete months of employment. Temporary and on-call employees are not eligible to participate in the insurance coverage.

## **PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS)**

The Public Employees Retirement System was established on July 1, 1946, to help members plan for financial security after retirement from public employment. In addition to retirement benefits, PERS has provisions for death and disability benefits and for refunds of contributions, plus interest, to members who separate from public employment. PERS provides a range of retirement services to public employees

in the state of Oregon. Wasco County is one of 900 public employers that participate in the PERS System. If you are an eligible employee you will be enrolled in the PERS system after six months of employment or 600 hours. Wasco County and you will be required to contribute a percentage of your gross income into the PERS system. For detailed information on the PERS systems go to [www.oregon.gov/PERS](http://www.oregon.gov/PERS).

### **SECTION 457 RETIREMENT ACCOUNT (DEFERRED COMPENSATION PLAN)**

The Section 457 deferred compensation plan is a program that lets you, on a voluntary basis, authorize a portion of your salary to be withheld and invested in a group variable annuity for payment to you at a later date. Neither the contributed amount nor any investment earnings are subject to current federal and state income taxes. Taxes become payable when the deferred income plus earnings are distributed to you at a later date. As an employee of Wasco County you will have the choice to participate in a deferred compensation plan. Within these plans you have many different investment options to choose from. For additional details please see the plan literature.

### **WORKERS' COMPENSATION**

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment. Wasco County pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

If an employee sustains a job-related injury or illness, it is important to notify the supervisor and Human Resources immediately. The supervisor will complete an injury report with input from the employee and return the form to the Human Resources department. Human Resources will file the claim with the insurance company. In cases of medical emergencies, report to the nearest emergency room.

Workers' compensation time-loss benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by federal law.

### **GROUP LIFE/ADD INSURANCE**

We provide group life insurance coverage for eligible employees. Employees who are regularly scheduled to work 21.75 hours per week or more become eligible for this coverage after the completion of two full calendar months. The amount of insurance coverage is \$5000. Wasco County pays the full premium on behalf of the employee.

### **LONG TERM DISABILITY**

Wasco County provides a Group Long-term Disability plan. Employees who are regularly scheduled to work 21.75 hours or more per week become eligible for this plan on the first of the month following completion of two complete months of service. Wasco County pays the full premium.

### **SECTION 125 PLAN (FSA)**



Wasco County provides premium only, medical reimbursement and childcare, Section 125 Plans that allow employees to use pre-tax dollars to pay for group medical or dental premium contributions, eligible healthcare expenses, and eligible dependent care expenses. Details will be provided to employees at the time of eligibility.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

This free, confidential service is provided by Canopy 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 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.

Canopy 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 Canopy directly at 1-800-433-2320, or at [ww.canopywell.com](http://ww.canopywell.com).

### **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, Wasco County wants to know about it and expects to learn about it **no later than 24 hours after your injury** (report all work-related injuries to your supervisor).

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 injury.
2. Seek medical treatment and follow-up care if required.
3. Promptly complete a written Employee's Claim Form (Form 801) and return it to Human Resources.

*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. Wasco County does not discriminate against employees who suffer a workplace injury or illness.

## Early Return-to-Work Program

Our 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 Wasco County, 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, Wasco County will attempt to provide you with a temporary job assignment for a reasonable period of time until you can resume your regular duties (except where provided as an accommodation for a disability). 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 Wasco County. While you are on modified or transitional work, you are still subject to all other Wasco County rules and procedures.

## Overlap with Other Laws

Wasco County will account for other leave and disability laws that might also apply to your situation, such as the Americans with Disabilities Act (ADA) 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, as governed by the ADA and/or applicable Oregon laws covering disabilities in the workplace.

## OR-OSHA Regulatory Compliance

### *Emergency Procedures*

We have adopted a Disaster Preparedness Plan to assist in preventing an emergency from occurring. If we have an emergency this plan will minimize the impact on our staff and the public who use our facilities. Emergency exit maps posted in each of our buildings support this plan.

Our main responder in all emergencies is the local Fire Department or other local Emergency organizations (i.e. law enforcement agencies, emergency services or the Coast Guard).

The following is a list of some of the potential emergencies that may occur:

- Fire
- Chemical Spills or Releases
- Medical Emergency due to an accident or illness
- National Homeland Security Threat
- Bomb Threat
- Violence
- Environmental Emergency: Windstorm, Flood, or Earthquake.

### Reporting Emergencies

All losses including fire, explosion, windstorm, flood damage, electrical, etc. will be reported to the supervisors or managers. Report any incident, which results in the operation of fire extinguishers even though there may not be an actual loss.

### Emergency escape procedures and emergency escape route assignments.

1. The types of immediate actions are based on the nature of the emergency. Use the nearest exit that will take personnel away from the emergency situation.
2. For an IMMEDIATE TOTAL SITE EMERGENCY EVACUATION, employees and public are to all leave by using the nearest exit doors and assemble in the areas shown on the building evacuation maps that are posted in each of the departments and in the lobbies.

### Procedures to account for all employees after emergency evacuation:

1. A supervisors or lead worker will account for the employees and public in their work areas. If a person is missing, the information will be communicated to the outside emergency responders. Employees are not to re-enter any facility that has been evacuated due to an emergency.
2. The supervisor or lead worker will designate someone to direct emergency responders and give the status of the emergency situation.
3. No one is to leave the evacuation area unless instructed by the person in charge.

The preferred means of reporting fires and other emergencies: CALLING 9-1-1

### ***Employee Right to Know/Hazard Communication Program***

Wasco County provides a Hazard Communication Program so that all employees are aware of chemical hazards in the workplace. By becoming familiar with this information you can help prevent injuries and illnesses from chemical exposure. If you have any questions regarding chemical hazards, do not delay in asking your supervisor.

The following safety precautions have been taken to prevent injuries and illnesses from chemical exposure:

#### **Container Labeling**

The supervisor of each department will verify that all containers received for use will:

- Be clearly labeled as to the contents.
- Note the appropriate hazard warning.
- List the manufacturer's name and address.

It is our policy that no container will be released for use until the above data is verified.

The supervisor in each department will ensure that all secondary containers have either an extra copy of the original manufacturer's label or a generic label that has identification and hazard warning blocks. For help with labeling, see the Facilities Manager.

#### **Material Safety Data Sheets (MSDS)**

Copies of material safety data sheets for all hazardous chemicals that employees of Wasco County may be exposed to will be kept in the Facilities Department. Data sheets will be available to all employees in their work areas for review during each work shift. If data sheets are not available or if you begin using a new chemical for which you do not have a Material Safety Data Sheet you should immediately contact the Facilities Manager before using the chemical or the machine containing it.

#### **Employee Information and Training**

Employees will complete Hazard Communication training, through their departments, if applicable. The training will provide information about the following:

1. An overview of the requirements contained in the Hazard Communication Rules;
2. Chemicals present in your workplace operations;
3. Location and availability of our written hazard communication program;
4. Physical and health effects of the hazardous chemicals;
5. Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area; and,

6. How to reduce or prevent exposure to these hazardous chemicals through the use of control/work practices and personal protective equipment.

After attending training, you will sign a form to verify that you attended, received our written materials, and understood our policies on hazard communication.

Prior to a new hazardous chemical being used by any employee, each employee of that department will be given information as outlined above. The Facilities Manager in cooperation with the supervisor who ordered the chemical is responsible for ensuring that Material Safety Data Sheets (MSDS) on new chemicals are available.

### **Safety Committee**

A Safety Committee has been established to help monitor job safety and increase employee involvement in workplace safety. The purpose of the Safety Committee is to bring managers and employees together in an effort to promote safety and health in the workplace. Safety Committees meets bi-monthly and minutes from these meeting are posted on the share "s" drive and on the public works bulletin board. Each employee is encouraged to read these minutes and to report any problems or questions to any of our designated Safety Committee members. In addition to holding monthly meetings to discuss and resolve safety issues, the Committee conducts periodic inspections to document hazards and to make recommendations for corrective action. It is important for all employees to cooperate with Safety Committee members during these inspections. It is everyone's responsibility to make workplace safety the first priority.

### **Blood Borne Pathogen Program**

Wasco County has a Blood Borne Pathogen program and reference guide, which can be found online on the Human Resources Department webpage. Bloodborne Pathogen training is administered, in part, through the CIS learning portal. This course trains employees on eliminating or minimizing occupational exposure to blood or certain other body fluids and comply with the OSHA Blood Borne Pathogens Standard 29 CFR 1910.1030

The Blood Borne Pathogen Program includes a list of job classifications in which the employee may be exposed to blood borne pathogens and a list of potential hazards that are performed within the organization. OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). This exposure determination is required to list all job classifications in which all employees may be expected to incur such occupational exposure regardless of frequency. At this facility, the following job classifications are in this category; Janitorial, Sheriff, Parole and Probation Officers and Juvenile Counselors.

Universal precautions will be observed at this facility in order to prevent contact with blood or other potentially infectious materials. All blood or other infectious material will be considered infectious regardless of the perceived status of the source individual.

Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees at this facility. If you fall into one of the job classifications covered by this policy upon hire your supervisor will provide you with a copy of the policy and training.

OSHA can help answer questions or concerns from employers and workers. To reach your regional or area OSHA office, go to the OSHA Offices by State webpage or call 1-800-321-OSHA (6742).

### **Personal Protective Equipment (PPE)**

The purpose of the Personal Protective Equipment is to protect the employees of Wasco County from exposure to work place hazards and the risk of injury through the use of personal protective equipment (PPE). PPE is not a substitute for more effective control methods and its use will be considered only when other means of protection against hazards are not adequate or feasible.

Personal protective equipment will be provided, used, and maintained when it has been determined that its use is required to ensure the safety and health of our employees and that such use will lessen the likelihood of occupational injury and/or illness. Your supervisor will train you on PPE and the tasks that will require you to use PPE.

### **Lock Out /Tag Out**

Lock out tag out is a safety procedure which is used to ensure that dangerous machines are properly shut off and not started up again prior to the completion of maintenance or servicing work. It requires that hazardous power sources be "isolated and rendered inoperative" before any repair procedure is started. The process will be used in all situations involving isolating, immobilizing, depressurizing or de-energizing valves, piping, vessels, circuits, instruments, motors or other equipment. If you have questions about a locked out piece of equipment or this program please consult with the Facilities Manager or the person whose name appears on the locking device. Never remove a tag from a piece of equipment.

## **VEHICLE USE POLICY**

The objective of this Policy is to provide a fair and effective system of loss control for vehicles operated for the benefit of Wasco County.

### **Qualifications**

To be eligible to drive a County vehicle an employee must have a current valid driver's license in their possession for the type of vehicle being operated. A copy of the employee's driver's license must also be on file with the Human Resources Department.

All applicants being considered for employment in a position where they may be assigned, or use, a County vehicle, must furnish information necessary for the County to acquire a driving record. The driving record of prospective employees will be reviewed prior to an offer of employment and annually thereafter.

### **Personal Property**

Personal Property may be carried (when legal) in County vehicles. Such personal property may not be attached to a County vehicle in any way that might damage the interior/exterior finish, or alter the performance of the vehicle.

There is no insurance provided for personal property carried in a County Vehicle.

### **Authorized Drivers**

No individuals, other than the employee to whom the vehicle is assigned, may drive any vehicle owned by the County, except under extreme emergency conditions. In no case will an individual without a current valid driver's license be allowed to operate a County vehicle.

### **Use of a County Vehicle**

County vehicles assigned to employees, or vehicles used by employees, are to be used only as required to accomplish the employee's duties.

Unless authorized by the Department Director and approved by the Board of Commissioners for commuting purposes a County owned vehicle should not be used to drive to, or from, an employee's home, or vicinity thereof, after completion of a work day unless first approved by the department Director and:

- The employee's home is a reasonable en-route to, or from, the work area where the work is to commence the next work day.
- The vehicle is to be used by the employee before normal working hours or unplanned overtime is incurred which would make it impossible to obtain transportation.
- The employee is required to respond to urgent or emergency calls outside of their normal work hours, reasonably requiring the use of a County vehicle.

Further, a County-owned vehicle should not be used to run personal errands or transport family members, friends or other non-County personnel.

### **Use of personal vehicle for County Use**

Employees using their personal vehicle for County business are responsible for providing all necessary insurance coverage. The County will not cover any insurance costs, or costs not covered by insurance, associated with the use of a private vehicle for County business. Employees choosing to use their personal vehicles when County vehicles (department or pool) are available will not be reimbursed for mileage, gas, oil, etc.

### **Reimbursable Expenses**

Gas, oil, parking, and similar expenses incurred by an employee using a County vehicle on County business are reimbursable. Receipts must accompany any and all requests for reimbursement.

Employees using personal vehicles due to the unavailability of a County vehicle will only be reimbursed for actual mileage at the current I.R.S. mileage reimbursement rate according to the Taxable Fringe Benefits Policy.

## Traffic Fines

The cost of fines, etc. resulting from driver caused traffic crimes, traffic offenses, traffic violations, overtime parking, etc. will be paid by the driver.

## Accident Reporting Procedures

All drivers are required to adhere to the Accident Reporting and Vehicle Maintenance rules and regulations outlined in this Policy.

All accidents must be reported by the driver to their supervisor and the Human Resources Department immediately.

All accidents must be documented on a vehicle accident form as soon as possible. Additional forms are available in the Human Resources Department.

Drivers who are involved in an accident, whether preventable or not, shall review the accident details with their supervisor and Human Resources.

All drivers should adhere to the following instructions concerning an accident:

- Stop immediately
- Take necessary precautions to prevent further accidents at the scene.
- Render all reasonable assistance to injured persons.
- **Call 911.**
- Get names, addresses, license numbers, phone numbers and insurance carrier information from all parties involved in the accident, including witnesses.
- Do **not** discuss the accident with anyone at the scene other than the police.
- Complete the County accident report.
- Report the accident immediately to your supervisor.

## Post-Accident Drug Testing

In compliance with the Wasco County Drug Testing Policy, any driver involved in an accident will be required to submit to a drug and/or alcohol test. For further details refer to the drug testing policy.

## Vehicle Maintenance Program

Employees are expected to exercise care in maintaining the physical appearance of the vehicle and to minimize wear and tear whenever possible.

Any defect in the County vehicle should be reported to the employee's supervisor and a decision reached on the proper method to correct the problem.



Drivers and supervisors must conduct periodic safety checks of their County vehicle to ensure the vehicle is suitable for operation.

### Safety Equipment

County vehicles will normally be equipped with basic safety equipment such as safety flares, first aid kit and a fire extinguisher. In addition, some non-law enforcement County vehicles as well as vehicles utilized under the Vehicle Allowance section of this policy may be equipped with County communication equipment and additional traffic safety equipment.

### Safety

It is County policy and State law that all drivers and passengers will use their seat belts.

Smoking is prohibited in all County vehicles.

County vehicles will not be utilized to tow or "push" a disabled vehicle (excluding Sheriff's Department vehicles or Public Works' vehicles authorized by a Supervisor).

Hands-free devices must be used by all County personnel (other than law enforcement) whenever driving a County vehicle or a personal vehicle on County business. Please note, the use of a speaker phone is not considered a "hands-free" accessory.

Texting while driving is strictly prohibited.

### Violation of County Vehicle Policy or Standards

Employees who are required to operate a County vehicle while performing their job, and who experience a deterioration of their driving record due to convictions for Traffic Crimes, Traffic Offenses, Traffic Violations or who are involved as a driver in multiple reportable accidents and/or who violate any of the terms of this Policy, may be prohibited from operating County vehicles and may be subject to disciplinary action up to and including termination

1. Any employee subject to this policy who enters a DUII diversion program must notify his/her supervisor immediately.
2. Any employee assigned or using a County vehicle that has his/her license suspended, revoked, withdrawn or denied must notify his/her supervisor of such action immediately.
3. Employees unable to perform the essential functions of their job due to the loss of County vehicle operating privileges may be considered for temporary transfer to other non-driving positions, **or depending on the nature of the incident**, will be disqualified from operating a County vehicle, and will be subject to disciplinary action up to and including termination.

Wasco County retains the right to determine whether such a modified work assignment can be provided which will be consistent with the needs of the department. Such transfers are solely at the option of the employer. Employees unable to meet the essential functions of their job due to loss of County vehicle operating privileges may be terminated.

### Immediate Dismissal

A driver will be subject to immediate dismissal inclusive of but not limited to any of the following occurrences:

- A felony involving the use of a County vehicle or the use of a personal vehicle while on County business.
- Operating a County owned vehicle or operating a personal vehicle while on County business when reasonable cause exists to believe an employee was under the influence of illegal drugs or alcohol as defined by the Wasco County Drug Free Workplace Policy.
- Consumption of alcohol or illegal drugs in a County vehicle or in a personal vehicle while on County business.
- Transportation of alcohol or illegal drugs in a County vehicle.
- Leaving the scene of an accident involving a County vehicle or a personal vehicle while on County business.
- Other incidents of a nature determined to be serious enough to warrant immediate dismissal.

### Other Offenses

Violations of any of the other provisions of this Policy will be subject to disciplinary action up to and including termination as determined by the County.

## Miscellaneous Policies

### ALCOHOL/DRUG USE, ABUSE AND TESTING - ZERO TOLERANCE

Wasco County 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 Wasco County's reputation.

Wasco County 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 Wasco County property, on Wasco County time, while driving Wasco County vehicles (or personal vehicles while on Wasco

County business), or in other circumstances which adversely affect Wasco County operations or safety of Wasco County 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 Wasco County property, on Wasco County time, while driving Wasco County vehicles (or personal vehicles while on Wasco County business), or in other circumstances which adversely affect Wasco County operations or safety of Wasco County employees. Employees may not have any detectable amount of narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance in their system while on Wasco County property or on Wasco County time.
  - Law enforcement employees may possess narcotics, drugs or other controlled substances while engaging in law enforcement duties, *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 Wasco County property, or possessing, items or objects on Wasco County 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 Wasco County 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 Wasco County 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 Wasco County 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 Wasco County operations or safety of Wasco County employees or other persons, Wasco County 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 Wasco County 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 Wasco County 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, Wasco County 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 Human Resources.
- "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: (a) cause or contribute to accidents that seriously damage a Wasco County vehicle, machinery, equipment or property; (b) result in an injury to themselves or another employee requiring offsite medical attention; or (c) when Wasco County 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 Wasco County property, or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, Wasco County may search the employee's possessions located on Wasco County 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 Wasco County property, or in property, equipment or supplies provided by Wasco County 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

Wasco County 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. Wasco County is willing to help such employees obtain appropriate treatment.

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

Wasco County 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 Wasco County to the extent its existing benefits package covers some or all of the program costs.

Although Wasco County 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 Wasco County policy is discovered, the employee's willingness to seek Wasco County 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 Wasco County. 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 Wasco County is prohibited unless written authorization is obtained from the employee.

## 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 Wasco County-provided cell phones/cellular devices may not violate Wasco County’s policies against harassment and discrimination. Thus, employees who use a personal or Wasco County-provided cell phone/cellular device to send a text or instant message to another employee (or to a citizen or someone not employed by Wasco County) that is harassing or otherwise in violation of Wasco County’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 Wasco County-provided cell phone/cellular device for work purposes outside of their normal work schedule without written authorization in advance from their direct supervisor. This includes, but is not limited to, reviewing, sending and responding to emails or text messages, and responding to calls or making calls. Employees who violate this policy may be subject to discipline, up to and including termination.

### Employee Use of Wasco County -Provided Cell Phones/Cellular Devices

Cell phones/cellular devices are made available to Wasco County employees on a limited basis to conduct Wasco County’s business. Determinations as to which employees receive Wasco County-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, Wasco County may provide a monthly cellular telephone allowance to employees who regularly make calls on behalf of Wasco County away from the office.

Employees who receive a cell phone or cellular device from Wasco County 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 Wasco County must acknowledge and understand that because the cell phone/cellular device is paid for and provided by Wasco County, or subsidized by Wasco County, any communications (including text messages) received by or sent from the cell phone/cellular device may be subject to inspection and review if Wasco County 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 Wasco County policy. An employee who

refuses to provide Wasco County 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 Wasco County-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 Wasco County-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 Wasco County-sponsored function unless authorized to do so by the County Administrator.

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

Wasco County-related business conducted on Wasco County-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 Wasco County.

### **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 Wasco County 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 Wasco County.

Employees are prohibited from using handheld cell phones for any purpose while driving on Wasco County-authorized or Wasco County-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 Wasco County business (other than those employees engaged in law enforcement 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.

## **USE OF WASCO COUNTY EMAIL AND ELECTRONIC EQUIPMENT, FACILITIES AND SERVICES**

Wasco County 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 Wasco County property.



## Ownership

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

## Use

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

- Display or store any sexually explicit images or documents, or any images or documents that would violate Wasco County'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 Wasco County, 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 Wasco County-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 Wasco County-provided email addresses to create or manage personal accounts (e.g., shopping websites, personal bank accounts, and social media accounts). Wasco County email addresses for professional-based social media accounts such as LinkedIn may be allowed with the approval of the employee's supervisor and the Information Services Department.

## Inspection and Monitoring

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

All information and communications in any format, stored by any means on Wasco County'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 Wasco County's ownership of the electronic information, electronic equipment, facilities, or services, or Wasco County's right to inspect such information. Wasco County 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 Wasco County's electronic equipment, facilities and services, including all communications and

internet usage and resources visited. Wasco County 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 Wasco County's computer systems without approval from the Information Services Department. All software installed on Wasco County's computer systems must be licensed. Copying or transferring of Wasco County-owned software may be done only with the written authorization of the Information Services Director.

### **Unauthorized Access**

Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by Wasco County management. No employee can examine, change or use another person's files, output or username unless they have explicit authorization from Human Resources 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**

Wasco County'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 Wasco County's policies on harassment and discrimination.

## **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 web site, web bulletin board or a chat room, whether or not associated or affiliated with Wasco County, 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 Wasco County or Wasco County'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 Wasco County policies, including Wasco County'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 Wasco County-owned or maintained website without identifying yourself as a Wasco County employee.

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

### **Encouraged Conduct**

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

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, Wasco County employees or elected officials, that might constitute harassment or bullying, and/or that violate Wasco County 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 Wasco County policy.

Maintain the confidentiality of Wasco County's confidential information. Do not post internal reports, policies, procedures or other internal, Wasco County-related confidential communications or information. (See "Confidential Wasco County 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 Wasco County operations. Employees are free to express themselves as private citizens on social media sites, but an employee's exercise of expression is balanced against Wasco County's interest in the effective and efficient fulfillment of its responsibilities to the public.

### **Request for Employee Social Media Passwords**

Wasco County'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 user name 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 Wasco County.

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

## **CONFIDENTIAL WASCO COUNTY INFORMATION**

Employees must not access, use or disclose sensitive or confidential information or data except in accordance with Wasco County 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 Wasco County) may be removed from our premises without permission from their department Director or Human Resources. Likewise, any materials developed by Wasco County's employees in the performance of their jobs is the property of Wasco County and may not be used for personal or financial gain. Additionally, the contents of records or information otherwise obtained in regard to Wasco County's business may not be disclosed to anyone, except where required for a business purpose or when required by law.

## **ETHICS**

At Wasco County, 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 Wasco County or Wasco County's citizens.

We at Wasco County 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 Wasco County 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 Wasco County'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.

## **OPEN-DOOR POLICY**

Wasco County's Open Door Policy is based on our belief that open, honest communication between managers and employees should be a common business practice. Wasco County'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 Wasco County, 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.

## **OUTSIDE EMPLOYMENT**

Generally, employees may obtain employment with an employer other than Wasco County 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 Wasco County time (including the employee's work time), Wasco County facilities, equipment and supplies, or the prestige or influence of the employee's position with Wasco County. In other words, the employee may not engage in private business interests or other employment activities on Wasco County's time or using Wasco County'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 Wasco County.

Wasco County 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.

## **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 Wasco County property, or in an Wasco County 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.

### **POLITICAL ACTIVITY**

Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours. This means that 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 Wasco County 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.

Engaging in political campaigning such as distributing literature, and campaigning for or against political parties, ballot measures, signatures or a candidate is prohibited during the workday or during working hours. Employees may express personal views, including wearing buttons, while on the job and during working hours as long as it does not interfere with the job. Additional information may be found under ORS 260.432.

### **BAD WEATHER/EMERGENCY CLOSING**

Except for regularly scheduled holidays identified by Wasco County (see “Holidays” section, above); Wasco County is open for business on Mondays through Fridays during normal business hours. If there are circumstances beyond our control, such as inclement weather, a national crisis, or other emergencies that make one or more of our office locations inaccessible for all or part of a regularly scheduled workday, the County Commissioners (or his/her designee) will decide whether to and to what extent Wasco County will close. Upon determination that Wasco County will be closed due to an emergency situation, all efforts will be made to notify employees properly. The company website ([www.co.wasco.or.us](http://www.co.wasco.or.us)) and the local radio station will reflect the closure and each supervisor will be expected to notify their team members.

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 manager. If staff cannot reach the office and are able to serve Wasco County from home, you should do so subject to approval by your manager or supervisor. Safety and a trustworthy approach are your guides.

## **DRIVING WHILE ON BUSINESS**

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

Wasco County 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.

While on Wasco County 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.

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

## **WORKPLACE VIOLENCE**

Wasco County 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 Wasco County.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with Wasco County, or that threaten the safety, security or financial interests of Wasco County. 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 Human Resources.

Wasco County 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."

## **WORKPLACE INSPECTIONS — NO RIGHT TO PRIVACY OR CONFIDENTIALITY**

This policy applies to inspections and investigations conducted by Wasco County 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 criminal records; 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 Wasco County; these areas are not private.*

All information related to reports generated from inspections and investigations, including the name of the reporting employee(s), will be kept as confidential as possible under the circumstances.

## **SMOKE-FREE WORKPLACE**

Wasco County 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), and the use of oral tobacco products or "chew/spit" tobacco. Marijuana is also prohibited under this policy. This policy applies to employees, volunteers, and any visitors to Wasco County property, vehicles or facilities/buildings.

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

If you wish to smoke tobacco, you must do so outside of Wasco County's facilities/buildings, only in designated smoking areas, and out of visitor 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. Wasco County has established employee smoking areas that your supervisor can show you.

## **HIRING OF FAMILY MEMBERS**

Relatives of current employees, or individuals involved in an intimate personal or financial relationship with a current employee, are eligible for hire at Wasco County subject to the same selection process and job requirements and will be evaluated in the same manner as any other applicant. However, persons will not be hired or promoted into positions in which one family member (as defined by Oregon law) or person involved in an intimate personal or financial relationship would fall under the direct line of supervision of the other family member or partner.

All employees shall avoid being in a position where they are subject to supervisory or oversight authority by a family member, member of their household, or a person with whom they have an intimate personal or financial relationship. If the relative relationship is established after employment as a result of organizational restructure, marriage, or a development of an intimate personal or financial relationship, the employees involved have an obligation to immediately inform their supervisor, or Human Resources. The employees and Wasco County will jointly make a good faith effort to find an alternative assignment for one of the two employees. Depending on business need, this may include, but is not limited to restructuring duties, assignment to another position, and assignment to another shift or change in supervision. If no alternative assignment is available, the two employees will have 30 days to decide who will resign. If a decision is not made within 30 days, Wasco County will make the final decision, based on the County's operational and financial needs.

Policy violations including, but not limited to, failure to disclose a family relation, or an intimate personal or financial relationship, will be investigated by the County]. Policy violations may result in progressive



discipline of employees, up to and including termination of employment. Supervisors and lead workers may be disciplined for taking employment actions based upon the relationship.

## Termination of Employment

### 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 Wasco County'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 Wasco County 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 Wasco County property, or the property of any other employee, citizen, vendor or third party.
- Unauthorized use of Wasco County equipment, materials or facilities.
- Provoking a fight or fighting during work hours or on Wasco County property.
- Carrying firearms or any other dangerous weapon on Wasco County premises at any time.
- Engaging in criminal conduct while at work.
- Causing, creating or participating in a significant or substantial disruption of work during working hours on Wasco County property.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward another Wasco County employee, customer or vendor.
- Failure to notify a supervisor when unable to report to work, or when leaving work during normal working hours without permission from a 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 Wasco County.
- Misrepresentation of Wasco County policies, practices, procedures, or your status or authority to enter into agreements on behalf of Wasco County. Employees may not use Wasco County's name, logo, likeness, facilities, assets or other resources of Wasco County for personal gain or private interests.
- Violations of the Ethics Policy or Oregon's Ethics laws.
- Violation of any safety, health, security or Wasco County 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 Wasco County or outside regulatory or legislative bodies.
- Harassment or discrimination that violates Wasco County policy.

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

### **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 Wasco County standards, Wasco County will determine whether it will terminate the employee's employment or provide the employee a reasonable opportunity to correct the deficiency through progressive discipline (such as, in no particular order, verbal warnings, written warnings, suspensions without pay, and demotions). The corrective action process will not always commence with a verbal counseling or include a sequence or steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including termination) on the first or subsequent offense.

In lieu of terminating the employment of an employee for serious violations of Wasco County policies, procedures and rules and for other inappropriate behavior or conduct, Wasco County may choose to provide the employee a final opportunity to continue employment in the form of a last-chance agreement. Wasco County may also choose to send the employee to training or an education opportunity.

In all cases, Wasco County will determine the nature and extent of any discipline based upon the circumstances of each individual case and, where applicable, collective bargaining agreement provisions. Wasco County may proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps, when Wasco County deems such action appropriate. Wasco County retains the right to terminate any employee's employment at any time and for any reason, with or without advance notice or other prior disciplinary action (other than those employees who are subject to a collective bargaining agreement or contract of employment).

### **RETIREMENT OR RESIGNATION FROM EMPLOYMENT**

If you choose to resign or retire, it is anticipated that you will give Wasco County as much notice as possible — preferably a minimum of two weeks. When giving your two-week' notice, vacation, personal, or sick days **should not** be used in lieu of notice. If you do not give two-week' notice of your intent to leave Wasco County, you will not be 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 their employment.

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 Wasco County property, including phones, computers, identification cards, credit cards, keys, and manuals, to Human Resources on or before their last day of work.

An exit interview will be arranged to give you an opportunity to address any unresolved issues and allows us to solicit your opinions about working for Wasco County and any suggestions for improvement. We encourage all employees to participate in an exit interview when they separate from employment. We value all opinions and suggestions we receive in the process.

## **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, Wasco County 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 2022 PERSONNEL POLICIES

I acknowledge that I have received and will read a copy of Wasco County's 2022 Employee Handbook. I also understand that a copy of the Employee Handbook is available to me at any time to review in the Human Resources Office or on Wasco County's website.

I understand that Wasco County has adopted the Employee Handbook only as a general guide about policies, work rules and the work environment, and that they are subject to change at any time in Wasco County's sole discretion. I also understand that the Employee Handbook control over any other contradictory statements, other than those found in applicable collective bargaining agreements. I acknowledge that the Employee Handbook are not an employment contract and are not intended to give me any express or implied right to continued employment or to any other term or condition of employment.

I understand that either Wasco County 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 covered under a collective bargaining agreement. Other than promises that may be found in that 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 Wasco County's policies regarding equal employment opportunity and that Wasco County aims to provide a workplace free of harassment and discrimination. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to Human Resources or any trusted manager or supervisor.

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

I have read this acknowledgement carefully before signing.

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Employee Signature

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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.