CITY OF SISTERS

FIRST AMENDED AND RESTATED EMPLOYEE HANDBOOK

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CITY OF SISTERS
FIRST AMENDED AND RESTATED EMPLOYEE HANDBOOK

1. INTRODUCTION

a. Welcome

We would like to take this opportunity to welcome you to the City of Sisters ("City"), an Oregon municipal corporation. We look forward to working with you as we serve our mission, while also providing a rewarding and supportive environment to our employees. As part of our team, we encourage all employees to embrace our goal of excellence and integrity. Furthermore, we value our employees' loyalty and honesty and encourage open communication. We are confident that we will provide you with a rewarding employment environment.

b. Mission

City's mission is to improve City and the quality of life of the community while maintaining its friendly small-town nature, through considered choices and planned growth and development.

c. Purpose of First Amended and Restated Employee Handbook

This City of Sisters First Amended and Restated Employee Handbook (this "Handbook") is intended to communicate City's employment policies and procedures. It is presented as a matter of information only. This Handbook does not anticipate every situation nor answer every question about an employee's employment with City. Because this Handbook applies to all employees, each employee is required to carefully and thoroughly review this Handbook in its entirety. After reviewing this Handbook, each employee must sign and return the Employee Handbook Receipt Acknowledgement Form (the "Acknowledgement Form") to the human resource manager. The Acknowledgement Form is attached hereto as Exhibit A.

d. Reservation of Rights

Neither this Handbook nor any of its terms create or constitute a contractual relationship between City and any employee. Except for the at-will employment policy provided under Section 8, at any time, with or without prior notice, City may modify, supplement, revise, change, delete, discontinue, and/or suspend all or any part of the procedures, practices, policies, and/or benefits provided in this Handbook as business, employment, legislation, and/or other conditions dictate. Any modification, supplementation, revision, change, deletion, discontinuance, and/or suspension of all or any part of the procedures, practices, policies, and/or benefits provided in this Handbook will apply to all existing and future employees.

e. Employee Handbook Supersedes Previous Policies

The policies set forth in this Handbook supersede all prior oral and/or written City procedures, practices, policies, rules, and commitments. Accordingly, disregard all previously issued handbooks (and all policies contained therein). Any representation by any person that in any respect conflicts with any matter set forth in this Handbook is invalid unless specifically acknowledged in writing by the city manager. If any policies contained in this Handbook expressly and clearly conflict with the terms of any collective bargaining agreement between City and the members of the subject bargaining unit, the terms of the collective bargaining agreement control; if any policies contained in this Handbook expressly and clearly conflict with any applicable federal, state, and/or local laws, regulations, and/or ordinances, the terms of the federal, state, and/or local laws, regulations, and/or ordinances control.

2. EMPLOYMENT POLICIES

a. Employment Applications

City relies upon the accuracy of information contained in the employment application and related documentation presented during the hiring process. Any misrepresentations, falsifications, and/or material omissions in any application or related documentation may result in the person's exclusion from further consideration for employment or, if the person has been hired, termination of employment. In processing applications, City may obtain credit information on applicants consistent and in accordance with the Federal Credit Reporting Act and any other applicable federal and Oregon laws and regulations. City may check the employment references of all applicants.

b. Residence Requirement

Residency will not be a condition of employment unless contained in express written employment agreement. Employees are encouraged, however, to live within City and participate in civic activities and affairs.

c. Veterans Hiring Policy

All things being equal, City will give preference to veterans when making hiring decisions in accordance with applicable federal, state, and local laws, regulations, and ordinances; City does not discriminate against individuals based on current or prior military service.

d. Background Investigations

City may conduct criminal background investigations in connection with the hiring process (e.g., after a conditional offer of employment has been extended in some cases) and/or for cause to identify employees that have specific criminal convictions that reasonably relate to the applicant's or employee's (as the case may be) fitness to perform the subject position. Such behavior, when identified, will limit City's risk in employing those individuals who may cause harm to themselves or co-workers. All criminal background investigations will be conducted consistent and accordance with applicable law.

e. Employment Authorization (I-9 Form)

The Immigration Reform and Control Act of 1986 requires that City ensure that employees are authorized for employment in the United States. Therefore, only individuals lawfully authorized for employment in the United States will be employed by City.

In connection with the Immigration Reform and Control Act of 1986, City must collect certain information and review certain documentation concerning the employment authorization of individuals hired after November 6, 1986. This information and documentation will be used only for compliance with the Immigration Reform and Control Act of 1986 and not for any unlawful purpose. If your employment authorization changes or terminates after the commencement of your employment, please inform the city manager immediately.

f. Income Tax Withholding (W-4 Form)

Employees are required to fill out a W-4 form at the time of hire. Employees must submit their W-4 form to the city manager within two business days of hire. During employment, if employees have changes to make to their W-4, they may request a new form, at any time, for proper payroll deductions. All changes must be made via submission of a new W-4. Verbal changes are not sufficient. All employees are advised to consult with a tax advisor to determine the appropriate withholding allowance for them personally.

3. ANTI - HARASSMENT

a. Harassment - General

City prohibits discrimination as defined under ORS 659A.030, including conduct that constitutes sexual assault and/or discrimination based on service in a uniformed service or disability. To this end, City is committed to providing a work environment that is pleasant, professional, and free from harassment, intimidation, hostility, and/or other offenses which may interfere with an employee's work performance. Be advised that this anti-harassment policy applies not only when employees are on City premises but also at a City-sponsored off site event, while traveling on behalf of City, and/or conducting any City business, regardless of location. Harassment in employment based on sex, race, color, national origin, religion, age, disability, sexual orientation, marital status, expunged juvenile record, performance of duty in a uniformed service, physical or mental disability, and/or any other basis protected by law is prohibited. Examples of harassment based on race, national origin, religion, age, and/or disability include, without limitation, words, signs, offensive jokes, cartoons, pictures, posters, emails, or statements that depict such protected groups or individuals in a derogatory way. City does not tolerate harassment by anyone, including supervisors, co-workers, or non-employees. Any action or conduct contrary to this policy is prohibited, will not be tolerated, and may result in disciplinary action up to and including termination of employment. Managers and supervisors who fail to promptly report known harassment – or fail to take prompt, appropriate corrective action — may also be subject to disciplinary action up to and including termination of employment.

b. Sexual Harassment and Sexual Assault

City prohibits the sexual harassment and/or sexual assault of any individual in the workplace. Sexual harassment is generally defined to include any unwelcome sexual advances, requests for sexual favors, and/or other visual, verbal, and/or physical conduct of a sexual nature when (a) submission to such conduct is made either explicitly or implicitly a term or condition of employment, (b) submission or rejection of such conduct affects employment opportunities, and/or (c) the conduct interferes with an employee's work or creates an intimidating, hostile, and/or offensive work environment. Sexual harassment also includes harassment based on another person's gender, harassment based on pregnancy, childbirth, and/or related medical conditions, or harassment of another employee of the same gender as the harasser. Sexual assault is generally defined as unwanted conduct of a sexual nature that is inflicted on a person or compelled through use of physical force, manipulation, threat, and/or intimidation.

Examples of sexual harassment and sexual assault prohibited by law and this Handbook include, without limitation, the following: (a) threats or insinuations that another employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, compensation, advancement opportunities, assigned duties, or any other condition of employment or career development; (b) unwelcome sexual advances, flirtations, or propositions; (c) verbal abuse or sexually oriented jokes or comments of a sexual nature; (d) unwelcome whistling, staring, or leering at another person; (e) unwelcome sexually suggestive or flirtatious letters, notes, email, or voicemail; (f) displaying or circulating pictures, objects, or written materials that are sexually suggestive or that demean or show hostility towards a person because of the person's gender; and (g) displaying of sexually suggestive objects or pictures.

c. Complaint Procedure

An employee who reasonably believes in good faith that he or she has been subjected to harassment and/or sexual assault is encouraged (but is not required) to promptly tell the person that the conduct is unwelcome and ask the person to stop the conduct. A person who receives such a request must immediately comply with it and must not retaliate against the employee for rejecting the conduct.

<u>If the employee is uncomfortable addressing the harasser/assaulter directly, and/or the employee feels that his or her attempts were unsuccessful, the employee must promptly report the offending behavior, whether</u>

the behavior is directed toward the employee personally or to another employee, in accordance with the grievance/complaint policy described under Section 7 of this Handbook. To the extent possible, all complaints of harassment will be handled confidentially. Employees are encouraged to document incidents involving discrimination, harassment, and/or sexual assault as soon as possible.

d. Retaliation Prohibited

City prohibits retaliation against an employee who brings a harassment/assault complaint and/or assists in investigating a harassment/assault complaint. Retaliation in violation of this policy may result in disciplinary action up to and including termination of employment. No action will be taken against an employee who in good faith complains of harassment/assault or who assists in the investigation of a harassment/assault complaint. An employee who believes that he or she may have been retaliated against for having reported harassment/assault or participated in an investigation of a harassment/assault complaint must follow the retaliation reporting procedure described under Section 7 of this Handbook.

e. Nondisclosure and Nondisparagement Agreements

City will not require an employee to enter into any agreement if the purpose and/or effect of the agreement prevents the employee from disclosing or discussing conduct constituting discrimination, harassment, and/or sexual assault. An employee claiming to be aggrieved by discrimination, harassment, and/or sexual assault may, however, voluntarily request to enter into a settlement, separation, and/or severance agreement which contains a nondisclosure, nondisparagement, and/or no-rehire provision. An employee that enters into a settlement, separation, and/or severance agreement will have seven days to revoke the agreement from the date of the employee's execution of the agreement.

For purposes of this anti-harassment policy, the term "nondisclosure agreement" is any agreement by which one or more parties agree not to discuss or disclose information regarding any complaint of work-related harassment, discrimination, and/or sexual assault; the term "nondisparagement agreement" is any agreement by which one or more parties agree not to discredit and/or make negative or disparaging written or oral statements about any other party or City; a "no-rehire" provision is a contractual provision that prohibits an employee from seeking reemployment with City and allows City not to rehire that individual in the future.

f. Time Limitations

Nothing in this policy precludes any person from filing a formal grievance in accordance with the Oregon Bureau of Labor and Industries' Civil Rights Division or Equal Employment Opportunity Commission. Be advised that Oregon law requires that any legal action taken on alleged discriminatory conduct (specifically discriminatory conduct prohibited under ORS 659A.030, 659A.082, and/or 659A.112) must be commenced no later than five years after the occurrence of the violation. Other applicable laws may have a shorter time limitation on filing.

4. EQUAL EMPLOYMENT OPPORTUNITY

a. Equal Employment Opportunity - General

City provides an equal employment opportunity to all persons without regard to age, color, race, religion, sex, national origin, marital status, the presence of any sensory, mental, or physical disability, veteran's status, sexual orientation, and/or any other protected classification. Employment decisions, including, without limitation, hiring, assignment, promotion, wages, transfer, training, layoff, and termination, will be based on merit and business needs and not on any protected classification or other bases prohibited by applicable federal, state, and/or local laws. Any action or conduct contrary to this policy is prohibited, will not be tolerated, and may result in disciplinary action up to and including termination of employment.

b. Genetic Information Non-discrimination Act (GINA)

City does not discriminate against applicants or employees based upon either the employee's or the employee's family genetic information nor does City use genetic information in employment decisions. Once a condition manifests itself, the GINA no longer applies. More detailed information about GINA is available on the EEOC poster placed on the employee bulletin board.

Employees may be asked to sign voluntary waivers, in which the employee acknowledges that his or her genetic information will only be provided to licensed health care professionals or board-certified counselors involved in the wellness program. There is no penalty for non-participation.

c. Complaint Procedure

An employee who reasonably believes in good faith that he or she has been subjected to, or is a witness of, unlawful discrimination must promptly report the offending behavior in accordance with the grievance/complaint policy described under Section 7 of this Handbook. Without otherwise limiting the immediately preceding sentence, if the unlawful discrimination complaint concerns the employee's department head and the employee is uncomfortable addressing his or her complaint with the department head, the employee must bring the unlawful discrimination complaint to the city manager as soon as possible of the event giving rise to the complaint. To the extent possible, all complaints of unlawful discrimination will be handled confidentially.

d. Retaliation Prohibited

City prohibits retaliation against an employee who brings a discrimination complaint or assists in investigating a discrimination complaint. Retaliation in violation of this policy may result in disciplinary action up to and including termination of employment. No action will be taken against an employee who in good faith complains of discrimination or who assists in the investigation of a discrimination complaint. An employee who believes that he or she may have been retaliated against for having reported discrimination or participated in an investigation of a discrimination complaint must follow the retaliation reporting procedure described under Section 7 of this Handbook.

5. RELIGIOUS ACCOMMODATION

Title VII of the Civil Rights Act of 1964 prohibits employers from discriminating against an employee on the basis of religion. Under Title VII, an employer must reasonably accommodate the sincerely held religious beliefs of an employee provided the accommodation will not cause an undue hardship. Although an employee desiring a religious accommodation will be given the opportunity to suggest reasonable accommodations, City's accommodation may or may not be the accommodation preferred by the employee.

Any employee who believes his or her sincerely held religious beliefs need to be accommodated must contact the department head. If the employee is uncomfortable discussing the issue with the department head, the employee must contact the city manager.

6. AMERICANS WITH DISABILITIES ACT OF 1990

City is committed to complying with the Americans with Disabilities Act of 1990 and applicable Oregon disability laws to ensure equal employment opportunities to all qualified persons with disabilities. An applicant or employee who believes that he or she may need an accommodation to perform the essential functions of his or her position must discuss such needs for a possible accommodation with the city manager. Subject to applicable federal and Oregon laws, City will attempt to make a reasonable accommodation for a qualifying employee or applicant. Communications concerning an applicant's or employee's need for an accommodation will be kept confidential to the extent possible.

7. GRIEVANCE/COMPLAINT RESOLUTION PROCESS

a. Grievance/Complaint Resolution Process - General

City desires to encourage and provide a work environment that allows employees the opportunity to express concerns honestly and without fear of retaliation. City believes that undisclosed problems will remain unresolved and will lead to impaired working relationships, dissatisfaction with working conditions, and a decline in productivity. To this end, each employee must adhere to this dispute resolution policy so that any complaint the employee may have will be resolved quickly, fairly, and thoroughly.

b. Grievance/Complaint Resolution Steps and Process

Step 1 - Department Head
An employee must bring any complaint he or she may have to the employee's department head as soon as possible after the event giving rise to the complaint. Complaints must be brought to the department head by the completion and submission of the Employee Complaint Form attached hereto as Exhibit B (the "Complaint Form"). Upon the department head's receipt of the Complaint Form, the department head will promptly initiate a thorough investigation to gather all facts about the complaint that the department head deems necessary or appropriate. After an investigation has been completed, a determination will be made by the department head regarding an appropriate resolution. In all cases, the employee will be notified of the outcome of the department head's investigation. The employee may not necessarily be informed of any disciplinary actions, however. The decision of the department head on any given complaint will not set any precedent nor bind future decisions of the department head.

If the department head receives a complaint of harassment and/or unlawful discrimination, the department head must provide the city manager a copy of such complaint immediately upon receipt. The department head must keep the city manager reasonably informed of the department head's investigation of any complaint of harassment and/or unlawful discrimination and must consult with the city manager before making a determination regarding an appropriate resolution of the complaint of harassment and/or unlawful discrimination.

Step 2 - City Manager
If the complaint concerns the department head and the employee is uncomfortable addressing his or her complaint with the department head, or the employee is not satisfied with the department head's handling of the complaint, the employee must bring the complaint to the city manager as soon as possible after the event giving rise to the complaint; provided, however, if the complaint is brought to the city manager because the employee is not satisfied with the department head's handling of the complaint, the employee must bring the complaint to the city manager as soon as possible after the department head's resolution determination.

Complaints must be brought to the city manager by the employee's completion and submission of the Complaint Form. Upon the city manager's receipt of the Complaint Form, the city manager will promptly initiate a thorough investigation to gather all facts about the complaint that the city manager deems necessary or appropriate. After an investigation has been completed, a determination will be made by the city manager regarding an appropriate resolution. In all cases, the employee will be notified of the outcome of the city manager's investigation. The employee may not necessarily be informed of any disciplinary actions. The decision of the city manager on any given complaint will not set any precedent nor bind future decisions of the city manager.

Step 3 - City Council
If the complaint concerns the city manager and the employee is uncomfortable addressing his or her complaint with the city manager, or the employee is not satisfied with the city manager's handling of the complaint, the employee must bring the complaint to the council as soon as possible; provided, however, if the complaint is brought to the council because the employee is not satisfied with the city manager's handling of the complaint, the employee must bring the complaint to the council as soon as possible after the city manager's resolution

determination. Complaints must be brought to the council by the employee's completion and submission of the Complaint Form. Upon the council's receipt of the Complaint Form, the council will establish a hearing date within thirty (30) days after receipt of the complaint. The council will make its determination based on the record, and both sides of the issue will be allowed to present evidence and testimony pertinent thereto. The decision of the council will be final and binding on all parties, including supervisory personnel. The decision of the council on any given complaint will not set any precedent nor bind future decisions of the council.

c. Retaliation Prohibited

City cannot promise that an employee's point of view will always be accepted, but each department head, the city manager, and council will listen and make an effort to ensure that problems are resolved quickly, fairly, and thoroughly. The dispute resolution procedure is intended to provide each employee a fair and objective review of any complaints. The dispute resolution procedure in no way limits an employee's recourse to any civil or legal process.

City prohibits retaliation against an employee who brings a complaint or assists in investigating a complaint. Retaliation in violation of this policy may result in disciplinary action up to and including termination of employment. No action will be taken against any employee who in good faith makes a complaint or who assists in the investigation of a complaint. An employee who believes that he or she may have been retaliated against for having made a complaint or participated in an investigation of a complaint must report the retaliation in accordance with the following procedure so that the employee's concerns may be investigated:

1. The employee must report any retaliation to the department head.

2. If the retaliation concerns the department head, the employee must report the retaliation to the city manager.

3. If the retaliation concerns the city manager, the employee must report the retaliation to the council.

All complaints of retaliation must be filed by completion and submission of the Complaint Form.

8. AT-WILL EMPLOYMENT and Introductory Period

a. At-Will Employment

City does not guarantee or promise any employee employment with City for any specified period. An employee is employed on an at-will basis. Therefore, an employee may be terminated (or the employee may voluntarily resign) at any time, for any reason or no reason, with or without cause or prior notice, subject to applicable federal, state, and local laws, regulations, and/or ordinances.

The at-will employment relationship between City and any employee may not be modified except by express provision contained in a written employment contract signed by the mayor. Any representation by any person contrary to the employment at-will relationship, whether verbal or written, may not be relied upon by any employee.

b. Introductory Period

An employee's first 90 days of employment (the "Introductory Period") will be a time for establishing relationships with employees, management, and the council. In addition, the Introductory Period will provide City an opportunity to evaluate the employee's conduct, attitude, and work performance, and provide the employee an opportunity to determine if his or her job is suitable and can be performed successfully by the employee. Except as otherwise specifically provided in this Handbook or applicable law, during the Introductory Period an

employee will not be entitled to any of the benefits provided to employees under this Handbook. Notwithstanding anything contained in this Handbook to the contrary, an employee's Introductory Period may be extended by the city manager in the city manager's sole discretion. If the city manager determines that extending an employee's Introductory Period is necessary or appropriate, the city manager will provide the employee written notice of the extension.

During and after an employee's Introductory Period, the employee's employment relationship with City will be at-will. Therefore, notwithstanding anything contained in this Handbook to the contrary, an employee's employment with City may be terminated during or after the Introductory Period. An employee's successful completion of the Introductory Period does not guaranty continued employment with City or otherwise modify the employee's at-will employment relationship with City.

9. EMPLOYMENT CLASSIFICATIONS AND DESCRIPTIONS

a. Employee Categories

Upon employment, employees will be classified under one of the following classifications:

Regular Full-time Employee
A regular full-time employee is an employee who is scheduled and regularly works not less than 40 hours per week. To the extent eligible, and except as otherwise provided in this Handbook and/or applicable law, a regular full-time employee that has completed his or her Introductory Period is eligible to receive all employee benefits provided by City in accordance with, and subject to, applicable standards, policies, and regulations.

Regular Part-time Employee
A regular part-time employee is an employee who is scheduled and regularly works less than 40 hours per week. To the extent eligible, and except as otherwise provided in this Handbook and/or applicable law, a regular part-time employee that is scheduled and regularly works not less than 30 hours per week is eligible to receive holiday pay, vacation pay, sick leave, and medical, dental, and life insurance benefits on a pro-rata basis (i.e., based on the employee's percentage of a full-time schedule (i.e., 40 hours) in accordance with, and subject to, applicable standards, policies, and regulations. Except for sick leave and as otherwise provided under applicable law, all other regular part-time employees will not be eligible to receive any employee benefits provided by City under this Handbook.

Temporary Full-time Employee
A temporary full-time employee is an employee whose employment with City is intended to be of limited duration (with no expectation of continued employment) and who is scheduled and regularly works not less than 40 hours per week. A temporary full-time employee includes a seasonal employee (e.g., summer help) who City does not intend to retain on a year-round basis. Except for sick leave and as otherwise provided under applicable law, a temporary full-time employee is not eligible to receive any employee benefits provided by City under this Handbook.

Temporary Part-time Employee
A temporary part-time employee is an employee whose employment with City is intended to be of limited duration (with no expectation of continued employment) and who is scheduled and regularly works less than 40 hours per week on an indefinite irregular work schedule. Except for sick leave and as otherwise provided under applicable law, a temporary part-time employee is not eligible to receive any employee benefits provided by City under this Handbook.

Temporary Agency Employee
A temporary agency employee is located and hired through a temporary employment agency. The temporary employment agency recruits, tests, and refers the employee to City based upon the skills specified and experiences needed for the position. A temporary agency employee is not an employee of City, is paid directly through the

temporary employment agency, and is not eligible to receive any employee benefits provided under this Handbook (except as otherwise required under applicable law). A temporary agency employee may be eligible to receive employee benefits through the temporary employment agency, including sick leave benefits.

b. Employee Classifications

Each employee is classified (according to federal and state wage and hour laws) as an exempt or non-exempt employee. The city manager will make the appropriate designation regarding the status for each new position or when a position changes substantially.

Exempt Employee
An exempt employee is an employee who holds a bona fide executive, administrative, professional, or other qualified position and is paid a salary that at least equals the minimum salary requirements under applicable law. An exempt employee does not receive overtime compensation. If an employee is considered an exempt employee, he or she will be informed of this classification at the time the employee is hired, transferred, or promoted.

Non-Exempt Employee
A non-exempt employee is an employee who does not qualify as an exempt employee and will be paid overtime compensation in accordance with applicable law.

10. HOURS, PAY ADMINISTRATION, AND OVERTIME

a. Business Hours

City's regular business hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. A regular full-time employee's normal workday is eight hours per day and his or her normal workweek is 40 hours. City's workweek begins on Sunday at 12:01 a.m. and ends at 12:00 p.m. on Saturday.

b. Employee Work Schedules; Flextime

The city manager (in coordination with department heads) will establish employee work schedules. Employee work schedules may vary due to various circumstances, including, without limitation, the employee's position, employment status, and City's business needs. To the extent possible, the city manager will assign employees to work schedules that remain constant from week to week. However, no particular work schedule or number of work hours is guaranteed to any employee. The city manager reserves the right to modify an employee's work schedule at any time as the city manager deems necessary or appropriate. Changes to an employee's work schedule may be made for specific periods or, in some cases, on an ongoing and indefinite basis. The city manager will attempt to provide the employee advance notice of any work schedule changes. Employees must be available for scheduled work hours.

Work hours may be staggered on a flex-time basis to provide continuous service to the public or to meet the employee's personal needs. Requests for flex time must be evaluated and approved in writing by the employee's supervisor and city manager. Flex time schedules must be within a seven day/40-hour workweek. Employees working on a flex-time schedule will not be authorized overtime because of flex-time scheduling.

c. Pay Period and Payday; Paychecks

City has two pay periods each month, generally the 15th and the last day of the month. If a payday falls on a weekend or holiday, payroll checks will be issued on the last day of work immediately preceding the weekend or holiday. You may pick up your paycheck from City of Sisters City Hall or receive your paycheck by US mail.

City makes all efforts to comply with applicable state and federal wage and hour laws. However, if an employee reasonably believes that City has made any improper deductions, has failed to pay the employee for all hours worked or for overtime, or has failed to properly calculate the employee's wages in any way, the employee must immediately report the error to the employee's department head. City will promptly investigate all reports of improper pay practices and will reimburse the employee for any improper deductions or omissions. No employee will suffer retaliation and/or discrimination because he or she has reported errors or complaints regarding City's pay practices.

d. Mandatory Deductions from Paycheck

City is required by law to make certain deductions from an employee's paycheck. These deductions include federal, state, and local income taxes and the employee's contribution to Social Security. Mandatory deductions will be itemized on the employee's check stub. An employee's W-2 reflects how much of the employee's earnings were deducted for these purposes. Any other mandatory deductions made from an employee's paycheck (e.g., court-ordered garnishments) will be explained whenever City is ordered to make such deductions.

e. Elective Paycheck Deductions

Under certain circumstances, an employee may authorize City to make deductions from the employee's paycheck (e.g., payroll savings plans, credit union loan payments, etc.). Employees are directed to contact the Administration Department for details concerning the availability of elective deductions.

f. Direct Payroll Deposits

Direct payroll deposit is the automatic deposit of an employee's pay into his or her financial institution account(s). Automatic payroll deposit is available for most financial institutions. Please contact the Administration Department for more information concerning direct payroll deposit.

g. Overtime and Compensatory Time

Subject to applicable Oregon and federal laws, each non-exempt employee will receive an overtime rate of pay equal to one and one-half (1.5) times his or her regular hourly rate of pay for time worked in excess of 40 hours in any workweek. Hours paid for holidays, vacation, sick leave, and jury service will not be considered "time worked" for purposes of computing overtime compensation. All overtime work must receive the prior approval of the department head or city manager. Any authorization City may have provided an employee to use remote access services and/or technologies is not an approval of overtime or work from home. All overtime and work from home must be approved in accordance with applicable City policies and procedures. Accumulation of unapproved excess hours or overtime may result in disciplinary action up to and including termination of employment. Employees will be required to work overtime when overtime work is requested. Exempt employees are not entitled to overtime compensation.

Compensatory time, in lieu of paid overtime, will be computed at one and one-half (1.5) times the employee's overtime hours (i.e., time worked in excess of forty (40) hours in any workweek), with the prior agreement of the city manager. Compensatory time accumulation may not exceed forty (40) hours. Once this maximum accumulation is reached, all overtime compensation by the employee will be paid out, budget permitting.

Employees are encouraged to work with their department head to schedule and use compensatory time as soon as possilbe after it's accrued. At the discretion of the city manager, employees who have accrued less than twenty (20) compensatory hours may be able to choose whether to receive paid cash or the accrued compensatory time. Subject to budgetary limits, employees who have accrued more than twenty (20) hours of

compensatory time may be "cashed out" for all compensatory hours greater than twenty (20) hours. Upon an employee's termination of employment, any accrued compensatory time is payable to the employee.

h. On Call Duty

City's Public Works Department (the "Department") must be available 24 hours a day, 365 days a year. To this end, City must keep one Department employee on-call each day to respond to any Department-related emergencies. This policy describes the general terms and conditions under which an employee will be placed on-call, including the employee's compensation and required response time to emergencies.

Eligibility; Selection
Only non-exempt regular full-time and part-time Department employees will be placed on-call. The Public Works Director (the "Director") will be responsible for identifying and placing one eligible employee on-call each day. Each eligible employee will be placed on-call on a rotating basis. The Director may identify one or more eligible employees to back-up the on-call employee in case of emergency or otherwise. An employee is not required to remain on City's facilities while on-call, remain stationed at any specific location, and/or notify the Director where he or she will be located during on-call hours. Subject to the terms and conditions of this policy, the on-call employee is permitted to use his or her time for the employee's own pursuits and purposes and without hindrance or obstructions from City. City management will be respectful of the on-call employee's time when deciding whether it is necessary to call the employee in during on-call hours.

On Call Duties; Responsibilities
An on-call employee must adhere to the following:

1. The on-call employee will be deemed on-call commencing immediately after the employee concludes his or her regular shift (or such other time identified by City management) and ending immediately before the employee commences his or her regular shift (or such other time identified by City management). While on-call, the employee must timely respond to any Department-related emergencies.

2. The on-call employee must be available to report to work within 30 minutes of notification. If the employee desires to travel outside the 30-minute radius, the employee may request that another eligible Department employee be placed on-call while the employee is outside the 30-minute radius.

3. The on-call employee is required to carry the City-provided Department cellular telephone on his or her person at all times while on-call. The employee must respond to any attempt by the Director (or his or her designee) to contact the employee. Failing to timely respond to an emergency call constitutes a violation of this policy.

4. The on-call employee may not engage in any activity that would impair the employee's judgment or prohibit a timely response while on-call. If called upon, the employee must be capable of timely reporting to work in fit condition. An employee must adhere to all applicable City policies and procedures while on-call, including this policy.

Compensation
In general, on-call time will not be considered hours worked. However, while on-call the employee will be compensated in accordance with the following:

1. An on-call employee will be paid 10% of the employee's then regular rate of pay for each hour the employee is placed on-call. In addition, the employee will be paid his or her regular rate of pay for the actual time the employee works responding to an emergency (with a minimum of two hours).

2. If the on-call employee is required to report to work on a paid holiday due to an emergency, the employee will be paid holiday pay plus his or her regular rate of pay for the actual time the employee works responding to the emergency (with a minimum of two hours).

3. If the on-call employee incurs overtime while on-call, the employee will receive overtime pay in accordance with and subject to applicable law. An employee's work time includes time spent traveling to and from the appropriate work location. An employee must record his or her time worked in the usual manner and consistent with City's practices and policies.

i. Recording of Time

Each non-exempt employee must accurately record (and post daily) his or her time worked on his or her attendance and timecard, including, without limitation, time worked remotely through the employee's use of remote access services and/or technologies. The attendance and timecard must be completed by the date indicated on the payroll calendar.

An employee may not record time for another employee nor permit someone to record time for the employee. All corrections and/or additions to an employee's timecard must be made and approved by the city manager. Falsification of timecards (or any other time keeping records) may result in disciplinary action up to and including termination of employment. All employees are required to follow federal and state wage and hour laws.

j. Absenteeism/Tardiness

Punctuality and regular attendance are essential functions of each employee's job. Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for meal and rest periods or when required to leave on authorized City business.

Excessive tardiness and/or absenteeism (excused or not) may lead to disciplinary action up to and including termination of employment. Each situation of excessive tardiness or absenteeism will be evaluated on a case-by-case basis. City may consider an employee who fails to report to work without notification to the city manager for a period of two or more consecutive days to have voluntarily terminated his or her employment relationship.

11. General Office Policies

a. Appearance

City expects that all employees will dress in a manner that reflects the professionalism of City and the individual. We expect that employees will be well groomed. Dress will be professional for all meetings with outside agencies or persons and business casual on days when no meetings or public contact is expected. City recognizes that different applications of this policy may be necessary depending on the degree of public contact, nature of work, and safety issues. Therefore, this policy provides only general guidance. The final decision as to what constitutes appropriate professional appearance is the responsibility of the city manager.

b. Employee Personnel Files

An employee may examine time sheets and any other records relevant to proper computation of his or her pay or benefits at any reasonable non-working time during regular business hours. An employee may examine the records contained in his or her personnel file relating to the employee's wages, hours, benefits, discipline, or other terms and conditions of employment at any reasonable non-working time during regular business hours.

Examination Procedures
For the protection of all, and to maintain employee privacy, an employee may examine his or her records only in accordance with the following safeguards: (a) records may be examined only by the employee, the city manager, or the city attorney; (b) records may be examined by appointment and prior arrangement with the city manager; and (c) records may be examined only in the presence of the city manager.

If an employee disagrees with any information contained in his or her personnel file or records, and City does not agree to remove or correct the item in dispute, the employee may explain his or her position by submitting a written, signed statement to the city manager. The statement will become a permanent part of the employee's personnel file.

Furnishing Information to Third-Parties
City assumes no obligation to furnish information about any employee to any third-party (other than to verify his or her current employment). An employee who desires that City furnish certain information to a third-party may file a written request to that effect with the city manager. The employee may be required to execute a release before City will disclose certain information to third-parties.

c. Personal Conduct

While City does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with City's legitimate business interests. For this reason, employees should be aware of the following policies:

Illegal Conduct
Employees are expected to conduct their personal affairs in a manner that does not adversely affect City's integrity, reputation, or credibility. Illegal off-duty conduct on the part of an employee that adversely affects City's legitimate business interests or the employee's ability to perform his or her job will not be tolerated and may result in disciplinary action up to and including termination of employment. For purposes of this section, off-duty activities also includes participation in online activities, including, without limitation, forms of online publishing and discussion such as blogs, wikis, file-sharing, user-generated video and audio, virtual worlds, and social networks.

Outside Employment
While employed by City, employees are expected to devote their energies to their jobs with City. The following types of outside employment are strictly prohibited, unless the employee receives prior approval of the city manager: (a) employment that conflicts with an employee's work schedule, duties, and/or responsibilities; (b) employment that creates a conflict of interest or is incompatible with the employee's employment with City; and/or (c) employment that requires the employee to conduct work or related activities on City's property during working hours or using the employee's working hours or City's facilities and/or equipment.

Employees who wish to engage in outside employment that may fall within one of the categories listed in the immediately preceding paragraph must submit a written request to the city manager explaining the details of the outside employment. If the outside employment is authorized, City assumes no responsibility for the outside employment. City will not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of the outside employment. Authorization to engage in outside employment may be revoked at any time.

d. Meal and Rest Periods

City will provide unpaid meal periods to its employees subject to and in accordance with Oregon law. To this end, each non-exempt employee working at least six hours (but not more than eight hours) in any one work period will receive an unpaid uninterrupted 30 minute meal period during which the employee will be relieved of

all duties. When a non-exempt employee's work period is more than eight hours, the non-exempt employee will receive the number of meal periods required under Oregon law. Except as otherwise provided under Oregon law, meal periods will be scheduled as follows: (a) if a non-exempt employee's work period is seven hours or less, the meal period will be taken between the second and fifth hour worked; (b) if the work period is more than seven hours, the meal period will be taken between the third and sixth hour worked.

City will provide paid rest periods to its employees subject to and in accordance with Oregon law. To this end, each non-exempt employee will receive a paid, uninterrupted 10-minute rest period (during which the employee will be relieved of all duties) for each four hour segment of work or major portion thereof in any given work-period. When a non-exempt employee's work period is more than eight hours, the non-exempt employee will receive the number of rest periods required under Oregon law. As the nature of work allows, a non-exempt employee's rest period will be taken in the middle of each four-hour segment of work or major portion thereof. The "major portion" of four hours means any work segment greater than two hours.

Meal and rest periods are mandatory and not optional. An employee's meal and rest period(s) may not be taken together as one break. Meal and rest periods may not be "skipped" in lieu of departing early from work. An employee who fails to adhere to the meal and rest period policies and laws may be subject to discipline up to and including termination of employment. If an employee has any questions concerning the meal and/or rest periods available to him or her, the employee must contact the city manager.

e. Expense Reimbursement

City understands that at times an employee may incur out-of-pocket expenses related to the performance of the employee's job duties and responsibilities. However, each employee should avoid incurring out-of-pocket expenses, if possible. If the employee should incur expenses, the employee must obtain the prior approval of the department head or city manager (for any expense, regardless of the amount). Approved out-of-pocket expenses will be reimbursed after the employee submits a reimbursement request form with the department head or city manager. The original receipts must be submitted with the request form. Requests for reimbursement must be submitted within 30 days after incurring the expense(s).

When an employee is required to travel outside City for City related business meetings, educational workshops, and other required travel, the employee must use an available City vehicle, if practicable. City will reimburse an employee for the costs of fuel for City vehicle. Fuel will be reimbursed at its actual cost. Prior authorization of the department head or city manager is required for fuel reimbursements. Fuel reimbursement requests must be submitted within 30 days of incurred travel.

If a City vehicle is not available and/or use of a City vehicle is not practicable, the employee may use his or her personal vehicle for the required travel. If the employee must use his or her personal vehicle, the employee's actual mileage will be reimbursed at the then applicable IRS standard mileage rate. Prior authorization of the department head or city manager is required for mileage reimbursements. Mileage reimbursement requests must be submitted within 30 days of incurred travel.

f. Smoking

Smoking (including, without limitation, pipes, cigars, cigarettes, vape pens, e-cigarettes, oral tobacco products, etc.) is prohibited on or in any part of City's buildings, within 10 feet of any entrance to any City building or air intake, and/or any vehicles owned, leased, or rented by City. No additional meal or rest periods beyond those allowed under City's meal and rest period policies will be provided for the purpose of smoking. An employee that violates this nonsmoking policy may be subject to disciplinary action up to and including termination of employment.

g. General Telephone Use

City's telephones are to be kept free for regular business. Personal telephone calls are to be kept to a minimum and in a manner that is not disruptive to the employee and/or co-workers (and must be conducted at an appropriate location). Incoming personal calls should be kept to a minimum. Personal long distance calls on City's telephones are not permitted.

h. Cell Phone Use

Cell phones are a common method of communication. The use of cell phones while at work, however, can have a disruptive effect on the smooth operation of City. Accordingly, City has adopted the following rules regarding personal cell phones in the workplace:

Cell Phones - General
Employees are allowed to bring personal cell phones to work with them. During working hours, however, employees must keep personal telephone calls to a minimum and in a manner that is not disruptive to the employee and/or co-workers (and must be conducted at an appropriate location).

Cell Phones While Driving
The use of any cell phone while driving may present a hazard to the driver, other employees, and the general public. Therefore, except as otherwise permitted by applicable law, employees may not use hand-held cell phones for business purposes while driving. If an employee needs to make a call while driving, he or she should locate a lawfully designated area to park and make the call. Notwithstanding anything contained in this Handbook to the contrary, employees must adhere to all federal, state, and local laws, rules, and regulations regarding the use of cell phones and distracted driving.

i. No Expectation of Privacy

City may need to access or search material in an employee's desk, office computer, or work area. Additionally, City may need to review data stored on the computer system or in other electronic communications systems maintained by City (including cell phones). Working areas are not private and do not guarantee the confidentiality of materials or activities. Similarly, City's communication systems (e.g., electronic mail and telephone system) are not secure. Employees have no expectation of privacy in any message stored, sent, or received on City's communication systems. Employees have no expectation of privacy in City's property which has been provided for their use or personal property which they bring to the workplace.

j. City Credit Card Use

Credit cards issued by City are to be used for City business only. All credit cards must be protected from unauthorized use (e.g., maintained in secure locations) when not in use and must be signed out for use by an authorized user. Any purchases made using City's credit cards must be submitted with the original receipt attached. Any unauthorized use will result in collection of expenses incurred and may result in disciplinary action up to and including termination of employment.

k. Open-Door Policy

City maintains an open door policy, enabling employees to discuss with their supervisors any issues they may have or suggestions regarding policies or procedures. Because City strives to provide a friendly and cooperative work environment free from the elements that would deter employees from doing their best work, employees are encouraged to discuss work-related matters with their supervisors and to offer suggestions that will help improve the work environment, City's procedures, and/or public service.

l. Employment of Immediate Family Members

Employment of relatives under certain circumstances may produce conflicts of interest and problems concerning disparate treatment which can damage City's integrity. In addition, conferring of benefits or privileges based on relationship rather than merit, and the appearance that benefits or privileges may have been so conferred, can harm City's functioning. Therefore, City has adopted a policy concerning the employment and supervision of a member of the individual's family to, among other things, avoid the possibility of personal bias and to strengthen City's confidence and integrity.

An individual may not be employed by City in a position where the individual will have supervisory, appointment, or grievance adjustment authority over a member of the individual's family or in a position of being subject to such authority which a member of the individual's family exercises. To this end, an individual may not hire or participate in the employment of a member of the individual's family, including, without limitation, participation in the application review and employment decision making process. If two existing employees work together in a supervisory relationship and, subsequently, the relationship becomes the type of familial relationship subject to this anti-nepotism policy, a review of the relationship will be made by the city manager to determine whether one of the employees must be transferred or reassigned. Any exception to this anti-nepotism policy must first be approved in writing by the city manager; provided, however, if the subject individual is the city manager, any exception to this anti-nepotism policy must first be approved by the council.

For purposes of this anti-nepotism policy, a "member of the individual's family" means the wife, husband, son, daughter, mother, father, brother, grandmother, grandfather, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, or grandchild of the subject individual.

m. Ethics

City believes in treating people with respect and adhering to ethical and fair business practices. City expects employees to avoid situations that might cause their personal interests to conflict with the interests of City or situations that may compromise their reputation or integrity. Employees who violate this ethics policy or who create an equally detrimental impact on City may be subject to disciplinary action up to and including termination of employment.

City employees are public employees. As such, City employees are subject to the State of Oregon's ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts or strict definitions of conflicts of interest. If an employee is coming to City after working in the private sector, the employee 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/.

Please direct questions about whether an activity meets City's or Oregon's ethical standards to the city manager.

n. Political Activity

Oregon law provides that "no public employee may solicit money, influence, or otherwise promote or oppose any political committee, or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours." However, this prohibition does not restrict the right of a public employee to express personal political views.

Employees have the right to form, join, and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining as provided under applicable federal and Oregon laws.

o. Public Records and Records Retention

Oregon law provides that "every person has a right to inspect any public record of a public body in this state." "Public body" includes cities and counties and other public entities, including City. Although there are some exceptions (such as personnel files), most records in a public body are available to the public for inspections. It is the intent of City to be responsive to requests for public records. Employees must comply with City's public records request policy.

Employees must follow federal and state law with regards to archiving records. If you are unclear as to what the requirements are, please refer to the State Attorney General's website, http://www.doj.state.or.us/pros/mli.shtml.

Employees must follow federal and state law with regards to archiving electronic communications. Generally, the employee should follow the same archiving timeframes for electronic records as applicable to paper records.

p. Standards of Professionalism

All City employees will use their best judgment in communicating with other City employees, customers, partners, and community members. The manner in which City employees conduct themselves should create a favorable and lasting impression of City. The continued success of City depends on the quality, integrity, expertise, and professionalism of City's employees.

Written communications must meet the highest standards of accuracy and neatness. Individuals who telephone City must receive prompt and courteous attention and a helpful and meaningful response. Individuals who visit City must always be treated with deference, tact, courtesy, and respect. All employees should present themselves in a professional and efficient manner.

q. Inclement Weather/Emergency Closing

Except for regularly scheduled holidays, City will be open for business Monday through Friday during normal business hours. City recognizes that due to inclement weather, national crisis, and/or other emergencies (collectively, an "Emergency"), City may close for all or part of a regularly scheduled workday. The city manager (or his or her designee) will make the decision as to whether an Emergency exists and will endeavor to notify all employees of the same.

If an Emergency prevents safe travel, the city manager (or his or her designee) will determine whether City offices should be closed or its opening delayed. If there is not any indication of office closure, employees may assume that the office is open as scheduled. The conditions between the employee's home and the office may be better or worse than the norm. If the office is closed, the employee should stay home. If the office is open on a delayed schedule or other alternative schedule, the employee should arrive when he or she can do so safely.

Employees will receive an unpaid excused absence from work for each full workday that City is closed due to an Emergency. Subject to the approval of the city manager, a regular full-time employee that has accrued but unused vacation may use vacation time for a full workday closure due to an Emergency. Should a closing occur while an employee is already on vacation, he or she will not be entitled to additional wages and such day will be counted against the employee's vacation.

If a partial workday closure occurs, each non-exempt employee will be paid his or her normal pay for the hours the employee actually works during such partial closure day. Employees will receive an unpaid excused absence from work for the period during which City is closed. This is true whether the closure is due to early closing or late opening. Subject to the approval of the city manager, a regular full-time employee that has accrued but unused vacation may use vacation time for the hours the employee is unable to work due to the Emergency. Except as otherwise provided under applicable law, exempt employees will be paid their normal weekly salary for any workweek in which work is performed.

Employees who are late or who choose not to report to work when City is otherwise open will be subject to the provisions of City's attendance/tardiness policy (e.g., the employee must provide appropriate notice of the tardiness or absence, the employee must provide an explanation for the tardiness or absence, etc.).

r. Oregon Non-mandatory Meeting Law

Except as otherwise provided by applicable law, Oregon law prohibits any employer from taking adverse employment action against an employee who decline to attend meetings or participate in communication concerning the employer's opinion about religious or political matters.

s. Whistleblower Policy

City does not discriminate against employees who report in good faith alleged violations of state or federal laws, rules, and/or regulations.

t. Professional Employee Development

The City of Sisters encourages professional development through attendance at conferences, conventions or other training including on-line training. Decisions concerning employee attendance at conferences, conventions, or other training, at city expense, shall be made by the supervisor and/or City Manager.
To encourage professional development, the City of Sisters provides financial assistance to any regular, full-time employee who wishes to pursue education courses directed toward acquiring skills and knowledge of value to the City and directly related to the employee's current position.
Employees will be reimbursed for job-related educational courses taken subsequent to approval by their supervisor and/or City Manager and that are conducted outside the employee's regular working hours, provided that:

1. Funds for such expenditures are available in the current budget.
2. Reimbursable expenses are restricted to tuition and/or course fees; no more than a total of six hours of credit may qualify for payment under this plan in any given school term. Reimbursable expenses are based on the following formula: 100% for a grade of "A", 75% for a grade "B", and 50% for a grade "C". If course is offered as pass/fail, and employee passes, City will pay cost at 100%.
3. The employee must present evidence to substantiate expenses and completion of course. Normally, the cost of textbooks and technical publications required for courses shall be the responsibility of the employee. If the City purchases any of the textbooks or materials they shall become the property of the City.
4. The employee is not receiving reimbursement for tuition from any other source.
5. Time spent in a classroom setting or studying for educational courses that may be eligible for reimbursement under this policy is never considered compensable time for pay purposes.

Employees may pursue courses not directly related to their position when such courses are necessary to complete requirements for and as a part of a continuing program for a degree or certificate that is job related if funds for such expenditures are available in the current budget. Courses which are only offered during regular working hours may be approved by the supervisor provided time off can be arranged conveniently and reasonable arrangements can be made to make up time off.

u. Telecommuniting Policy

See Employee Telecommuting Policy as Exhibit B.

12. CONFIDENTIALITY, INTERNET, AND ELECTRONIC MAIL

a. Employee Confidentiality

Employees will be provided and exposed to certain Confidential Information. Because of the sensitive nature of the Confidential Information, employees must maintain (even after their termination of employment) all Confidential Information in the strictest confidence and may not directly or indirectly use, communicate, and/or disclose any Confidential Information to any person other than to City or its respective employees who have a reasonable need for such information without the express prior written consent of the city manager, or upon court order to do so. In addition, employees must store all Confidential Information in a manner and location that will prevent unauthorized or inadvertent disclosure. For purposes of this Handbook, the term "Confidential Information" means, without limitation, any and all confidential documentation and/or information (regardless of form) relating to or concerning City's business affairs, personnel and employment matters, legal, and/or litigation matters, and certain other documentation and/or information that concern valuable, special, or unique aspects of City and/or City's employees that need to be protected from improper disclosure, including, without limitation, medical records, I-9 documentation, and domestic violence protection requests; provided, however, the term "Confidential Information" does not include documentation and/or information that is generally available to the public and/or subject to disclosure under the Oregon Public Records Law, ORS 192.410 - 192.505.

b. Removal and Reproductions of Confidential Information

Employees may not remove or make reproductions of any Confidential Information (except in the ordinary course of performing an employee's duties) without the express prior written consent of the city manager. Each employee must promptly notify the city manager of any unauthorized use, communication, and/or disclosure of any Confidential Information and must assist City in every way to retrieve any Confidential Information that was used, communicated, and/or disclosed by the employee without the city manager's specific prior written authorization, and must exert the employee's best efforts to mitigate the harm caused by the unauthorized use, communication, and/or disclosure of the Confidential Information.

c. Return of Confidential Information

Upon the earlier of the request of City or an employee's termination of employment (for any reason whatsoever), the subject employee is required to immediately return to City all documents, instruments, and/or materials containing any Confidential Information accessed or received by the employee, together with all copies and summaries of such Confidential Information. This policy does not operate to transfer any ownership or other rights in or to the Confidential Information to any employee or any other person. Any employee that violates this confidentiality and nondisclosure policy may be subject to disciplinary action up to and including termination of employment and legal action, if warranted.

d. Work-Place Privacy and Confidentiality

City recognizes an employee's right to privacy. In achieving this goal, City adopts these basic principles:

i. The collection of employee information typically is limited to information City needs for business and legal purposes. Personal information and information in confidential records ordinarily will not be disclosed, except as permitted or required by law, or as authorized by the employee.

ii. Verifications of employment dates, job title, and wages may be provided without written approval. Internal access to employee records will be limited to authorized employees.

iii. All employees have a responsibility not to disclose information about other employees through overheard conversations, mislaid documentation, faxes, e-mails, and hard copies of correspondence sent to a wrong destination. Unauthorized communication of confidential information is regarded as a serious matter.

iv. City's IT Department maintains reasonable safeguards to ensure the security, confidentiality, and integrity of personal identifying information stored in City's systems.

v. All employees are required to follow these principles, as well as any other City policy or practice related to confidential information. Violations of this may result in corrective action, up to and including termination.

e. Background Screening and Medical Records

City stores background screening information in access-protected files. This file is not considered part of your personnel file, so it is not available to employees for review.

City stores employee medical records in access-protected folders, separate from master personnel files. Generally, employees "own" their medical information, which means that without the employee's permission, City does not typically inform other employees of an individual's medical condition(s).

f. Internet – General

This policy concerns employee use of any City-provided internet access resources. City's internet access resources are, like other City resources, first and foremost made available for City-related business. Internet access resources should be used for work-related matters.

Prohibited Uses
Although the internet offers tremendous opportunity, it also offers individuals with illegal or unethical avenues for reaching others. The following represents an example of internet uses City deems inappropriate: (a) using the internet for commercial advertising; (b) using copyrighted material in reports without permission; (c) using the internet to lobby for votes; (d) using the internet to access pornographic materials; (e) creating a computer virus; (f) using the internet to send or receive messages with someone else's name on it (except as authorized); (g) using the internet for any purpose inconsistent with any City policy; and (h) using the internet to use or copy software or other intellectual property for which an employee has not paid. An employee that violates this internet use policy may be subject to disciplinary action up to and including termination of employment.

Personal Use
Only minimal non-disruptive internet use is permitted for personal purposes during working hours. Employee internet use is a privilege (not a right) that may be revoked at any time. All employees should be aware that the inappropriate use of the internet may be a violation of local, state, and/or federal laws.

Privacy
City may track internet usage and is aware (or may be aware) of which sites are visited by employees. Accordingly, no employee has (or should expect to have) any expectation of privacy. Whether for the purpose of managing internet access resources and traffic flow, assuring system security, verifying and ensuring compliance with City's policies or applicable law, or for any other reason, City reserves the right (from time-to-time or at any time), to intercept, divert, discard, access, or review any internet communication, other electronic communications or file, or any contents of such communication, or any other information created on, transmitted over, or stored in City's or service provider's facilities, whether incoming or outbound, and whether at the time of transit or thereafter. Further, City reserves the right to disclose to other persons or otherwise use the contents of any internet communication or any other electronic communications or file for any of the foregoing purposes, as well as for the purposes of complying with or assisting law enforcement officials or legal authorities who may, by subpoena,

search warrant, or otherwise, seek review of such communications, or for the purposes of litigation or other legal proceedings.

g. Email - General

Email is a valuable business tool. However, email misuse may have a negative impact on City and City employees. Email messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Therefore, an employee must write email communications with no less care, judgment, and responsibility than the employee would use for letters or internal memoranda written on City's letterhead. A violation of City's email policy may result in disciplinary action up to and including termination of employment.

Inappropriate Uses of Electronic Mail
The following represents an example of email uses City deems inappropriate: (a) transmission of junk mail; (b) use of email for commercial purposes; (c) transmission of email intending to harass another individual; (d) transmission of email containing any threatening, sexually suggestive, sexist, racist, ethnic, or otherwise demeaning comments to any individual; (e) transmission of email that discriminates against an employee by virtue of any protected classification (e.g., race, gender, sex, nationality, etc.); (f) transmission of email that is inconsistent with any City policy; (g) using City's email system for the purpose of sending or receiving a large number of personal messages that impairs the employee's ability to perform his or her job duties and responsibilities; and (h) unauthorized transmission of any Confidential Information.

Privacy
City owns any communication sent via email or that is stored on its email system. City reserves the right to access any material in an employee's email or on the employee's computer at any time, with or without prior notice.

h. Social Media

Social Networking and Blogging
City takes no position on any employee's decision to start or maintain a social media blog or participate in other social networking activities. However, it is the right and duty of City to protect itself from unauthorized disclosure of information. This social networking policy covers City-authorized social networking and personal social networking and applies to all employees.

General Provisions
Blogging or other forms of social media or technology include, without limitation, video or wiki postings, sites such as Facebook and Twitter, chat rooms, personal blogs, or other similar forms of online journals, diaries, or personal newsletters not affiliated with City. Unless specifically instructed, employees are not authorized (and therefore restricted) from speaking on behalf of City. Employees are expected to protect the privacy of other employees and customers and are prohibited from disclosing personal employee and non-employee information and any information to which employees have access through work. This policy does not prohibit employees from exercising their rights under applicable laws, including employment laws.

Authorized Social Networking
Authorized social networking is social networking or blogging on behalf of City which has been authorized by City. Authorized social networking and blogging is used to convey information about City services, promote and raise awareness of City activities and events, and issue or respond to breaking news or negative publicity.

The goal of authorized social networking and blogging is to become a part of the community conversation and promote web-based sharing of ideas and exchange of information. When social networking, blogging, or using other forms of web-based forums, City must ensure that use of these communications maintains our integrity and reputation while minimizing actual or potential legal risks, whether used inside or outside the workplace.

Personal Blogs/Social Networking

City respects the right of employees to write blogs and use social networking sites; City does not want to discourage employees from self-publishing and self-expression, and does not discriminate against employees who use these media for personal interests and affiliations or other lawful purposes. However, if employees choose to identify themselves as a City employee, they must understand that some readers may view them as a spokesperson for City due to the content, including text and images. Because of this possibility, employees must state that their views expressed in their blog or social networking area are their own and not those of City, nor of any person or organization affiliated or doing business with City.

Employer Monitoring
Employees are cautioned that they should have no expectation of privacy while using the internet at work, subject to lawful access to public postings. Postings can be reviewed by anyone, including City officials. City reserves the right to monitor comments or discussions about City, its employees, and clients. Employees are cautioned that they should have no expectation of privacy while using City equipment or facilities for any purpose, including authorized blogging.

13. SUBSTANCE ABUSE

a. Substance Abuse Policy

The future of City is dependent on the physical and psychological health of its employees. Drug and alcohol dependency is an illness and a major health problem. City will utilize every reasonable means to maintain a drug-free work environment for its employees, including supervisor training, employee education, providing employees access to information concerning drug and alcohol abuse programs, and implementing substance abuse testing of employees and job applicants to detect the use of illegal substances.

b. Definitions

As used in this substance abuse policy, the following terms have the following meanings:

"Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

"Drug" means amphetamines, methamphetamines, cannabinoids, cocaine, phencyclidine (PCP), methadone, methaqualene, opiates, barbiturates, benzodiazepines, propoxyphene, or a metabolite of any such substances.

"Employee" means any person who works for salary, wages, or other remuneration.

"Job applicant" means a person who has applied for a safety sensitive position with City and has been offered employment conditioned upon successfully passing a substance abuse test (which person may have begun work pending the results of the substance abuse test).

"Nonprescription medication" means a drug or medication authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human disease, ailments, or injuries.

"Prescription medication" means a drug or medication lawfully prescribed by a physician for an individual and taken in accordance with such prescription. "Prescription medication" does not include medical marijuana in any form whatsoever.

"Substance" means drugs or alcohol.

c. Prohibited Conduct

The primary goal of City is to maintain a safe, productive, and drug-free work environment. For this reason, City has established the following policy: (a) an employee will not use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job and/or possess any marijuana or other illegal drug paraphernalia on or at the job; (b) an employee will not report to work under the influence of illegal drugs or alcohol; and (c) an employee will not use prescription drugs illegally (provided, however, nothing in this policy precludes the appropriate use of prescription or non-prescription medications). Any violation of this policy may result in disciplinary action up to and including termination of employment.

Marijuana is considered a "controlled substance" under applicable federal regulations. Therefore, marijuana is an illegal drug for purposes of this substance abuse policy, even if it has been prescribed by a physician and even though Oregon has authorized the use and sale of recreational and/or medical marijuana.

d. Pre-Employment Drug Testing – Safety Sensitive Positions

Prior to an offer of employment being made, a job applicant for a safety sensitive position will be notified that he or she will be required to submit to a drug test as a condition of employment. Once a conditional offer of employment has been made, the job applicant will be required to undergo testing for the presence of drugs as a condition of employment. A job applicant will be required to submit voluntarily to a drug test at a laboratory chosen by City and, by signing a consent agreement, will release City from liability connected to the pre-employment drug testing. Any job applicant with a confirmed positive test will be denied employment. Refusal to submit to a drug test will be interpreted as a voluntary withdrawal of application for employment.

If the physician, medical official, or lab personnel has reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment. City will not discriminate against applicants for employment because of a past history of drug abuse. It is the current use of drugs that is prohibited. The job applicant with a confirmed positive test result may, at his or her option and expense, have a second confirmation test made on the same specimen. A job applicant will not be allowed to submit another specimen for testing. Applicants must present themselves drug-free as demonstrated by the drug testing selected by City. A job applicant who has failed a pre-employment drug test may initiate another inquiry with City after a period of not less than six months.

e. General Procedures

An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek the city manager's opinion to confirm the employee's status. Next, the supervisor will consult privately with the employee to determine the cause of the observation, including, without limitation, whether illegal drug use has occurred. If, in the opinion of the supervisor, the employee is considered impaired, a drug test may be required. If a drug test is not immediately possible, the employee will be sent home or to a medical facility by taxi or other safe transportation alternative (depending on the determination of the observed impairment) and accompanied by the supervisor or another employee, if necessary. An impaired employee will not be allowed to drive. To ensure that the decision to test is reasonable, the supervisor will discuss with the city manager his or her reasons for believing that testing is warranted. If the employee is the supervisor, the city manager will be consulted.

f. Employee Drug Testing

It will be a condition of employment for all employees to submit to drug testing when there is reasonable suspicion to believe that an employee is using illegal drugs. Reasonable suspicion of illegal drug use may arise under the following circumstances: (a) observation of drug use or of the physical symptoms or manifestations of being impaired due to drug use; (b) abnormal conduct or erratic behavior while at work or a significant deterioration in work performance; (c) a report of drug use provided by a reliable and credible source; (d) evidence

that an individual has tampered with any drug test during his or her employment; (e) reasonable evidence that the employee has used, possessed, sold, solicited, or transferred drugs while working, on City's premises, or while operating any Equipment (as defined below); and/or (f) when an employee has caused or contributed to an on-the-job injury, loss, and/or accident. An employee who has been asked to undergo reasonable suspicion testing may be required to transfer to another position at City's discretion pending the results of the testing.

g. Consequences of Positive Test Result

An employee with a confirmed positive test result may, at his or her option and expense, have a second confirmation test made on the same specimen. An employee will not be allowed to submit another specimen for testing. An employee will be suspended without pay pending the results of the second confirmation test. If the physician, medical official, or lab personnel has reasonable suspicion to believe that the employee has tampered with the specimen, the employee may be subject to disciplinary action up to and including termination of employment. City may terminate any employee with a confirmed positive test result. If a decision not to terminate is made, the employee may be suspended without pay pending a confirmed negative test result. The employee must provide a confirmed negative test result, at the employee's own expense, within 30 days from the date of the positive test result.

h. Alcohol Abuse

An employee who is under the influence of alcohol at any time while on City business or at any time during the hours between the beginning and ending of the employee's work day, whether on duty or not and whether on City property or not, will be guilty of misconduct and may be subject to discipline up to and including termination of employment. An employee will be determined to be under the influence of alcohol if (a) the employee's normal faculties are impaired due to the consumption of alcohol, or (b) the employee has a blood alcohol level of .04 or higher. To the extent City determines applicable, testing to determine whether an employee is under the influence of alcohol will occur in accordance with the procedures described in Sections 13e – 13h.

i. Compliance and Confidentiality

Testing of applicants and employees will be completed in a fair, consistent, and non-discriminatory manner and in accordance with all applicable federal, state, and local laws, rules, and regulations. An employee or applicant who has a disability which affects his or her ability to be tested in accordance with this substance abuse policy must notify the city manager so that the city manager may determine whether a reasonable accommodation to City's testing procedures is possible.

City will treat as confidential all information received by City through its drug and alcohol testing program consistent with the provisions of applicable federal, state, and local laws, rules, and regulations. Except as provided therein, release of such information will be solely pursuant to a written consent form signed by the person tested.

j. Commercial Drivers

In compliance with the Omnibus Transportation Employee Testing Act of 1991 and applicable Oregon law, City maintains a drug and alcohol testing program (the "CDL Testing Program") for applicants and employees who are required to obtain a commercial driver's license. The CDL Testing Program includes pre-employment, reasonable suspicion, random, and post accident alcohol and controlled substances testing. Employees subject to the CDL Testing Program will also be subject to City's general substance abuse policy. Any employee that violates the CDL Testing Program may be subject to disciplinary action up to and including termination of employment.

14. Compensation and Performance Evaluations

a. Compensation

City strives to hire and retain the highest quality employees to successfully achieve its vision and mission. City works to maintain competitive wages within the community, commensurate with experience and education. City will review salaries annually and, based on the budget and financial health of City, will strive to maintain market standards. Salary adjustments may or may not be granted at the time performance evaluations or promotions are given; there are no automatic pay raises. Pay raises are made at the discretion of the city manager.

b. Performance Evaluations

Employee performance evaluations may be completed (a) during and/or promptly after the employee's successful completion of an employee's Introductory Period, (b) in the event of promotion or change in the employee's duties and responsibilities, (c) annually, and (d) any other time selected by the city manager. Performance evaluations will be completed by the employee's direct supervisor and/or city manager.

Performance evaluations are a two-way communication process designed to accomplish the following objectives: (a) maintain and improve job satisfaction by letting employees know the City is interested in their job progress and personal development; (b) serve as a systematic guide to recognize needs for further training and progress planning; (c) ensure a factual, objective analysis of an employee's performance vs. job requirements; (d) help place employees in positions within City that best utilize their talents and capabilities; (e) provide an opportunity to discuss job problems or other job-related interests; (f) serve as an aid in salary administration; (g) provide a basis for coordinating the goals and objectives of the employee and City; and (h) give recognition for superior performance. Wage adjustments are not necessarily made at the time a performance evaluation is completed.

During an employee's performance evaluation, the employee is encouraged to discuss his or her interests and future goals. Performance evaluations provide the city manager and/or direct suprvisor an opportunity to suggest ways for the employee to advance and make his or her job more fulfilling. If an employee has any questions or concerns regarding performance evaluations, the employee is encouraged to contact the city manager.

15. Employee Benefits

a. Employee Benefits - General

City strives to provide the best, most equitable, and most cost-effective benefits for its employees in recognition of the influence employment benefits have on employee economic and personal welfare. Paid in various benefit forms on an employee's behalf, the total cost of providing the benefit program described in this Handbook and other documents represents a significant supplement to employee pay. The benefits described in this Handbook are provided at City's sole discretion. This Handbook is not and should not be interpreted to be an insurance, promise, or guaranty of an obligation to provide such benefits.

Except as otherwise provided in this Handbook (e.g., the sick leave policy), benefits provided under this Handbook are provided only to regular full-time and part-time employees that (a) have successfully completed their Introductory Period, and (b) meet the requirements imposed by applicable standards, policies, and regulations (including, without limitation, the work hour requirements and those other conditions specified in this Handbook and/or contained in the applicable benefit policy/plan booklets). The benefit policies contained herein are intended to consist of a general description of the applicable benefits. Details of each specific benefit may be outlined in the documentation for such benefit.

b. Paid Holidays

Subject to the terms and conditions contained in this Handbook, City observes the following holidays each calendar year:

New Year's Day
Martin Luther King, Jr. Day
President's Day
Memorial Day
Juneteenth
Independence Day
Labor Day
Veteran's Day
Thanksgiving (and the Friday after Thanksgiving)
Christmas Eve
Christmas Day
One Floating Holiday (to be taken during the fiscal year)

Each employee will receive a day off from work on each holiday. If the holiday falls on a Saturday, it will be observed on the Friday immediately preceding the holiday; if the holiday falls on a Sunday, the holiday will be observed on the Monday immediately following the holiday. On each holiday, each regular full-time employee will be paid an amount equivalent to his or her regular rate of pay for eight hours of work. On each observed holiday, each regular part-time employee that is scheduled and regularly works not less than 30 hours per week will be paid prorated amount of holiday pay based on the employee's percentage of a full-time schedule (i.e., 40 hours), using the employee's scheduled and regular work hours. For example, if an eligible part-time employee is scheduled and regularly works 30 hours per week, the part-time employee will receive 6 hours of holiday pay. Holiday pay will not be paid to any other employees.

If a holiday falls on an eligible regular full-time or part-time employee's vacation or sick leave day, the day will be treated as a holiday rather than a vacation or sick leave day. To qualify for holiday pay, the regular full-time or part-time employee must be on paid status the day before and the day after a holiday. A regular full-time or part-time employee is not eligible to receive holiday pay if the employee is on an unpaid leave of absence. Holiday pay is not considered as time worked for overtime purposes.

c. Paid Management Leave and Paid Time Off

Exempt Employees will receive forty (40) hours of paid management leave ("PML") per calendar year, pro-rated as necessary. Any unused PML will not be carried over from one calendar year to the next. Any unused PML hours will be forfeited. The date for forfeiture is December 31 of each calendar year. Employees will provide reasonable advance notice to the City Manager prior to use of any PML exceeding eight hours. Employees will exercise their best efforts to schedule any PML leave (and Vacation leave) at times convenient to the City. Upon the termination of employment with the City, any unused PML benefits will be forfeited by employee and will not be paid by the City.

d. Vacation

Subject to the terms and conditions of this vacation policy, each eligible regular full-time and part-time employee will receive vacation benefits based on the length of the employee's continuous service with City in accordance with the following schedule:

Length of Continuous Service (Years)	Monthly Accrual Rate
0-5 Years	8 hours
6-10 Years	10 hours
11-15 Years	12 hours
16 + Years	14 hours

Each eligible regular part-time employee that is scheduled and regularly works no less than 30 hours per week will receive prorated vacation benefits based on the employee's percentage of a full-time schedule (i.e., 40 hours), using the employee's scheduled and regular work hours. For example, if an eligible third-year part-time employee is scheduled and regularly works 30 hours per week, the part-time employee will accrue six hours per month. Part-time employees scheduled and regularly working less than 30 hours per week are not eligible for vacation benefits.

Earned but unused vacation hours exceeding 240 hours must be used within 60 days or its accrual will be forfeighted, unless a carryover is approved by the City Manager.

In June and December each calendar year, and subject to the terms and conditions contained in this Amendment and the Handbook, an employee that has (a) 5 or more years of continuous service with City (as of the date of the requested cash-out payment), (b) accrued but unused vacation hours exceeding 160 hours, and (c) taken no less than 40 hours of vacation time in accordance with the vacation policy during the immediately preceding 12 months (as of the date of the requested cash-out payment) may request to "cash-out" (i.e., receive payment) of that portion of the employee's vacation hours exceeding 160 hours. At the time of an employee's cash-out request, City will consider any pre-approved vacation leave to determine if the minimum 160 hours vacation balance requirement is maintained. If approved, vacation hours will be cashed-out at the employee's then regular rate of pay.

An employee that desires to be cashed out for his or her eligible vacation hours must complete and submit a "Vacation Cash Out Request" form to the city manager for review and approval no later than May 31 (for a June payment) or November 28 (for a December payment). The city manager will process the requested vacation cash out if the city manager determines that the employee is eligible to receive payment of his or her accrued but unused vacation time in accordance with this policy. An employee may request the cash-out of his or her vacation hours only once per calendar year.

Scheduling of vacation, PML and/or comp time

A regular full-time employee desiring to take leave must provide City appropriate advance notice. To this end, an employee must request his or her preferences for use of leave in accordance with the following schedule:

Reason or Duration of vacation, PML and/or comp time	Required Notice and Approval
One Day	Minimum of 24 hours advance notice to (and approval from) your direct supervisor and in their absence, the City Manager.
Two to Three Days	Two Weeks' advance notice to (and approval from) your direct supervisor and in their absence, the City Manager.
Four or more Days	Thirty days' advance notice to (and approval from) your direct supervisor and in their absence, the City Manager.

Vacation must be taken in a manner that will not materially and unreasonably interfere with the City's operations. Although an employee's Vacation preferences will be given deference, the City does not guaranty that each employee will be permitted to use his or her Vacation during the period(s) preferred by the employee. The City Manager and/or the Mayor, as the case may be, may waive or accept less advance notice than required under extenuating circumstances.

Upon termination/resignation/retirement an employee, who has worked for the City for a minimum of twelve (12) consecutive months, shall be paid for all accrued vacation.

e. Sick Leave

City provides each eligible employee paid sick leave ("sick time") in accordance with ORS 653.601 et seq. Sick leave pay is computed at the employee's regular rate of pay and does not include overtime or other forms of compensation.

Sick Leave – Permitted Purposes

In accordance with ORS 653.601 et seq., an eligible employee may use his or her sick leave for any of the following purposes: (a) the employee's own illness, injury, or health condition, including time off for medical diagnosis, care, treatment, and preventative care; (b) to care for a family member with an illness, injury, or health condition, including medical diagnosis, care, treatment, and preventative care; (c) for any purpose designated under the Oregon Family Leave Act ("OFLA"), including, without limitation, bereavement leave or caring for a newborn child, regardless of whether OFLA would otherwise apply; (d) for any purpose allowed under Oregon's domestic violence, harassment, sexual assault, and/or stalking law; (e) to donate accrued sick time to another employee, who may use it for any qualified purpose, if the donation is permitted under City's employee leave donation policy; and/or (f) public health emergency as defined under ORS 653.601 et seq.

Advanced Sick Leave

Subject to the terms and conditions contained in this Handbook, if a sick leave eligible employee who has exhausted (i.e., has a zero or negative sick leave balance) all his or her paid sick leave requires additional sick leave (an "Eligible Employee"), City will provide (advance) the Eligible Employee no more than an additional 40 hours of paid sick leave (the "Advanced Leave") if the Eligible Employee is then in good standing with City and uses the Advanced Leave for a permitted purpose identified under the Sick Leave Policy. Notwithstanding the immediately preceding sentence, an Eligible Employee must use all Advanced Leave subject to and in accordance with this Amendment and the Sick Leave Policy; provided, however, City will not provide an Eligible Employee any Advanced Leave to donate to another employee under City's sick leave donation policy.

If an Eligible Employee uses any Advanced Leave (and, thus, is indebted to City for the Advanced Leave), the Eligible Employee's accrual of sick leave benefits will first be applied to any Advanced Leave before the Eligible Employee will accrue additional sick leave benefits under the Sick Leave Policy. After the Advanced Leave has been "refunded" (repaid) to City in full, the Eligible Employee will accrue sick leave benefits subject to and in accordance with the Sick Leave Policy.

An employee indebted to City for any Advanced Leave must refund (repay) the amount of the Advanced Leave at the time of the employee's separation of employment. Notwithstanding anything contained in the Handbook providing otherwise, City may deduct the amount indebted for Advanced Leave from any vacation pay otherwise payable to the employee upon the employee's termination of employment (whether the termination is voluntary or involuntary).

Leave Donation

The purpose of donated leave is to assist any eligible employee with additional sick leave through the donations of eligible co-workers. All donations are kept confidential and donors will remain anonymous. Leave donation requests will be processed by payroll staff under the following conditions:

1. Employees are eligible to request donations if they have completed one year of continuous employment with
1. the City of Sisters.
2. Employees requesting leave donation must expect to have exhaust all sick, vacation, and comp time accruals.
3. Employees donating leave must maintain at least eighty hours of leave time in the accrual from which they are donating. Comp time may be exhausted completely.
4. Donated time is paid at the regular hourly rate of the person the hours were donated to.
5. Donated time will have no cash value. Any donated time not used will be returned to the donating employee's accrual account.
6. An employee who is receiving, or is eligible to receive, any type of retirement disability, short-term or long-term disability insurance, or other supplemental income is not eligible to receive donated leave in excess of their normal earnings.
7. Donated hours will not be processed in an amount greater than that which is needed to cover the employee's next occurring pay period.
8. 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.

The City Manager may adopt additional rules concerning this policy and its implementation as needed.

Accrual Schedule

Each eligible regular full-time employee will receive eight hours of paid sick leave per month of service, for a total (not to exceed amount) of 96 hours per year. Sick leave benefits are not earned until the final day of the month, and may not be taken until the month after which the sick leave benefits are earned (except as provided below).

All other eligible employees will receive four hours of paid sick leave per month of service or the minimum amount required under applicable Oregon law, whichever is more, for a total (not to exceed amount) of 48 hours per year (in the case of four hours of paid sick leave per month). Sick leave benefits are not earned until the final day of the month, and may not be taken until the month after which the sick leave benefits are earned (except as provided below).

An eligible employee will not receive any sick leave benefits during the employee's first month of employment. However, if the eligible employee successfully completes his or her first month of employment, the employee will receive sick leave benefits retroactive to the employee's date of employment. An employee that begins employment with City after January 1st of any calendar year will receive prorated sick leave benefits for such calendar year.

Sick Leave Accumulation

Accrued but unused sick leave may be carried over from one year to the next. Notwithstanding anything contained in this Handbook to the contrary, accrued but unused sick leave will not be paid out to any employee upon termination of employment (whether the termination was voluntary or involuntary).

Scheduling of Sick Leave

If the need for sick leave is foreseeable, (a) an employee desiring to take paid sick leave must provide the employee's department head reasonable advance notice of his or her intention or need to take sick leave (e.g., 10 days' prior to the date the sick leave will commence or as soon as practicable), and (b) the employee will make a reasonable attempt to schedule the use of sick leave in manner that does not unduly disrupt City's operations. If

the need for sick leave is unforeseeable, the employee will provide notice to the employee's department head as soon as practicable.

Requests for sick leave will be permitted provided the employee has accrued sick leave available. However, failure to return from sick leave on the scheduled time/date may be considered job abandonment and treated as a voluntary termination.

Medical Verification

If an employee takes more than three consecutive scheduled workdays of sick leave for a purpose described in subparagraphs (a) – (d) under the paragraph titled "Sick Leave – Permitted Purposes", above, City may require the employee to provide verification from a health care provider of the need for the sick leave or certification of the need for leave for purposes of ORS 659A.272 as provided under ORS 659A.280.

If the need for sick leave is foreseeable and is projected to last more than three scheduled workdays, the employee must provide verification or certification before the employee's sick leave commences or as soon as otherwise practicable. If the employee commences sick leave without providing prior notice, (a) medical verification will be provided to City within 15 days after City requests verification, or (b) certification provided as specified in ORS 659A.280 will be provided to City within a reasonable time after the employee receives the request for certification.

In accordance with ORS 653.601 et seq., if City suspects that an employee is abusing sick leave, including engaging in a pattern of abuse, City may require verification from a health care provider of the employee's need for sick leave regardless of whether the employee has used sick leave for more than three consecutive days. As used in this paragraph, the term "pattern of abuse" includes, without limitation, repeated use of unscheduled sick leave on or adjacent to weekends, holidays, vacation days, and/or paydays.

City will pay any reasonable costs for providing medical verification or certification required under this policy, including lost wages, that are not paid under a health benefit plan in which the employee is enrolled.

f. Medical, Dental, and Vision

Each eligible regular full-time and part-time employee (and their eligible dependents) who is scheduled and regularly works no less than 30 hours per week is eligible to participate in City's health, dental, and vision insurance programs effective the first day of the calendar month immediately following 30 days of employment. City will pay a percentage of the employee's insurance premium (which percentage payment is determined annually and may be adjusted (or eliminated) in City's sole discretion); provided, however, the percentage of the insurance premium paid by City for each eligible regular part-time employee will be a prorated amount of the premium paid for regular full-time employees based on the part-time employee's percentage of a full-time schedule (i.e., 40 hours), using the employee's scheduled and regular work hours. The remaining premium balance must be paid by the employee. Each eligible employee will be provided with information about the health, dental, and vision insurance plans at the time the employee becomes eligible to participate. Any need for further information should be referred to the human resources manager.

g. Disability, Life, and Accidental Death Insurance

City provides a disability, life, and accidental death insurance for each regular full-time and part-time employee who is scheduled and regularly works no less than 30 hours per week. Coverage amounts will be determined annually.

h. Employee Assistance Program

City provides an employee assistance program ("EAP") to each regular full-time and part-time employee who is scheduled and regularly works no less than 30 hours per week. The EAP is a free, confidential work-based intervention program designed to identify and assist employees in resolving personal problems (e.g., marital, financial, or emotional problems; family issues; substance/alcohol abuse) that may adversely affect the employee's performance.

i. Public Employees Retirement System

After six months of full-time employment, employees will be required to participate in the Public Employees Retirement System. Details concerning the retirement system may be obtained in the office of the city recorder.

16. Leaves of Absence

a. General - Unpaid Leave of Absence

City may grant, in its sole discretion, an employee an unpaid personal leave of absence. To be qualified for an unpaid personal leave of absence, the employee must have completed one full year of employment with City at the time of his or her leave request. Except in the case of an emergency, an employee desiring to take an unpaid personal leave of absence must obtain the city manager's prior approval not less than five days prior to the date the leave is to commence. If circumstances prohibit advance notice, an employee must obtain permission from the city manager as soon as practical.

If a leave of absence is granted, the employee's name remains on the payroll, the records remain intact, but no compensation or benefits are received or accrued, including, without limitation, the employee's wages, vacation, and City's payment of the employee's insurance premiums (subject to applicable law, policy, and regulations). Failure to return to work as scheduled from an approved unpaid leave of absence or to inform the city manager of an acceptable reason for not returning as scheduled will be considered a voluntary resignation of employment. An employee requesting an unpaid leave of absence must exhaust all of his or her accrued but unused sick leave prior to being granted an unpaid leave of absence.

b. Bereavement Leave

An employee who wishes to take time off due to the death of an immediate family member should notify the city manager immediately. For purposes of this bereavement leave policy, an "immediate family member" is defined as the employee's spouse, domestic partner, child, parent, spouse's or domestic partner's parent, sister, brother, child, grandchild, or grandparent. Up to three days of paid bereavement leave will be provided to a regular full-time employee that has successfully completed his or her Introductory Period. Bereavement leave is paid at the employee's regular rate of pay. Employees may use any available vacation time or sick leave for additional time off as necessary or for attendance at funerals of individuals who do not meet the criteria of "immediate family member."

c. Jury Duty

If an employee is called for jury duty, City encourages the employee to fulfill his or her right and duty as a citizen. Except as otherwise provided below, time off will be granted for the duration of the employee's jury duty. The employee must provide the jury duty summons to his or her supervisor as soon as possible so that proper arrangements can be made to cover in the employee's absence. The employee will receive full wages (at his or her regular rate of pay) for time spent on jury duty. The employee will also be eligible for employee benefits as if he or she were actively employed during an approved jury duty. If the employee is dismissed from jury duty early on any day, the employee must report to work for the remainder of the day. If the employee is summoned to appear in court as a witness, the employee is allowed unpaid time off. Any compensation paid to an employee by the court for jury duty will be turned over to City, excluding mileage reimbursement.

City requires that employees inform the city manager as soon as possible if they are called to serve on jury duty so that City may submit a hardship deferral if needed to fulfill City mission-essential work.

d. Military Leave - Reserve Duty

City supports leaves of absence for military training in accordance with applicable state and federal law. An employee who is an active reservist in the armed forces will be granted military leave for the annual two-week training period. Written requests are to be accompanied by a copy of the military orders. Military leave for training will be granted without pay; provided, however, an eligible employee may use any earned but unused vacation during any military leave taken under this policy.

e. Military Leave - Active Duty

City supports leaves of absence for military service in accordance with applicable state and federal law. An employee must immediately inform the city manager when he or she is aware of the need to be absent for military service so that appropriate leave may be arranged. An employee must present the city manager with a copy of the employee's service papers when received. Upon returning to City after the employee's completion of the military leave, the employee will be reinstated, if eligible, with full privileges as determined by the Uniformed Service Employment and Re-employment Rights Act. Military leave will be granted without pay; provided, however, an eligible employee may use any earned but unused vacation during any military leave taken under this policy.

f. Accepting Other Employment While on Leave

Subject to applicable law, if an employee accepts employment with another or goes into business while on a leave of absence, the employee will be considered to have voluntarily resigned from employment with City.

17. EMPLOYEE SAFETY AND EQUIPMENT USE

a. General Employee Safety

City is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment, however, requires the cooperation of all employees. City strongly encourages each employee to communicate with the city manager regarding safety issues.

b. Reporting Injuries

All accidents, injuries, potential safety hazards, and health and safety related issues must be reported immediately to the city manager. If an employee is injured, the employee should contact outside emergency response agencies, if needed. If an injury does not require medical attention, a Supervisor and Employee Report of Accident Form must still be completed in case medical treatment is later needed and to insure that any existing safety hazards are corrected. The employee's Claim for Workers' Compensation Benefits Form must be completed in all cases in which an injury requiring medical attention has occurred. An employee returning to work after being absent due to a work-related injury must (a) report to the city manager prior to beginning work, and (b) bring a doctor's clearance for returning to work.

c. Equipment Use and Care

Employees are responsible for operating City's tools, computers, software, and equipment (collectively, "Equipment") with due care and in a manner that will not cause unnecessary fatigue or abuse. If any Equipment (or part thereof) breaks while an employee is using such Equipment, the same must be reported and not left in poor condition for the next user. Equipment is to be used for City business only and not for personal use. City expects each employee to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines when using Equipment. Each employee is responsible for the Equipment entrusted to him or her and is expected to return such Equipment promptly upon the earlier of when requested or when the employee's employment relationship with City is terminated.

d. Injury Return to Work Program

City has established this return-to-work policy for employees who have sustained a workplace injury or illness. City is committed to providing opportunities for an employee who is injured on the job to return to work at full duty as soon as the employee is physically capable. If an injured employee is not physically capable of returning to full duty right away, this policy provides opportunities for the employee to perform his or her regular job with modifications or to perform alternate temporary work that meets his or her physical capabilities.

This policy is not a contractual commitment. Nothing in this policy will be construed as a guarantee of employment, benefits, and/or rights and/or provide an employee any additional rights and/or protections. An employee receiving benefits under this policy remains an at-will employee and is obligated to comply with all City policies and procedures. This policy is not designed as a substitute for reasonable accommodation under applicable federal, state, and/or local laws, including, without limitation, the Americans with Disabilities Act and/or the Rehabilitation Act of 1973. Except as provided under applicable law, at any time with or without prior notice Corporation may (a) modify the working schedule and/or transitional work, and/or (b) modify, change, and/or discontinue this return-to-work policy and/or conditions of the policy.

Objectives
City has developed this policy to provide procedures for managing the return of an injured employee with minimum time lost. Where feasible and subject to applicable law, transitional positions may be made available to

injured employees. The goal is to return an employee to full employment as soon as possible that is consistent with the employee's medical condition and the advice of the employee's treating authorized healthcare provider.

Definitions
As used in this return-to-work policy, the following terms and phrases have the following meanings:

"Accident" means an unplanned event that disrupts normal work activities and may or may not result in injury or property damage.

"Authorized healthcare provider" means a healthcare professional who meets the definition of attending physician, or as provided in the Oregon workers' compensation laws.

"Injured employee" means an employee with a workers' compensation claim accepted by the city manager.

"Transitional work" or "transitional duty" means temporary changes in the work environment to permit an employee with temporary limitations to work at tasks that are less physically and/or mentally demanding than his or her regular work during the employee's recovery from a work-related injury or illness. Transitional duties may include, without limitation, job restructuring, assistive devices, workstation modification, reduced hours, and/or reassignment. "Transitional work" or "transitional duty" may refer to temporary modified duty or light duty.

Early Return Procedures
A regular full-time employee or regular part-time employee who has suffered an on-the-job injury or illness will be returned to a suitable assignment as soon after the injury as possible.

i. An injured employee who is not able to return to regular duties because of temporary medical restrictions will be provided, whenever practical, transitional duty by City. Transitional duty may include, without limitation, temporary changes in the work environment, assigned tasks, and/or the manner by which assigned tasks are completed. The assignment to such duty must be in writing and state the maximum duration of the assignment. The employee's progress while performing transitional work will be monitored by the employee's supervisor.

ii. In most cases, transitional duty assignments will not exceed a total 90 consecutive days. City may review an assignment for possible extension of transitional duty at least 15 days prior to the end of the transitional assignment. If a decision to extend the assignment beyond the identified maximum duration occurs, it will occur in accordance with City policies, and take into account the particular circumstances of the situation as well as reliable medical information from an authorized healthcare provider. Transitional duty will not exceed 12 months from the first day of the assignment.

iii. The transitional duty will end upon the earlier of (a) City's election, (b) when the employee is released for regular work, or (c) the employee's authorized healthcare provider determines the medical restrictions are expected to be permanent and the employee will not be capable of returning to their regular work. Permanent job modifications and new position assignments may be used for employees who receive a permanent disability as a result of an on-the-job injury or illness.

Employee Responsibilities

i. All accidents, injuries, potential safety hazards, safety-related issues, and/or near-misses must be reported immediately to the employee's supervisor or city manager. If an injury occurs, but does not require professional medical treatment, a Supervisor and Employee Report of Accident Form must be completed in case medical treatment is later needed and to insure that any existing safety hazards are corrected. If first-aid treatment is needed, it should be on-site. The Employee's Claim for Worker's Compensation Benefits Form (Form 801) must be completed in all cases in which an injury requiring medical attention has occurred.

ii. If medical treatment is sought, the employee should inform the authorized healthcare provider that City has a return-to-work policy with transitional work available. The employee should (a) obtain a Release to Return-to-Work Form and job description, if available, from the city manager, (b) provide the document(s) to the authorized healthcare provider, and (c) return the aforementioned form and documents to the city manager following the initial medical treatment.

iii. If the authorized healthcare provider releases the worker to return to work, as evidenced by completion of a Release to Return-to-Work Form, the form must be returned to the city manager within 24-hours for assignment of transitional work. The employee must report for work at the designated time. The employee will not return to work without a release from an authorized healthcare provider. If the employee returns to transitional duties, the employee may not go beyond the duties of the transitional work and/or the authorized healthcare provider's restrictions. If the employee's restrictions change at any time, the employee must notify the employee's supervisor at once and deliver a copy of the new medical release to the supervisor. The injured employee must satisfactorily perform the transitional work and must comply with all City policies and procedures.

iv. If the employee is unable to report for any kind of work, the employee must report, via phone or email, to the employee's supervisor on a weekly basis. The employee will provide the supervisor a medical status update. While off work, it is the employee's responsibility to supply the city manager with current contact information, including the employee's telephone number, email address, and an address at which the employee may be reached. The employee will notify the employee's supervisor and the city manager within 24 hours of any change in his or her medical condition.

City Responsibilities

i. The supervisor will conduct an analysis on all accidents, regardless of whether an injury occurs, and complete a Supervisor and Employee Report of Accident Form. When an accident occurs which results in injury requiring professional medical treatment, the city manager will forward a completed Employee's Claim for Worker's Compensation Benefits Form (Form 801) to the insurance carrier within five calendar days of obtaining knowledge of the injury or illness. Other information will be forwarded as soon as developed, including, without limitation, the following: (a) name of worker's authorized healthcare provider; (b) a completed Release to Return-to-Work form from the authorized health care provider and medical documentation, if appropriate; (c) a completed transitional or regular job description; and (d) a job offer letter and responses, if available. The city manager will notify the insurance carrier of any changes in the employee's medical or work status as soon as possible.

ii. A Release to Return-to-Work Form and a completed job description will be provided to the employee to take to the authorized healthcare provider for completion and/or approval. At the time of first medical treatment the Release to Return-to-Work form must be completed by the authorized healthcare provider and returned to the city manager. If one is not, the city manager will request one from the attending authorized healthcare provider. The completed Release to Return-to-Work Form will be reviewed by the city manager. A transitional job description will be prepared from information obtained from the authorized healthcare provider for review and approval.

iii. Upon receipt of a signed transitional job description form from the authorized healthcare provider, a written job offer letter will be prepared by City and delivered to the injured employee. The letter will note the authorized healthcare provider's approval and will explain the job duties, report date and time, wage, hours, duration of transitional work assignment, phone number, and location of the transitional work. The employee will be asked to sign the bottom of the job offer letter indicating acceptance or refusal of the offered work assignment. Copies of the job description, work release(s), and job offer letters will be provided to the insurance carrier.

iv. The supervisor will monitor the employee's performance to ensure the employee does not exceed the authorized healthcare provider's release and that the employee is performing the transitional work satisfactorily.

The supervisor will assess when and how often duties may be changed and City's ability to adjust work assignments upon receipt of changes in physical capacities.

18. Disciplinary Action and Separation of Employment

a. Discipline and Termination

City may issue oral or written reprimands, suspensions, demotions, pay reductions, and/or take any other appropriate disciplinary actions against employees for misconduct and/or violation of any City policies and/or procedures. The appropriate disciplinary action will be determined by City and will be based upon a careful review and evaluation of the particular facts and circumstances. Notwithstanding anything contained in this Handbook to the contrary, because an employee's employment with City is at-will, an employee may be terminated at any time, for any reason or no reason, with or without cause or prior notice, and regardless of whether or not City undertook any prior corrective action (subject to applicable federal, state, and local laws, regulations, and ordinances).

b. Disciplinary Appeals

A disciplinary appeal is a statement in writing from the employee explaining his or her objection to the disciplinary action. If an employee desires to appeal a disciplinary action, the employee must appeal the disciplinary action in accordance with the grievance/complaint resolution process provided under Section 7 of this Handbook. Any disciplinary grievance not initiated and carried forward by the employee within the time limits and in accordance with the grievance process provided under Section 7 will render the grievance null and void; that is the grievance will be considered to not exist. Any grievance not taken to the next step of the grievance process will be considered settled on the basis of the last replay made and received.

c. Return of City Property

Upon separation of employment (whether voluntarily or otherwise), the separated-employee must return all City property provided to the employee or otherwise in his or her possession by the employee's last day of employment. City property includes, without limitation, credit cards, keys, identification cards, tools, software, computer disks, this Handbook, Confidential Information, and any other items provided to the employee or otherwise in the employee's possession that belong to City. If requested by City, the separated-employee will execute a written certification satisfactory to City that he or she has returned all of City's property, documents, and materials, including, without limitation, all Confidential Information.

d. Post Employment Inquiries

Upon an employee's separation of employment with City, City will provide only the dates of the former employee's employment and position held as verbal employment verification. City will not verify the salary of a former employee or provide any other information concerning the employee unless the departing employee has completed and signed an appropriate release form. Employees may not, under any circumstances, respond to any requests for information regarding a departed City employee unless approved by the city manager. All employee inquiries should be immediately referred to the city manager.

e. Exit Interview

An exit interview will be scheduled with the city manager when an employee leaves the City. This gives the departing employee an opportunity to offer constructive feedback, positive comments, or address any unresolved issues prior to leaving. This also allows City to solicit the employee's honest opinions, as well as suggestions for improvement at City.

EXHIBIT A
CITY OF SISTERS
EMPLOYEE HANDBOOK RECEIPT ACKNOWLEDGMENT FORM

I, _____, have received a copy of the City of Sisters ("City") First Amended and Restated Employee Handbook (the "Handbook") dated effective January 23rd, 2019. I have read the Handbook in its entirety and understand and agree that I must abide by the policies set forth therein.

I understand that the Handbook is presented as a guide for City employees and contains descriptions and explanations of City's rules, policies, procedures, and benefits. I understand the rules, policies, procedures, and benefits contained in the Handbook may be changed, amended, and/or modified by City for any reason, at any time, with or without prior notice. I acknowledge and agree that my failure to comply with any City policy may result in disciplinary action up to and including termination of employment.

I understand that my employment with City is at-will. Therefore, my employment relationship may be terminated at the option of either City or me at any time, for any reason or no reason, with or without cause or prior notice. I understand that nothing contained in the Handbook or this acknowledgement will be construed to modify, change, and/or vary the at-will nature of my employment relationship with City or to create a contract of employment for a specific period of time.

EMPLOYEE:	CITY OF SISTERS:
_____	_____
Print: _____	Cory Misley, City Manager
Dated: _____	Dated: _____

EXHIBIT B
EMPLOYEE COMPLAINT PROCEDURE FORM

(attached)

EXHIBIT C
TELECOMMUNITING POLICY

(attached)

CITY OF SISTERS

EMPLOYEE COMPLAINT FORM

I. COMPLAINT

Employee's Full Name:		**Job Title:**
Home Address:	**Work Telephone No.:** **Work E-mail Address:**	**Home Telephone No.:** **Home E-mail Address:**
Date Event Prompting Complaint Occurred:		
Reason for Complaint (use attachments if necessary):		
The following are facts supporting the filing of this complaint (use attachments if necessary):		
I am requesting the following relief (use attachments if necessary):		
Date:	**Employee's Signature:**	

II. FIRST RESOLUTION STEP

Date Received:		**Date of Meeting:**
Response (use attachments if necessary):		
Date:	**First Step Respondent's Signature:**	**Telephone No.:**
Date Received: _____ **Employee's Response (check one):** □ **My complaint has been satisfactorily resolved.** □ **My complaint has not been satisfactorily resolved. I request further consideration of my complaint under the second resolution step, if applicable.**		
Employee's Comments (optional - [use attachments if necessary]**):**		
Date:	**Employee's Signature:**	

III. SECOND RESOLUTION STEP (IF APPLICABLE)

Date Received:		**Date of Meeting:**
Response (use attachments if necessary):		
Date:	**Second Step Respondent's Signature:**	**Telephone No.:**

Date Received: _____

Employee's Response (check one):

□ **My complaint has been satisfactorily resolved.**

□ **My complaint has not been satisfactorily resolved. I request further consideration of my complaint under the third resolution step, if applicable.**

Employee's Comments (optional - [use attachments if necessary]**):**

Date:	**Employee's Signature:**

IV. THIRD RESOLUTION STEP (IF APPLICABLE)

Date Received:		**Date of Meeting:**
Response (use attachments if necessary):		
Date:	**Third Step Respondent's Signature:**	**Telephone No.:**

Date Received: _____

Employee's Response (check one):

□ **My complaint has been satisfactorily resolved.**

□ **My complaint has not been satisfactorily resolved. I request further consideration of my complaint by the third resolution step responder.**

Employee's Comments (optional - [use attachments if necessary]**):**

Date:	**Employee's Signature:**

CITY OF SISTERS

EMPLOYEE COMPLAINT FORM

I. COMPLAINT

Employee's Full Name:		**Job Title:**
Home Address:	**Work Telephone No.:** **Work E-mail Address:**	**Home Telephone No.:** **Home E-mail Address:**
Date Event Prompting Complaint Occurred:		
Reason for Complaint (use attachments if necessary):		
The following are facts supporting the filing of this complaint (use attachments if necessary):		
I am requesting the following relief (use attachments if necessary):		
Date:	**Employee's Signature:**	

II. FIRST RESOLUTION STEP

Date Received:		**Date of Meeting:**
Response (use attachments if necessary):		
Date:	**First Step Respondent's Signature:**	**Telephone No.:**
Date Received: _____ **Employee's Response (check one):** □ **My complaint has been satisfactorily resolved.** □ **My complaint has not been satisfactorily resolved. I request further consideration of my complaint under the second resolution step, if applicable.**		
Employee's Comments (optional - [use attachments if necessary]**):**		
Date:	**Employee's Signature:**	

III. SECOND RESOLUTION STEP (IF APPLICABLE)

Date Received:		**Date of Meeting:**
Response (use attachments if necessary):		
Date:	**Second Step Respondent's Signature:**	**Telephone No.:**

Date Received: _____

Employee's Response (check one):

□ **My complaint has been satisfactorily resolved.**

□ **My complaint has not been satisfactorily resolved. I request further consideration of my complaint under the third resolution step, if applicable.**

Employee's Comments (optional - [use attachments if necessary]**):**

Date:	**Employee's Signature:**

IV. THIRD RESOLUTION STEP (IF APPLICABLE)

Date Received:		**Date of Meeting:**
Response (use attachments if necessary):		
Date:	**Third Step Respondent's Signature:**	**Telephone No.:**

Date Received: _____

Employee's Response (check one):

□ **My complaint has been satisfactorily resolved.**

□ **My complaint has not been satisfactorily resolved. I request further consideration of my complaint by the third resolution step responder.**

Employee's Comments (optional - [use attachments if necessary]**):**

Date:	**Employee's Signature:**

Exhibit C
City of Sisters
Official Policy

EMPLOYEE TELECOMMUTING POLICY

Adopted: October 27, 2021
Effective: November 1, 2021

PURPOSE

Telework (or telecommuting) is defined as work alternatives that substitute home-to-work commuting with the option of working at home or elsewhere. Telework does not include temporary work at home due to special conditions such as providing dependent care, recovering from illness, or caring for an ill family member. Such situations may be arranged between the employee and the employee's department head (in his or her discretion).

Not all positions at City of Sisters ("City") are appropriate for telework. In general, positions appropriate for telework are those in which face-to-face interactions are minimal or that may be scheduled to permit telework, and in which the employee can perform all aspects of the employee's position remotely as if the work was being performed on City premises. Employees who work with confidential information will be assessed on a case-by-case basis.

Notwithstanding anything contained in this Employee Telecommuting Policy (this "Policy") to the contrary, an employee's ability to telework (or telecommute) is in the department head's discretion and will be subject to this Policy. The department head may terminate an employee's telework privileges at any time, for any reason or no reason, with or without prior notice. If any conflict between the terms of this Policy and applicable law occurs, the applicable law will control.

ELIGIBILITY

To be eligible for telework, an employee must meet the following minimum criteria:

(1) The employee normally works an established workday or shift schedule.

(2) The work performed by the employee (a) requires minimal face-to-face interaction, (b) does not require the employee's physical presence on City premises, (c) does not require specialized material, equipment, and/or access to confidential information that must remain on City premises, and (d) can be modified to permit telework without impairing department operations or essential City functions.

(3) The employee requires minimal supervision to perform assigned tasks.

(4) The employee has been employed with City for a minimum of six months of continuous, regular employment at the time telework is requested. The employee has demonstrated excellent work performance (the employee must not be subject to any disciplinary sanctions or actions).

(5) There is sufficient work that can be completed via telework for the duration of the normal workday or shift, or the employee voluntarily accepts a modified or reduced work schedule or shift to accommodate the reduced work available by telework.

(6) The equipment and environment at the chosen telework location are suitable for the work to be performed.

(7) Any other eligibility conditions or criteria that City may impose from time to time.

Meeting the minimum eligibility criteria (described above) does not guarantee approval of telework. Notwithstanding anything contained in this Policy providing otherwise, City reserves the right to (a) determine (in its sole discretion) whether an employee will be permitted to telework and if and when to terminate the employee's telework privileges, and/or (b) modify the telework eligibility requirements described in this Policy. An employee granted telework privileges will not be permitted to telework unless and until the employee first enters into City's then-current telework agreement.

TELEWORK REQUESTS

An employee requesting telework must complete and submit City's then-applicable telework request form to the employee's department head. Upon receipt of the employee's request form, the employee's department head will review the request form (and circumstances surrounding the request) to determine whether the employee is eligible for telework. The department head's review of the telework request may require one or more meetings with the employee to determine the employee's eligibility and whether telework is appropriate.

GENERAL

An employee's work schedule may include telework on a frequency of no more than one day per week. The telework day of the week must be consistent to minimize scheduling and operational interference. Telework may be formal or informal, such as working from home for a short-term project, during inclement weather, and/or on the road during business travel.

If an employee is granted telework privileges, the employee must be able to perform his or her job duties and responsibilities according to the same high standards as would normally be expected at the employee's primary worksite. This includes maintaining a high-quality work product and customer or public contact at the same standards currently being met by the employee at his or her primary worksite.

While teleworking, the employee must be reachable (as if the employee was working on City premises) via telephone, internet (e.g., via email), and/or other City acceptable communication system during agreed-upon work hours. The employee's duties, obligations, and responsibilities will not change due to teleworking. The employee must maintain adequate communication with the employee's supervisor, including, without limitation, any communication necessary or appropriate to receive assignments, review work progress, and complete assigned tasks. An employee teleworking is required to participate in work-related meetings via teleconference, zoom, or other appropriate communications system.

Supervisors may require employees to prepare and submit additional time management reports (daily, weekly, or monthly) to aid in documenting telework time management and effectiveness (which reports will be in addition to the employee's timesheets and other required reports). The employee's supervisor may require regular meetings to review and discuss the employee's work.

If an employee is granted telework privileges, the employee's salary, benefits, workers' compensation, and insurance coverage will not change due to teleworking provided the employee's working hours (and all other conditions of employment excepting telework) remain the same.

An overtime-eligible teleworking employee will not work overtime unless the employee has received prior written approval from his or her department head. Failure to obtain prior written approval for overtime work may result in discontinuation of telework and/or other appropriate disciplinary action. An overtime-eligible employee is responsible for accurately recording all hours worked, including time teleworking after the close of normal business hours.

Telework is not a substitute for dependent care or care for others. An employee teleworking must make arrangements necessary or appropriate to ensure that he or she is able to apply full attention to work duties and assignments during agreed-upon work hours. Telework employees will not perform personal business or activities during agreed-upon work hours.

Confidential documents and/or materials will not be removed from City's on-site work locations or accessed through the employee's telework computer unless approved in advance by the employee's department head.

WORKSPACE

A designated workspace will be maintained by teleworking employees that is quiet, free from distractions, and kept in a clean, professional, and safe condition. City is not responsible for operating costs, home maintenance, property or liability insurance, and/or other costs and expenses (e.g., utilities, cleaning services, internet, printers, etc.) concerning the employee's telework location. City is not liable for any damages to the employee's home and/or personal property that may result from or arise out of teleworking.

SUPPLIES, EQUIPMENT, AND SOFTWARE

The teleworking employee must obtain, at the employee's cost and expense, all supplies, equipment, and/or software that may be necessary or appropriate to permit the employee to telework. This includes internet access (with adequate internet speeds) and all necessary or appropriate equipment necessary to access the internet. City will make the determination as to necessary or appropriate teleworking supplies, equipment, and/or software.

Notwithstanding anything contained in this Policy providing otherwise, City is not required to provide any supplies, equipment, and/or software to accommodate the teleworking employee. However, any supplies, equipment, and/or software provided to the teleworking employee is and remains City's property. The teleworking employee is responsible for taking all necessary and appropriate actions to protect City's supplies, equipment, and/or software against damage,

loss, and/or theft (and the employee is liable for such damage, loss, and/or theft). City provided equipment and/or software will be maintained by City (provided, however, City will not be required to repair or replace any equipment and/or supplies lost, stolen, and/or damaged due to the employee's acts or omissions). City will not be liable for any damage and/or repairs to employee-owned equipment and/or other property arising out of or related to the teleworking employee's use of City-provided supplies, equipment, and/or software.

A teleworking employee will immediately notify his or her supervisor or department head when he or she is unable to perform telework assignments or projects due to equipment or internet access failure or other unforeseen circumstances. The telework employee may be assigned to another project and/or different work location that may necessitate termination of teleworking privileges or the employee may be required to use vacation time to cover the hours the employee is unable to telework.

All City provided supplies (to the extent remaining), equipment, and/or software must be immediately returned to City in their/its original condition (reasonable wear and tear excepted) upon the earlier of the department head's request and/or termination of employee's teleworking privileges and/or employment.

RETURN TO WORK

Employees must report to work on the next regularly scheduled workday if and when the employee's teleworking privileges have been terminated. Failure to report to work in accordance with this Policy will be treated as an unexcused absence in accordance with City's attendance policy.

POLICY COMPLIANCE

All City policies, rules, and procedures continue to apply to the teleworking employee and his or her use of teleworking related supplies, equipment, and/or software. A teleworking employee's failure to comply with any City policy, rule, and/or procedure may result in termination of the employee's teleworking privileges and/or other appropriate disciplinary action up to and including termination of employment.

Without otherwise limiting the generality of the immediately preceding paragraph, a teleworking employee's use of any City equipment, communications, and/or software remains subject to all applicable City policies. For example, a computer used for City business must be plugged into a surge protector and have current virus protection maintained.

TELEWORK AGREEMENT

If telework is approved by the employee's department head, the employee must sign and enter into City's then-current telework agreement. The telework agreement will be retained in the employee's personnel file. If the employee fails to comply with the terms and conditions of the telework agreement, the employee may be subject to disciplinary action up to and including termination of the employee's telework privileges and/or employment.