

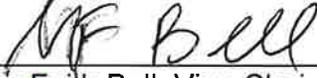
DATED THIS 11th day of March 2026.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON



Paul Fournier, Chair

Aye	Nay	Abstain/Absent
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Mary Faith Bell, Vice-Chair

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Erin D. Skaar, Commissioner

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ATTEST: Christy Nyseth,
County Clerk

By: _____
Special Deputy

APPROVED AS TO FORM:


Bryan Libel, County Counsel



Tillamook County
Employee Policies and Procedures
Manual



Effective April 1, 2026

Welcome to Tillamook County, we're glad to have you on our team! We believe that our employees are our most valuable assets and that each employee contributes directly to our growth and success. In fact, we attribute our success as an organization in significant part to our ability to recruit, hire, and maintain a motivated and productive workforce.

At Tillamook County our mission is to "provide excellent public services for the people, places, and unique communities of Tillamook County". Your unique skills and perspective are exactly what we need to continue achieving great things together.

This manual was developed to describe some of the expectations we have for our employees and what you can expect from us, including information on our policies, programs, and benefits. We encourage you to read it thoroughly and keep it as a reference.

We are committed to helping you succeed and grow in your role. We hope that during your employment with the County, you will become a productive and successful member of Tillamook County's team.

We look forward to seeing all that we can accomplish together!

Tillamook County Board of Commissioners

1. USING THIS EMPLOYEE MANUAL

This employee Manual is effective **April 1, 2026** and is intended to provide a summary of the current personnel policies and procedures that govern the employment relationship between the County and its employees, other than those found in applicable collective bargaining agreements (CBAs).

This Manual supersedes all prior personnel policy manuals, procedures and practices (written or verbal) as well as any prior orders of the Board of County Commissioners that are inconsistent with its provisions. It does not, however, substitute for CBA provisions. To the extent that a provision in a valid CBA contradicts or is inconsistent with what is in this employee Manual, the CBA provision (and not this Manual) controls on that issue.

In the event of the absence or vacancy of the Human Resources and Risk Management Director (HR Director), the Human Resources Manager, or another individual designated by the Chief Administrative Officer, shall exercise all powers and authority granted to the HR Director under this Manual.

A. Applicability

Employees: This Manual applies to all employees of Tillamook County regardless of classification.

Volunteers: Although volunteers are not considered employees of the County, some policies contained in this Manual (e.g., Anti-Harassment policy) apply to individuals who volunteer their services to the County. The County also expects volunteers to meet our conduct and behavior standards, as well as any performance needs related to the nature of their volunteer services.

Elected Officials: The County greatly respects and appreciates the time, dedication, and service provided by our elected officials. Elected officials are covered by some of the policies contained in this Manual (e.g., Anti-Harassment policy, Government Official Ethics, etc.) and may be eligible for limited benefits with the County. We also ask all elected officials and others in our workplace to conduct themselves professionally and in accordance with the standards generally expected for our employees. For additional information, please contact Human Resources.

B. At-Will Employment

Also, while it is the County's hope that every employee's association with it is successful and rewarding, this Manual is not a guarantee or contract for continued or future employment or benefits at any level. Rather, *except as otherwise provided in an applicable CBA or written individual employment agreement signed and dated by the HR Director or Chief Administrative Officer*, all employment with the County is "at will". This means that either the employee or the County may terminate this relationship at any time, for any reason, with or without cause or notice, and without appeal rights or due

process procedures other than those expressly provided for in this Manual or required by law.

C. Changes to Policies

The County also reserves the right to change or discontinue any policy, procedure, practice, or benefit plan, at any time. Policies stated in this Manual are subject to change at any time at the sole discretion of the County with or without prior notice, except as otherwise provided in a CBA. For represented employees, the applicable union(s) will be provided with notice and an opportunity to bargain over any changes to the Manual, consistent with the County's public employee collective bargaining obligations.

In order to avoid misunderstandings, any written or verbal promises or statements different from or in addition to the policies and practices outlined in this Manual (including but not limited to any supplemental departmental rules and individual employment agreements) must be approved in writing by the Board of Commissioners or Chief Administrative Office in order to be valid. Changes to this Manual can only be made by the Board of Commissioners.

D. Questions

All employees of the County are expected to familiarize themselves with the information provided in this Manual as well any supplemental policies applicable to their department. If there are questions about any of the provisions in the Manual, or any policies that are issued after the Manual, please ask the HR Director.

Table of Contents

1.	USING THIS EMPLOYEE MANUAL	ii
	A. Applicability	ii
	B. At-Will Employment	ii
	C. Changes to Policies	iii
	D. Questions.....	iii
2.	EQUAL EMPLOYMENT OPPORTUNITY POLICIES	1
	A. Who is Covered by These Policies	1
	B. No-Discrimination Policy	1
	C. No-Harassment Policy and "Prohibited" Conduct.....	1
	D. Policy Against Retaliation.....	3
	E. Complaint Procedure.....	4
	F. Investigation and Confidentiality	5
	G. Follow Up with Covered Individuals	5
	H. Records Relating to Harassment	6
	I. Prohibited and Voluntary Agreements.....	6
	J. Other Resources	7
	K. Other Complaint and Enforcement Options.....	7
3.	WORKPLACE ACCOMMODATION POLICIES	9
	A. Disability Accommodations	9
	B. Pregnancy and Lactation Accommodations.....	9
	C. Fitness for Duty and Other Medical Evaluations.....	10
	D. Religious Accommodation Policy	11
4.	GOVERNMENT ETHICS AND WHISTLEBLOWER PROTECTIONS	12
	A. Public Employee and Representative Ethical Obligations	12
	B. Reporting Expectations	13
	C. Non-Retaliation Policy and Whistleblower Protections.....	14
	D. Family Members at Work and Other Conflicts of Interest	15
	E. Outside Employment	17
5.	EMPLOYEE CLASSIFICATIONS	18
	A. Probationary Period of Employment.....	18
	B. Other Employee Classifications	19
	C. Changes in Employee Classifications	20
	D. Exempt and Non-Exempt Status.....	20
	E. Volunteers	21
6.	WORK SCHEDULES AND HOURS	22
	A. Employee Work Schedules.....	22
	B. Meal Periods and Rest Breaks.....	23
	C. Overtime Assignments	23
	D. Timekeeping Requirements	24
	E. Attendance, Punctuality, and Reporting Absences	24
	F. Remote Work/Telecommuting	25
7.	COMPENSATION POLICIES	31
	A. Paydays and Paychecks.....	31
	B. Wage Rates and Classification Plans	32
	C. Pay Increases and Other Wage Changes.....	33
	D. Overtime and Compensatory Time (Comp Time) Pay.....	33
	E. Longevity Pay	34
	F. Travel Expenses.....	35
	G. County Sponsored Social and Recreational Activities.....	35
8.	EMPLOYMENT BENEFITS	36
	A. Paid Vacation Benefits	36

	B. Vacation Leave Donation Program	39
	C. Paid Sick Leave Benefits	41
	D. Paid Holidays and Personal Days Benefits	45
	E. Health Insurance Benefits	46
	F. Retiree Health Insurance Benefits	47
	G. Other Insurance Benefits	49
	H. Retirement Benefits	50
	I. Employee Assistance Program (EAP).....	50
9.	LEAVES OF ABSENCE FROM COUNTY EMPLOYMENT	52
	A. In General	52
	B. Family Medical Leave Policies.....	53
	C. Workers' Compensation Leaves.....	64
	D. Other Medical Leaves	65
	E. Military Leaves	65
	F. Jury and Witness Duty Leaves.....	66
	G. Domestic or Sexual Violence Leaves and Accommodations.....	67
	H. Other Crime Victim Leaves	67
	I. Personal Leaves.....	68
	J. Bereavement Leave	68
	K. Other Leaves.....	69
10.	WORKPLACE SAFETY POLICIES	70
	A. Reporting Workplace Injuries and Accidents	70
	B. Return to Work from Work Related Injuries/Illnesses	70
	C. Reporting Unsafe Working Conditions and Practices.....	72
	D. Non-Retaliation Policy	72
	E. Driving and Use of Vehicles	72
	F. Protective Safety (PPE) and Other Equipment	74
	G. Inclement Weather/Emergency Closing.....	74
	H. Tobacco-Free Workplace	75
	I. Workplace Violence Policy.....	75
	J. Safety Committees.....	76
11.	DRUG AND ALCOHOL POLICY (NON-DEPARTMENT OF TRANSPORTATION)	78
	A. Prohibited Conduct	78
	B. Drugs	79
	C. Drug and Alcohol Testing	79
	D. Searches.....	81
	E. Safeguards	81
	F. Medications	81
	G. Rehabilitation Assistance	82
	H. Violations	83
12.	OTHER GENERAL WORKPLACE POLICIES AND EXPECTATIONS.....	84
	A. Cooperation, Teamwork, and No-Bullying Policies.....	84
	B. Customer Service and Public Relations.....	85
	C. Computers and Electronic Equipment Policies	86
	D. Privacy and Workplace Inspections	89
	E. Employee Property.....	90
	F. Work Performance	90
	G. Performance Reviews.....	90
	H. Promotions, Transfers and Career Development Policies	91
	I. Personnel Records.....	91
	J. Public Records and Media Relations.....	92
	K. Solicitation and Bulletin Boards.....	92

	L. Cost Consciousness.....	93
	M. Dress Code.....	93
	N. Children in the Workplace	94
	O. Animals in the Workplace	94
13.	EMPLOYMENT DISCIPLINE AND DISCHARGE POLICIES	95
	A. Minor Infractions	95
	B. Major Infractions.....	96
	C. Other Conduct.....	97
	D. Progressive Discipline Procedures	97
14.	COMPLAINT PROCEDURES	99
	A. Open-Door Policy.....	99
	B. Complaint Procedure.....	99
15.	LEAVING COUNTY EMPLOYMENT.....	101
	A. Voluntary Resignation (or Retirement) from Employment	101
	B. Layoff	101
	C. Discharge	101
	D. Final Paychecks.....	101
	E. References	102

EMPLOYEE ACKNOWLEDGEMENT

APPENDIX A – DEFINITIONS APPLICABLE TO FMLA LEAVES

APPENDIX B – POST-ADOPTION REVISIONS

2. EQUAL EMPLOYMENT OPPORTUNITY POLICIES

A. Who is Covered by These Policies

The following Equal Employment Opportunity policies and expectations apply to all:

- Employees,
- Volunteers,
- Interns, and
- Public Officials (including elected public officials)

at the County in accordance with applicable law. These individuals are collectively referred to as “covered individuals”. Covered individuals who have questions about these policies are encouraged to discuss them with the HR Director at any time.

B. No-Discrimination Policy

The County provides equal employment opportunity to all qualified employees and applicants without regard to race, color, religion, sex, gender identity, sexual orientation, pregnancy (including childbirth and related medical conditions), national origin, age, disability, genetic information, uniformed/military service or veteran status, use of the workers’ compensation system, or any other status or activity protected by applicable federal, Oregon, or local law.

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

The County’s commitment to equal opportunity applies to all aspects of the employment, volunteer and public official’s relationship — including, but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall, and termination of employment/service.

C. No-Harassment Policy and “Prohibited” Conduct

The County believes that all employees have a right to work in an environment where the dignity of each individual is respected and strictly prohibits Workplace Harassment, including sexual assault.

“Workplace Harassment” is defined by statute under Oregon law, and includes:

- Conduct that constitutes discrimination prohibited by ORS 659A.030 (i.e., discrimination because of race, color, religion, sex, sexual orientation, national origin, marital status, or age of employee or person associated with employee, or

employee's expunged juvenile record), including conduct that constitutes sexual assault;

- Conduct that is prohibited by ORS 659A.082 (i.e., discrimination against an individual based on uniformed service); or
- Conduct that is prohibited by 659A.112 (i.e., employment discrimination against persons with disabilities).

"Sexual Assault" means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

All employees and others covered by this policy are expected to accomplish their work in a business-like manner with concern for their coworkers and others they come into contact with through their jobs. Accordingly, the County also prohibits any conduct that could reasonably be viewed as harassment of employees, volunteers, interns, public officials, community members/customers, vendors, etc. by employees and others covered by this policy (regardless of working relationship or supervisory status). Likewise, the County does not permit others on our worksites to engage in any conduct that could reasonably be viewed as harassment of our employees, volunteers, interns and public officials.

Each member of management is responsible for creating an atmosphere that complies with this policy. Further, all employees and other covered individuals are responsible for respecting the rights of others and refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether others participate in the conduct or did not appear to be offended.

Specifically forbidden is conduct related to an individual's race, color, national origin, ancestry or ethnic background, religion, sex, sexual orientation, gender identity, mental or physical disability, age, veteran status, marital status, or other legally protected status or activity.

Prohibited conduct of a sexual and gender-based nature includes conduct such as:

- Unwelcome sexual advances; innuendoes; requests for dates;
- Unwelcome touching;
- Unwelcome visual conduct, such as leering or making sexual gestures;
- Telling dirty jokes/jokes of a sexual nature;
- Making offensive or derogatory comments about a person's gender;
- Making derogatory remarks about a person's gender, perceived gender, or gender identity;
- Making derogatory remarks about a person's actual or perceived sexual orientation;
- Talking about the individual's own sex life or asking about other people's sex lives;
- Spreading rumors or telling stories about an individual's own or other people's (such as a coworker's) sex life;
- Displaying sexually suggestive objects, pictures, cartoons or posters;
- Using County computers or other communication systems to access, send, receive or store material of a sexual/gender, etc. based nature; and

- Any other verbal, graphic, electronic or physical conduct of a sexual or gender-based nature, which has the purpose or the effect of creating a hostile or offensive work environment or otherwise unreasonably interfering with another employee or covered individual's work.

Prohibited conduct of a racial, ethnic, religious, age or disability, etc. based nature includes conduct such as the following:

- Making racial slurs or offensive ethnic comments;
- Telling racial or ethnic jokes;
- Displaying cartoons, printed material or other objects which are racially or ethnically offensive;
- Displaying racist symbols;
- Making derogatory comments or jokes about, or mimicking a person's physical or mental limitations;
- Unwelcome pushing of religious beliefs on others;
- Criticizing or making fun of another person's religious beliefs;
- Making derogatory age-based comments or jokes;
- Making derogatory comments about veterans or members of the military;
- Using County computers or communications systems to access, send, receive or store racially, ethnically, age-related, disability related or religiously, etc. offensive material; and
- Other verbal, graphic, electronic, physical or other conduct of a racial, religious, ethnic, age or disability related nature, which creates a hostile or offensive work environment or unreasonably interferes with another employee's work.

The above lists are not intended to be complete lists of prohibited conduct. Rather, they are just examples of the types of conduct that are prohibited by this policy. Employees and other covered individuals are expected to exercise common sense and refrain from other similar kinds of conduct. All covered individuals should also understand that:

1. Conduct of this nature is prohibited even if it occurs off-duty, if it creates an offensive work environment or unreasonably interferes with another employee's or covered individual's work.
2. All individuals should assume that conduct of this nature is unwelcome and will offend others. Therefore, all covered individuals are expected to refrain from engaging in such conduct, regardless of the circumstances. It is not an acceptable excuse that others participated in the conduct or did not appear to be offended.
3. No one should suggest or threaten that an individual's cooperation with or tolerance of conduct of this nature will have any effect on that person's employment or status as a volunteer, intern or public official. The County does not make decisions on that basis.

D. Policy Against Retaliation

The County respects the rights of its employees and others in our workplace to raise harassment and discrimination concerns and expects individuals in our workplace to

participate cooperatively in investigations. The County does not permit employees or others to retaliate against individual(s) who report harassment or discrimination, cooperate with investigations, testify in harassment proceedings or assist in enforcement of our policies against discrimination and harassment.

"Retaliation" is broadly construed and may include on-duty or off-duty conduct, whether related to employment or not, that could discourage an employee or other covered individual from making a complaint of discrimination, harassment or retaliation, or from testifying, assisting or participating in an investigation, proceeding or hearing. Retaliation includes treating another employee or covered individual differently because they or someone close to them reported harassment, complained about discrimination or engaged in any of these types of activities.

It also includes giving an employee or covered individual "the cold shoulder" or treating an employee or covered individual rudely because they or someone close to them reported harassment, withholding information or cooperation necessary for them to do their job, changing work assignments or hours, because of their complaint or participation in enforcement of this policy etc. are examples of retaliation. Retaliation also includes discouraging an employee or other covered individual from reporting harassment or criticizing an employee or other covered individual who reports harassment or cooperates in an investigation.

E. Complaint Procedure

Any covered individual who believes they have been subjected to or observed conduct in violation of these policies, including:

- Discrimination in violation of County policy or equal employment opportunity laws;
- Any type of harassment or conduct prohibited by the No Harassment Policy and "Prohibited Conduct" (above), whether by an employee, volunteer, intern, public official or by anyone else the covered individual comes into contact with through their job (vendors, community members/customers, or other business visitors, etc.);
- Retaliation for the reporting of discrimination or harassment, opposing discrimination or harassment or cooperating with investigations; or
- If an employee has observed behavior or overheard comments that raise concerns regarding compliance with the County's No-Discrimination Policy, No-Harassment Policy, or Policy Against Retaliation toward others;

should promptly contact Human Resources, the Chief Administrative Officer, or their department director whomever they are most comfortable reporting to. A covered individual who experiences or witnesses harassment may choose to, *but is not required to*, tell the person violating the policies that the behavior is offensive and unwanted, and that they want it to stop. However, do not report the concern only to the person who is accused of having violated the policies. If the concern involves one of the people listed above, the covered individual is expected to report the concern to a different person on this list.

Any supervisor or manager who receives information about conduct that may violate these policies is required to immediately notify Human Resources, the Chief Administrative Officer, or their department director and to provide the employee/covered individual with a copy of this policy. When Human Resources, the Chief Administrative Officer, or their department director receives a report of alleged discrimination, harassment or retaliation, they must document what is reported and provide the employee/covered individual with a copy of this policy. All employees and covered individuals who believe that they have been subject to or witnessed conduct in violation of the County's Equal Employment Opportunity policies are also advised to document those incidents.

We encourage employees and others in our workplace to report complaints and work with us to voluntarily disclose and report information regarding incidents of Workplace Harassment and informally resolve problems involving violations of our Equal Employment Opportunity policies.

Covered individuals have a legal right to report Workplace Harassment under Oregon law for up to four years from the date on which the alleged harassment occurred. The County, however, does not place any time limits on the ability to report violations through the County's internal complaint procedures. Regardless, all covered individuals are expected and encouraged to report incidents that violate these policies at the earliest opportunity in order to maximize the County's ability to conduct a prompt and thorough investigation and prevent further occurrences of prohibited conduct. Our ability to resolve these kinds of problems is dependent on everyone's cooperation in reporting incidents that create an offensive or hostile work environment for them. We believe that all of our employees, volunteers, interns and public officials have an affirmative obligation to promptly report violations of our policy and cooperate with investigations.

F. Investigation and Confidentiality

All complaints and reports are promptly investigated by a person designated by the County, such as the HR Director or an outside investigator. Consistent with applicable law, the name of the complainant(s) is kept confidential during the investigation. Witnesses and other information related to the investigation is also kept confidential to the extent we determine confidentiality can be maintained while allowing us to comply with our legal obligations, including the responsibility to conduct a thorough investigation and maintain a workplace free of the types of unwelcome conduct prohibited above.

If conduct in violation of this policy is found to have occurred, the County takes prompt, appropriate corrective action, which may include but is not limited to disciplinary action (up to and including termination of employment, internship, volunteer service, etc.) as the County determines appropriate.

G. Follow Up with Covered Individuals

The County prides itself on its commitment to equal employment opportunities and restricts the types of behavior outlined in its policies, above, regardless of whether that

conduct constitutes a legal violation. It is our policy to follow up with the victim of alleged harassment at least once every three months for the calendar year following the date on which we received the report to ensure that any harassment or other policy violations have stopped, and that the victim is not subject to retaliation. These follow-up contacts will occur unless the victim objects in writing to this practice. The County may, in its discretion, also follow up with witnesses and others who cooperated in an investigation, including employees and other covered individuals who reported conduct that was not determined to be a violation of this policy, for the purpose of enforcing anti-retaliation prohibitions.

Employees who have questions or concerns about our Equal Employment Opportunity policies are encouraged to contact Human Resources or follow the Complaint Procedures outlined in those policies.

H. Records Relating to Harassment

Notices of leave pending investigation, notice of interviews, due process notices, and disciplinary notices are generally maintained in personnel files. Other documents related to complaints and investigations are maintained in confidential files for a minimum period of the five-year statute of limitations or the minimum retention period required under Oregon law, whichever is longer. Such records are generally released only as the County determines appropriate to defend against legal claims, establish consistency and lack of discrimination, to establish that an employee or covered individual received notice of standards of conduct required under this policy, and when otherwise required by applicable law. If documents are removed from a personnel file as required by an applicable CBA or any other reason, they will nevertheless be retained by the County as required by other applicable law(s).

I. Prohibited and Voluntary Agreements

All employees and other covered individuals should be aware that the County does not require or coerce any employee or covered individual to enter any non-disclosure (confidentiality) or non-disparagement agreement that would prohibit them from discussing alleged discrimination, harassment (including sexual assault) in the workplace. This includes any conduct that occurs between employees/covered individuals, between an employer and the employee/covered individual in the workplace or at a work-related event coordinated by the County, or that occurs between an employee/covered individual and the employer off County property.

Employees and other covered individuals claiming to be aggrieved by Workplace Harassment may, however, voluntarily request to enter into an agreement (e.g., separation, severance, or settlement agreements) containing a confidentiality, non-disparagement and/or no-rehire provision(s). Although the County is not obligated to offer or agree to any such separation, severance or settlement agreement, an employee or other covered individual who enters into such an agreement will also have the option to revoke the agreement within seven days after it is signed.

Under this policy, a nondisclosure agreement is any agreement by which one or more parties agree not to discuss or disclose the amount of fact of any settlement or information regarding any complaint of Workplace Harassment, discrimination, or sexual assault.

A non-disparagement agreement is any agreement by which one or more parties agree not to discredit or make negative or disparaging written or oral statements about any other party.

J. Other Resources

Employees and covered individuals who believe they need counseling, or other support services are encouraged to use the County's Employee Assistance Program (EAP), which is administered through Canopy and available to employees and dependents who are enrolled in the County's medical coverage. For access to confidential help 24 hours a day, seven days a week, call toll-free: 1-800-433-2320, or go online to canopywell.com.

The EAP program provides confidential counseling services and educational tools such as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, and others.

The Oregon Health Authority or the Oregon Board of Licensed Professional Counselors and Therapists may also have additional information to help connect individuals with counseling and other support services. More information can be found on the websites for these agencies at:

<https://www.oregon.gov/oha/pages/index.aspx>
<https://www.oregon.gov/obl/pct/Pages/Websites.aspx>.

K. Other Complaint and Enforcement Options

All employees and other individuals covered by applicable laws regarding harassment, discrimination and retaliation should also be aware that they have the right to make complaints to and seek remedies through the Oregon Bureau of Labor and Industries' complaint resolution process or by filing claims in court as well as to pursue their rights under other available laws, whether civil or criminal. The County does not provide any employee or other covered individual with legal advice.

However, all employees and covered individuals should be aware that time limits apply to the ability to pursue civil and criminal complaints. For example, claims made with the Oregon Bureau of Labor and Industries for alleging discrimination or harassment under Oregon law [based on race, color, religion, disability, uniformed/military service, sex, sexual orientation, national origin, marital status or age (18 or older), or because of this status of anyone the employee associates with, or because of an individual's expunged juvenile record], must generally be filed within five years from the date of the alleged unlawful practice. This same statute of limitations applies to such claims filed in court when no Bureau of Labor and Industries claim has been filed. Different statutes of

limitations apply under federal law (generally claims must be filed within 180 days with the federal Equal Employment Opportunity Commission or within 300 days if state or local law prohibits the same conduct and a state or local agency enforces a law that prohibits employment discrimination on the same basis). The statute of limitations for criminal complaints varies based on the nature and degree of the conduct.

Please also be aware that Oregon law requires that individuals bringing claims against a public official, employee or agent of a public body or a public body (e.g., the County) must first provide a notice of claims (often referred to as a Tort Claims Notice). Except as otherwise provided by ORS 30.275 (such as for minority, incompetency, or other incapacity), the Tort Claims Notice must generally be provided within 180 days of the alleged loss or injury.

Covered individuals who want more information may contact the Oregon Bureau of Labor and Industries (<https://www.oregon.gov/boli>), local law enforcement, or contact an attorney of their choosing. They may also contact local law enforcement or contact an attorney of their choosing. The Oregon State Bar provides a referral service through which employees may be connected with attorneys. Information regarding this service can be found at: <https://www.osbar.org/public/ris/>

For employees and others whose legal rights are determined to have been violated, additional remedies, such as back pay, counseling or medical costs; attorney fees, pain and suffering, and punitive damages may be available.

3. WORKPLACE ACCOMMODATION POLICIES

A. Disability Accommodations

The County provides reasonable accommodations for qualified individuals with disabilities in the workplace. Reasonable accommodations may include acquisition or modification of equipment or devices, schedule modifications, and other job modifications that are intended to enable a disabled employee to perform their essential job duties.

The County does not create positions that do not exist to accommodate employees. However, if, even after any required reasonable accommodation, an employee is unable to perform their essential job duties, we then explore opportunities to place disabled employees in other existing and available positions that are, with or without reasonable accommodation, suited to their skills and limitations.

Requesting an Accommodation: Employees or their managers should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to safely perform the duties or meet the other requirements of their position.

All requests for accommodation should be made with Human Resources and should specify which essential functions of the employee's job cannot be performed without reasonable accommodation. When an employee advises us of a condition that they believe requires accommodation, we work with them to analyze their job limitations, etc., and discuss the matter with them to determine what, if any, reasonable accommodations can be made to enable them to perform their job duties in a safe and satisfactory manner. All employees are expected to cooperate with this process, including our requests for medical confirmation of their condition and the nature and extent of any limitations on their ability to perform their job duties.

Both the County and employee must monitor the employee's accommodation situation and make adjustments as needed. If an employee has been provided an accommodation that they feel is not effective for any reason, they should promptly notify their supervisor and Human Resources.

B. Pregnancy and Lactation Accommodations

The County provides reasonable accommodations for employees when needed due to their pregnancy and pregnancy-related health conditions, including the need to express breast milk. Provided that they do not pose an undue hardship, reasonable accommodations may include but are not limited to:

- Providing more frequent, longer or flexible restroom breaks;
- Acquiring or modifying equipment, devices, or an employee's work station;
- Providing seating or allowing the employee to sit more frequently if their job requires them to stand;

- Modifying work schedules or providing for a temporary transfer to a less-strenuous or less-hazardous position;
- Providing assistance with manual labor and lifting;
- Scheduling flexibility for prenatal visits and leave to recovery from childbirth or other medical conditions related to pregnancy or childbirth, etc.; and
- Leaves of absence. (The County does not require an employee to take leave if another reasonable accommodation can be provided for the employee's pregnancy.)

Lactation Accommodations: Reasonable accommodations also include reasonable break time for an employee to express breast milk in accordance with applicable law. The County provides employees (exempt and non-exempt) who are breastfeeding a child aged 18 months or younger with reasonable rest breaks as needed to express breast milk in accordance with applicable law. Generally, employees who need to express breast milk are expected to do so during their regularly scheduled meal and rest breaks. However, if it is not feasible to utilize the regularly scheduled meal and rest breaks or if an employee needs additional time to pump beyond these meal and rest breaks, additional time (unpaid) may be available.

The County provides employees with a private location (other than a bathroom) to express milk. However, the employee is responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration.

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

Requesting Other Pregnancy Accommodations: Employees who believe they need reasonable accommodations of their pregnancy/pregnancy related conditions to enable them to safely perform their required job duties or meet the other requirements and expectations of their position should contact Human Resources as soon as possible.

Where the need for accommodation is not obvious and additional information is needed, the County may request that an employee seeking an accommodation under this policy provide medical verification of the need for accommodations in accordance with applicable law. Employees who have questions about this policy or who wish to request reasonable accommodations under this policy should contact Human Resources.

C. Fitness for Duty and Other Medical Evaluations

The County respects its employees' rights to privacy. However, in order to ensure that applicants for employment and current employees are qualified and able to safely perform the essential functions of their positions, the County may require the applicant or

employee to participate in fitness for duty/medical evaluations (including physical and/or mental health evaluations, as applicable).

Fitness for duty/medical evaluations may also be required whenever the County has a good faith concern (that is supported by legitimate non-discriminatory reasons for concern) about the employee's ability to perform their job duties with or without a direct threat to themselves or others, to support requests for medical leaves of absence and other workplace accommodations, etc. in accordance with applicable law. The County pays any out-of-pocket costs not covered by insurance for required medical evaluations. The County complies with applicable laws regarding medical examinations, and all medical information obtained is treated confidentially.

D. Religious Accommodation Policy

The County is also committed to complying fully with its reasonable accommodation obligations for the religious beliefs and practices of its employees. If an employee requires scheduling or other workplace modifications for their religious beliefs and practices, please contact Human Resources.

4. GOVERNMENT ETHICS AND WHISTLEBLOWER PROTECTIONS

A. Public Employee and Representative Ethical Obligations

The public trust and proper operation of the County require that all employees and representatives of the County (including elected officials, appointed officials, employees, volunteers, agents, etc.) demonstrate the highest degree of ethical conduct. Employees should conduct themselves so as not to impair their working relationship with other employees, volunteers, interns, officials or the public.

1. **Public Employee Ethics and Gifts**: All County employees and representatives must comply with Oregon's government ethics rules. This includes but is not limited to refraining from using or attempting to use their position for improper financial gain or to avoid any financial detriment (for example: use of County time, equipment, services or influence). Employees and other representatives are also strictly prohibited from using any confidential information they obtained because of their position with the County to advance the financial or other private interest of themselves or others.

All public employees and officials should be aware that the public employee ethics rules restrict employees from accepting gifts in many situations. For example, County employees must not accept favors or solicit or receive gifts (in aggregate of more than \$50 per year) from any source that could reasonably be known to have an interest in County matters over which the employee has or may have decision-making authority. For more information on the ethical obligations applicable to public employees, contact Human Resources or the Oregon Government Ethics Commission.

2. **Political Activity at Work**: The County does not restrict the right of its employees and representatives to express their personal political views. However, County employees and representatives are strictly prohibited from using their official authority or position with the County to further the cause of any political party or candidate. Further, in accordance with Oregon law, County employees are strictly prohibited from coercing, requiring or attempting to coerce or require any other public employee to influence or give money, service or any other thing of value to promote or oppose any political committee 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.

County employees and representatives are likewise prohibited from soliciting any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures or 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.

3. **Use of County Property and Equipment:** All County owned property and equipment (including County vehicles, office equipment and supplies) are for County business purposes only. Accordingly, employees and representatives are prohibited from using County property or equipment for personal or other private use.
4. **Other Unlawful/Unethical Conduct:** All County employees and representatives are expected to be honest in their dealings with and on behalf of the County and to demonstrate high standards of integrity and impartiality in the conduct of all County business.

B. Reporting Expectations

All employees and other representatives are strongly encouraged to report any conduct by the County or its employees, managers, etc. that they reasonably believe:

- ⇒ Is a violation of federal, state or local law;
 - ⇒ Is a gross waste of funds;
 - ⇒ Is mismanagement (i.e., serious agency misconduct having the effect of actually or potentially undermining the County's ability to fulfill its public mission) or other abuse of authority;
 - ⇒ Creates a substantial and specific danger to the public health and safety or creates unhealthy or unsafe working conditions; or
 - ⇒ Other conduct prohibited by law.
1. **Reporting Options:** The reports of violations of this policy may be made to the:
 - HR Director,
 - Department Director, or
 - Chief Administrative Officer.
 - If the concern is about the Chief Administrative Officer, please contact the Board of Commissioners' Chair.
 2. **Other Important Information:**
 - Employees are not generally obligated to give the County advanced notice of any reports made under this policy. However, if the employee is responding to a legislative request for information directed to the County and will be speaking or testifying on behalf of the County (rather than in their individual capacity), advanced notice must be provided to the Chief Administrative Officer.
 - Employees are not permitted to leave their assigned workstation or duties to make reports under this policy, unless:
 - The employee is requested by a member of the legislative assembly or a legislative committee to appear before a legislative committee, or
 - The employee is requested by a member of the elected governing body (e.g., Board of Commissioners) to appear before the governing body, or

the employee is requested by an elected auditor of a city, county or metropolitan service district to participate in an investigation or audit.

- Note: Employees who appear before the legislative assembly or governing body per these exceptions during their regularly scheduled work hours may treat their time spent appearing as work time. Otherwise, they may request time off under the County's regular time off policies without notifying us of their intention to testify.
- County employees who are responding to an official legislative request (either orally or in writing) also have the right to discuss the activities of the County, the state, or any agency or political subdivision of the state (including the activities of any person authorized to act on behalf of these entities) with any member of the legislative assembly (or their legislative committee staff as directed by the assembly), and other elected officials.
- Nothing in this policy or in Oregon's whistleblower protection rules allows employees to violate applicable public records rules (including the obligation to maintain confidentiality of materials that are exempt from public disclosure). Limited exceptions apply when the employee is making a whistleblower complaint and disclosure to:
 - A state or federal regulatory agency,
 - A law enforcement agency,
 - A Chief Administrative Officer, or
 - A licensed Oregon attorney for the purpose of obtaining legal services for themselves.
- County employees and contractors who are aware that a person receiving services, benefits, or assistance from the state (including any agency or subdivision) [e.g., unemployment, food or cash assistance, child care assistance, senior or disability services, etc.] is subject to a felony or misdemeanor warrant for arrest anywhere in the United States are also required by law to report such information to one of the individuals listed in the Employee Reporting Options section above.
 - Reports must include the name and address of the person, any other available identifying information, and available information the individual has about the arrest warrant.
 - For example, if the employee works in the County Clerk's Office and has a reason to believe that someone receiving public financial assistance for the payment of services also has a warrant out for their arrest, they are expected to report that information under this policy.
 - Any manager or department director who receives a report of a person with an outstanding arrest warrant under this policy must promptly notify the Oregon State Police.

C. Non-Retaliation Policy and Whistleblower Protections

No County manager, supervisor or other employee is permitted to discipline or otherwise discourage, restrain, dissuade, coerce, or otherwise prevent or prohibit any employee from discussing or disclosing the types of information outlined above. This includes both

internal reports as well as reports to state and federal regulatory and enforcement agencies.

The County strictly prohibits all employees and representatives, including but not limited to public officials, department directors, supervisors, and other employees, etc., from engaging in any form of retaliation against employees who make good faith reports of unethical or unlawful conduct, cooperates with County, city, state or federal investigations under this policy or otherwise exercise their rights under this policy.

Any individual who believes they are being subjected to any form of retaliation, or who believes that another employee is being subjected to retaliation, should promptly contact the HR Director, the Chief Administrative Officer, or their designee.

Investigations and Confidentiality: The County promptly investigates reports under this policy. The identity of the complainant is kept confidential during any investigation of the information provided by the employee and is not disclosed without the reporting employee's written consent. The County maintains the confidentiality of other information and participants in its investigations to the extent that it determines confidentiality can be maintained while allowing it to comply with its investigation obligations.

Violations: Violation of the County's ethics policies, including but not limited to the public employee ethics rules is grounds for discipline up to and including discharge from employment. Because compliance with the ethical rules is also required by Oregon law, employees and other covered representatives may also be subjected to individual civil fines and penalties if they are found to have violated these rules. For more information on the public employee code of ethics or if there are any questions about any individual's obligations as a County employee, please contact Human Resources or the Oregon Government Ethics Commission.

D. Family Members at Work and Other Conflicts of Interest

The County recognizes that the employment of relatives and others involved in personal relationship in the same area of an organization has the potential to cause serious conflicts and problems with favoritism and employee morale. As a result, it has developed these policies to avoid violations of the law and other conflicts of interest.

1. **Nepotism and Employment of Family Members:** The County uses fair and equitable hiring practices to hire the best-qualified candidate for each job. Immediate relatives are not allowed to hold positions of supervisory, appointment or grievance adjustment authority over the other. The County may allow for exceptions when at least two organizational levels of supervision separate the supervisor and family member. Immediate relatives are also not hired when the employment would cause the County to violate public employee ethics rules or any other applicable law, including violating public funding rules, etc.

The County will not accept applications where employment would conflict with this policy. Likewise, it is the County's current policy to reassign or remove employees from their position if a relationship is established that would violate this policy or if they are mistakenly hired or appointed to a position that violates this policy. Generally, employees are provided an opportunity to give input on who will be reassigned or separated from employment. However, the County reserves the right to make the employment decision(s) that it determines best meet its operational needs.

Immediate relatives include spouse, registered domestic partners, children, children-in-law, siblings, siblings-in-law, parents, parents-in-law, niece/nephew, aunt/uncle, step-parents/children and grandparent/grandchildren.

With regard to other relatives or any other similar situation that the County determines to adversely impact morale or operations, the County retains discretion in placement of those individuals.

2. **Dating and Workplace Relationships:** The County considers employee personal relationships to be their personal business. However, when personal relationships develop between employees, they have the potential to impact working relationships and County operations. Therefore, the County has developed this policy to avoid conflicts of interest, favoritism, special treatment, harassment, and retaliation, and to help ensure continued excellent services to our community.

Romantic/Sexual Relationships Between Managers and Their Subordinate Employees: Romantic/sexual relationships between management employees and subordinate employees are strictly prohibited. This includes but is not limited to employees who are married and/or living together. Subordinate employee means an employee in the same chain of supervisory authority even if there is not a direct reporting relationship. If such a situation develops, both individuals are required to notify Human Resources at the earliest opportunity (including at the application process if one of the involved parties is applying for County employment). In such cases, the County makes personnel decisions as it determines appropriate to the management and protection of the County, which may include declining to hire, or the transfer, reassignment, request for resignation, or termination of one or both individuals.

Other consensual romantic/sexual relationships between individuals who work for the County, as well as romantic personal relationships between an employee and an individual employed by a customer, vendor, supplier, etc. are not prohibited. However, all employees are expected to act professionally in the workplace and during the course of their employment. Sexual/romantic conversations, text or instant messaging, inappropriate touching (kissing, hugging, massaging, sitting on laps, etc.), etc. is strictly prohibited in the workplace, even when it is consensual.

All employees are expected to comply with the County's policies against harassment and retaliation and to maintain appropriate professional working relationships. In the event a consensual romantic relationship between two

employees is discontinued, both parties must respect that decision. Employees who continue to pursue romantic relationships in the workplace or retaliate in violation of County policies after they have been advised that the other employee wishes to end the relationship should be reported pursuant to the County's policy against harassment.

Lastly, even where there is no romantic involvement, employees are expected to behave in a manner that does not raise claims of favoritism or create a negative or unprofessional work environment. Employees who have any questions about their obligations under this policy, contact Human Resources.

E. Outside Employment

In order to avoid conflicts of interest and disruption to County services and operations, the County requires regular employees to obtain written approval from Human Resources before accepting outside employment. Employees are not permitted to engage in off-duty work activities that create conflicts of interest with their County employment or public employee ethical responsibilities. Employees who are approved for outside employment continue to be expected to meet all County performance, attendance, overtime and other requirements of their County employment. All employees are judged by the same performance standards and are subject to the County's scheduling demands, regardless of any outside work requirements.

If the County determines that an employee's outside work activities interfere with performance or the ability to meet the other job requirements of the County, the County may require the employee to resign from their outside employment as a condition of their continued employment with the County.

5. EMPLOYEE CLASSIFICATIONS

All employees are classified as probationary, regular (full-time or part-time), on-call, temporary, or seasonal as explained below. All employees are also classified as exempt or non-exempt for overtime and other purposes. Employee classifications are used to determine wages, benefit eligibility, and other employment conditions but do not change any employee's at-will employment status. Employees who have any questions about their position or classification, please contact their department director or Human Resources.

Please Note: Employees covered by a CBA should refer to their CBA for information on the probationary period, classifications, and benefits applicable to their employment, which may vary from the policies outlined in this Manual. For such employees, the CBA (and not this policy) outlines the probationary period and benefits applicable to their position.

A. Probationary Period of Employment

All employees who are hired or promoted into a position of ongoing employment are subject to a probationary period in the new position. During this period, the employee is considered to be in training and under observation and evaluation by their supervisor. The County evaluates the employee's adjustment to work tasks, conduct and other work rules, attendance and performance of job responsibilities, etc. This period also gives the County an opportunity to determine if the new employee's knowledge, skills and abilities and the requirements of the position match. It is also an opportunity for the employee to decide if the County meets their expectations of an employer.

1. **Newly Hired Employees:** The probationary period for newly hired non-represented employees is 12 months from the most recent date of hire (with a minimum of 20 hours per week worked for full-time employees and at least one hour per week worked for part-time employees). Bargaining unit employees should refer to the applicable CBA for information on the probationary period applicable to their employment.
2. **Promoted/Transferred Employees:**

For employees who have obtained regular status in another position but who are transferred or promoted to another position, the promotional probationary period is six months from the date of transfer/promotion (with a minimum of 20 hours per week worked for full-time employees and at least one hour worked per week for part-time employees).

 - Employees who have not met their probational period, or limited duration employees, who are promoted or transferred to a new position, must serve a full probation appropriate to the position to which they transfer or promote. Employees' probation periods are calculated from the first day of promotion or transfer and conclude on the last day of the appropriate probationary period.

3. **Probation Extensions:** The County may extend the length of any probationary period as it determines appropriate based on its evaluation of employee performance and compliance with County policies and standards.

All employees should understand the County has no obligation to continue their employment for the entire probationary period. Rather, except as otherwise provided by the terms of an applicable CBA, all employees in their probationary period of employment are employed on an at-will basis and may be terminated with or without cause at any time as the County determines appropriate, and without appeal rights or appeal procedures as outlined in the Complaint Procedures policy in this Manual. This includes employees who have obtained regular status in another position but who are serving a new probationary period in a promotion position. Such employees may be removed from the new position during the probationary period for that position at the County's discretion without cause or appeal/due process procedures. Likewise, employees are free to resign if they feel their new job is not meeting their expectations.

Employees in their initial probationary period are generally not eligible for employment benefits except as required by applicable law, applicable CBA, these policies, or an applicable employment agreement to the contrary. Employees in their probationary period for a promoted position continue to be eligible for any benefits they were already earning at the time of promotion provided they are also applicable to their new position and the employee continues to meet all eligibility criteria for that benefit.

Represented employees should refer to their CBA and to the extent the CBA conflicts with this policy, the CBA prevails.

B. Other Employee Classifications

1. **Regular Status Employees:** Regular employees are those who have been hired by the County for an ongoing employment position of indefinite duration and have successfully completed the probationary period of employment and includes:
 - Regular Full-time: A regular full-time employee is one whose position is budgeted at 1.0 FTE and is regularly and consistently scheduled to work at least 40 hours per week. Regular full-time employees are eligible for all employee benefits provided they meet the specific eligibility requirements for the benefit as outlined in these policies of applicable insurance/other formal plan documents, which are controlling.
 - Regular Part-time (Benefits Eligible): A regular part-time employee is one whose position is budgeted for at least 0.5 FTE but less than 1.0 FTE and is regularly and consistently scheduled to work at least 20 but less than 40 hours per week. Regular part-time (benefits eligible) employees are eligible for prorated employee benefits provided they meet the specific eligibility requirements for the benefit as outlined in these policies of applicable insurance/other formal plan documents, which are controlling

- **Regular Part-time (Not Benefits Eligible):** A part-time employee is one whose position is budgeted for ongoing employment at less than 0.5 FTE and is scheduled to work less than 20 hours per week. Part-time employees may be scheduled to work varying hours and schedules depending on County needs. Regular, part-time employees working 20 hours or less per week are not eligible for benefits except those mandated by applicable law.
2. **On-Call Employees:** On-call employees are those who are not assigned to work a regular and consistent work schedule but are scheduled to work on an intermittent, on-call, or other as needed basis. On-call employees may work varying hours and schedules depending on County needs and are not eligible for employment benefits except as required by applicable law.
 3. **Seasonal/Temporary Employees:** Seasonal/Temporary employees are those who have been hired directly by the County or through a temporary employment agency to work on an interim relief basis or as needed for a limited period of time such as to complete specific projects or assignments that are not anticipated to be required on an ongoing basis (for example, internships and other seasonal work). Temporary employees hired directly by the County are not eligible for any County employment benefits except as outlined in this Manual (provided eligibility is consistent with the terms of any formal benefit plan documents, which control) and as required by law.

Temporary employees hired through a temporary employment agency are subject to the County's performance expectations for the services they perform as well as the County's conduct policies in our workplace. Temporary employment agency employees are not, however, eligible for County wage rates/incentives or any other employment benefits through the County. Rather, the County reports their hours of service and other information to their employing agency, which controls their pay and benefits. As a result, all questions should be directed to the employment agency.

C. Changes in Employee Classifications

A temporary assignment of a regular part-time employee to additional hours of work (such as for special projects and/or during busy periods), or the extension of a temporary employee's assignment does not change the employee's classification status for benefit eligibility purposes except when otherwise required by an applicable CBA. To avoid misunderstandings, all changes in employment status from one classification to another must be confirmed in writing by the HR Director in order to be valid.

D. Exempt and Non-Exempt Status

In addition to the above classifications, the County also classifies all employees as exempt or non-exempt from overtime pay.

- Non-exempt employees, including but not limited to all hourly employees, are eligible to earn overtime pay or compensatory (comp) time off as outlined in the County's Compensation Policies and to the extent otherwise required by applicable law.
- Employees who hold supervisory/managerial, professional and certain high-level administrative positions are generally classified as exempt based upon their job duties and level of responsibility. Employees who the County has classified as exempt are paid a salary that covers all of their hours worked (regardless of how many) and are not legally entitled to additional pay or benefits for overtime. The County retains the right to establish the minimum hours an exempt employee must work, as well as hours an exempt employee must be available.

E. Volunteers

As a public entity, the County may use the service of volunteers. Volunteers are individuals who donate their services to the County for civic or humanitarian reasons without contemplation or expectation of compensation in accordance with applicable law.

Individuals who have been hired into paid employment positions with the County (employees) are strictly prohibited from volunteering to perform the same or similar work to the work they perform in their paid positions and from performing any volunteer work during their normal working hours. In order to avoid misunderstandings, County employees must obtain approval in writing from the HR Director before performing any volunteer services for the County. County employees who also want to volunteer with the County should contact Human Resources.

Although the County expects volunteers to meet our conduct and behavior standards (as well as any performance needs related to the nature of their volunteer services), volunteers are not considered employees of the County and are not paid for their services or eligible for benefits. Volunteers may choose to discontinue their volunteer services at any time. The County may also discontinue volunteer services at-will at any time for any reason without appeal rights or due process procedures.

Refer to the County Volunteer Policy for additional information.

6. WORK SCHEDULES AND HOURS

A. Employee Work Schedules

The County's administrative business hours are Monday through Friday from 8:00 am to 5:00 pm. However, due to the nature of the services we provide, the work hours for each department and position may vary as the County determines necessary to meet public service needs. Accordingly, each employee's work schedules and hours are established by their supervisor and department director.

Represented employees should refer to their CBA and to the extent the CBA conflicts with this policy, the CBA prevails.

1. **Alternative Work Schedules:** Employees who wish to work an ongoing schedule other than the standard for their position may make a request for an alternative work schedule. No such request is required for one-time adjustments, such as flexing, with the supervisor's approval, on a single day for a single work week. For example, if the supervisor approves the employee to flex their time by coming in one hour early in order to leave an hour early to get to an evening event on time. All requests for an ongoing alternative work schedule must be made in writing to the supervisor and include a regular proposed work schedule of at least one month in duration.

Requests for alternative work schedules are approved or denied at the discretion of the County, based on the County's evaluation of whether operational needs can be met or enhanced, whether the public served by the County will receive the same or higher level of service, and whether the request is likely to result in overtime for the requesting employee or other employees. Requests that we determine may result in a hardship or reduced services to the public, coworkers, or office productivity will be denied. All requests for an alternative work schedule must be approved in writing by the department director and the HR Director before implementation.

The County may cancel or change any alternative work schedule at any time as we determine appropriate to the effective management of the County. In addition, there are some areas of the organization for which work scheduling is not an option. Upon inquiry or request, the department director will inform the employee whether such an option is available to them based on their position and the operational needs of the County.

2. **Changes to Work Schedules and Hours:** Except as otherwise provided in an applicable CBA, the County reserves the right to change the schedules and/or hours of all or any employee(s), to provide for efficient public services. Although the County strives to provide employees with stable work schedules, its ability to do so depends on management's assessment of work needs and budgetary considerations. Nothing in this Manual creates any guarantee of any specific work schedule or of employment on certain days of the week or for a specified number

of hours per day or week. Employee schedules and hours may be changed, reduced, or they may be laid off as the County determines appropriate for efficient provision of County services, budgetary, workload or other reasons.

B. Meal Periods and Rest Breaks

Meal Breaks: Non-exempt County employees who work six continuous hours or more are scheduled for an *unpaid* meal break of at least 30 minutes (or otherwise as outlined in an applicable CBA). Meal breaks are generally provided near the middle of the scheduled workday, consistent with applicable law. However, meal breaks are also scheduled to meet the particular needs of the department.

Rest Breaks: The County also provides non-exempt employees with a paid 10-minute rest break for every four-hour segment of work (or otherwise as outlined in applicable CBA). Rest breaks are scheduled to avoid disruption of work or interference with the needs of the department. However, rest breaks are usually provided between the second and third hours worked (or as nearly as practicable to the middle of each four hours of work).

Additional Information:

- Except as otherwise provided in an applicable CBA, meal and rest breaks are *mandatory*. Meal periods and rest breaks may not be “skipped” in order to start work late or leave early.
- Meal and rest periods cannot be combined or added to vacation/other time off.
- An employee who fails to abide by this policy and applicable laws may be subjected to discipline, up to and including termination.
- Employees with questions about the rest or meal breaks available should contact Human Resources.

C. Overtime Assignments

Overtime assignments for employees covered by a CBA are covered by the terms of the applicable CBA and not this policy.

The County strives to limit unnecessary overtime for employees and may adjust employee work schedules as needed to minimize the need for overtime. However, on occasion it may be necessary for an employee to work overtime to meet County needs.

1. **Authorization for Overtime:** Although employees are expected to perform overtime when required, all overtime must be authorized by the supervisor before it is worked, unless emergency or other circumstances beyond the employee's control prevent prior approval.
2. **Mandatory Overtime:** While the County strives to minimize unnecessary overtime, employees are expected to perform overtime work when it is required. If the assignment of overtime work presents a hardship, discuss the concern with the supervisor. We consider particular employee needs and desires to the extent we feel it is practical and fair to coworkers. Failure to work required overtime may result in

disciplinary action. Questions about the regularly scheduled or modified shift for any position or any individual's obligations under this policy, please contact the supervisor or Human Resources.

3. **Recording Overtime Worked:** Regardless of whether it has been pre-approved, the County pays non-exempt employees for all overtime worked when required by law. Therefore, all non-exempt employees are required to accurately record their time worked, including overtime, on their time records. Likewise, non-exempt employees who must respond to electronic or telephone inquiries after hours/off duty must accurately record the time spent on these activities.

If there are questions about whether any unauthorized overtime or other work was necessary and appropriate to conduct County business or should have been approved, the County may meet with the employee to evaluate whether they are meeting County standards and expectations, and they may be subject to disciplinary action for unauthorized overtime.

D. Timekeeping Requirements

In order to properly administer employees' pay and benefits, the County requires all non-exempt employees to accurately record all hours worked. This includes at a minimum recording hours worked, which depending on department may include recording the time the employee starts and stops work each day as well as the start and stop time of the meal break(s). Employees record their time through the County's record keeping system, ADP or PlanIt, and (some departments), through physical timecards as well. Employees must review and approve/sign their timecard to verify that it is accurate. Supervisors review and must approve all time records.

Misrepresenting hours worked/falsification of time records, including assisting any other employee to do so, is considered a serious violation of County policy, and is subject to discipline up to and including termination. If an employee has questions or believes that the time records are not accurate, they should contact their supervisor or Payroll immediately.

E. Attendance, Punctuality, and Reporting Absences

All employees are expected to be on time and prepared to begin work at the scheduled starting time. Likewise, all employees are expected to work until their scheduled quitting time and to limit their lunch and break periods to the designated times.

Punctual, reliable and predictable attendance of County employees is necessary for efficient operations. Therefore, while some allowances may be made for occurrences beyond the employee's control, unauthorized, habitual, patterned, or excessive countable absenteeism or tardiness, as determined by the County, is subject to disciplinary action up to and including termination. *Countable absences and tardiness include all absences and tardiness that are not scheduled and approved in advance or otherwise protected by applicable law.*

1. **Requesting Planned Time Off:** An employee who knows in advance that they need to be late or absent on a particular day must obtain approval as far in advance as possible so that substitute arrangements can be made to cover their work.
2. **Reporting Unplanned Absences & Tardiness:** Unplanned absences and tardiness also must be reported to the supervisor at least 30 minutes before the employee's scheduled starting time in accordance with department reporting procedures. If the supervisor is unavailable, the employee must leave a message or contact Human Resources. Reporting to a coworker is insufficient.

An employee who is unable to provide notification prior to their scheduled starting time for reasons beyond their control may have a friend or family member make the contact for them. The employee must also personally contact their supervisor as soon as possible regarding the absence or tardiness.

KEEP YOUR SUPERVISOR INFORMED: When an employee is off work due to an illness, injury or any other reason, they must keep their supervisor informed of their ability to return to work on a daily basis, unless they receive approval to be absent until a specific date. The reporting policy for employees on extended leaves of absence, including employees off work on family leaves and workers' compensation leaves, is addressed under the Leaves of Absence section of this Manual.

3. **No-Call/No-Show:** Employees who fail to report to work or call in within two hours after their scheduled starting time are considered to be a no-call/no-show. Employees who no-call/no-show for two consecutive workdays are considered to have voluntarily resigned their employment, unless the County determines special circumstances beyond their control excuse the lack of notice.
4. **Verification of Absences:** Consistent with applicable law and this Manual, the County may require employees to provide verification of the nature and need for absences from work to properly designate employee leaves and administer benefits as well as when management has a suspicion that an employee has falsified the reasons for an absence or otherwise abused its leave policies and benefits.

F. Remote Work/Telecommuting

From time-to-time, the County's interests may be served through temporary or ongoing remote work (i.e., telecommuting arrangements).

1. **Eligibility for Remote Work Assignments:** Not all jobs can be performed remotely. As such, all remote work assignments are evaluated on a case-by-case, position-by-position basis. In cooperation with Human Resources, department directors consider a variety of factors when evaluating whether to assign or approve a remote work assignment, including but not limited to:

- Job duties and position requirements;
- Resource allocation and other business needs;
- Individual employee performance;
 - Employees who are assigned to work remotely must demonstrate that they are able to complete their job duties effectively and productively while working remotely.
 - *Please note:* Generally, employees who have disciplinary action in their file within the past 12 months or who have received a performance evaluation of less than “successful” in the past 12 months are not eligible for remote work.
- Maintaining public services;
- Impacts to work teams, projects and workflows;
- Increased and unnecessary risks to HIPPA, PHI, or other confidential information; and
- Location of the requested remote work assignment.
 - Due to the potential for tax and other enhanced compliance obligations in other states, extended or ongoing remote work assignments will generally only be approved for people whose remote work location is/will be located within the State of Oregon. Employees being considered for a remote work assignment will be required to provide the County with the primary location at which the work will be performed.

Generally, to be eligible for consideration for a regular remote work assignment, the employee must have completed their initial probationary period unless the position is fully remote or otherwise authorized by the County. New employees may be eligible for limited remote work assignments during the probationary period at the department director's discretion. All remote work assignments must be approved by Human Resources.

2. **Requesting a Remote Work Assignment:** Employees who wish to seek an ongoing remote work assignment (whether full-time, part-time, or extending over any period in excess of two weeks) must submit the Tillamook County Remote Work Request Form to their department director and Human Resources. Requests to change a remote work schedule/assignment must also be submitted in writing and address the same factors as outlined above.

Short-term, temporary remote work assignments expected to last less than two weeks may be approved on a case-by-case basis without following the procedures outlined above. However, in all cases, employees authorized to work remotely are responsible to become familiar with and comply with the remote work policy and additional requirements needed to support the County's business and service needs at the discretion of management.

3. **Performance, Communication, and Attendance Requirements During Remote Work Assignments:** During remote work assignments, employees are expected to work regularly scheduled hours (including taking designated meal and break periods, in accordance with County policy and applicable law), and are expected to devote

their paid working time to the performance of their assigned job duties and responsibilities.

- Supervisors will monitor and hold employees accountable to ensure that County work is being performed in accordance with business needs, job duties, and performance expectations, and staff are expected to act with ownership and take responsibility for themselves, their colleagues, and their duties as public servants.
- Planning, communicating, and ensuring the employee is meeting the work expectations and performance is vital during all remote work assignments. Employees are expected to be seamlessly and completely accessible via standard phone and email systems during working hours as if they were working on-site at County offices and must clearly communicate when they will take scheduled rest/meal breaks.
- Supervisors and employees are expected to work together to ensure that employees working remotely remain connected to the work of their team, as well as the work and vision of the County as a whole. This includes attending team meetings, professional development and training opportunities, and workgroup or project meetings, whether virtual or in-person.
- All employees approved for ongoing remote work assignments should understand that they will still be required to report, in person, to community and County worksite locations on an ongoing basis as determined necessary by the County to participate in meetings, trainings, and to conduct other in-person work required for their job. Under this scenario, employees should generally be able to report to work within a reasonable amount of time. Employees approved for a remote work assignment should not negatively impact or increase the work of others in the office.

4. Additional Requirements for Remote Work Assignments: All employees, working remotely or not, continue to be subject to all County policies, conduct, and performance standards. This includes, but is not limited to, the County's policy requiring non-exempt employees to accurately track and record all hours worked. It also includes the obligation to obtain authorization for and accurately record any overtime hours worked.

- Employees who are unable to work during the hours they are paid to perform work for any reason must follow the County's normal attendance reporting and time off policies, regardless of whether they have been approved for a remote work assignment.
- Remote work is intended to facilitate flexibility for employees, as well as to maximize efficiency for the County and the communities that the County serves. Unnecessary travel back and forth between remote and County worksites during the paid working day is inconsistent with this goal. As a result, non-exempt employees who are approved for a schedule of remote work must work in their assigned work location throughout their authorized remote work time. Such employees are not permitted to travel back-and-forth between their remote work location and County work location(s) during the workday unless they have been expressly approved or directed to do so to meet County business needs. Any employees who have questions about what is expected for their position, should contact their supervisor.

- Remote work assignments are intended to create additional flexibility for employees to manage their lives but are not intended to be a substitute for child/dependent care or other personal responsibilities but can accommodate family scheduling needs such as pick up and drop off to/from school or care sites. Employees who are approved for work from home assignments will continue to be expected to be available and productive and will be evaluated as if they were performing work at County offices.
- Remote work employees are expected and required to report, in person, to community and County worksite locations on an ongoing basis as determined necessary by the County to participate in meetings, trainings, and to conduct other in person work required for their job.
- Remote work is not a mechanism to create a new job, eliminate essential functions of a position, or to change the type of work that the employee is required to perform. Supervisors who wish to assign out-of-class work, change a position, or create a new position are expected to consult with Human Resources and follow established County policies for such changes.

5. Equipment and Data Security Requirements During Remote Work Assignments:

Employees who are authorized to work remotely must adhere County policy IS-5 Remote Access.

- All County work products, business records, and other job-related information may only be accessed and stored on County-owned or other approved devices and through the County's or other approved secure network. Use of any personal device to record or store County information is prohibited.
- Employees who are authorized to work remotely are responsible for providing a suitable network connection and internet access. This includes both the capacity of the network and security. The employee is also responsible for the safe storage and security of County property and information. This means that, at a minimum:
- The employee must establish strong passwords and utilize County-approved security methods for accessing and storing any electronic information/data on behalf of the County.
- The County's laptops, tablets, cellular phone/devices, equipment, and information (including any records, etc.) are not to be left unattended or unsecured in the employee's home, personal vehicle, or in possession of third parties at any time.
- The employee may not permit family members or any other third party to use the County's equipment for any purpose or to access confidential County information.
- Technology is constantly changing, as are threats and vulnerabilities. Updated guidelines, requirements, and best practices are available from the Information Services Department. Employees are required to stay up to date and follow all standards and requirements to maintain connectivity to the County's systems.
- The County cannot guarantee the capacity to provide in-person technology support in an employee's remote work location. Employees whose technology support needs cannot be met remotely must bring County-issued devices to the County Information Services Department for support. County resources may not be used to troubleshoot, repair, or maintain personal employee equipment.

6. **Workspace Requirements and Expenses:** All employees who are authorized and assigned to work remotely are responsible for maintaining a designated office/work area.
- Employees working from home must have adequate systems in place to do their work with the same level of efficiency as they would in the office. This includes but is not limited to ensuring that the workspace is free from distractions and provides adequate auditory and visual confidentiality if the work requires it.
 - The County provides general office supplies (such as laptop, pens, paper, etc.) necessary to perform the employee's job duties during the authorized remote work assignment. If significant County-funded equipment or supplies are required to perform work duties, such as a specialized scanner, etc., the remote work assignment will generally be denied.
 - All home and property insurance, mortgage/rent, taxes, utilities, furniture, personal property, and other similar expenses are the sole responsibility of the employee and will not be paid or reimbursed by the County except as required by law, regardless of any remote work authorization. Likewise, the County is not responsible for and will not approve or pay for costs associated with maintenance, repairs, or modifications to the employee's home or other remote workspace.
7. **Travel and Mileage:** A teleworking employee is not entitled to reimbursement for commuting costs or travel expenses related to commuting to or from the official County designated worksite. Time normally spent commuting between the assigned remote work location and the County designated worksite is considered non-work time. Exceptions may apply in accordance OAR 839-020-0045.
8. **Safety, Injuries, Workers' Compensation Claims, and Other Medical Accommodations During Remote Work Assignments:** The County places great value on its employees and is committed to providing a safe and healthy work environment. It is important that employees working remotely ensure that their remote workspace is free from hazards.
- Employees working remotely are expected to abide by the County's established safety rules, procedures, and protocols. The County reserves the right to perform a virtual safety consultation for an employee's remote workspace.
 - Injuries sustained while performing employee's job functions while working remotely may be covered by the County's workers' compensation policy. An employee who is injured in the course of their job while working remotely is responsible for notifying the employee's supervisor in accordance with the procedures outlined in the Workplace Safety policies in this Manual. If an injury occurs while working remotely, an accident review may take place at the employee's remote location, conducted by a safety representative assigned by Human Resources.
 - Injuries and illnesses that are determined not to have been incurred in the course of employment with the County are not covered by workers' compensation. Likewise, the County is not responsible for any injuries or liability

to family members, visitors, and others in the employee's home or remote workspace.

- Supervisors may not ask employees who are on a medical leave due to any type of on- or off-the-job injuries or illnesses to work remotely. If an employee requests a remote work arrangement as an Americans with Disabilities Act (ADA) accommodation due to an injury or illness, the supervisor must immediately contact Human Resources. Human Resources staff will work with the supervisor to evaluate and, if appropriate, develop and authorize the remote work arrangement.
- To ensure compliance with the County's disability accommodation obligations, remote work arrangements authorized as an ADA accommodation must go through the ADA interactive process. As with other remote work assignment requests, such accommodations are considered on a case-by-case basis and include additional consideration of the employee's job-related medical restrictions/limitations and their impact on the employee's ability to perform the essential duties of the position. For more information on this or other disability accommodation options, employees are encouraged to contact Human Resources.

9. **Changing or Ending a Remote Work Assignment:** Employee productivity and performance are continually evaluated during all remote work assignments. In addition to the County's evaluation of performance and efficiency, changes in the County's jobs, staffing, workload, resource allocation (i.e., the need to reassign or reallocate equipment and/or other technology resources) and other changes to the County's business or operational needs may also impact the County's evaluation and viability of a remote work assignment. As such, the County reserves the right to change or discontinue a remote work assignment at any time for any reason it determines appropriate. Approval and continuation of remote work are not guaranteed for any employee.

Every reasonable effort will be made to provide two weeks' advance written notice unless the termination or modification is due to the employee's performance issues, disciplinary action or emergency operational needs that are beyond the County's control. The County will do its best to accommodate commuting, family caregiving obligations, workstation availability and set-up, and other problems that may arise from such a change. There may be instances, however, when no advance notice is possible, or when more than two weeks is necessary to ensure adequate on-site resources.

Questions regarding this policy should be directed to the HR Director.

7. COMPENSATION POLICIES

The County believes that its employees are the key to delivering excellent County services to residents, businesses, and visitors and is committed to attracting and retaining employees through fair and equitable pay and benefits. Represented employees should refer to their CBA, and to the extent the CBA conflicts with this policy, the CBA prevails.

A. Paydays and Paychecks

1. **Pay Schedule:** The County maintains a twice-monthly pay period that runs from the 1st – 15th and the 16th – last day of each month. Paydays are generally on the 15th day and the last working day of the month. If the 15th falls on a Saturday, payday will be on the previous business day. If the 15th is on a Sunday, paychecks will be distributed on the first business day following the 15th.
2. **Deductions from Pay:** The County takes deductions from employee paychecks as required by law for FICA, federal, state and local taxes, garnishments, etc. Other items, such as benefit contributions, are only deducted as outlined in an applicable CBA or otherwise as permitted by law and/or upon written authorization from the employee. Upon hire, and as required by federal law, the County requires that the employee complete an Employee Withholding Exemption Certificate (W-4). If the employee does not complete the form in ADP, ADP will default to highest tax withholding (Single, 0).
3. **Corrections to Pay:** Employees who have questions or feel their paycheck is not accurate, promptly notify Payroll. The County's goal is to pay employees correctly every pay period. By bringing mistakes in payment of wages to the County's attention as soon as possible, we can make sure that employees are properly paid for all the work they perform. In the event that an error results in an underpayment of five percent (5%) or more, pay is corrected within three days from when the error is realized. Any other underpayments are generally corrected on the next regular payday.

If funds to which an employee is not entitled to are deposited into their account, the employee is expected to work with their financial institution and the County to ensure the funds are promptly returned to the County.

4. **Direct Deposit:** It is the County's policy to provide employee paychecks through direct deposit into their bank accounts. Direct deposit is a convenient way to have paychecks immediately available on payday. For more information, please contact Payroll. Employees who do not have direct deposit and want to have their paycheck released to any other person must provide the County with a signed authorization for the release.

B. Wage Rates and Classification Plans

It is the County's policy to pay wages and salaries that it determines fairly takes into account its geographic location, comparable rates being paid for similar work in the community, cost of housing, and other similarly sized communities, as well as its budgetary constraints and fiscal responsibilities. The County is also committed to providing equal pay to all employees for work of comparable character and to comply with applicable Oregon and federal wage and hours laws.

1. **Position Classifications:** Positions are generally grouped by "class" and a pay scale is established for each "class" of position. A "classification" for each class of jobs provides a general outline of the characteristic duties, responsibilities, qualification requirements, etc. that are applicable to that class of positions and that distinguish the class from other classes of jobs. Individual employee placement on the pay scale may vary based on length of service/seniority, education/experience, and/or other factors permitted by applicable law. The County does not, however, discriminate in any manner between employees on the basis of an employee's status as a member of a protected class in the payment of wages or other compensation for work of comparable character.

The County periodically reviews its pay scales and classifications and may make changes as it determines appropriate. However, no County employee is authorized to change a classification, create new positions, or allocate positions to any class except the HR Director, subject to any applicable collective bargaining obligations. Any employee who has questions about their pay rate, position classification or wages should contact Human Resources.

2. **Reclassifications:** When the County determines that the duties and responsibilities of a position have changed significantly, the County may elect to reclassify the position and assign a new pay scale if the change is also consistent with the County's determination of budgetary needs and pay equity compliance obligations. (For employees covered by a CBA, please also refer to the CBA.)

Reclassifications may be to a higher or lower pay scale as appropriate to the nature of the position, and an employee's wages may be adjusted downward as appropriate to the reclassification. All wage reductions are applied prospectively only. Wage adjustments to a lower pay rate/scale as a result of a reclassification of the position are not considered disciplinary in nature and are not subject to appeal or other due process procedures. For bargaining unit positions, it is the County's policy and practice to bargain with the applicable union in accordance with its public employee collective bargaining obligations.

An employee who believes their position duties have changed sufficiently to warrant a reclassification may submit a request for reclassification to the HR Director. All requests should include a copy of the current job description, comparator position job descriptions and wage scales and other appropriate documentation showing how the position has changed. To avoid misunderstandings, all employees should

recognize that no supervisor or manager, other than the HR Director, has the authority to reclassify a position.

C. Pay Increases and Other Wage Changes

The following policies are applicable to non-bargaining unit employees only. For employees covered by a CBA, wage rates and pay increases are established and governed by the terms of that CBA, and not this policy.

Employees should recognize that wage increases at the County are not automatic or guaranteed. Rather, except as outlined below, all wage/step increases are based on individual performance and merit.

1. **Annual Merit Step Increases:** The County generally conducts a review of employee performance at the end of the probationary period and annually thereafter. Employees are generally only considered for a merit pay increase if they have received an overall "satisfactory" performance review for the past year. Employees who have reached the top step within the pay range for their position are not eligible for merit increases while they remain in that position unless the pay range for their position is modified to include higher wages than they are currently earning.
2. **Cost of Living Adjustments (COLA) Increases:** The County periodically reviews its pay scales and employee wages for consistency with current costs of living and may provide COLA wage increases as it determines appropriate and consistent with fiscal responsibility and budgetary constraints.
3. **Promotional Increases:** Upon promotion, an employee is eligible for a pay adjustment to the first step of the new range. If the employee's pay already exceeds this step, the employee is generally placed at the next step of the new range that results in an increase in base compensation equal to at least one step, not including overtime, provided the increase is consistent with the County's pay equity commitments and obligations.
4. **Out of Classification Pay:** Employees who are assigned substantially all of the duties and responsibilities of a higher paid classification for more than 10 consecutive work days are eligible to receive out-of-class pay at either the first step in the higher paid range or five percent (5%) above their current rate of pay (up to a maximum of the top step of the higher paid classification), whichever is greater. Out-of-class pay is generally paid retroactively to the first day of the assignment and continues for the duration of the assignment. To be eligible for out-of-class pay, the assignment must be designated *in writing* by the department director and HR Director. Out-of-class assignments are generally not approved for a period in excess of six months.

D. Overtime and Compensatory Time (Comp Time) Pay

For employees covered by a CBA, overtime rules applicable to your employment are established and governed by the terms of that CBA, and not this policy.

1. **Overtime Pay:** All employees who the County has classified as non-exempt are paid overtime when required by applicable law. Generally this means that the employee is paid at 1.5 times their statutory regular rate of pay for all hours actually worked over 40 in any workweek. Paid hours not actually worked (e.g., sick, vacation, holidays, comp time used, closure leave, personal day leave, paid family leave etc.) is not counted toward the 40 hours worked per work week required to receive overtime pay.

The County's workweek for overtime purposes begins at midnight on Sunday and continues through 11:59 pm on Saturday each week.

2. **Comp Time:** In lieu of overtime pay as outlined above, a non-exempt employee may elect to receive comp time off at the rate of 1.5 hours of comp time per hour of overtime worked. Comp time may accrue to a maximum of 53.33 overtime hours worked (or 80 comp hours) unless otherwise approved by the HR Director. Non-exempt employees are paid for overtime hours worked unless they designate the hours as comp time on their timesheet.

E. Longevity Pay

For employees covered by a CBA, please refer to the CBA, and not this policy.

In recognition of long-term employment with the County and providing years of experience, the County provides longevity incentive pay to elected officials and non-represented employees as follows:

- 10 Years: Upon completion of 120 months of continuous service with the County, the employee will receive an additional two percent (2%) of the employee's base rate of pay.
- 15 Years: Upon completion of 180 months of continuous service with the County, the employee will receive an additional four percent (4%) of the employee's base rate of pay.
- 20 Years: Upon completion of 240 months of continuous service with the County, the employee will receive an additional six percent (6%) of the employee's base rate of pay.

Longevity pay is not cumulative; the maximum is six percent (6%).

Longevity pay is calculated on the base hourly rate for the employee's classification and is not altered when working out of class or for any other incentive pays.

F. Travel Expenses

All County business related travel must be conducted in the most efficient and cost-effective manner. Prior to incurring any costs and/or traveling on County business, employees must obtain approval from their supervisor or department director. Management evaluates all requests and determines the necessity, available resources, and justification for the need for and the method of travel and related expenses.

Employees who are accompanied or joined by personal companion(s) during approved County business travel are responsible for all meal, additional lodging, and all other added travel costs for their companion(s). The County does not pay or reimburse any travel companion expenses.

For additional information on the County's travel policy and reimbursement process please see the County's intranet site at intranet.co.tillamook.or.us/V3/Default.htm.

G. County Sponsored Social and Recreational Activities

The County periodically sponsors social or recreational activities for employees such as County sponsored picnics and holiday parties. Participation in such events is entirely voluntary and the choice to participate (or not participate) is not considered in making any employment decisions. As a result, attendance at such voluntary social/recreational activities is not considered hours worked and is not paid.

As a limited exception, employees who are authorized to attend County sponsored social/recreational events during their regularly scheduled work hours are permitted to use their regularly scheduled paid working time for that attendance. To avoid misunderstandings, it is important that all employees understand:

- Authorization to attend County sponsored social/recreational events is dependent on the nature of the employee's position and the County's evaluation of operational needs and is not guaranteed.
- Employees who attend County sponsored social/recreational events during their paid working hours may be called back to performance of their regular work duties at any time as needed. Employees who wish to leave work rather than attend the County event must follow the County's normal attendance policies and obtain authorization for the time off. Such employees will be required to use any accrued paid time off benefits for such time in accordance with applicable County policy.
- Employees who are authorized to do so but otherwise elect not to participate are required to continue working their regularly scheduled shift.

Regardless of whether employees are on paid or unpaid time at County social/recreational events, all employees are expected to conduct themselves in a professional manner and in compliance with the County's policies.

8. EMPLOYMENT BENEFITS

The following policies outline Tillamook County's employment benefits for non-represented employees only. For employees covered by a CBA, employee benefits information applicable to their employment is established and governed by the terms of that CBA and applicable law, and not this policy (unless expressly noted). Such employees should consult their current CBA or Human Resources for information about benefits applicable to their employment. Similarly, elected officials should contact Human Resources for information on benefits that may be available to them.

These policies are intended to provide a general description of the current benefits that non-represented employees may be eligible to receive. This Manual does not change or otherwise interpret the terms of the official plan documents. To the extent that any of the information contained in this Manual is inconsistent with applicable official plan documents, the provisions of the official plan documents control.

Also, nothing contained in the benefit plans described in this Manual creates any promise of employment or future benefits at any level, or a binding contract between the County and its employees, retirees, or their dependents, for benefits or for any other purpose. Rather, this is a summary of the currently available benefits. In order to avoid misunderstandings, employees should understand that the County reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefits and benefit plans described in this Manual, including any health benefits that may be extended to retirees and their dependents, as well as to what extent, if any, employees may be required to share in the costs of such plans.

For more complete information regarding any of our current benefit programs, please refer to the summary plan descriptions or contact Human Resources.

A. Paid Vacation Benefits

The County provides non-represented/non-bargaining unit employees with paid vacation benefits as part of its comprehensive benefits package as outlined below.

1. **Eligibility:** The following employees are eligible to earn paid vacation benefits:
 - Probationary employees who have been employed with the County for at least 90 continuous days.
 - Regular status full-time and regular part-time (benefit eligible) employees.

All other employees, including probationary period employees in the first 90 days of employment, regular part-time (not benefit eligible), on-call, seasonal and temporary employees (including returning retirees) are not eligible to earn any paid vacation benefits through the County.

2. **Accrual Amounts:** The amount of paid vacation benefits an eligible employee earns depends on the employee's classification and length of continuous employment with the County.

After completion of 90 days of employment, otherwise eligible probationary employees are credited with a lump sum amount of vacation benefits equivalent to what they would have earned during the first 90 days of employment, if they had been eligible. Thereafter, vacation benefits are earned upon completion of each full calendar month of employment. The following chart shows the amount of paid vacation benefits earned by *full-time* employees. Eligible *part-time employees (i.e. less than 40 hours per work and more than 20 hours per week)* earn pro-rated vacation benefits based on the percentage of full-time hours regularly scheduled for their position.

YEARS OF CONTINUOUS EMPLOYMENT	PAID VACATION BENEFITS EARNED EACH MONTH	MAXIMUM ACCRUAL
0 – 4 years (Completion of probationary period through completion of 4 th full year of employment)	8.667 hours per month (13 days per full year)	156 hours (19.5 days)
5 – 9 years (beginning of 5 th year through completion of 9 th full year of employment)	10 hours per month (15 days per year)	180 hours (22.5 days)
10 – 14 years (beginning of 10 th year through completion of 14 th full year of employment)	12 hours per month (18 days per year)	216 hours (27 days)
15 - 19 years (beginning of 15 th year through completion of 19 th full year of employment)	14 hours per month (21 days per year)	252 hours (31.5 days)
20 years and over (beginning after completion of the 19 th full year of employment)	16 hours per month (24 days per year)	288 hours (36 days)

Increases in vacation benefit rates, as shown in the chart below, become effective the first full calendar month after the employee's anniversary date.

3. **Accruals During Leave:** Paid vacation benefits are intended to reward periods of productive employment on behalf of the County. Therefore, employees who are absent for more than 25% of their scheduled workdays in the month for any reason (for which they are not using previously earned vacation, sick leave, comp time, or paid personal day benefits), earn pro-rated vacation benefits for that month.

4. **Maximum Accumulation of Vacation Benefits:** The County believes that both its employees and the public benefit when employees take time away from work to rest and relax. As a result, employees are permitted to accrue up to a maximum of 1.5 times their annual paid vacation benefit accrual. For example, for an employee who has worked for the County for six years, they may accumulate up to a maximum of 180 hours (22.5 days) of paid vacation benefit. When the maximum accrual has been reached, no additional vacation benefits will accrue until the balance has been reduced below this maximum. Employees are encouraged to plan ahead to make the best use of their time off benefit. Employees who have reached their cap and cannot take a vacation, due to operational requirements or an emergency may make a request to the Chief Administrative Officer for an exception to the accrual cap. A scheduled vacation time must be specified at the time of approval.
5. **Use and Scheduling of Vacation Benefits:** Vacations must be scheduled in such a way that the County can best serve the public by maintaining sufficient staffing to meet their needs. Therefore:
 - All time off for vacations must be requested and approved by management in advance except when otherwise provided by applicable law. Generally, employees who wish to take one or more weeks off should submit a request at least two weeks (10 working days) before the planned starting date of their vacation. While the County strives to satisfy employee requests, all approvals are subject to the County's operational needs, except as required by law. Because of the nature of our work, or to fairly allocate vacation time off between employees, it may be necessary to limit the number of employees using paid vacation benefits at the same time, to prohibit an employee from taking time off during a particular period of time, or to cancel or reschedule employee vacations during a particular period of time. Please give as much advance notice as possible.
 - Vacation leave must be used and recorded on the timesheet in amounts of not less than 1/4 hour, for up to the maximum number of hours the employee was otherwise regularly scheduled to work on the day the benefits are used. Salaried exempt employees must use accrued vacation benefits for any absences of greater than half of their regularly scheduled workday.
 - All earned and unused paid vacation benefits must be used before unpaid time off is taken (except when otherwise provided by applicable law, such as during periods of military leave, jury duty leave, PLO and domestic violence leaves, when employees may elect to save such benefits).
6. **Payment of Vacation Benefits During Employment:** Accrued vacation benefits are paid out at the employee's regular rate of pay (salary) at the time the vacation benefits are used. The County does not provide employees with advances on paid vacation benefits, meaning that employees will not be paid for vacation benefits that have not been earned.

The County provides employees with paid vacation benefits to facilitate adequate time off during employment. While use of these benefits is encouraged for rest and

recreation, the County may approve a cash out under certain circumstances. If an employee has taken at least 40 hours of vacation within the prior 12 months, the employee may request to cash out up to 40 hours of vacation on the last pay date of May or October, provided the request is made in writing on or before May 1st or October 1st to Payroll. A vacation cash out may not be requested more than once each calendar year and a balance of at least 40 hours must remain in the vacation leave bank following a cash out. Employees seeking to cash out their paid vacation benefits should submit the request form to their supervisor for approval.

7. **Vacation Pay upon Separation:** Eligibility for payment of unused vacation on separation of employment depends upon the employee's length of continuous employment with the County as follows:
 - *Less than 90 days of continuous employment:* Employees who end their employment relationship with the County for any reason (e.g., termination, resignation, layoff, death, etc.) forfeit any accrued vacation benefits and are not paid out for those benefits on separation of employment.
 - *90 days or longer of continuous employment:* Employees who have worked continuously for the County for 90 days or longer are paid for all accrued and unused vacation benefits (up to a maximum of 288 hours) upon separation for any reason. Accruals above 288 hours are forfeited upon separation.

B. Vacation Leave Donation Program

The County has implemented a leave donation program to allow employees to voluntarily donate vacation leave to a leave bank administered by the County.

1. **Eligibility to Donate Leave:** In order to be eligible to donate leave, the employee must meet all of the following criteria:
 - The donating employee must maintain at least 50% of their accrued vacation hours after the donation.
 - The donating employee must be donating vacation leave benefits only. Other forms of leave may not be donated.
 - The donating employee must submit a written request to Human Resources stating their desire to donate leave as well as the amount of leave being donated.

All donations of paid leave benefits are voluntary and irrevocable.

2. **Eligibility to Receive Donated Leave:** To be eligible to receive donated leave, an employee must meet all of the following criteria:
 - The employee must have a serious illness or medical condition or be caring for a family member with a serious illness or medical condition that requires the employee to have a prolonged absence from work. For purposes of donated leave, "family member" is as defined in the County's OFLA policy;

- The employee must have exhausted all of their own paid leave banks (including sick leave, comp time, vacation, paid personal time, holiday time, etc.);
- The employee must not be eligible for or receiving time loss compensation from an outside insurance provider (e.g., unemployment insurance, workers' compensation insurance, disability insurance, PERS disability, social security disability, PLO, etc.);
- The employee must have a need/expect to be absent from work on a continuous or intermittent basis for at least two consecutive weeks beyond exhaustion of all leave banks; and
- The employee must make a written request for donated leave and provide medical verification of the need for leave.

3. **Rules for Donated Leave:** Eligible employees are only eligible to receive leave donations up to the amount of time off that the County has approved (that the healthcare provider has certified that they are unable to work as a result of their own or family member's qualifying illness or medical condition), or until the employee becomes eligible to receive long-term disability, social security disability, or PERS disability benefits, whichever time period is the shortest.

Donated vacation leave is based on an hour for hour (1:1) exchange, without regard to differences in the pay rate between the employee donating and the employee receiving the donation and are paid out at the receiving employee's normal rate of pay. The County does not guarantee how much, if any, donated leave benefits will be available for any employee. Even when donated leave is available, there is no guarantee that sufficient leave donations will be received to cover any employee's entire period of eligibility.

Employees do not accrue sick leave, vacation pay, retirement contributions, or other benefits during the time they are on donated leave. Donated time cannot be used to extend the employment of an employee who will not be returning to work and availability of donated leave does not guarantee that extended leaves of absence will be approved.

4. **Applying for Donated Leave:** Applications for donated leave must be made to Human Resources, in writing, and must describe the serious illness or medical condition necessitating the leave. Human Resources will review the application (and associated medical verification documentation) and determine whether the employee meets the eligibility requirements to receive donated leave.

It is important to note that donated vacation leave is provided only in extended emergency and serious circumstances and is not to be considered a back-up general sick leave bank. Employees with questions about whether their situation would qualify should contact Human Resources to discuss their situation. All applications for donated leave must be approved by the County in advance. Human Resources will post a Countywide notice to solicit donations for donated leave. Employee medical information will not be released.

C. Paid Sick Leave Benefits

The County provides eligible employees with paid sick leave as outlined below and as otherwise required in accordance with Oregon's Sick Leave Law. Employees with questions about this policy may contact Human Resources. Please also refer to the Oregon Sick Leave Law poster that is posted at each work location and is incorporated here by reference.

1. **Eligibility and Accrual of Paid Sick Leave**: All employees hired directly by the County (including probationary, regular, temporary/seasonal, and on-call employees) are eligible to earn paid sick leave benefits with the County beginning on their first day of employment with the County.

Temporary employees hired through an employment agency are not eligible to receive paid sick leave benefits from the County and should consult their employing agency for information on benefits applicable to their employment. The County does, however, comply with time off and reinstatement obligations for all employees, including agency employees to the extent required by applicable law.

2. **Amount of Paid Sick Leave Benefits**: The amount of paid sick leave benefits an employee is eligible to accrue depends on the employee's classification and work schedule with the County:

- **Full-Time Probationary and Regular Status Employees**: Full-time employees accrue eight hours of paid sick leave at the beginning of each month. Eligible probationary and regular status part-time employees budgeted between 0.5 FTE and 0.75 FTE accrue prorated sick leave benefits based on budgeted FTE.

In all cases, benefits are accrued and available for use in accordance with applicable law, including Oregon's paid sick time rules, which protects the first 40 hours of use per year from attendance and other disciplinary action. Once an employee has earned at least 40 hours of paid sick leave benefits in the calendar year, benefits are earned and can be used only at the rates and under the conditions provided above, without any minimum guarantees.

Sick leave benefits carry over from year to year. Regular full-time Employees may accrue up to a maximum of 1440 hours. Part-time employees may accumulate a pro-rated amount of sick leave hours based on the percentage of full-time (1.0 FTE) their position is budgeted to work.

- **All Other Employees**: All other employees accrue paid sick leave benefits at the rate of one hour of paid sick leave for every 30 hours worked, up to a maximum of 40 hours of sick leave benefits per calendar year. Such benefits are earned based on actual hours worked only, beginning on the employee's first day of employment. These employees are permitted to carry over a maximum of 40 hours of paid sick leave benefits from one calendar year to the next in accordance with applicable law.

Exempt employees are presumed to work 40 hours in each work week for purposes of their sick leave accrual unless their normal work week is less than 40 hours, in which case sick leave is accrued based on the employee's normal work week.

3. **Use of Sick Leave Benefits:** Newly hired employees may not use any paid sick leave benefits during their first 90 days of employment. Upon completion of the 90-day waiting period, sick leave benefits may be used immediately as they are earned for the purposes outlined below:
- For the employee's own illness, injury, or health condition (including diagnosis, care, treatment and preventive medical care).
 - For the diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care.
 - "Family member" means the employee's:
 - Spouse or domestic partner.
 - Child or child-in-law.
 - Parent or stepparent.
 - Grandparent or step-grandparent.
 - Grandchild or grandchild-in-law.
 - Sibling, step-sibling, sibling-in-law, or step-sibling-in-law.
 - Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship as provided by applicable law and regulations. Attestation is required.
 - Note: In-laws and step-relationships listed include registered domestic partners in accordance with applicable law.
 - For any FMLA, OFLA, or PLO leave as well as for any purpose for which the employee could take OFLA (regardless of whether or not the employee is eligible for OFLA).
 - For any purpose covered by Oregon's domestic violence leave law.
 - For time off caused by public health emergencies, including but not limited to:
 - Closure of the employee's place of business, or the school or place of care of their child, by order of a public official due to a public health emergency.
 - A determination by a lawful public health authority or a health care provider that their presence or their family member in the community would jeopardize the health of others.
 - The employee's exclusion from the workplace under any law or rule that requires their employer to exclude them from the workplace for health reasons.
 - Unless the employee is employed as a first responder:
 - An emergency evacuation order of level 2 (SET) or level 3 (GO) issued by a public official with the authority to do so, if the affected area subject to the order includes either the location of the employer's place of business or the employee's home address; or
 - A determination by a public official with the authority to do so that the air quality index or heat index are at a level where continued exposure to such levels would jeopardize the health of the employee.

- For time off to donate blood in connection with a voluntary program for the donation of blood that is approved or accredited by the American Association of Blood Banks or the American Red Cross.
- For any other reason when required by applicable law.

Note: Regular part-time (not benefit eligible), on-call, seasonal and temporary employees are eligible to use a maximum of 40 hours of paid sick leave benefits per year.

Concurrent Leave: Please note that the same absence may be covered by more than one of the sections outlined above and/or more than one type of leave under County policies (e.g., an employee's own illness or injury may qualify for FMLA and/or PLO). In such cases, all applicable types of leave run concurrently.

Oregon Sick Leave Protection: Use of the first 40 hours of paid sick leave benefits for any of the purposes listed above in a calendar year is protected (not countable) for attendance and discipline purposes. Additional time may be protected when required by law. For more information, contact Human Resources.

Represented employees should consult their CBA for additional information regarding sick leave benefits.

4. **Pay Rate and Carryover:** Sick leave benefits are paid at the employee's regular rate of pay for the hours the employee would otherwise be required to work on the day of the absence. Employees absent from work for one or more of the qualifying reasons above must use accrued sick time hours for that reason and on each subsequent day of absence.

Note: Salaried exempt employees must use accrued sick leave benefits for any absences of greater than half of their regularly scheduled workday for reasons covered by this policy.

5. **Employee Notice of Need for Sick Leave:**

- **Foreseeable Sick Leave.** If the need for sick leave is foreseeable, an employee must notify their supervisor or department director as soon as practicable before the leave begins. Generally, an employee must provide at least 10 days' notice for foreseeable sick leave. The request must include the anticipated duration of the sick leave, if possible. Employees must make a reasonable effort to schedule foreseeable sick time in a manner that minimally disrupts the operations of the County. Employees must notify Human Resources of any change in the expected duration of sick leave as soon as is practicable.
- **Unforeseeable Sick Leave:** If the need for sick leave is unforeseeable, the employee must notify their supervisor or department director as soon as practicable and comply generally with the County's call-in procedures.

- Employees must contact their supervisor daily while on sick leave, unless an extended period of sick leave has been prearranged with the supervisor or when off work on protected leave. Employees must inform their supervisor of any change in the duration of sick leave as soon as practicable.

6. **Sick Leave Documentation:** All employees are expected to be honest and complete in reporting the circumstances surrounding absences. Abuse of the sick leave benefits policy, including dishonesty in reporting the reasons for an absence or need to be absent, patterned use adjacent to weekends, scheduled days off, holidays, etc. is addressed as a serious disciplinary matter up to and including termination of employment. If the County has a reason to suspect that an employee has abused or otherwise been dishonest in reporting the reasons for an absence, the County may require medical or other verification of the need for leave.

Verification of the need for absence is also required under this policy whenever the County determines it necessary to ensure compliance with applicable laws regarding time off from work such as for absences covered by Oregon's paid sick leave law (e.g., for absences of more than three consecutive days of work for employee or family member illnesses), by state or federal family leave rules, or domestic violence rules, etc.). Employees who fail to provide timely verification when required may be denied payment of benefits and/or may be subject to discipline.

For extended absences from a sick leave of three workdays or more days due to illness or injury, a release from the employee's healthcare provider is generally also required to ensure the employee can safely return to work when permitted by applicable law.

7. **Sick Leave Pay upon Separation and Rehire:** Any unused sick leave benefits are not vested and will not be cashed out upon separation from employment. As a limited exception, the County pays out up to a maximum of 480 hours of unused sick leave benefits when employment ends due to death or retirement.

Employees who leave County employment (including those who leave in the first 90 days of employment) and are rehired within 180 days are given credit for previously earned and unused sick leave benefits to the extent required by law (which may be used immediately if eligible) as well as for the length of prior service for purposes of sick leave benefits eligibility and use.

D. Paid Holidays and Personal Days Benefits

The County recognizes the following 13 holidays each year:

1.	New Year's Day	January 1st
2.	Martin Luther King Day	3rd Monday in January
3.	Presidents' Day	3rd Monday in February
4.	Memorial Day	Last Monday in May
5.	Juneteenth	June 19
6.	Independence Day	July 4
7.	Labor Day	First Monday in September
8.	Veteran's Day	November 11
9.	Thanksgiving Day	4th Thursday in November
10.	Day after Thanksgiving	Friday after Thanksgiving
11.	Christmas Eve	December 24
12.	Christmas Day	December 25
13.	Personal Day(s)	As scheduled

If a holiday falls on a Saturday, it is generally observed on the preceding Friday. If a holiday falls on a Sunday, it is generally observed on the following Monday.

Other Religious Observances: The County respects the right of each employee to worship as their faith dictates for a sincerely held religious belief. Time off for those purposes to observe a holiday other than those listed may be arranged with advance notice and approval from the supervisor. Employees are not, however, granted more paid holidays than those recognized by the County. If the supervisor approves time off to observe a holiday other than those listed, the employee must use vacation leave or personal day leave.

Eligibility for Holiday Pay: Employees who meet the following criteria are eligible to receive holiday pay benefits:

1. The employee must be a regular full-time or regular part-time (benefit eligible) employees or a salaried exempt employee in any classification;
2. The employee must work their regularly scheduled hours on the last workday before and first workday after the holiday unless the employee is in paid time off status; and
3. The employee must be actively employed or using previously earned paid time off benefits (e.g., vacation, sick, personal day, comp time) on the day the holiday is observed. Employees on any type of unpaid leave of absence are not eligible for holiday pay.

Amount of Holiday Pay: Eligible employees receive holiday pay as follows:

- Eligible full-time hourly employees who do not work on a holiday receive eight hours of pay at their regular hourly rate of pay, or 10 for employees on a mandatory four-day, 10-hour per day schedule if the holiday falls on a day the employee would otherwise be scheduled to work.

- Eligible part-time employees who work between 20 and 39 hours per week, and who do not work on a holiday, receive a pro-rated number of hours of holiday pay based on the number of hours they are regularly scheduled to work. For instance, a part-time employee working 20 hours per week would receive four hours of holiday pay because they are working 50% of full-time.
- Salaried employees receive a continuation of salary without reduction for recognized holidays, regardless of whether they work on the day of the holiday.

Holiday Pay is paid out at an eligible employee's regular pay rate.

Worked Holiday Pay: Eligible employees who work on a recognized holiday are eligible for Worked Holiday Pay. Worked Holiday Pay is paid out at a rate of 1.5 times the employee's regular pay rate for all hours worked on the day the holiday is recognized.

Employees who are eligible for Holiday Pay and who work on a recognized holiday, may be eligible for both Holiday Pay and Worked Holiday Pay. For example, if you are normally scheduled eight hours per day, you receive 1.5 times of your regular rate for time actually worked, up to eight hours. If you only work six hours on a holiday, then you receive six hours at the Worked Holiday Pay rate of 1.5 times their regular rate and the remaining unworked two hours at your regular rate.

Personal Day Holiday (Non-Represented): The personal day(s) must be scheduled with the employee's supervisor's approval and must be used in the calendar year in which it is granted, or it is forfeited. Full-time Salaried Exempt employees receive 24 hours of paid personal day leave time per year. Eligible Regular Full-time employees receive eight hours of paid personal day leave per year. Eligible part-time employees receive a pro-rated number of personal day hours based on the percentage of full time (1.0 FTE) their position is budgeted to work. Eligibility is upon date of hire and time is paid at the employee's regular pay rate. (Represented employees should consult their CBA.)

Additional Information About Veteran's Day: Qualified veterans who are not eligible for holiday time off may take the day as an *unpaid* holiday day off or use any earned and unused vacation, paid personal days, comp time benefits. Employees who would like to take advantage of this benefit should submit their request for time off to the County as far in advance as possible (generally at least 21 days in advance) and provide verification of their veteran's status. In rare cases, where granting Veteran's Day off creates a significant economic or operational disruption or other undue hardship to the County, qualified veterans are given the option to select, with management approval, an alternative unpaid day off within the year following Veteran's Day as a replacement day. For more information on this benefit, please see Human Resources.

E. Health Insurance Benefits

The County provides medical, dental, and vision health insurance benefits to eligible employees (probationary and regular full-time and part-time [benefit-eligible]) employees beginning on the first day of the month following 30 days of employment.

1. **Contributions to Premiums:** The County currently shares the cost of health insurance premiums with employees. Employees who wish to participate in the County's plan(s), or to provide coverage for eligible family members (as defined by the terms of the applicable plan documents) may authorize deductions from their paychecks for their portion of the cost of the benefit. Employee contributions to health insurance are deducted the month prior to when benefits are received. The County also provides eligible employees with a premium only section 125 to deduct the costs of insurance premiums on pre-tax basis.
2. **Termination of Coverage:** Coverage through County paid contributions ends on the last day of the month in which an employee resigns, is terminated, laid off or otherwise stops working as an eligible employee pursuant to applicable plan terms. The County does, however, continue to pay its portion of the premium for employees who are on family medical leaves, jury duty, military leaves, etc., as required by law. Employees who lose their coverage may elect COBRA for continued coverage in accordance with applicable law.
3. **Changes in Coverage and Benefits:** The County reserves the right to change plans, providers, or to otherwise modify or discontinue any insurance plan(s) for non-represented employees as it deems necessary. The County provides employees advance notice of such changes before they become effective.
4. **Additional Information:** The formal plan documents control the availability of benefits under these plans, and in the event of any conflict between this Manual and the plan documents, the plan documents will control. For additional information, contact Human Resources.

F. Retiree Health Insurance Benefits

1. **AFSCME and Non-Represented Employees Under Age 65:** Any employee retiring from County service under the age of 65 who:
 - Meets minimum eligibility under the County's "Retirement Plan for Certain County Employees" and is receiving monthly retirement benefits from the Plan, and
 - Is currently insured by a medical plan provided by the County at the time of retirement.

is eligible to participate in the County's Retiree Health Insurance Benefits program.

The retiree has the option of enrolling their dependents, provided that the dependents are covered under the County's group insurance plan at the time of retirement. New dependents can be enrolled during the annual open enrollment period, provided the retiree already has dependent coverage.

Continuity of Coverage: Retiree coverage must be elected within a 60-day period between active employment and retiree status. If the retiree elects to participate, they must submit new health and dental plan enrollment application forms

indicating coverage, spouse and/or dependent enrollment, etc. If a retiree's coverage is terminated for any reason, the individual will not be allowed to subsequently re-enter the program. If a retiree voluntarily drops the coverage, their spouse and/or dependent's coverage also ceases but may continue for a time as allowed by law.

Duration of Coverage: Health and dental coverage is available to a retiree until they are eligible for the federal Medicare program. Individuals who have retired as a result of a disability may not continue coverage beyond the date they qualify for Medicare coverage on the basis of that disability. Coverage will terminate upon any of the following:

- Medicare eligibility or voluntary withdrawal by retiree;
- the County withdraws from CIS's active employee insurance program (for select grandfathered employees); or
- the failure to remit the required premium; or death of the enrolled retiree.

Premium Payments:

- For employees hired on or before June 30, 2003 and working for the County after January 1, 1986, the County pays the retiree's portion of the major medical premium. The retiree is responsible for the cost of their dental, vision and/or any other additional benefit portion and their spouse and/or dependents' premium coverage.
- Employees hired after July 1, 2003 are eligible for coverage and are required to pay the full premium rate for retiree Major Medical, Dental, and Vision health insurance.
- Retiree's portion of the premium cost must be paid to CIS. Retiree's cost may vary year to year depending on plan cost and number of dependents covered.

Medicare Supplement Plan for Retiree over 65: Eligibility is for County employees hired prior to June 30, 2003 and over the age of 65 whom have retired from service and have become Medicare eligible. Description and details of plan coverage are described in the plan documents available in Human Resources. The County pays the premium cost for retired employees hired on or before June 30, 2003.

2. **Teamsters Employees:** A member of the Tillamook County Teamsters bargaining units hired on or before June 30, 2004 and working for the County after January 1, 1986, is eligible to participate in the County's Retiree Health Insurance Benefits program.

Duration of Coverage: Health and dental coverage is currently available to a retiree until they are eligible for the federal Medicare program. Individuals who have retired as a result of a disability may not continue coverage beyond the date they qualify for Medicare coverage on the basis of that disability. Coverage will terminate upon any of the following:

- Medicare eligibility or voluntary withdrawal by retiree;
- the County withdraws from Oregon Teamsters Employers Trust's (OTET) active employee insurance program (for select grandfathered employees); or

- the failure to remit the required premium; or death of the enrolled retiree.

Premium Payments: The County's contribution to retiree insurance premium costs varies based on the insurance option(s) selected by the employee:

- Personal Medical Insurance Policy: Retiree may elect to obtain medical insurance coverage from a source of their choice. County reimburses the retiree an amount per month not to exceed the monthly premium for the CIS single retiree rate; the retiree must pay the difference. If the cost of the policy is less than the CIS single rate, then the County's obligation is limited to paying the actual cost of the coverage.
- OTET Non-Medicare coverage: Retirees may elect to obtain medical insurance coverage under the provisions of OTET Non-Medicare retiree plan. Please note, this does not include dental coverage. The County reimburses the retiree an amount per month not to exceed the monthly premium for the CIS single retiree rate. OTET does not accept retiree premium dollars from employers, so the retiree must self-pay the entire monthly premium rate. If the cost of the OTET Non-Medicare retiree coverage exceeds the CIS single rate, the retiree must pay the difference. If the cost of the OTET Non-Medicare retiree coverage is less than the CIS single rate, then the County's obligation is limited to paying the actual cost of the coverage.

Medicare Supplement Plan for Retiree over 65: Teamsters are not eligible for the Medicare Supplement Insurance benefit from the County.

For additional information regarding eligibility and the terms of these benefits, please contact Human Resources or reference the plan documents made available to employees through CIS and/or OTET.

G. Other Insurance Benefits

1. **Life & Accidental Death and Dismemberment (AD&D) Insurance:** The County pays the full premium to provide \$50,000 of life and AD&D insurance protection to full-time and benefit eligible part-time employees. Employees are eligible for this coverage on the first day of the month after 30 days of employment. Additional aspects of eligibility for coverage and benefits are governed by the terms of the County's life insurance policy.
2. **Long Term Disability Insurance:** The County pays the full premium to provide salary protection for long-term disability as a result of illness or injury to regular full-time and regular benefit eligible part-time employees. Employees are generally eligible for long-term disability coverage 90 calendar days from the date of injury or disability. Eligibility for coverage and benefits is governed by the terms of the County's long-term disability insurance policy. For additional information please contact Human Resources.
3. **HRA/VEBA:** HRA/VEBA is a tax-free health savings account. The funds in this account can be spent on health-related expenses for the employee and their dependents.

VEBA benefits are described under a separate cover brochure. Questions about this benefit can be answered by contacting Human Resources. This benefit is available only to AFSCME and Teamsters members and Regular Full-time and Regular Part-time benefit eligible non-represented employees.

H. Retirement Benefits

The County currently has two retirement benefit plans.

1. **The 401(a) Defined Benefit (DBP) Retirement Plan**: for Certain Employees of Tillamook County employees hired on or after July 1, 1967 through December 31, 2024. Under this plan, the retirement benefit is calculated based on a formula using the employee's salary, employee type, and years of service; it is not based on investment performance within the account balance. The date of hire, employee status, and type of service (e.g., Sworn Peace Officers/Uniformed service or General Service/Non-Uniformed service) are used to determine the account in which the individual are eligible to participate. For additional information on plan provisions, earnings, and account options, contact Human Resources.
2. **Public Employees' Retirement System (PERS)**: for employees hired on or after January 1, 2025. The County participates in the PERS; therefore, the designation as a Tier I, Tier II, or Oregon Public Service Retirement Plan (OPSRP) member will depend on the individual's prior PERS service and PERS rules. An employee's designation and eligibility for participation in PERS or the OPSRP are determined by law. For more information about these plans, please contact PERS at 1-888-320-7377 or visit their website at www.oregon.gov/PERS. For information about the County's contributions to employee PERS or OPSRP plans, please contact Payroll.

PERS-eligible employees who retire from County employment may be eligible for temporary reemployment/rehire as permitted under Oregon law. Rehire is not guaranteed and varies based on employee qualifications and County operational needs. Please contact Human Resources for more information.

I. Employee Assistance Program (EAP)

This free, confidential service is provided by Canopy and is available to all employees and dependents. The EAP can be used to assist employees and eligible family members with any personal problems, large or small. Each covered employee and eligible family members can receive up to five personal counseling sessions per situation per year. Sessions can be face to face, over the phone, or online for concerns such as marital conflict, conflict at work, depressions, stress management, family relationships, anxiety, alcohol or drug abuse, grieving a loss, and career development services.

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

More information regarding this service can be obtained by contacting Human Resources or Canopy directly at 1-800-433-2320, or at www.canopywell.com.

9. LEAVES OF ABSENCE FROM COUNTY EMPLOYMENT

A. In General

The County recognizes that personal circumstances occasionally require employees to take temporary periods of absence from employment.

1. **Wages and Benefits During Leaves:** During leaves of absence, no wages or benefits are accrued or paid, unless specifically stated in this Manual or required by an applicable CBA or applicable law. Employees must, however, use all earned and unused paid leave benefits, except when provided otherwise by applicable law.

Please note: The County provides its employees with generous paid leave benefits. Unpaid leaves of absence are generally not approved unless required by applicable law or unless the County determines that extraordinary circumstances (not vacations) exist to warrant approval.

Employees who wish to continue their medical insurance benefits during an unpaid leave of absence should consult Human Resources and review the Health Insurance section of this Manual and their CBA (if applicable) for an explanation of how long the County continues to pay its portion of the insurance contribution. Employees on medical leaves of absence are also prohibited from engaging in any outside employment or activities that conflict with their work restrictions and limitations with the County.

2. **Concurrent Leaves:** All leaves of absence for the same absence, whether paid or unpaid (e.g., FMLA, PLO, paid sick leave benefits, etc.) run concurrently except when prohibited by applicable law.
3. **Requesting Leaves:** The County partners with a third-party administrator, Trüpp, to process and track job protected leaves of absence, including family and medical leaves.

Employees must request a leave of absence by email, phone, or via the Stiira online portal, which means all formal leave communication is done through Trüpp. Supervisors and Human Resources are informed of employee leave status and approvals. *Please note:* Employees must continue to comply with the normal attendance reporting policies for their positions. However, all leaves of absence must be approved through Trüpp for job protected leaves.

Ways to request a leave of absence:

- Phone: 888-550-6512
- Email: leave@trupphr.com
- Stiira Portal: <https://tillamookcounty.stiira.com>

Employees who do not notify the County and obtain approval for leaves of absence are generally considered absent without authorization, and subject to discipline or

discharge. For questions and additional information or to request other types of leave, employees must contact Human Resources.

B. Family Medical Leave Policies

The County complies with the federal Family Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA), which provide unpaid leave to eligible employees who have a qualifying need for family, medical, safe, military family medical, military exigency, sick child and/or bereavement leave(s). The County also complies with the Oregon Family and Medical Leave Insurance program, also known as Paid Leave Oregon (PLO), a mandatory statewide insurance program that provides eligible Oregon employees with paid time off to give or receive care during certain family, medical and safe leave circumstances.

These policies have been developed to provide employees with important information about the County's current Family and Medical leave policies and procedures as well as resources to obtain additional information. In all circumstances, the County interprets and applies its policy in accordance with applicable law, including changes and updates as they occur.

1. Federal Family and Medical Leave (FMLA)

- Eligibility: To be eligible for FMLA benefits, an individual must have worked for the County for a total of at least 12 months (not necessarily consecutively) and have worked at least 1,250 hours over the previous 12 months immediately before their leave begins. They must also work at a location where the County employs 50 or more employees within 75 miles.

- Amount and Qualifying Reasons for FMLA: An eligible employee is entitled to a total of 12 workweeks of unpaid leave during a 12 month leave year, Measured Forward from the Sunday before the date they first use any FMLA leave, for one or more of the following reasons**:
 - Parental Leave. For the birth or placement of a child for adoption or foster care;
 - Serious Health Condition Leave. To take medical leave when the employee is unable to work because of a serious health condition;
 - Family Serious Health Condition Leave. To care for an immediate family member (spouse, child or parent), with a serious health condition;
 - Covered Service Member Leave. To care for a covered service member with a serious injury or illness, if the employee is the spouse, son, daughter, parent or next-of-kin of the service member. (Note: an eligible employee is entitled to a total of 26 workweeks of leave for this purpose during a single 12-month period, measured forward from the Sunday of the week in which the employee uses covered service member leave as required by law); or
 - Qualifying Exigency Leave. Because of a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on

covered active duty with deployment to a foreign country (or has been notified of an impending call or order to such covered active duty) in the Armed Forces in support of a contingency operation as required by law.

***See Appendix A for applicable definitions.*

- Leave Usage:
 - Continuous or Intermittent: Under some circumstances, employees may take leave intermittently, which means taking leave in short blocks of time (e.g., full or partial days) or by reducing their normal weekly or daily work schedule.

If leave is for a birth or placement for adoption or foster care, leave must generally be taken in a continuous block of time. As a limited exception, FMLA will be applied in intermittent, full day increments to run concurrently whenever an employee is receiving PLO parental leave benefits on an intermittent basis for the same absence.

All other use of intermittent FMLA leave for parental bonding is subject to the County's approval (which takes into consideration the operational needs of the department). Note: intermittent leave is permitted to effectuate adoption or foster care placement prior to a continuous period of parental bonding leave. Leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement.

FMLA leave may also be taken intermittently whenever medically necessary to care for a seriously ill family member or covered service member, because the employee is seriously ill and unable to work, or due to qualifying exigencies.

- Scheduled Leave: When leave is needed to care for an immediate family member or the employee's own illness and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the County's operation.
- When Spouses Work for the County: Spouses employed by the County are jointly entitled to a combined total of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent who has a serious health condition. Leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement. Likewise, spouses employed by the County, taking leave for a covered service-member are jointly entitled to a combined total of 26 weeks of leave during the single 12 month period in accordance with applicable law.

- Combining Type of FMLA Leave: Eligible employees may use FMLA for more than one qualifying purpose, up to a maximum combined total of 12 workweeks of FMLA in a leave year in accordance with applicable law. If an employee uses both covered service member and one or more other types of FMLA leave during the same leave year, the employee is granted a maximum combined total of 26 workweeks of leave. However, no more than 12 workweeks can be used for any purpose other than covered service member leave, and additional restrictions apply to qualified exigency leave as outlined in the definitions section below.
- Qualifying Exigency Leave Limits: Under FMLA, qualifying exigency leave usage may be limited and depends on the type of qualifying exigency as follows:
 - *Short-Notice Deployment*: Up to seven calendar days of leave may be taken to address any issue that arises from the fact that a covered military member is notified of an impending call or order to active duty for a contingency operation seven or fewer calendar days prior to the date of deployment. This leave may be used beginning on the date the military member is notified of the deployment.
 - *Military Events and Related Activities*: Attendance at any official ceremony or program sponsored by the military and related to the active duty of the covered military member, or attendance at family support or other assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty of the covered military member.
 - *Childcare and School Activities*: To arrange for alternative childcare, to provide childcare on an urgent, immediate need basis (not regular, ongoing care), to enroll or transfer to a new school or day care facility, or to attend meetings with staff of a school or day care. In all cases, the need must be caused by the active duty or call to active-duty status of a covered military member and covered family member.
 - *Financial and Legal Arrangements*: To make or update financial or legal arrangements to address the covered military members' absence (such as preparing financial and healthcare powers of attorney, updating wills, etc.); to act as the covered military member's representative before a federal, state or local agency for obtaining, arranging or appealing military service benefits (while on active duty, or within 90 days following termination of active duty only); and attending counseling (provided by someone other than a healthcare provider for the employee) for the covered military member, or their covered child, if that counseling is needed due to the active duty or call to active-duty status.
 - *Rest and Recuperation*: Up to 15 days of leave may be taken (per instance of rest and recuperation leave) to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment.

- *Post-Deployment Activities:* To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following the termination of the covered service member's active-duty status; or to address issues arising from the death of a covered service member (such as recovering the body, making funeral arrangements, etc.).
 - *Military Member's Parent:* Eligible employees may take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered activity duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.
 - *Other activities as agreed to by the County.*
- Requesting FMLA: Request for family leave must be made to Trüpp at

Phone: 888-550-6512

Email: leave@trupphr.com

Stiira Portal: <https://tillamookcounty.stiira.com>

In addition:

- If the need for the leave is known in advance, the employee must give 30 days' advance notice. If the leave is not known 30 days in advance, the employee must give notice as soon as possible before the beginning of the leave.
- For unplanned/unanticipated leave, the employee must follow the normal attendance call-in/reporting procedures for their department. If an employee is not able to contact the County directly, the employee is encouraged to have their personal representative call Human Resources.
- Employees needing FMLA leave must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform the job functions due to a health condition, that the family member is unable to perform daily activities due to their health condition, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave, etc.
- Employees must also notify the County if the requested leave is for a reason that has already been approved/designated as FMLA. This includes when calling out or leaving early for unplanned absences under the attendance reporting policy.

When an employee notifies the County of a need for time off that may qualify for FMLA, the County is obligated to provide the employee with information on their eligibility, rights, and responsibilities under the family leave rules and to properly designate and count the leave. If the employee is not eligible, the County provides a reason for why they have been determined to be ineligible.

- Medical Certification Requirements During FMLA: Employees who are absent for reasons that may qualify for FMLA are generally required to provide medical certification of the need for leave in accordance with applicable FMLA rules. This includes:
 - Medical certification of the need for leave due to a serious health condition affecting the employee or an immediate family member;
 - Medical certification of the need for leave due to the serious injury or illness of a spouse, son, daughter, parent, or next of kin who is a covered service-member;
 - Certification of the need for qualifying exigency leaves;
 - Second or third medical opinions (at the County's expense) and periodic re-certifications as the County determines necessary; or
 - Weekly reports during FMLA leave regarding the employee's status and intent to return to work.

Medical information relating to family leaves, whether verbal or written, is kept confidential and maintained in the employee's confidential medical file.

- Wages and Benefits During FMLA: FMLA leaves are not paid by the County. Employees must generally use their accrued paid leave benefits during a period of FMLA leave in accordance with County policy and applicable CBA provisions. Accrued sick leave must be used first.
 - If the employee has been approved for PLO or disability benefits coverage, they may choose to use accrued paid leave benefits to supplement those benefits during a period of FMLA up to 100% of the employee's regular wages.

Note: The use of paid leave does not increase, in whole or in part, the amount of FMLA leave available to an employee. All FMLA leave runs concurrently with any paid leaves.

In all cases, the County will report all supplemental benefits paid to the state in accordance with applicable rules. It should also be understood that the County is not responsible for an employee's PLO repayment obligations, penalties, or reduction in benefits assessed by the state carriers due to the employee's decision to use County leave accruals.

- Employees (including salaried exempt employees) who have exhausted their accrued paid leave benefits will not be paid by the County for periods of intermittent or continuous FMLA time off. In such cases, salaried exempt employee salaries will generally be reduced in accordance with applicable law.
- Time taken for leave covered under FMLA must be entered on the employee's timesheet regardless of how the employee is being paid for

that time. For additional information on how to record FMLA leave on the timesheet, contact Payroll.

- The County also maintains group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. In some instances, the County may recover premiums they paid to maintain health coverage for an employee who fails to return to work from FMLA leave.
- Reinstatement and Return From FMLA: To have reinstatement rights when returning from family leave, employees must request reinstatement immediately upon the expiration of leave. If leave is taken for the employee's own serious health condition, fitness for duty certification is required to return to work. Employees who timely return from FMLA leaves are reinstated to their former or an equivalent position in accordance with applicable law.
- Definitions: For definitions, please see the FMLA information sheet included as Appendix A to this Manual or contact Human Resources.
- Other Information: Employees who believe their FMLA rights have been violated are encouraged to contact Human Resources to discuss their concerns. In addition, the employee may contact the US Department of Labor or bring a private action. Also, employees should note that the FMLA does not affect any federal or state law or CBA which provides greater family or medical leave rights. FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

2. Oregon Family and Medical Leave (OFLA)

- Eligibility: Except as outlined below during a public health emergency, to be eligible for OFLA leave, an employee:
 - Must have been employed by the County for at least 180 days before the date on which the leave would begin; and
 - Must have worked an average of 25 hours per week during that time.
- Eligibility Requirements During a Period of a Public Health Emergency. Different eligibility requirements apply during a period of a "public health emergency". For purposes of this policy, "public health emergency" means a public health emergency declared by the Governor pursuant to ORS 433.441, or a state of emergency declared by the Governor under ORS 401.165 that is related to a "public health emergency".
 - To be eligible for OFLA leave under this section, an employee need only have been employed at least 30 days before the date on which the leave would begin. An employee also must have worked an average of 25 hours per week during those 30 days.

- Eligibility for Employees Who are Re-employed or Rehired by the County.
An employee is also eligible for OFLA leave if:
 - The employee separated from employment with the County for any reason, was eligible for OFLA leave at the time of separation, and is re-employed by the County within 180 days; or
 - The employee began a temporary cessation of scheduled hours, was eligible for OFLA leave when the temporary cessation began, the temporary cessation ends within 180 days, and the employee returns to work for the County within that time.
 - Any family leave taken by the employee under this section within the leave year continues to count against the length of family leave time to which the employee is entitled. The amount of time that an employee is deemed to have worked for the County prior to a separation from employment or a temporary cessation of scheduled hours is credited to the employee for purposes of OFLA eligibility requirements if the employee is reemployed or returns to work within 180 days.
- Amount and Qualifying Reasons for OFLA: The County uses a Measured Forward leave year that begins on the Sunday before the date the employee first takes leave. OFLA provides eligible employees with job protected leave each leave year as follows:
 1. Up to 12 weeks of time off due to pregnancy disability, including prenatal care, recovery from childbirth, childbirth related conditions, and miscarriage; and
 2. Up to 12 weeks of time off, *combined* for:
 - Sick Child Leave.
 - To care for a child of the employee who is suffering from an illness, injury or condition that requires home care; or
 - To care for a child of the employee who requires home care due to the closure of the child's school or childcare provider as a result of a public health emergency.
 - Bereavement Leave. Leave to deal with the death of a "family member" as defined below. This means leave to attend the funeral or alternative to a funeral of the family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member. OFLA for bereavement purposes is limited to two weeks (up to four weeks per leave year total) and must be completed within 60 days after the date on which the employee receives notice of the death. This leave is part of, and

not in addition to, the employee's 12 weeks of OFLA entitlement per year.

- Military Family Leave. See Human Resources for more information on the eligibility requirements, limitations and other conditions on this leave.
- "Family member" means the employee's:
 - Spouse or domestic partner.
 - Child or child-in-law.
 - Parent or stepparent.
 - Grandparent or step-grandparent.
 - Grandchild or grandchild-in-law.
 - Sibling, step-sibling, sibling-in-law, or step-sibling-in-law.
 - Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship as provided by applicable law and regulations. Attestation is required.
 - Note: In-laws and step-relationships listed include registered domestic partners in accordance with applicable law.

For more information, please contact Human Resources.

- Leave Usage:
 - Continuous or Intermittent: OFLA leave may be taken intermittently whenever needed. When intermittent leave is needed for planned medical treatment, the employee is expected to schedule treatment so as not to unduly disrupt the County's operation.
 - Workers' Compensation Absences and Other Concurrent Leaves: OFLA leaves do not run concurrently with workers' compensation leaves or PLO benefits. Please contact Human Resources for more information. All other types of leave that apply to the same absence, whether paid and unpaid (e.g., FMLA, OFLA, PLO, Sick Leave, etc.) will run concurrently unless prohibited by law.
- Requesting OFLA: Requests for OFLA must generally be made in the same way that an employee requests time off for FMLA leaves, above.
- Medical Certification Requirements During OFLA: Employees who are absent for reasons that may qualify for OFLA are generally required to provide medical certification of the need for leave in accordance with applicable OFLA rules. This includes medical verification of the need for sick child leave (note: verification is not required until after the third absence for sick child leave in a leave year in accordance with applicable OFLA rules. Medical information relating to OFLA leaves, whether verbal or written, is kept confidential and maintained in the employee's confidential medical file.

- Wages and Benefits During OFLA: Like FMLA, OFLA leaves are not paid by the County. Employees must generally use their accrued paid leave benefits during a period of OFLA leave in accordance with County policy and applicable CBA provisions. Accrued sick leave must be used first.

Note: The use of paid leave does not increase, in whole or in part, the amount of OFLA leave available to an employee. All OFLA leave runs concurrently with any County paid leave benefits (e.g., sick, vacation) as well as FMLA and other forms of leave in accordance with applicable law.

Employees (including salaried exempt employees) who have exhausted their accrued paid leave benefits will not be paid by the County except when required by applicable law.

Time taken for leave covered under OFLA must be entered on the employee's timesheet regardless of how the employee is being paid for that time. For additional information on how to record OFLA leave on the timesheet, contact Payroll.

The County also maintains group health insurance coverage for an employee on OFLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. In some instances, the County may recover premiums they paid to maintain health coverage for an employee who fails to return to work from OFLA leave.

- Reinstatement and Return From OFLA: In order to have reinstatement rights when returning from family leave, employees must request reinstatement immediately upon the expiration of leave. Employees who timely return from OFLA leaves are reinstated to their former position in accordance with applicable law. Employees who cannot be reinstated to their former position because that position no longer exists are reinstated to an available, equivalent position (if one exists) in accordance with applicable law.

3. **Paid Leave Oregon (PLO)**

County employees may be eligible to receive full or partially paid leave from work through a statewide paid family leave insurance program – Paid Leave Oregon (PLO). The following policy has been developed to provide employees with additional information about this benefit and how it interacts with other County leaves. Please be aware however, PLO benefits are administered by and through the State of Oregon and not by the County directly.

- Eligibility: Generally, to receive PLO benefits through the Oregon paid family leave program, employees must:
 - Earn at least \$1,000 in subject wages during the base year or alternative base year (as determined by the state) and have contributed to the state fund in accordance with applicable law (e.g., through payroll withholdings),

- Apply for paid family and medical leave benefits with the State of Oregon for a qualifying reason, and
- Be approved by the state for those benefits.
- Amount and Qualifying Reasons for State PLO: Oregon PLO provides eligible employees with up to 12 weeks of partially paid leave benefits each leave year (Measured Forward from the Sunday of the week the employee first takes leave) for the following purposes:
 - Family Leave. Family leave includes:
 - Leave taken to effectuate placement for adoption, foster care, etc.
 - Leave taken to care for or bond with a child during the first year after the child's birth or the first year after placement through adoption or foster care.
 - Child includes the biological, adopted, foster, stepchild, legal ward, or in loco parentis child of an employee or the child of an employee's legal domestic partner.
 - Leave taken to care for a family member with a Serious Health Condition. Please see the OFLA leave policy, above, for which family members are covered by PLO.
 - Medical Leave. To recover from or seek treatment for an employee's own serious health condition, including periods of disability related to pregnancy or childbirth. Note: the PLO program also allows an employee to take an additional two weeks of paid leave for pregnancy, childbirth, or related medical conditions.
 - Safe Leave. To take leave covered by Oregon domestic violence leave rules. For more information, see Human Resources
- Coordination of Leaves: Benefits available under PLO, and FMLA are very similar, and an employee may be eligible for leave under one or more of these laws for the same absence. If so, the leaves will run concurrently consistent with applicable law.*

*Note: PLO leaves do not run concurrently with OFLA and employees are not eligible to receive workers' compensation time loss and state PLO benefits for the same absence. However, as noted above, eligibility for PLO benefits and leave, weekly PLO benefit amounts, and the number of weeks of benefits and leave an employee may receive under PLO are determined by the State of Oregon.

- Taking Other Paid Leave Benefits to "Supplement" PLO Leave: Employees may supplement their PLO benefit payments with paid leave accruals available in the employee's leave accrual banks so that the combined PLO benefit and use of leave accruals provide no more than 100% of the employee's regular gross base wages due (not including overtime or other additional pays that are not tied to base wages) during a leave of absence.

- Health Insurance Benefits During PLO Leave: The County maintains group health insurance coverage for an employee on an approved PLO leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work in accordance with applicable PLO requirements.
- How to Request PLO Leave: Employees who wish to request Oregon PLO benefits when they are available are required to:
 - Notify Trüpp and the County following the attendance reporting procedures. Trüpp can be reached at:

Phone: 888-550-6512

Email: leave@trupphr.com

Stiira Portal: <https://tillamookcounty.stiira.com>

- Notice must be provided, in writing, at least 30 days before the leave is scheduled to begin if the need for leave is known in advance. If the need for leave is not known at least 30 days in advance, the employee must give written notice as soon as possible before the leave is scheduled to begin.
- For unplanned/unanticipated leave, the employee is expected to follow the normal attendance call-in/reporting procedures for their department.
- If notice is not possible prior to beginning leave, then verbal notice is required within 24 hours of the beginning of the leave, followed by confirmation in writing within three working days after the employee's return to work.
- If an employee is not able to contact the County themselves, the employee is encouraged to have their personal representative call Human Resources.
- Notice to Trüpp must include an explanation of the need for leave.
- Penalties under PLO for Failure to Timely Notify County: If the Oregon Employment Department (OED) determines that the employee did not provide the required leave notice to the County, the OED may impose a penalty by issuing a decision and reducing the first weekly benefit amount payable by 25%. The penalty is taken from the first payment (or considered an overpayment that must be repaid if the first payment has already been made). If the first payment is less than the entire amount of the reduction, subsequent payments will be reduced until the entire reduction has been subtracted.
- Apply for PLO benefits through the State of Oregon and comply with any medical certification or other verification requirements as directed by the state. For more information, please see:

<https://paidleave.oregon.gov/Pages/default.aspx>

- Job Restoration and Verification of PLO Leaves: Employees who have been employed with the County for at least 90 days and are approved for state PLO leave benefits leave are eligible to be reinstated to their former position in accordance with applicable law. Employees who cannot be reinstated to their former position because that position no longer exists are eligible to be reinstated to an available, equivalent position (if one exists) in accordance with applicable law.

Verification of the dates and amount of PLO benefits used/claimed with the state may be required as the County determines necessary to ensure compliance with its policies, procedures and legal obligations including but not limited to leave tracking, reinstatement, and other benefits obligations.

- More Information: For more information about Oregon Paid Family Leave benefits, please contact Human Resources or visit: <https://paidleave.oregon.gov/Pages/default.aspx>

C. Workers' Compensation Leaves

For employees covered by a CBA, the County complies with its legal obligations regarding workers' compensation absences, benefits, etc. For additional information on workers' compensation rules and benefits applicable to your employment, please see the CBA, and not this policy.

The County grants employees leaves of absence for illnesses and injuries incurred on-the-job, in accordance with applicable law. Employees who are injured on-the-job should contact their supervisor immediately for an accident/incident report and workers' compensation form. Employees who are absent from work due to work-related illnesses or injuries are eligible to receive workers' compensation benefits. Employees on a workers' compensation leave of absence are required to report to Human Resources on their status, progress, and anticipated date of return to work at least once a week, unless they have received written approval to be absent until a specific date or report less frequently. Reporting to a coworker or another person is not sufficient to comply with this reporting requirement.

All employees who are released to return to work from on-the-job injuries or illnesses must request return to work as soon as possible but no later than seven calendar days after receipt of notice by certified mail from our workers' compensation insurer that they have been released to return to work by their doctor. The County complies with applicable reinstatement and reemployment laws for employees who are absent due to work-related illnesses or injuries.

NOTE: Unless the employee specifies otherwise, the County provisionally designates all workers' compensation absences as family leave under FMLA (FMLA leave), for all eligible employees in accordance with applicable FMLA rules and all workers' compensation

and FMLA leaves run concurrently with accepted workers' compensation absences. Employees are ineligible for PLO benefits if eligible to receive workers' compensation benefits, according to applicable law. Contact Human Resources for further information.

D. Other Medical Leaves

Occasionally, employees are required to be absent from work for extended periods of time due to serious on or off-the-job injuries or illnesses that are not covered by FMLA or PLO, such as when extended leave is needed to accommodate a disability. In such circumstances, employees should contact Human Resources regarding an extended medical leave of absence. Employees who are absent from work due to accepted work-related illnesses and injuries are eligible to receive workers' compensation benefits.

Employees on a medical leave of absence are required to report to their supervisor or Human Resources on their status and anticipated date of return to work at least once a week unless they have received written approval to be absent until a specific date or to report less frequently. Reporting to a coworker or another person will not be sufficient to comply with this reporting requirement. The reemployment of persons returning from medical leave is subject to the availability of suitable work. The County does, however, comply with applicable laws.

All employees who are released to return to work from a medical leave for extended off-the-job injuries or illnesses must request return to work immediately after receipt of a full or light duty release from their doctor.

E. Military Leaves

1. **In General:** Employees who serve in the U.S. Armed Forces, National Guard or Reserves, commissioned corps of the public health service, or other qualifying military/services branches are granted leaves of absence for the period of their military service, including training and other duties, as well as reinstatement of employment in accordance with applicable law. Except as provided below, military leaves are unpaid. Employees may, however, elect to use any earned and unused paid vacation, comp time, like-time and/or paid personal day benefits during military leaves. Employees who need a military leave of absence should notify the County as far in advance as reasonably possible under the circumstances. For more information, please contact Human Resources. The County appreciates the contributions of those who serve in the military and encourage anyone who serves to exercise their reinstatement rights.
2. **Paid Training Leave:** An employee who has completed six continuous months of service with the County and who is absent from work for active duty or inactive duty for training, state active duty and duty under Title 10 or 32 of the United States Code as a member of the National Guard, National Guard Reserve or any reserve component of the Armed Forces of the United States or of the United States Public Health Service, is provided

with a paid leave of absence for such training as required by law. Each training year (the federal fiscal year for any particular unit of the National Guard or reserve component), eligible employees are provided paid time off for up to 21 workdays, in accordance with applicable state law.

3. **Oregon Military Family Leave:** Employees who work an average of at least 20 hours per week are eligible to take time off to spend time with a spouse or registered domestic partner who is a member of the Armed Forces of the United States, the National Guard, or the military reserve forces of the United States and has been notified of an impending call or order to active duty or who is on leave from active duty during a period of military conflict. Eligible employees may take up to 14 workdays of Family Military leave per deployment, which may be taken intermittently. Periods of Family Military leave are counted against an employee's entitlement to OFLA when the employee is also eligible for OLFA and are unpaid. Employees may, however, elect (but are not required) to use any earned paid leave benefits during periods of Family Military leave. Employees who need Family Military leave must request leave within five business days of receipt of the official notice of a call to duty or leave. If official notice is provided less than five business days in advance, the employee must request the leave as soon as practicable. A copy of the call or leave orders is required.

F. Jury and Witness Duty Leaves

Represented employees should refer to their CBA for additional information.

Any employee notified of selection to serve as a member of a jury or subpoenaed as a witness in court before a judge, legislative committee, administrative proceeding or other official board or body with authority to conduct a hearing or inquiry are expected to notify their supervisor as soon as possible after receiving notice (within no more than 24 hours). Such employees are granted a leave of absence for the period of required service upon proper verification.

When a regular status County employee is called for jury duty or is subpoenaed as a witness in connection with their County employment, the County continues to pay the employees regular wages (less the amount of jury/witness duty pay received). Jury and witness duty pay is made on the County's next regular payday by direct deposit. Time not worked because of such duty does not affect vacation or sick leave accrued. Except as provided above, all jury and witness duty leave is unpaid. Employees may, however, elect to use accrued paid vacation and/or comp time for otherwise unpaid periods of jury or witness service.

Employees who are released from witness or jury duty during their regular working hours are required to return to work unless less than an hour would remain of their workday by the time they return to work. All employees who are off work for jury or witness duty under this policy are required to provide verification of the dates and times of service.

G. Domestic or Sexual Violence Leaves and Accommodations

Employees who are the victim of domestic or sexual violence, sexual assault, harassment, or stalking, or are the parent of a minor child or dependent who is the victim of domestic violence, criminal harassment (as defined by applicable law), sexual assault or stalking, are eligible for reasonable unpaid leaves of absence for the following purposes:

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or their minor child or dependent (including preparing for and participating in protective order proceedings or other criminal or civil proceedings) related to domestic violence, sexual assault, harassment, or stalking of the employee or their minor child or dependent;
- To seek medical treatment or recover from injuries caused by domestic violence or sexual assault, harassment, or stalking of the employee or their minor child or dependent;
- To obtain or assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, sexual assault, harassment, or stalking;
- To obtain services from a prosecutor or non-profit victim services provider for the employee or their minor child or dependent; or
- To relocate or take steps to secure an existing home to ensure the health and safety of the employee or their minor child or dependent.

Eligible employees who need domestic violence leave should contact Human Resources. Certification of the need for leave is generally required. Domestic violence leaves are unpaid. However, employees may elect to use any earned and unused sick leave and/or other paid benefits for periods of domestic violence leave. Requests for domestic violence leave and all supporting documentation are treated confidentially.

The County also makes other reasonable safety accommodations for victims of domestic violence, sexual assault, harassment, or stalking as required by law. Employees who need workplace accommodations should promptly contact Human Resources to discuss reasonable alternatives and options. Verification of the need for accommodation is generally required. Requests and all supporting documentation are treated confidentially.

H. Other Crime Victim Leaves

Any employee who has worked an average of at least 25 hours per week for 180 days immediately before the date the employee takes leave is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or their immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson, and assault. "Immediate family member" includes a spouse, registered domestic partner, father, mother, sibling, child, stepchild, or grandparent of the employee.

Employees who are eligible for crime victim leave must:

- Use any accrued, but unused vacation/sick leave during the leave period;

- Provide as much advance notice as is practicable of their intention to take leave (unless giving advance notice is not feasible); and
- Submit a request for the leave in writing to Human Resources as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

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

I. Personal Leaves

Regular status employees may be granted unpaid personal leaves of absence after 12 months of employment and upon a showing of good cause, and provided the County determines the leave can be scheduled without adversely affecting its operations and service to the public. Please note that while personal leaves of absence are unpaid, employees are required to exhaust any applicable earned and unused paid leave benefits (e.g. vacation, sick leave (if applicable), comp time, etc.) during a personal leave before unpaid personal leave time may be taken. (Represented employees should refer to their CBA regarding personal leaves.)

Requests for personal leaves of absence must be made in writing and submitted to the employee's supervisor at least one week (five working days) before time off that exceeds ten days, except in emergencies. Requests must specify a starting and ending date as well as the reason for the requested leave. Leave over 30 days must have Chief Administrative Officer approval. Supervisors may approve personal leave less than 30 days. A personal leave of absence starts on the first regular workday following the last day worked. The maximum leave allowed under this policy is 90 days.

The County will determine whether there is a compelling personal reason for the leave at its discretion. Leave will not be granted to work another job or seek employment or career opportunities elsewhere.

Employees returning from a personal leave of absence are not guaranteed reemployment. Reemployment is generally subject to the availability of a position that the County determines is suited to an employee's skills, qualifications and experience, subject to any applicable collective bargaining rights and obligations.

J. Bereavement Leave

The County provides eligible employees with 40 hours of paid bereavement leave for purposes described, and for a 'family member' defined, in the County's OFLA policy. The county's paid bereavement leave runs concurrent with the OFLA bereavement leave benefit and shall not exceed 80 hours total in a calendar year.

If you need additional time off for any bereavement purpose, you may ask for your supervisor's approval, and you may use earned personal, vacation, or comp time leave or apply for an unpaid leave of absence. Exempt employees will continue receiving their regular salaries for any additional partial days missed for bereavement purpose.

K. Other Leaves

Bargaining unit employees may also be eligible for additional leaves as set forth in an applicable CBA.

Further, it is the County's policy to comply with all applicable laws regarding leaves of absence. Individuals who need time off for a reason not covered by these policies should contact Human Resources.

10. WORKPLACE SAFETY POLICIES

The County takes the safety of our employees very seriously and believes that safety is the mutual obligation and responsibility of the County and its employees. All employees are expected to work in a manner that does not produce injury to themselves, persons working with them, customers, or the public. Employees are also expected to familiarize themselves with the safety rules below as well as additional safety rules specific to their position or found in the County's Safety Program policies and forming the habit of being safety-minded for themselves and their coworkers. The best safety measure is a thoughtful, safety-minded employee.

In addition to the policies outlined below, the County maintains comprehensive workplace safety policies, procedures, and training specific to each department. For additional information, please see contact your supervisor or Human Resources.

A. Reporting Workplace Injuries and Accidents

All County employees are covered by workers' compensation insurance, which provides coverage for occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. If an employee is injured on the job, the County wants to know about it and expects to learn about it as soon as possible after the injury/illness becomes known to them (generally no later than 24 hours after the injury (report all work-related injuries to the supervisor).

An employee who seeks treatment for their work-related injury or illness must do all of the following:

- Seek medical treatment and follow-up care if required.
- Immediately following a workplace injury, call CIS Rapid Care, 1-855-959-2741, to report the injury. A registered nurse who specializes in occupational injuries will take the claim and complete the state-required 801.

Failure to follow these steps in a timely manner may negatively affect the ability to receive benefits.

Employees who are absent from work as a result of accepted work-related injuries/illnesses are eligible for leaves of absence as outlined in the Leaves of Absence policies in this Manual.

B. Return to Work from Work Related Injuries/Illnesses

The County maintains a Return-to-Work Program that is intended to be transitional work, to enable employees to return to their regular job in a reasonable period of time after a work-related injury or illness. The Return-to-Work Program for job-related injuries consists of a team effort by the County, injured employees and their treating physicians, and our workers' compensation insurance carrier claims staff. The goal is to return our employees to full employment at the earliest possible date that is consistent with their medical condition and the advice of the treating physician.

All modified duty assignments under this policy are temporary, and individualized to each employee based on numerous factors including the employee's medical restrictions, the anticipated length of those restrictions, and the availability of suitable work the employee can safely perform. The County reserves the right to determine the availability, appropriateness, and continuation of all modified duty assignments.

Modified duty assignments may include:

- a change or reduction in the work hours of the employee's regular position;
- limiting or altering duties in the employee's regular position;
- temporarily reassigning the employee to another position for which he/she is qualified; or
- assigning the employee to perform miscellaneous tasks that are not associated with any specific job position but that meet a business need and provide productive value to the County.

For employees who are injured on the job, the physical requirements of a modified duty assignment are submitted to the employee's treating physician for approval, to ensure that they are consistent with the employee's work restrictions. While on modified or transitional work, employees are still subject to all other County policies, rules and procedures.

The County does not have designated "light duty" positions and does not create any new positions through its Early Return to Work program. As such, the County retains the right to not offer a modified duty assignment if we determine there is no work assignment that would be suitable for the employee that would also provide a productive value to the County. In the event we do not assign a temporary modified duty assignment to an employee who has suffered a work-related injury or illness, the employee generally continues to be eligible to receive time loss payments, as well as other benefits and reinstatement rights, in accordance with applicable laws.

To be eligible for consideration for a temporary modified duty assignment under this policy, an employee must be temporarily unable to return to their regular duties as a result of an on-the-job injury or illness; and not medically stationary. Once an employee becomes medically stationary, that employee is no longer eligible to participate in a temporary modified duty assignment under this policy. The County continues, however, to comply with its reasonable accommodation obligations for employees who qualify as disabled under applicable state or federal laws regardless of whether their disability arises on or off-the-job and regardless of whether the condition is stationary. Such accommodations may include temporary or ongoing job modifications that allow qualified employees to perform their essential job functions. For more information on our disability accommodation policies, please see the Equal Employment Opportunity policies or contact Human Resources.

If an employee declines to accept an offer of a modified duty assignment that has been approved by their treating physician, the employee's right to receive time loss compensation under the workers' compensation laws may be discontinued. In addition, the employee may lose the right to be reinstated under the injured worker reinstatement

laws. Other leaves of absence may still apply and all applicable leaves run concurrently. For more information, contact Human Resources.

C. Reporting Unsafe Working Conditions and Practices

All employees are expected to report any unsafe working condition promptly. Reports should be made to the employee's supervisor or department director or Human Resources. The County encourages employees to work with us to maintain safety by alerting us to potentially unsafe conditions. If you see an unsafe or dangerous working condition that you can easily correct within the scope of your authority (such as a cord lying across a walkway), you should fix the problem immediately.

We also encourage employees to bring general concerns and recommendations for improving workplace safety to our attention. General concerns and recommendations can be made to the Safety Committee or their supervisor. Employee concerns and recommendations are welcomed and carefully considered.

D. Non-Retaliation Policy

It is important for all employees to understand that the County expects its employees to report all workplace accidents, injuries, and unsafe working conditions and to participate in investigations. The County does not allow supervisors, managers, or other employees to retaliate against employees who comply with our safety reporting policies. Employees should bring complaints of retaliation to Human Resources. These types of complaints are promptly investigated, and violators are subject to appropriate disciplinary action, up to and including termination of employment.

E. Driving and Use of Vehicles

Some positions with the County require employees to operate vehicles as part of their jobs. The following rules are applicable to all employees who drive on County business:

1. **Driver's License and Insurability**: Employees whose job requires the use of a County vehicle or their own vehicle on County business must maintain insurability with the County's insurer [including a driving record acceptable to the County and our insurer(s)] at all times, and a current valid driver's license. Employees who are authorized to drive a personal vehicle on County business must also carry auto liability insurance on any personal vehicles used to conduct the County business.

An employee whose position requires them to drive and has any driving restrictions or their license status changes in any way, they must inform Human Resources immediately. Only employees who are properly licensed, insured and have been authorized by the supervisor are permitted to drive County vehicles.

In order to ensure compliance with this policy, and the safety of other employees, passengers and the public, the County receives automatic reporting from the

Oregon Driver & Motor Vehicle Services (DMV) and may check the driving records of employees who drive for the County at any time as permitted by applicable law.

2. **Compliance with the Law, Traffic Violations, and Good Judgment:** All employees who drive on behalf of the County are expected to use good judgment and caution in the operation of the vehicle at all times. All employees who drive on behalf of the County are also required to be aware of and comply with all applicable traffic laws and regulations at all times. This includes using safety belts for drivers and passengers at all times. The County does not pay for employee traffic violations. Employees who receive a traffic or parking citation, etc. while using any automobile on County business, are responsible for all fines, court costs, etc.
3. **Cell Phones While Driving:** For employees who drive any vehicle on behalf of the County, the first responsibility is to drive safely at all times. All employees are expected to be aware of weather, traffic, pedestrians, and other driving conditions and to use caution and good judgment at all times. Employees are prohibited from using hand-held cell phones for any purpose while driving on County authorized or County related business. Employees who must take a call while driving are required to use a hands-free device at all times, including voice dialing. Individuals who do not have an appropriate hands-free device available, or if weather or other driving conditions warrant extra caution even with a hands-free device, must safely pull off the road and have the vehicle in park before engaging in any call. This policy also prohibits employees from using a cell phone or other device to read, send or receive text or "instant" messages while driving or engaging in any other reading, browsing of social media, internet, etc. while driving on County business. Taking notes, including writing down phone numbers or other information, is also strictly prohibited while driving. All employees who drive must also be aware of and adhere to all state and local laws regarding cell phone use while driving. Violation of this policy will subject the employee to discipline, up to and including termination.
4. **Reporting Accidents and Traffic Citations:** All accidents, traffic citations and damage, however small, must be reported immediately to the supervisor. This applies to all types of accidents and damage, including damage to the property of others as well as County property and equipment. Employees are required to cooperate fully with County accident and damage investigations.
5. **Use of County Vehicles:** Employees are prohibited from transporting any unauthorized passengers in County vehicles while on County business, unless specifically authorized by the supervisor. This includes friends, family members, etc. Personal use of County vehicles is prohibited.

Refer to the County Driving and Vehicle Policy for additional information.

F. Protective Safety (PPE) and Other Equipment

The County provides employees with a variety of protective safety equipment (PPE) such as gloves, eye protection, protective clothing, and other necessary safety equipment to do their jobs. Employees are required to use good judgment and follow County rules and safety regulations for wearing proper safety gear. Failure to wear assigned safety gear as required or instructed results in disciplinary action. Any item furnished by the County must be turned in upon termination or reduction in force.

Employees are strictly prohibited from driving or operating any equipment unless they have been authorized by management to do so. Also, employees should not, under any circumstances, operate equipment or vehicles that they reasonably feel are not in safe operating condition. Employees who feel that equipment is not in safe operating condition must comply with the County's lock-out/tag-out procedures and promptly notify their supervisor.

Pranks, practical jokes and/or horseplay that violate the County's safety rules and procedures or may otherwise result in injury or damage to property are strictly prohibited and subject to disciplinary action. Also, all employees are responsible for maintaining a safe, clean and well-kept work area. Please keep the lunch facilities, work surfaces, floors, passageways, parking lots, and common areas clear of refuse, debris, spills, or other obstacles which could cause an accident.

G. Inclement Weather/Emergency Closing

Except for the scheduled holidays identified by the County (see "Holidays" section, above), the County is open for operations, Mondays through Fridays during normal business hours, although some departments may have hours of extended operation, such as Parks, Public Works and the Library. If there are circumstances beyond our control, such as inclement weather, a national crisis, or other emergencies that make one or more of our office locations inaccessible for all or part of a regularly scheduled workday, the Board of Commissioners' Chair (or their designee) will decide whether to and to what extent the County will close. The Chair will notify all department directors and supervisors via email, text or telephone, who will notify staff via email, text or telephone.

Pay During Inclement Weather Closures: Non-essential employees who are unable to work due to the closure of County offices are compensated at their regular rate of pay for their regularly scheduled hours missed from work due to the closure. Salaried exempt employees receive a continuation of salary without deduction for qualifying inclement weather closures. Inclement weather pay for time not worked is not counted as hours worked for the purpose of computing overtime.

Employees who the County has determined are able to telework are not eligible for inclement weather pay, irrespective of whether they are on a telework schedule, unless a power outage prevents them from teleworking during their regular scheduled work hours.

Absences When the County is Open: The County also recognizes that each employee's ability to safely reach work may be different even when County offices remain open. An employee who believes they cannot safely report to work in such circumstances must contact their supervisor and follow the normal attendance reporting policies for their department. In such cases, the employee must use accrued personal day leave, comp time, or vacation leave in order to be paid for that time. Safety and a trustworthy approach are your guides.

H. Tobacco-Free Workplace

The County provides a tobacco-free environment for all employees and visitors. For purposes of this policy, "tobacco" includes the smoking of any tobacco-based product, smoking in any form (including, without limitation, cigarettes, cigars, vape pens, and e-cigarettes), and the use of oral tobacco products or "chew/spit" tobacco.

All County property, buildings and vehicles are tobacco-free in accordance with County Ordinance #82. Individuals who wish to smoke or use tobacco products must do so off County property and outside of the County's facilities/buildings, only in designated smoking areas, and out of visitor view. Smoking is not allowed near building entrances, exits, windows and air intakes; Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows.

Also, all smoking/tobacco use areas must be kept clean, and all trash (including cigarette butts and smokeless tobacco waste) must be properly disposed of in appropriate trash receptacles.

I. Workplace Violence Policy

The County is committed to preventing workplace violence and to maintaining a safe work environment. As a result, the County has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

Prohibited Conduct: This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- Provoking, participating in or encouraging fights or other physical altercations.
- Threatening the safety or well-being of another employee, community member/public, vendor (or others contacted through the job) whether directly or indirectly.
- Vandalizing County property, community member/public property, or the property of other employees.
- Screaming, or other violent, vulgar, abusive or harassing outbursts of temper, particularly when directed at another employee.
- Advocating or encouraging acts of violence toward others.

- Being in possession of guns, weapons, explosives, or any other object that could reasonably be perceived as a weapon on County property, including parking lots or in County vehicles without the County's written authorization.
- Distributing "hate" literature or engaging in other communications that advocate violence.
- Engaging in any other conduct the County considers menacing, intimidating, threatening or violent.

Reporting: Employees should immediately report incidents that involve violations of this policy to their supervisor, department director, or Human Resources. Individuals who are in immediate fear for their safety or the safety of another person should call 911. Likewise, all suspicious individuals or activities should also be reported as soon as possible to a supervisor, department director, or Human Resources. The County promptly investigates all reports of violations of this policy. Investigations, including the identity of the person reporting, are kept confidential to the extent we determine confidentiality can be maintained while allowing us to comply with our investigation obligations.

Violations: Violators are subject to discipline, up to and including discharge. Retaliation against those who report incidents or provide information in connection with an investigation will not be tolerated. Employees who engage in retaliation are subject to discharge.

J. Safety Committees

The County maintains Safety Committee(s) in accordance with applicable law. The Committees are responsible for making recommendations on improving safety and health in the workplace.

In particular, the Committees have been charged with the following responsibilities:

The Safety Committee duties may include some or all of the following:

1. Periodic inspection of County facilities and make recommendation for safety improvements;
2. Identify hazards as defined by OSHA and suggest corrective actions;
3. Investigation of the causes and prevention of reportable accidents and injuries as defined by OSHA;
4. Promote and recommend the education and training of employees on safety and health issues;
5. Develop accident investigation procedures.

Safety Committees consist of management and employee representatives who have an interest in the general promotion of safety and health for the County. Employee members may be elected or volunteer from each work group. (Represented employees should refer to their CBA regarding the selection process.) Management members are appointed. Each member is generally a member of the Committee for two years,

beginning in January. Employees who are interested in participating in our Safety Committee should contact Human Resources for more information.

Safety Committees meet regularly and keeps written records of meetings. Copies of meeting records are available for employee review upon request. Employees who have general suggestions for improving workplace safety should write out their suggestion(s), sign and submit them to any member of the Safety Committee for review at an upcoming meeting. Represented employees should consult their CBA regarding the submission and review process.

11. DRUG AND ALCOHOL POLICY (NON-DEPARTMENT OF TRANSPORTATION)

The County works to maintain a safe and efficient work environment. An employee's involvement with drugs and alcohol can have a significant impact on the workplace and can present a substantial risk to the employee who is using alcohol and drugs, to coworkers, and others.

A. Prohibited Conduct

The following conduct is strictly prohibited:

1. Buying, selling, consuming, manufacturing, distributing or possessing drugs or alcohol (or drug/alcohol paraphernalia) while on County property. County property includes all property rented, leased, owned, or controlled by the County, including parking lots. County property also extends to County equipment and vehicles on or off County property at any time.
2. Buying, selling, consuming, manufacturing, distributing or possessing drugs or alcohol while on duty, including rest and meal periods
 - As a narrow exception, employees may make lawful purchases of alcohol (to be consumed during non-working hours) on meal and rest periods, provided they transport and store the alcohol in their personal vehicles.
3. Reporting for work, working, or being at work with any amount of alcohol or drugs present in the body.
 - The conduct prohibited by this rule includes consumption of drugs or any intoxicating liquor within four hours of reporting to work or during rest breaks or meal periods. If use of alcoholic liquor or an alcohol "hangover" adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee's blood alcohol content exceeds the amount listed above, the employee will be deemed "under the influence" for purposes of this rule.
4. Failing to comply with disclosure and notification obligations, as set forth in the Medications section.
5. Failing to promptly report arrests, convictions and/or plea-bargains for an alcohol or drug related criminal offense. All drug and alcohol-related convictions and plea-bargaining agreements must be, promptly within five business days, reported to the department director and HR Director.
6. Failing to comply with County directives regarding enforcement of this policy including but not limited to refusing to promptly submit to required testing; giving false, repeat diluted samples or altered samples; obstructing the testing process; failing to comply with rehabilitation conditions imposed by rehabilitation counselors or by the County pursuant to this policy.

7. Engaging in any other violation of this Policy.

Exceptions: The prohibitions under these policies do not apply to law enforcement employees when the conduct is performed as a part of the employee's assigned job duties (e.g., law enforcement officers who seize drugs, etc.) or to licensed healthcare providers when the conduct is performed as part of the employee's assigned job duties in accordance with applicable law.

B. Drugs

As used in this policy, drugs refers to all controlled substances regulated under the federal Controlled Substances Act, including but not limited to marijuana, synthetic or semi-synthetic opioids and designer drugs not approved for use by the US Food and Drug Administration.

It is not the intent of this policy to prohibit or test for medications (other than marijuana) that are lawfully prescribed and used in accordance with a prescription. Note: The County does test for marijuana, which is unlawful under federal law and prohibited by this policy. For more detailed information on the requirements that apply to employees using prescribed or non-prescribed medication, please refer to the Medications and Safeguards sections of this policy.

C. Drug and Alcohol Testing

The County reserves the right to conduct testing (urine, breath, saliva/oral fluid, blood, etc.) for drugs and alcohol as follows:

1. **Pre-Employment Testing:** As a condition of employment, including rehire, the County requires a drug test of all applicants for safety sensitive positions. All applicants who are required to undergo testing must report to the collection site and submit to such testing within the specified time period after they are notified of their obligation to be tested. Applicants testing positive for drugs, or providing a false, altered, or diluted sample, etc., or testing positive for any type of masking substance, will be disqualified from employment except as prohibited by law.
2. **Reasonable Suspicion Testing:** Employees are required to immediately submit to testing for drugs whenever the County has a reasonable suspicion to believe that the employee has reported to work, returned to duty, or is working with drugs in their system. Likewise, employees are required to immediately submit to testing for alcohol whenever the County has reasonable suspicion to believe that the employee has reported to work, returned to duty, or is working with alcohol in their system.
 - Only supervisors trained to identify the appearance and conduct indicating the misuse of alcohol and controlled substances may make the observations and order reasonable suspicion testing.
 - Employees who are required to submit to reasonable suspicion testing are prohibited from transporting themselves to the collection site.

- A supervisory employee will arrange and provide transportation for the employee to be taken to the testing site and home after testing, unless the employee's test results have been confirmed as negative.

3. **Post-Accident Testing**: Employees are subject to testing for drugs if they are involved in an accident that results in property damage and that requires 1) an accident report to the DMV, 2) a fatality, 3) or an injury which is treated away at a medical facility. The County may waive testing if it concludes that the employee's actions or inactions were clearly not a factor causing the accident.

Employees who are involved in such accidents may also be tested for alcohol if there is reasonable suspicion to believe that they had above a level of 0.00 alcohol present in their body when the accident occurred under reasonable suspicion testing as set forth above.

If an employee is injured and is therefore unable to promptly consent to testing, the employee is required to authorize a release of limited medical records to reveal whether drugs and/or alcohol were in their system at the time of the accident. The employee is further prohibited from consuming alcohol or taking drugs (excluding prescribed drugs consistent with a physician's instructions) between the time of the accident and testing.

4. **DOT – Legally Required Testing**: Employees are subject to drug and alcohol testing when otherwise required by law based on the nature of their job duties with the County, such as DOT drug and alcohol testing. Failure or refusal of a legally required test, such as a DOT random, return-to-duty, or follow-up test, is also a violation of this policy. DOT employees must inform their supervisors immediately of any changes to their DOT status.
5. **Random Safety-Sensitive Testing**: It is not the County's practice to conduct routine random testing of employees except when required by law, such as DOT testing). The County does, however, reserve the right to conduct random testing of employees in safety sensitive positions for drugs. Individual safety sensitive employees, all safety sensitive employees as a group, a percentage of all safety-sensitive employees, and/or all safety sensitive employees in particular job positions, departments or locations may be required to submit to random testing at the discretion of the County.

For individualized testing, the County may choose to utilize a random selection process based on a pool of safety sensitive employees. All employees in the random selection pool have an equal chance of being selected for testing. Employees selected for random testing are required to immediately submit to such testing as instructed, and without any delay or detour. There will be no advance notice of testing.

6. **Return to Work Testing**: Employees may be required to submit to testing as required pursuant to a Last Chance Rehabilitation and Return to Work Agreement and as

recommended by the employee's rehabilitation counselors and approved by the HR Director in accordance with applicable law.

D. Searches

All County property including, but not limited to computers, phones, desks, equipment, County vehicles, lockers, etc. are subject to search at the County's discretion, including if there is reasonable suspicion that the desk, vehicle, item, etc. being searched contains drugs or alcohol. In addition, when the County property is subject to general access by County employees, this policy is not intended to restrict such access and employees do not have any expectation of privacy in any County property including but not limited to desks, County vehicles, lockers, etc. All illegal drugs or drug paraphernalia found in or on County property may be released to a law enforcement agency.

E. Safeguards

The County uses qualified medical personnel and supervisors to administer this policy. If applicable, medication use and other medical information are screened by a qualified Medical Review Officer. Lawful medication used consistent with a prescription is treated as a negative test under this policy, and employee medical information is not disclosed to the County by the testing organization. The County also requires the use of equipment, procedures and facilities that we believe have a high degree of accuracy and integrity in testing and analysis.

All positive employee drug and alcohol testing results are confirmed using current and reliable testing methods. All employees who test positive are notified of the positive test result by the County. Test results and other information concerning the enforcement of this policy are treated confidentially and released only when we feel there is a need-to-know or as required by law.

The time spent by an employee in traveling to and from the collection site as well as time spent in testing is treated as hours worked for pay purposes.

F. Medications

This policy is not intended to prohibit the appropriate use of legally prescribed or over-the-counter medications containing controlled substances. However, employees using prescribed drugs or non-prescription medications are responsible for carefully reviewing side effects warnings (including any warnings pertinent to the effects of use of a combination of substances) and for consulting with their prescribing physician and/or pharmacist to determine whether there are any side effects that could impair the employee's ability to safely or competently perform their job duties whether that medication is being used alone or in combination with other prescription or over-the-counter medications.

If the employee or their doctor feels that the employee is experiencing any such side effects, the employee must notify Human Resources of the side effects before reporting

to work or continuing to perform their job duties. The employee is not required to disclose the medical condition for which the medication is being taken unless the County determines that this is necessary to comply with its legal obligations (such as properly designating leaves and/or evaluating reasonable accommodation options). However, medical verification of the ability to safely perform job duties may be required before the employee is allowed to continue their work assignment.

It is a violation of this policy for an employee to use medication inconsistently with the prescription or label, to unlawfully transfer prescription medication (including but not limited to selling or giving prescription medications to another person), and to use medication that is unlawfully obtained (including but not limited to using medication prescribed to another person). Please also note that if an employee tests positive for alcohol or show signs of having alcohol present in their body (e.g., odor on their breath), it will not be an acceptable excuse that they used a medication containing alcohol, such as Nyquil.

Note Regarding Marijuana: Marijuana is an illegal drug under the federal Controlled Substances Act. The use of marijuana, which is inconsistent with the Prohibited Conduct listed above, is considered a violation of this policy, even if an employee has a prescription for medical marijuana or is consuming marijuana recreationally consistent with Oregon state law. Any buying, selling, consuming, possession or use of marijuana on work time or County property is prohibited. Likewise, reporting to work with prohibited levels of marijuana present in the body is also considered a violation of this policy, even if the employee has authorization for the use of marijuana under state medical marijuana law(s).

Employees who believe they have a disability requiring accommodation should contact Human Resources to determine whether some other reasonable accommodation can be made that would allow them to continue being employed without violating this policy.

G. Rehabilitation Assistance

The County encourages employees who have drug and/or alcohol use problems or think they may have such problems to seek assistance voluntarily. When an employee voluntarily seeks assistance before violating this policy, that employee is placed on a leave of absence or adjusted working hours to allow for inpatient or outpatient rehabilitation treatment. The employee will not be permitted to work until the employee provides written verification from a qualified healthcare provider that they can safely return to work. In addition, employees who are covered by DOT regulations will not be permitted to return to work until they have complied with all return to work conditions required by applicable law.

The time an employee is off work undergoing rehabilitation is not work time and is not paid. However, employees may draw their unused, accumulated sick leave, comp time, vacation pay and/or paid personal day pay. Also, employees who are receiving health insurance coverage are eligible for continuation of health insurance benefits with County

contributions in accordance with the provisions of the County's plan, health insurance and leave policies. Such time off may also qualify for family leave or other leaves in accordance with County policy and applicable law.

Being engaged in treatment for a substance abuse problem does not relieve an employee from normal performance, safety, or attendance standards when they are not otherwise scheduled to be off work for treatment. It also does not relieve an employee from the obligation to comply with this policy.

H. Violations

Any violation of this Drug and Alcohol policy will generally result in termination, even for a first offense. Employees who claim drug or alcohol use problems after being selected for testing or otherwise violating this policy or other County standards may be subject to discharge, irrespective of such problems.

The County may however, at its discretion, allow an employee a one-time opportunity to undergo evaluation and rehabilitation in lieu of discharge, provided the employee agrees to all rehabilitation treatment, education, testing and other conditions as set forth in a written Last Chance Agreement provided by the County. Any employee who violates the terms of the Agreement is subject to immediate discharge. The County considers the following factors in exercising its discretion: the overall circumstances, including the nature of the violation, the employee's length of service, the employee's work record, the safety-sensitivity of the individual's position, the consequences of the violation, whether the individual's behavior violated any other County policy and any other circumstances offered by the employee that mitigate against discharge.

12. OTHER GENERAL WORKPLACE POLICIES AND EXPECTATIONS

The County expects all employees to use common sense, sound judgment, and to conscientiously perform their work duties while abiding by the County's policies and management directives in the performance of their jobs. All employees are expected to become familiar with and keep informed of changes in our safety rules, operational policies, etc. Employees who have questions about their position, their employment status, their job requirements, or any other matter, please discuss those questions with the supervisor, department director, or contact Human Resources.

A. Cooperation, Teamwork, and No-Bullying Policies

In addition to performing job functions in a manner that meets County performance standards, all employees are required to be professional in their relations with other County employees, officials, members of the public and others they come into contact within the performance of their responsibilities with the County. Teamwork and cooperation are independent job requirements for all positions.

1. **No-Bullying Policy:** The County strives to promote a positive, professional work environment free of physical or verbal bullying. Workplace bullying conduct generally includes repeated verbal and/or non-verbal conduct (including through the Internet, email, social media, etc.) that is malicious, vindictive, cruel, or deliberately hurtful, etc. to others in the workplace. Bullying behaviors include those that have the effect or purpose of threatening, embarrassing, humiliating, intimidating, insulting, offending or sabotaging/undermining another employee; and/or interfering with an employee's performance. Some examples of bullying behaviors include, but are not limited to:
 - **Verbal Bullying:** Slandering, ridiculing, or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as a butt of jokes; abusive and offensive remarks.
 - **Physical Bullying:** Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
 - **Gesture Bullying:** Non-verbal threatening gestures that can convey threatening or intimidating messages.
 - **Exclusion Bullying:** Socially or physically excluding or disregarding a person in *work-related* activities.
 - **Cyber Bullying:** Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on websites for coworkers, directors, or supervisors or elected officials.

Please note that bullying does not include legitimate workplace disciplinary or other restrictions or corrective action, delivered in a professional manner, by a supervisor or County management.

Bullying behaviors negatively impact the health and well-being of individuals and the workplace as a whole and are prohibited. Bullying behaviors based on or directed at a person's protected status or activity are considered to violate both this policy and the other applicable Equal Employment Opportunity policies (such as Non-Discrimination, Anti-Harassment, etc.).

All employees and others in our workplace are expected to conduct themselves professionally in the workplace and in their interactions with others at work and refrain from engaging in bullying behaviors. This includes being aware of and making any necessary adjustments to tone, volume, body language, and other manner of communication in the workplace.

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

B. Customer Service and Public Relations

All employees should remember that they are part of a team of public employees, and public satisfaction with the County depends upon good service. Community members, customers, suppliers, and outside agency representatives who contact the County are always to be treated in a polite, professional, and respectful manner, including but not limited to being prompt and responsive to citizen/customer questions, concerns, complaints, etc. If a citizen or workplace visitor becomes abusive or argumentative, employees are expected to remain calm and professional, and to refer the person to the department director or the Chief Administrative Officer.

In addition, all employees are expected to assist in maintaining a professional public image on behalf of the County. For employees whose workspaces are visible to the public, this means that workspaces must be kept neat and tidy at all times. Personal pictures, postings and mementos, plants, etc. that are visible to the public must be discrete and professional in appearance. Personal postings are not permitted on the outside/public facing walls of any cubicle or workspace. Also, personal pictures, postings, mementos, plants, etc. must not damage any County property.

C. Computers and Electronic Equipment Policies

1. **Ownership and Access:** All electronic and telephonic communication systems and equipment, and all communications and information transmitted by, received from, or stored in these systems, including electronic mail (e-mail) and voicemail, are the property of the County. These systems are provided to employees at County expense to assist them in carrying out business activities. Consequently, all information transmitted through or stored in the system, including e-mail messages, is considered business information.

The County's systems routinely gather logs for most electronic activities. To ensure that the use of our electronic communication systems is consistent with the County's policies and business interests, we reserve the right to monitor the use of such equipment and to access, review, copy, modify, delete, or disclose information transmitted through or stored in the system, including e-mail messages, at any time as we deem appropriate. Consequently, employees using the County's electronic communication systems and equipment should have no expectation of privacy in connection with the use of this equipment or with transmission, use, or storage of information in the equipment, including stored e-mail or voice-mail messages.

Employees should also be aware that all information on electronic office equipment, network storage devices, or personal computers is a public record if the content of the information would be a public record in any other format. As such, it is subject to disclosure under the public records law.

2. **Use of Equipment and Systems:** A computer, workstation, or other computer-related equipment may be assigned to an employee for the County's business purposes. An employee's use of our electronic communication systems should be restricted to business activities and should never interfere with employees' duties. It is important to remember that transmitting, retrieving, downloading, or storing messages or images that are offensive, derogatory, off-color, or sexual in content, or otherwise in violation of the County's Equal Employment Opportunity policies (No-Discrimination, No-Harassment, Policy Against Retaliation, etc.) is inappropriate and is not tolerated in a business environment. Likewise, conveying or knowingly receiving messages that are threatening, disruptive, disparaging, or otherwise unlawful or illicit is strictly prohibited.

Employee use of our internet for personal use must be limited to necessary, occasional communication conducted only during meal and break periods. Also, regardless of whether the material is intended to be personal or is viewed, downloaded, and/or forwarded, our internet account is not to be used to access sexually explicit, indecent, or illegal materials or any other sites we consider contrary to the expectations set forth in our policies prohibiting discrimination and harassment, etc. Individuals who use the County's internet for personal use are reminded that this policy does not change the County's right to monitor the use of such equipment and to access, review, copy, modify, delete, or disclose

information transmitted through or stored in the system, to ensure compliance with our policies as we deem appropriate. Employees should not conduct any personal business using our systems, which they would not want others to see or disclose.

- 3. Software and Upgrades:** Employees are not permitted to perform any unauthorized upgrades, modification, or repairs to any computer, workstation, or other electronic equipment assigned to them, unless authorized to do so by the County. All upgrades or additional equipment or support for problems that may result in troubleshooting or repairs must be requested through the Information Services Department. Similarly, employees should not perform any action in the use of any computer workstation or other electronic equipment that is in violation of copyright laws. To avoid violations, employees are prohibited from removing or making copies of County computer software under any circumstances. As noted above, the County may audit, change, or remove any software on any computer or workstation at any time as it deems appropriate.

Likewise, employees are prohibited from loading or using, without prior approval from the County, any software that is not licensed to the County. Such software includes copies licensed personally to the employee, "shareware," "freeware," product demonstration copies (demos), or software obtained from electronic bulletin boards. Employees are not permitted to install any illegal copies of software on County computers or other electronic equipment.

- 4. Security:** Employees who are assigned a computer or other electronic communication device may be issued a log-on and/or password, which they must keep confidential. Employees are prohibited from creating unauthorized usernames and passwords and from using any other person's username or log-on. Passwords help protect the County's communication and computer systems against misuse by restricting access to only authorized users. Each user is responsible for the security granted them and all activity logged under their access identification. Employees who believe their log-in information has been compromised must immediately notify the Information Services Department as to the nature of the compromise.

Use or access of another person's log-on, e-mail account, or other account or computer without their knowledge, including but not limited to intercepting communications intended for another person, is also prohibited. Likewise, bypassing or disabling any firewall or security systems (including accessing blocked sites) is strictly prohibited. To eliminate unwanted "spam" e-mail, employees are not permitted to use their County e-mail address or County computers to register for personal use on commercial websites. Because of the risk of viruses and other harmful programs transmitted through e-mail, employees should avoid opening up e-mail attachments if they do not know the sender, as these can disrupt or slow the network and cause harm to our electronic resources. If unsure, discuss with the immediate supervisor or contact the Information Services Department.

5. **Social Networking and Personal Online Activity:** The County generally believes that employee off-duty activities are their own business. However, certain types of off-duty activities, in particular, certain online and social networking conduct by our employees, have the potential to affect our business and working environment. As a result, we have developed this policy to provide employees with information about what is expected of them when they engage in personal social networking and other online activity. In general, employees should remember that they may be subject to personal liability in addition to employment discipline for their online conduct. Therefore, always use good judgment in posting content in any online forum.

Additionally, all employees are expected to comply with the following:

- **COMPLY WITH COUNTY POLICIES:** Access to and use of personal online social networking, blogs and other online social media while at work must be done only on breaks or lunch time and must comply with all other provisions of the County's Computers and Electronic Equipment policies. Use of County email addresses for personal online social networking, blogging or other personal online activity is prohibited.
- **BE RESPECTFUL:** Employees who "friend" or otherwise engage in online social networking, blogging, etc., with coworkers or other County business associates, or who post comments or information in online public forums, should remember that their personal online activity, even off duty, can impact our business and the work environment. Any online activity that violates our Equal Employment Opportunity policies (including our policy against harassment and retaliation), workplace violence policies or other conduct policies may result in discipline up to and including discharge, regardless of whether the conduct occurs on or off-duty or in a personal online forum. Also, please be aware that managers and supervisors are prohibited from requesting or requiring that employees provide them access to their personal social media accounts, including by friending or accepting social media contacts.
- **BE AWARE OF CONFIDENTIALITY OBLIGATIONS:** Remember that the County takes the confidentiality of its non-public information seriously. Employees are prohibited from posting non-public/confidential information on any website, blog, social networking site, etc. Note: confidential information does not include information about employee wages, hours or working conditions.
- **RESPECT THE RIGHTS OF OTHERS:** Respect all copyright and other intellectual property laws. It is important to show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks, and other intellectual property, including the County's own logos, brand names, taglines, slogans or other trademarks.

- **IDENTIFY YOURSELF:** In order to avoid misunderstandings when making personal postings related to the County's services, employees should consider identifying their role at the County and the County's lack of involvement in the posting. Note: the County operates its own website and has an official presence on some social networking sites. Except for authorized members of management assigned to maintain such sites, employees are not allowed to make postings on behalf of/in the name of the County or to create social networking accounts or websites that represent to be on behalf of or in the name of the County.

Note: This policy is not intended to prevent employees from engaging in any activity protected by applicable law.

6. **Identification Badges:** The County provides identification badges to all County employees and volunteers. Badges must be worn at all times while conducting County business. If your badge is lost or stolen, report it to Human Resources immediately.
7. **Violations:** The use of a computer, the internet, or other electronic communication system to engage in any communications that are in violation of this or other County policies (or federal, state, or local law), including but not limited to the transmission of defamatory, obscene, offensive, or harassing messages, is prohibited. We consider misuse of our electronic communication systems and equipment to be a serious matter.

D. Privacy and Workplace Inspections

1. **Workplace Access and Privacy:** All County property, including desks, work areas, cabinets, and other office spaces, equipment, furniture and systems are the property of the County and may be subject to general access, search, and/or County-led inspection at any time. *Employees, volunteers, interns, public officials, and others should understand that they have no expectation of privacy in the workplace.*
2. **Prohibition on Secret Recordings:** All employees and others in our workplace are however, expected to conduct themselves in accordance with applicable law.

To avoid misunderstandings, all employees and others in our workplace should be aware:

- Secret recordings of conversations in the workplace may violate Oregon law and are strictly prohibited.
- Individuals who wish to record the whole or any part of a conversation by means of any device must first notify all of the people in the conversation. This rule applies to the recording of conversations made during work hours, while at work-related functions, or in connection with work between or among employees, supervisors, elected officials, or members of the public. It does not apply to conversations where there is no expectation of privacy, such as a

Board of Commissioners' Meeting and the like. Nothing in this policy is intended to restrict any individual's constitutional or other rights.

- This policy does not apply to law enforcement employees who record conversations in the course of performance of their official public safety duties.

Employees who secretly or otherwise unlawfully record meetings with supervisors, coworkers, elected officials, members of the public or others while on duty are subject to discipline, up to and including termination of employment.

E. Employee Property

The County does not provide protection or payment for lost, damaged or stolen personal items (including vehicles and their contents) brought onto County premises (including parking lots) or other work locations. Employees are strongly encouraged not to bring valuables to work. Employees are, however, expected to show concern and respect for the rights and property of others. Employees who find lost items are required to immediately report the items to the supervisor.

F. Work Performance

Employees are responsible to perform their duties with care and attention to community member/public needs and the County's quality and performance standards and requirements. Carelessness or negligence that leads to mistakes, physical injury or property damage, and other failures to meet the County's quality or performance standards or requirements is cause for disciplinary action.

G. Performance Reviews

The County believes it is important for employees to know how they are performing, including receiving recognition for good performance and receiving constructive suggestions when improvement is needed at any time during their employment. We encourage all supervisors to have open communication with employees about their performance. Employees are also encouraged to ask their supervisor at any time, "How am I doing?"

In addition to such informal feedback, the County also strives to provide employees with written performance evaluations during the probationary period of employment and annually thereafter. Performance evaluations are intended to help ensure that each employee knows how they are performing against established performance standards, to provide a tool for career planning, to facilitate communication and to help the County evaluate training, employee development, and job assignment decisions. Both employees and supervisors are strongly encouraged to actively participate in the performance evaluation process. If an employee disagrees with their performance evaluation, they may submit a response with reasons for disagreement. The employee's response shall be filed with the employee's performance evaluation in the employee's personnel file. Such response must be filed no later than 30 days following the date the performance evaluation was received.

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

(Represented employees should refer to their CBA for additional information regarding performance reviews.)

H. Promotions, Transfers and Career Development Policies

Except when otherwise required by an applicable CBA, the County generally conducts recruitment through an external, open, and competitive process open to all interested and qualified candidates, including internal candidates. We encourage our employees to apply for promotional or transfer consideration for any open position for which they are interested and qualified by following the instructions and complying with the deadlines on the recruitment posting.

- All recruitments are conducted in accordance with the County Equal Employment Opportunity policies and veteran's preference is provided in accordance with applicable law.
- Employment offers are subject to reference checks, driving records, criminal history and background screening, medical and/or drug and alcohol screenings based on the needs of the position and consistent with applicable law.

In addition to recruiting to fill job openings, employees should understand that the County may assign employees job duties or transfer, including promoting, employees to different positions or work assignments as the County determines appropriate to the efficient operation of the County, subject to applicable CBA obligations.

Training and Career Development Opportunities: The County provides employees with ongoing training throughout employment. Generally, new employees are provided with orientation training. In addition to mandatory trainings, which may be assigned by the County at its discretion, all employees are encouraged to participate in identifying his or her training needs. Employees who believe they need additional training or are interested in career development opportunities should contact their supervisor or Human Resources.

I. Personnel Records

The County maintains personnel records on all employees. Here are the general guidelines regarding County recordkeeping. Represented employees should also refer to their CBA.

1. **Updating Records:** In order to comply with government regulations and to ensure that employees receive all available benefits, it is important that personnel records be kept up to date. Employees should notify Human Resources of any change in their address or phone number, person to be notified in case of accident, legal name, marital status or dependents for benefits purposes, number of insurance

beneficiaries, changes in visa or work authorization status, etc., when such changes occur.

Likewise, if the employee's job requires licensure and/or certifications, they must document compliance with these minimum qualification requirements by keeping their personnel records up-to-date. Provide a copy to the supervisor and Human Resources each time they are renewed. If there will be any delay in obtaining a required license or certification (or renewal), the employee must also notify their supervisor and Human Resources of the reason in advance.

2. **Access And Privacy:** The County considers employee personnel files to be private and access to personnel files is restricted. Employees who wish to review their own personnel file may contact Human Resources to arrange for an appointment. No files may be removed from the office but may be reviewed with a Human Resources representative. Requests for copies of an employee's own personnel file must be submitted in writing to Human Resources. The County's policy is to provide copies within 45 days from the time the request is submitted. Employees may be charged for copies in accordance with applicable law. Questions should be directed to Human Resources.

In addition, the County does not permit any employee's social security number or other protected personal information to be posted, displayed, transmitted over the Internet without encryption, or otherwise made available to coworkers, etc. Information containing employee social security numbers and other personal information must be kept in locked files with limited access at all times. The County has also implemented safeguards to ensure continued security of any information that is disposed. Please contact Human Resources with any questions.

J. Public Records and Media Relations

As a public entity, the County is obligated to comply with public records inspection requests. Although the County is committed to public transparency and compliance, not all records are subject to public review. In order to ensure that the County consistently maintains the confidentiality of exempt records and complies with applicable requirements for public records disclosures, all employees who receive a request for public records must forward such requests to County Counsel. Only County Counsel is authorized to respond to public records requests on behalf of the County.

All media inquiries must be directed to the Chief Administrative Officer for response on behalf of the County.

K. Solicitation and Bulletin Boards

To make sure employees are not disturbed or interrupted while on work duty, we have established the following no-solicitation policy:

- Individuals who are not employed at the County may not solicit our employees or distribute literature on County property at any time without prior approval from the Chief Administrative Officer.
- Individuals who wish to solicit or distribute literature to other employees by or on behalf of any individual, organization, club, or society may do so only during times when they are on a rest or lunch break. Employees may solicit or distribute literature only to those employees who are also on a rest or lunch break. The distribution of literature in work areas is prohibited at all times, but may be placed in established break areas or lunchrooms.
- Only individuals authorized by the Chief Administrative Officer may distribute all-employee emails concerning non-County matters.

Bulletin Boards: The County uses its bulletin boards to post up-to-date information, notices, County job openings, safety committee minutes and information, health promotion program news and other County or local health related events as well as information required by law. We also use them to announce activities and other items of interest to employees. We ask employees to check the bulletin board regularly to obtain information that may be important to them. Only individuals authorized by the Chief Administrative Officer may post materials on County bulletin boards.

L. Cost Consciousness

As a public entity, the County's funds are a limited public resource. As a result, all County employees are expected to be conscious of costs and avoid unnecessary waste of resources in the performance of their jobs. Individuals with any suggestions for ways to improve County cost efficiency and service to the public are encouraged to contact their supervisor or department director.

M. Dress Code

Public relations are an integral part of each employee's job. As a result, all employees are required to be neatly groomed and wear clothing that is clean, in good repair, fits properly (including properly covering chest, stomach, back and other intimate areas), and is professional and appropriate for their position and job duties, whether in the office, a County vehicle, or other worksite.

Some positions with the County may be required to wear a uniform or other job specific attire. Supervisors will inform employees of any specific uniform or dress code requirements for their position. For positions that are required to wear a uniform, the County provides employees with uniforms at County expense. County uniforms and attire (with County logo, etc.) may not be worn off-duty except in the normal course of travel to and from work. All County uniforms and attire must be returned on separation from employment.

In the event a concern arises regarding employee compliance with this policy, the County will make the final determination regarding what is appropriate dress for our workplace in its discretion. In addition to discipline, employees arriving for work with an

appearance that significantly disregards County standards or creates a safety hazard may be asked to return home for immediate correction. Employees who have any questions regarding the specific standards for their job should contact their supervisor.

N. Children in the Workplace

The County recognizes the challenges faced by working parents and guardians, particularly in emergency situations. To support employees while maintaining a productive and safe work environment, the County has established a policy that allows children to be present in the workplace under limited and controlled circumstances.

Employees may bring their children into the workplace for up to 30 minutes to make necessary childcare arrangements. During this time, children must remain in the lobby area, and those aged seven or younger must be supervised by their parent at all times.

Before bringing a child to work, employees are required to seek prior approval from their immediate supervisor or a higher-level manager. Supervisors are responsible for evaluating such requests, taking into account the County's legal obligations to ensure the health and safety of all individuals in the workplace.

Supervisors also bear responsibility for managing workflow and ensuring that the presence of children does not create unsafe or disruptive conditions. The County reserves the right to determine whether a child may remain in any part of its facilities based on safety, operational needs, and the well-being of all involved.

Employees are encouraged to explore alternative options before bringing children to work, such as using flex time to make up hours or utilizing accrued leave (sick, vacation or comp time), as appropriate to the circumstances.

O. Animals in the Workplace

Employees are not allowed to bring pets or other animals into County facilities or County-owned vehicles, and any other building, site or vehicle owned, controlled, or operated by the County. County owned parks and greenspaces are excluded from this definition only when the employee is not working for or performing any duties on behalf of the County. In certain circumstances, the County may be able to accommodate service or working animals for employees with known disabilities. Please see the HR Director for further information. This policy does not apply to County law enforcement's use of K9 units.

13. EMPLOYMENT DISCIPLINE AND DISCHARGE POLICIES

Except as specifically provided otherwise in a current CBA covering the employee's employment or a current written employment agreement covering their employment, all employees are employed on an "at-will" basis regardless of their employment status or classification. Aside from the County's right and the employee's right to terminate the employment relationship at any time, the County may issue verbal or written warnings, suspend, demote, or take other disciplinary action against employees as it determines appropriate to the circumstances.

To avoid misunderstandings, the County has grouped examples of unacceptable conduct into two basic categories: Minor and Major infractions. When the County believes that a regular employee has committed a *first* minor infraction of our policies/standards, the employee is generally issued a verbal and/or written warning prior to discipline or termination of employment. Probationary and seasonal/temporary employees are not generally given a written warning prior to termination. When we feel an employee has committed a major infraction, that employee is subject to immediate suspension or discharge.

However, all employees should understand that progressive discipline is not guaranteed. Rather, each situation is evaluated according to the circumstances involved, and the type of discipline administered may vary from that listed in each group based upon the County's determination of the seriousness of the offense. Also, warnings for different minor infractions may be combined to determine the type and severity of discipline administered. An employee's overall record may be considered in determining the appropriate degree of discipline to be imposed in a particular case. The County will determine what the facts are, whether discipline is warranted, how serious the violation is, and what level of discipline is appropriate.

A. Minor Infractions

These types of infractions include, but are not limited to, the following:

- Unsatisfactory attendance, including unauthorized or excessive absenteeism, tardiness, and failure to notify us of intended absence or tardiness or failure to comply with other reporting policies (other than no-call/no-show). Note, even a single instance of countable no-call/no-show is considered to be a more serious violation of the County's standards and will generally result in more serious disciplinary action regardless of an employee's prior disciplinary record.
- Careless, inaccurate, unreliable, or otherwise unsatisfactory work performance or productivity that the County determines is not major/serious in nature.
- Violation of the County's Teamwork and Cooperation or Customer Service and Public Relations policies.
- Violation of the County's Dress Code/Uniforms policy.

- Failure to follow safe working practices and rules. (Note: When we feel an employee has committed a serious safety violation, that employee is subject to immediate discharge).
- Violation of the County's Cost Consciousness policy, using County property for personal use, or other minor violations of the County's ethical practices expectations that the County determines are not serious enough to warrant immediate discharge.
- Violation of the Equal Employment Opportunity policies, which, in our view, is not serious enough to warrant immediate discharge.
- Violating any County policy that is presently in effect or subsequently issued or any other conduct that the County determines warrants disciplinary action but not immediate discharge.

B. Major Infractions

These types of infractions include, but are not limited to, the following:

- Insubordination, including failure to follow any (legal) verbal or written job instructions issued by a person in the position of authority as determined by the County.
- Violations of the workplace violence policy.
- Dishonesty of any kind, including but not limited to theft, falsifying any reports or records, such as applications, absence and sickness reports, time records, accident reports, or patient records, etc.
- Deliberately delaying or limiting work tasks or inciting others to delay or limit work tasks.
- Any careless or deliberate act of destroying, or damaging County property, tools or equipment, or the property of others on County premises or while on County business.
- Committing violations of safety rules or safe working habits that the County determines to be repeated or serious.
- Violations of the County's Equal Employment Opportunity policies (e.g., discriminatory behavior, harassment, retaliation) that the County determines to be repeated or serious enough to warrant immediate discharge.
- Violation of the Drug and Alcohol policy.

- Violation of the ethical practices policies that the County determines to be repeated or serious.
- Criminal activity that interferes with the employee's ability to perform their duties or the County's ability to maintain the public trust.
- Violating any other County policy presently in effect or subsequently issued that the County determines is serious enough to warrant immediate discharge.
- Any other conduct that is, in the view of the County, serious enough to warrant discharge or suspension.

C. Other Conduct

The County believes its rules are clear and require little explanation. However, employees who have any questions concerning the application or intent of these rules should consult their supervisor or Human Resources. Obviously, rules cannot be listed to cover every situation. The above lists are intended to give employees examples of some of the types of conduct that will lead the County to exercise its termination options. Conduct not specifically mentioned is disciplined according to the standards followed for what County management determines to be the most equivalent type of conduct listed.

D. Progressive Discipline Procedures

Represented employees should refer to their CBA.

An employee's overall record may be considered in determining the appropriate degree of discipline to be imposed in a particular case. The County will determine what the facts are, whether discipline is warranted, how serious the violation is, and what level of discipline is appropriate in all cases. Employees not covered by a CBA who feel they have been unfairly disciplined or discharged are encouraged to utilize the Complaint Procedures in Section 14 of this Manual.

As noted elsewhere in this Manual or as otherwise provided in a CBA, probationary period, on-call, and temporary/seasonal employees are subject to discipline and discharge without notice at the County's sole discretion. For Minor Infractions by regular employees, the County generally applies the following steps of discipline:

1. Documented oral reprimand.
2. Written reprimand.
3. Performance Improvement Plan.
4. Final Written Warning with or without Last Chance Agreement, Demotion, or Suspension Without Pay, as solely determined by the County.
5. Discharge.

To progress through the above steps of discipline, the infraction(s) need not be for the same or similar offense. Also, the level of discipline, up to and including discharge, may

vary from these steps at the County's sole discretion based on County management's evaluation of the circumstances and the employee's overall work record.

Regular status employees are generally offered an opportunity to respond to management's decision to terminate employment prior to termination. This response may be made to HR Director. Except as otherwise provided by an applicable CBA or written employment contract signed and dated by the HR Director, however, nothing in this policy changes an employee's at-will employment relationship with the County. Employees do not hold any property rights in, or ownership of, their job. The above lists are intended to give employees examples of some of the types of conduct that will lead the County to exercise its employment "at will" termination options.

14. COMPLAINT PROCEDURES

A. Open-Door Policy

The County's Open Door policy is based on our belief that open, honest communication between supervisors and employees should be a common business practice. The County's supervisors are responsible for creating a work environment where employee input is welcomed, and where issues are identified early and shared without the fear of retaliation (when the employee provides the input in good faith). Employees who have a complaint, suggestion, or question about their job, working conditions, or the treatment they are receiving from anyone in the County should raise them first with a supervisor, preferably their supervisor but the employee may also bring this to another supervisor with whom they feel more comfortable sharing their concern. Please use the compliant procedure outlined below.

B. Complaint Procedure

In addition to maintaining an open-door policy, the County has also established the following internal complaint procedures for employees to express workplace concerns.

Please note that this complaint procedure does not apply to the following:

- *Workplace concerns, including disciplinary actions, that are covered by an applicable CBA.*
- *Complaints or concerns about discrimination, harassment or retaliation that are covered by the County's Equal Employment Opportunity policies in this Manual. Employees with complaints or concerns about such conduct should follow the reporting procedure in that section of this Manual.*
- *Complaints regarding retaliation for raising ethical concerns, safety concerns, or reporting workplace injuries or workplace violence. Employees with complaints or concerns about such conduct should follow the reporting procedures under those specific sections in this Manual.*

For all other complaints or concerns that are covered by this policy, the following steps may be taken and the Tillamook County Complaint Form (Internal) used. Complaints or concerns regarding a disciplinary action greater than a written warning or reprimand should proceed directly to Step 3 (HR Director).

STEP 1: Meet with the supervisor to discuss the matter as soon as possible after the event prompting the complaint. The supervisor is expected to review the concern and respond in writing as quickly as possible, generally within five business days of the meeting. If additional time is needed, the supervisor must notify the employee in writing within the initial five business day period, specifying the reason for the delay and the anticipated timeframe for the response. If the employee is not comfortable speaking with their supervisor about the matter, or the concern involves a decision or action by their supervisor, they can proceed directly to Step 2 below.

STEP 2: Employees who are not satisfied after receiving the response from their supervisor may submit an appeal to their department director, within five business days after receiving the supervisor's response. The appeal must be made in writing and must include a detailed statement outlining the complaint or concern, and the supervisor's response, if any. The department director is expected to review the appeal and respond in writing as quickly as possible, generally within five business days of receiving the appeal. If additional time is needed, the department director must notify the employee in writing within the five business day period following receipt of the appeal, specifying the reason for the delay and the anticipated timeframe for the response.

STEP 3: Employees who are not satisfied with the response from their department director, they may submit an appeal to the HR Director, within five business days after receiving the department director's response. The appeal must be made in writing and must include a detailed statement outlining the complaint or concern, as well as the supervisor's response, if any, and the department director's response. The HR Director will review the appeal and determine whether additional investigation is necessary. Otherwise, the HR Director generally provides a written response within 10 business days. Unless the complaint is about a disciplinary demotion, unpaid suspension, or employment termination (or is about the HR Director), the HR Director's decision is final.

STEP 4: If the complaint is about a disciplinary demotion, unpaid suspension or employment termination, or is about the HR Director, the employee may present the matter to the Chief Administrative Officer for review and settlement within five business days after receiving the HR Director's response. The appeal must be made in writing and must include a detailed statement outlining the complaint or concern, as well as the supervisor's response, if any, and the department director's response. The Chief Administrative Officer will review the appeal and determine whether additional investigation is necessary and generally provide a written response within 10 business days.

The decision of the Chief Administrative Officer is final.

15. LEAVING COUNTY EMPLOYMENT

A. Voluntary Resignation (or Retirement) from Employment

The County recognizes that employees may choose to resign (or retire) their employment at any time. Employees choosing to resign or retire are asked to give their department director written notice of such preferably at least two weeks prior to their last working date. When giving two-weeks' notice, vacation, personal, or sick days may not be used in lieu of notice except as otherwise protected by applicable law. Employees who do not give two-weeks' notice of their intent to leave the County will not be eligible for re-employment at a later date. All County equipment/property must be returned to the department director.

B. Layoff

For employees covered by a CBA, layoff, bumping and recall rules applicable to your employment are established and governed by the terms of that CBA, and not this policy.

County employment needs vary based on organizational changes, workload, budgetary and other business and operational considerations. If the County determines it is necessary to eliminate or consolidate jobs or otherwise curtail operation, layoffs may be necessary. The decision of individuals to be laid off is made based on the County's evaluation of the comparative work performance and skills of the employees in the positions affected, and the skills and abilities of those employees to perform the work remaining. When the County determines that the performance, skills and abilities of the employees being considered for layoff are relatively equal, preference is given to the employee with the longest length of service with the County. The County's policy is to provide advance notice of layoff when it determines budgetary and operational considerations allow. Laid off employees do not have any bumping or automatic recall rights.

C. Discharge

Except as provided otherwise in a current CBA covering the individual's employment or a valid individual written employment agreement applicable to their employment, employment can be terminated by the County or the employee at any time for any reason not prohibited by law.

D. Final Paychecks

Employees covered by a CBA should refer to the CBA for applicable final paycheck rules.

When the County ends the employment relationship for any reason it makes the final paycheck available to non-represented employees by the end of the next business day following termination. When non-represented employees voluntarily resign with at least 48-hours advance notice, the County makes the final paycheck available on the last day

of work or on the next business day if the last day falls on a weekend or holiday. When non-represented employees resign with less than 48-hours' notice, the final paycheck is made available within five days of termination or on the next payday, whichever comes first.

E. References

All requests for references or recommendations must be directed to Human Resources. No employee is authorized to give references on behalf of the County for current or former employees. This includes but is not limited to the expectation that employees are expressly prohibited from providing LinkedIn "recommendations" or using a website on the internet to discuss a current or former employee's performance or termination of employment on behalf of the County or as the employee's supervisor. All personal references must explicitly state that the reference is personal and not given on behalf of the County.

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

EMPLOYEE ACKNOWLEDGEMENT

I acknowledge that I have viewed, downloaded, and/or printed a copy of the Tillamook County Employee Policies and Procedures Manual (April 1, 2026), that is located on the County's website, and covers my employment. I also understand and acknowledge that:

1. This Manual supersedes all prior board orders, policies, procedures, and statements of the County which conflict or may conflict with it. It does not, however, substitute for CBA provisions. To the extent that a provision in a valid CBA contradicts or is inconsistent with what is in this Manual, the CBA provision (and not this manual) controls on that issue. During my employment, it is my responsibility to remain informed about the policies as revisions, updates and new policies are issued, and to ask questions about any interpretation of any of the policies.
2. Tillamook County reserves all rights necessary for the efficient management of its operations and that the County has adopted this Manual only as a general guide to its current policies, work rules and the work environment. This Manual is not a contract for continued employment or benefits at any level. Rather, I understand that it may become necessary for the County to change this Manual, its policies and practices, and/or to change, reduce or discontinue any benefits from time to time (subject to applicable collective bargaining obligations, if any) as it determines appropriate to the management of the County.
3. Except as otherwise provided in an applicable collective bargaining agreement covering my employment or an individual written employment agreement signed by the Human Resources and Risk Management Director or Chief Administrative Officer, either the County or I may terminate my employment relationship at any time, for any or no reason, with or without cause, and with or without advance notice or due process procedures, and that I do not have any property interests/rights or ownership in my employment with the County.
4. I also understand that no one other than the Human Resources and Risk Management Director or Chief Administrative Officer has any authority to enter into any agreement for employment for any specified period of time, to assure me of any future position, benefits or other terms or conditions or employment, or to make any promises contrary to, or in addition to, this Manual. I understand and acknowledge that any such representation and promises must be in writing and signed and dated by the Human Resources and Risk Management Director or Chief Administrative Officer in order to be valid.

I have read this acknowledgement carefully before signing.

Employee Signature

Date

Employee Name [print]

APPENDIX A – DEFINITIONS APPLICABLE TO FMLA LEAVES

A “**Covered Service-Member**” is a member of the Armed Forces, including the National Guard or Reserves, or a qualified veteran of the Armed Forces, National Guard or Reserves during the first five years following discharge from military service (as defined by law), who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness as provided by applicable law.

Next-of-Kin: An employee's Next-of-Kin for military caregiver leave includes the nearest blood relative other than the covered service member's spouse, parent, son, or daughter in the following priority: Blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions; Brothers and sisters; Grandparents; Aunts and uncles; and First Cousins. The covered service member may also designate, in writing, another blood relative as their “Next-of-Kin” for FMLA purposes. That designation shall control the determination.

Serious Health Condition: “Serious health condition” under the federal law means an illness, injury, impairment, or physical or mental condition that involves:

1. **Hospital Care:** Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.
2. **Absence Plus Treatment:** A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:
 - Treatment two or more times by a healthcare provider, by a nurse or physician's assistant under direct supervision of a healthcare provider, or by a provider of healthcare services (e.g., physical therapist) under orders of, or on referral by, a healthcare provider; or
 - Treatment by a healthcare provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
 - In order to qualify and except under extenuating circumstances, the first, in person treatment must take place within seven (7) days of the first day of incapacity. Also, except under extenuating circumstances, the second treatment must occur within thirty (30) days of the first day of incapacity.
3. **Pregnancy:** Any period of incapacity due to pregnancy, or for prenatal care.
4. **Chronic Conditions Requiring Treatments:** A chronic condition which:
 - Requires periodic visits for treatment by a healthcare provider, or by a nurse or physician's assistant under direct supervision of a healthcare provider;
 - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

5. Permanent/Long-term Conditions Requiring Supervision: A period of incapacity, which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
6. Multiple Treatments (Non-Chronic Conditions): Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

"Incapacity" means the inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore or recovery therefrom.

"Treatment" includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.

A regimen of "continuing treatment" includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

APPENDIX B – POST-ADOPTION REVISIONS