

Marion County Housing Authority

Personnel Rules

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Preface

The Marion County Board of Commissioners has adopted these Marion County Housing Authority Personnel Rules as the official personnel policies and procedures for Housing Authority employees. The Personnel Rules are effective April 1, 2007 and supersede the previous Personnel Rules. If any sections of these Rules are contrary to local, state, or federal law, the law will govern. Should any section or portion of these Personnel Rules be unlawful or unenforceable, all other sections and provisions of the Rules shall remain in effect. Marion County Housing Authority reserves the right at any time to withdraw or amend any portion of these Rules as they apply to current or future employees. **Nothing contained herein should be construed to create contractual or vested rights.**

Non-Discrimination

Marion County Housing Authority (MCHA) employs a diverse workforce that reflects the character of its general population to assist in providing effective services to its citizens. Housing Authority prohibits unequal, disparate treatment of an individual because of race, religion, color, sex, sexual orientation, age, physical or mental disability, marital status, national origin, or any other protected class in accordance with state or federal law. *(Also, see [Non-Discrimination Policy](#) in the Marion County Housing Authority Administrative Policies and Procedures.)*

Applicability

Classified Service

Employees in the classified service are subject to all of the Housing Authority Personnel Rules. The classified service includes all employees who are not part of the unclassified service listed below.

Unclassified Service

The Board may designate positions in the unclassified service to be subject to all or part of the Personnel Rules. Employees in the unclassified service are subject to all of the Personnel Rules except for Articles 4, 5, 8, 9, and 10, unless specific reference is made to an unclassified employee or position. An unclassified employee is an at-will employee and serves at the pleasure of the Board. The unclassified service includes:

- The Executive Director
- Employees serving as members of commissions and boards;
- Persons employed by contract for temporary or part-time service, including those employed to render professional, scientific, technical, or expert services of an occasional or exceptional character;

- Temporary employees as defined by the Personnel Rules; and
- Persons employed jointly by the MCHA and some other governmental agency;

The Executive Director may use the selection process for hiring as outlined in these Rules for unclassified positions; however, appointments to positions in the unclassified service are not required to go through the recruitment process.

Responsibility

- The Executive Director is responsible for administering the Personnel Rules.
- The Executive Director, managers, or supervisors are to be familiar with and administer these Rules in a consistent and impartial manner.
- Administration is to maintain updated Personnel Rules in a location that is easily accessible to all employees.
- The Executive Director will assist departments with interpreting and implementing the Rules. The Executive Director will also monitor the implementation of the Rules to promote compliance, consistency, and fairness.
- Each employee is responsible for complying with these Rules.
- The Executive Director is responsible for dissemination and notice of the Rules, and for interpretation and methods of administration of the Rules.

Suspension of Personnel Rules

The Executive Director, in conjunction with the Board, has the authority to suspend the Personnel Rules if a specific provision of the Rules in a specific situation would create an undue hardship on the efficient operation of the Housing Authority. The Executive Director has no authority to suspend a rule in a manner that would conflict with local, state, or federal law.

When suspending a rule, the Executive Director shall state the rule, duration of suspension, and basis for the decision. The suspension shall not extend beyond 90 days. The Executive Director will notify the Board of Commissioners of the suspension and will post notice of suspension on Housing Authority bulletin boards or will relay the information using other approved methods of communication.

Article 1: General Provisions

Section 1: Personnel Files

Each department manager shall submit the appropriate paperwork to the Finance Department to ensure that the Housing Authority appoints and pays all employees in accordance with MCHA Personnel Rules.

Marion County Human Resources will maintain employee records for all Housing Authority employees. These records shall be the official records of the Housing Authority and shall contain official reports, memos, letters, personnel actions, etc., relating to employee performance and employment status.

Personnel files shall *not* contain:

- Medical records
- Conviction or arrest records
- Records of investigation of criminal conduct
- Confidential reports from previous employers
- Information related to an employee's citizenship or immigration status, including I-9 forms
- Other materials that are excluded by federal or state law

The Housing Authority shall keep medical information, I-9 forms, and confidential reports in separate files and shall regulate those documents as prescribed under state or federal law.

Each department manager shall have access to review the personnel files of employees in his or her department. Current or former employees may inspect the contents of their personnel file in the Marion County Human Resources office upon the employee's oral or written request to do so. With written permission from an employee, the employee's official representative may inspect all records pertaining to the employee, except for confidential reports from previous employers.

Marion County Human Resources shall place no information that reflects critically upon an employee in the employee's personnel file unless it bears either the signature or initials of the employee indicating that the employee has seen the document. If the employee has seen the document but refuses to sign or initial it, the supervisor must make a notation that the employee received a copy of the document and refused to sign. The department shall provide the employee with a copy of the document when placing it in the employee's personnel file.

Letters of caution, consultation, warning, admonishment, or reprimand shall not be used in any subsequent evaluation or disciplinary proceeding involving the employee after three years of having been placed in the personnel file, unless there have been

recurrences of a similar nature. After the three-year period, and in the absence of one or more recurrence of a similar infraction, the employee may request that the Executive Director remove the letters. Marion County Human Resources will not remove information of this nature from the personnel file without approval of the Executive Director, and will not remove information of this nature if it pertains to an employee's pay or benefits.

Section 2: Records Exempt from Public Disclosure

Some public records relating to personnel matters are exempt from disclosure in accordance with ORS 192.410 to 192.505 and other state and federal laws. Marion County Human Resources will not disclose personnel records without approval of the Executive Director.

Section 3: Employee Addresses

All Housing Authority employees are required to report address and telephone changes to their department, which will submit the necessary paperwork to payroll to initiate the changes in the database.

Section 4: Changes to Employee Status and Pay

The department must report to the Finance Department every change to an employee's status or pay. These changes include, but are not limited to:

- Administrative leave
- Appointment
- Change of pay rate
- Demotion
- Dismissal
- Family medical leave
- Internal appointment
- Leave of absence
- Military leave
- Performance evaluation
- Promotion
- Reassignment
- Reclassification
- Suspension

Article 2: Classification of Positions

Section 1: Purpose

The purpose of this article is to provide an equitable and logical arrangement of job classifications to facilitate the identification, compensation, and filling of positions.

Section 2: Adoption and Maintenance of the Classification Plan

Marion County Housing Authority shall adopt and maintain a classification plan that organizes positions having similar duties, authority, and responsibility under a common title that allows for similar qualifications and the same pay rate.

The classification title of each position shall be the official title used on personnel actions, payroll records, budget documents, and reports relating to the position. The Executive Director may authorize working titles for internal administration or contact with the public.

The Executive Director shall be responsible for keeping the classification plan current through periodic studies of positions and other appropriate actions. For purposes of this section, the authority of the Executive Director shall include:

- Deleting old classification specifications
- Re-titling classification specifications
- Creating and amending classification specifications
- Reclassifying positions
- Designating units
- Determining eligibility for overtime
- Determining pay ranges

Section 3: Classification Specifications

Marion County Human Resources shall write and maintain classification specifications, or class specs, for all job classifications in the Housing Authority service. A class spec is the written description of a classification generally containing a title, EEOC category, FLSA designation, statement of job duties, authority, responsibilities, educational requirements or equivalents, minimum requirements, special skills or training required for the job, and additional requirements determined to be necessary to serve the best interests of the Housing Authority.

Class specs are descriptive, not restrictive. They do not list every job duty of any position and they do not limit the ability of a supervisor or the Executive Director to assign work or alter tasks as long as these tasks and duties remain within the general definition of the class. Nothing in the class spec restricts supervisors or the Executive Director when assigning an employee of one class to perform some of the duties of a higher or lower

class for a limited period. Accepting an assignment to perform work in a higher or lower class for a limited period is a requirement of all classes.

Section 4: Allocation of Positions

A. New Positions

To request a new position, department managers must submit a Position Request Form and essential job duties of the proposed position to the Executive Director for consideration. The Marion County Personnel Analyst will review the essential job duties of the proposed position to determine the appropriate classification. If the Executive Director approves the request, the Executive Director will allocate the new position to the appropriate classification.

B. New Positions

Before requesting a new position, the department must submit a Position Request Form and essential job duties for the new position to the Executive Director for review.

C. Reclassification of Existing Positions

The Marion County Personnel Analyst may reclassify positions as the result of several types of actions. The Executive Director may initiate a classification review, or an employee may request a reclassification of a current position, or a department manager may request a change in a position via the add/delete process due to organizational needs. (Also, see [Reclassification](#), Article 3, Section 5.C.3.)

1. Executive Director Initiates Classification Review

The Executive Director will periodically review classifications to determine whether the duties accurately reflect responsibilities, and if the compensation is appropriate. The Executive Director will work with departments to facilitate the review of identified classifications.

2. Department Managers/Employee Requests Reclassification

Any employee may submit a request to the Executive Director requesting a review of a current position or classification. Any employee submitting a request to review a current position, must submit a Position Description Worksheet outlining the current job duties of the position. The employee's supervisor must complete and sign the supervisor section of the Position Description Worksheet. The Executive Director will review the form and consider if the information provided warrants a reclassification. If the Executive Director determines the classification of a position is no longer correct, the Marion County Personnel Analyst will submit a Personnel

Findings & Recommendations report to the Executive Director requesting a change in the classification.

3. Add/Delete Process

If a department requires a position with a different classification based on organizational needs, the Executive Director will submit a Position Request Form and essential job duties of the proposed position to the Marion County Personnel Analyst. The Position Request Form initiates a request to delete an existing position and create a new position in a different classification.

The Marion County Personnel Analyst will review the essential job duties of the proposed position to determine the appropriate classification. The Marion County Personnel Analyst will review the request and make a recommendation to the Executive Director. If the Executive Director approves the request, the Marion County Personnel Analyst will allocate the position to the appropriate classification.

Marion County Human Resources will generate a Position Request Action signed by the Executive Director that will reflect the Executive Director's decision. The Marion County Personnel Analyst will forward the action to the Executive Director.

a. Effect on Incumbent if Lower-Level Position

If an employee occupies a position that will be deleted and the new position will be in a lower classification, the Executive Director will request that the Marion County Personnel Analyst reclassify the employee into the lower classification if the employee meets the minimum qualifications.

If the employee does not meet the minimum qualifications, the Housing Authority will begin the layoff process. The affected employee is not necessarily the employee whom the department will lay off. (Also, see [Layoff](#), Article 10 and [Reclassification Downward](#), Article 3, Section 5.C.3.c.)

b. Effect on Incumbent if Higher-Level Position

If an incumbent is in the position to be deleted and the new position will be in a higher classification than the employee's current classification, the Executive Director will request that the Marion County Personnel Analyst determine if the incumbent is acting in capacity at the higher level. If so, it will be noted on the Position Request Action that the employee is performing the

higher-level duties and meets the minimum qualifications. The Position Request Action form is the authorization to the department to reclassify the employee to the new position. (Also, see [Reclassification Upward](#), Article 3, Section 5.C.3.a.)

If the incumbent is not performing the higher-level duties, the department must recruit for the new position and the incumbent may apply for the position. If the department selects the employee, it is a promotion. (Also, see [Promotion](#), Article 3, Section 5.C.2.)

If the department does not select the employee, the department will proceed with the layoff process. The affected employee is not necessarily the employee whom the department will lay off. (See [Layoff](#), Article 10.)

c. Effect on Incumbent if Same Level Position

If an incumbent is in the position to be deleted and the new position will be in a classification with the same pay range as the employee's current classification, the Marion County Personnel Analyst will determine if the incumbent meets the minimum qualifications of the new classification. If so, the Marion County Personnel Analyst will reclassify the incumbent to the new classification. If the employee does not meet the minimum qualifications, the Housing Authority will begin the layoff process. The affected employee is not necessarily the employee whom the department will lay off. (Also, see [Layoff](#), Article 10 and [Reclassification Downward](#), Article 3, Section 5.C.3.c.)

Section 5: Appeal

Any department manager or employee may appeal the decision of the Executive Director. The department manager or employee must file the written appeal within ten calendar days of the decision. The appeal must contain a statement indicating reasons for the appeal and, whenever possible, evidence indicating errors or omissions in the Executive Director's findings.

The Board shall review the findings and decision of the Executive Director and may hold a hearing if appropriate. The Board shall either affirm the Executive Director's decision or refer the matter back to the Executive Director for review. The Board's decision is final.

Section 6: Elimination of Vacant Positions

(See [Vacant Positions Termination](#) in the Marion County Housing Authority Administrative Policies and Procedures.)

Article 3: Compensation

Section 1: Purpose

To provide an equitable pay structure and systematic method of pay administration for Marion County Housing Authority employees.

Section 2: Adoption and Maintenance of Compensation Plan (Pay Plan)

The Marion County Housing Authority shall adopt and maintain a compensation plan that establishes pay ranges for all classifications. Except where statutory authority provides otherwise, the Marion County Housing Authority shall be responsible for establishing pay ranges for all classified and unclassified positions in Marion County Housing Authority service.

Generally, the compensation plan shall include a minimum and maximum rate for each classification and the intermediate rates the Housing Authority considers necessary and equitable. The Housing Authority may use flat rates in place of pay ranges, where appropriate. The Housing Authority will base the pay range assigned to each classification on the duties, authority, and differences between it and other classifications. The Housing Authority will take into account pay rates and benefits paid by other comparable public and private employers. Other factors that may be considered are recruiting and turnover factors, internal/external market equity, and the employer's ability to pay.

Section 3: Allocation of Pay Ranges

The Executive Director has the authority to adjust or establish a pay range or rate based on the following:

A. Periodic Review of Pay Ranges/Rates

The Executive Director shall oversee a periodic review to determine the adequacy of pay ranges/rates based on the factors set forth in Section 2 above. The Marion County Housing Authority may create a pay range/rate because of the creation of a new classification.

B. New Positions

When a department manager requests a new position, the Executive Director shall review the allocation to determine the appropriate classification and pay range.

Section 4: Appeal of Allocation of Pay Ranges

Any department manager or employee may appeal the Executive Director's decision to the Board by filing a written appeal within ten calendar days of the date of the Executive Director's signature. The appeal must contain a statement indicating reasons for the appeal and, whenever possible, evidence indicating errors or omissions in the Executive Director's findings.

The Board shall review the Executive Director's findings and decisions and may hold a hearing if determines appropriate. The Board shall either affirm the Executive Director's decision or refer the matter back to the Executive Director for further review. The Board decision is final.

Section 5: Administration of Compensation Plan

When the Housing Authority bases a classification's compensation on a pay range, the following rules shall govern the use of the range:

A. Rates of Pay

The Housing Authority shall pay each employee at one of the steps in the pay range for the classification to which the Executive Director has assigned the position. The hourly pay rate for employees in the same classification and on the same pay step will be equal, whether the employees work an eight-hour workday or a seven-and-one-half-hour workday.

B. Entrance Pay

Generally, the Executive Director will appoint, reappoint, or reinstate an employee at the first step in the pay range for the classification. If a department manager believes it is necessary to appoint, reappoint, or reinstate an employee above the first step, the department manager must submit a Position Review Form to the Executive Director for approval or denial. The Position Review Form must identify the requested step, include the justification for the higher step, and verify that the Housing Authority has sufficient funds in the budget.

The Executive Director shall review the merits of the request on the basis of availability of applicants with qualifications for the vacant position, the applicant's qualifications to perform the job, resulting pay relationships with other employees, the candidate's prior experience, the time available to continue the

recruiting process, and budget considerations. The Executive Director's decision is final.

C. Types of Adjustments

1. Merit Increase

The Housing Authority shall base merit increases on satisfactory service and the employee's work performance. If an employee's overall performance evaluation rating is lower than "Meets Expectations," the Executive Director will not grant a merit increase until the Executive Director deems that the employee's performance meets expectations. This will not change an employee's anniversary date. (See [Performance Evaluation](#), Article 8, Section 2.)

The Executive Director may defer a merit increase if the employee's anniversary date occurs during a period of pay reduction imposed as a form of discipline. Following the end of the pay reduction, the Executive Director may grant the merit increase if the employee's performance has met expectations. This will not change the employee's anniversary date.

If the employee's performance meets expectations, the employee will be eligible for a merit increase on the established anniversary date until the employee has reached the top step of the pay range. For the purpose of this section, the eligibility date shall be the date upon which the appointing authority granted the first merit increase. The Housing Authority will change the employee's eligibility date due to promotions, reclassifications, or non-continuous service months.

a. Eligibility for Merit Increase

A new employee shall advance one step of the pay range after completing the initial service period, unless the Executive Director appointed the employee at the top step. Thereafter, eligibility for advancement to each succeeding step of the pay range shall be after each additional year of satisfactory continuous service at the preceding step. (Also, see [Initial Service Period](#), Article 5, Section 2 and [Performance Evaluation](#), Article 8, Section 2.)

b. Adjustment of Merit Increase Cycle

In the event that an employee is off the payroll for more than ten workdays in a calendar month, the Housing Authority shall adjust the employee's anniversary date by one month. (Also, see [Anniversary Date](#) Article 5, Section 5.)

2. Promotion

When an employee is promoted to a position in a classification with a higher maximum pay range than the current classification, the employee shall be placed on a step in the new range that will provide a minimum of a 5% increase, or to the minimum of the new range, whichever is higher, unless appointed to the top step. The date of promotion shall establish a new anniversary/evaluation date for subsequent pay increases, and the employee must serve a new trial service period. The employee will be paid longevity pay only if the employee meets the criteria. (See [Longevity](#), Article 6, Section 3.D.)

3. Reclassification

a. Reclassification Upward

When an employee is reclassified to a position in a classification with a higher maximum pay rate, the employee shall be placed on an actual step in the new range that will provide a minimum of a 5% increase, or to the minimum of the new range, whichever is higher, unless the employee is reclassified to the top step. The date of the reclassification shall establish a new anniversary/evaluation date for subsequent merit increases.

If the reclassification would place the employee between Step 7 and Longevity 1, the employee may move to Longevity 1 if the employee has served at least ten years of Housing Authority Service. If the reclassification would place the employee between Longevity 1 and Longevity 2, the employee may move to Longevity 2 if the employee has served at least 15 years of Housing Authority service. (See Longevity, Article 6, Section 3. D.)

If an employee completed the initial service period before the upward reclassification, the Housing Authority will not require the employee to serve another initial service period. If the employee did not complete the initial service period before the upward reclassification, the employee must complete the remainder of the initial service period in the new classification. (Also, see [Initial Service Period](#), Article 5, Section 2.)

When the Housing Authority reclassifies an employee upward, the employee must serve a new trial service period, which is six months for non-management/supervisory employees and 12 months for management/supervisory employees. (Also, see [Trial Service Period](#), Article 5, Section 3.)

Positions in the classification are considered to be reclassified upward when the Executive Director re-titles or combines classifications and adjusts the pay to a higher pay range.

b. Reclassification to the Same Pay Range

When an employee is reclassified to a position in a classification with the same pay range, or if the Executive Director re-titles a classification and there are no significant changes to the duties and no change to the pay range, the move is considered to be an administrative change only. The Executive Director will reclassify the affected position and the incumbent will not serve a new trial service period.

If an employee completed the initial service period before the administrative change, the employee will not serve another initial service period. If the employee did not complete the initial service period before the administrative change, the employee must complete the remainder of the initial service period. (*Also, see [Initial Service Period](#), Article 5, Section 2.*)

The incumbent employee, whether on initial service, trial service, or regular status, will have corresponding status in the new classification. The employee's pay and anniversary/evaluation dates will remain the same.

c. Reclassification Downward

If the Executive Director re-titles or combines classifications and adjusts the pay to a lower pay range, the Executive Director will reclassify the incumbent employee downward.

If an employee is reclassified to a position with a lower pay range for reasons that do not reflect discredit on the employee's employment record, the employee's pay rate may remain the same if it is within the pay range of the lower classification. Marion County Housing Authority will move the employee to the lower pay range at the existing rate of pay. If this move places the employee between steps, MCHA will place the employee on the next higher step.

- If the employee's current pay rate is not within the new lower range, the reduction in wages shall not occur until one year after the effective date of the reclassification. This is redlining or freezing the employee's wages. The delay in

reduction of wages shall not apply when the Board reclassifies the Executive Director.

The employee will be paid longevity pay only if the employee meets the criteria. (See [Longevity](#), Article 6, Section 3.D.)

If an employee completed the initial service period before the downward reclassification, the employee will not serve another initial service period. If the employee did not complete the initial service period before the downward reclassification, the employee must complete the remainder of the initial service period. The employee will not serve a new trial service period. (Also, see [Initial Service Period](#), Article 5, Section 2 and [Trial Service Period](#), Article 5, Section 3.)

The incumbent employee, whether on initial service, trial service, or regular status, will have corresponding status in the new classification. The employee's anniversary/evaluation dates will remain the same.

4. Demotion

When an employee chooses to accept demotion or when an employee's supervisor demotes the employee for cause, the MCHA shall place the employee in the new pay range at a step closest to the former rate of pay without resulting in a pay increase. The employee's anniversary date will not change because of the demotion. (Also, see [Demotion](#), Article 9, Section 5.E and [Voluntary Demotion](#), Article 4, Section 8.I.)

5. Reassignment

The employee's pay rate will remain the same following reassignment. (Also, see [Reassignment](#), Article 4, Section 8.F.)

6. Internal Appointment

(See [Internal Appointment/Pay](#), Article 4, Section 8.G.4.)

7. Pay Range Adjustment

In addition to general pay range changes the Executive Director may adjust pay ranges as determined necessary.

When the pay range for a classification is changed, the MCHA shall adjust individual pay rates as determined by the current personnel rules. Such adjustments will not change an employee's eligibility for merit increases.

Pay range adjustments will not change the employee's initial or trial service status and the MCHA does not require a new trial service period as the result of a pay range adjustment. Pay range adjustments do not change an employee's evaluation and anniversary date.

a. Pay Range Adjustments Upward

The Executive Director will move an employee into the higher pay range at the employee's existing rate of pay. If this move places the employee between steps, the MCHA will place the employee on the next higher step. The employee's anniversary and evaluation dates will not change. The MCHA will place an employee on longevity in the higher pay range only if the employee meets the eligibility requirements. (See [Longevity](#), Article 6, Section 3.D.)

b. Pay Range Adjustments Downward

The Housing Authority will move an employee into the lower pay range at the employee's existing rate of pay. If this move places the employee between steps, the Housing Authority will place the employee on the next higher step. The Housing Authority will place an employee on longevity only if the employee meets the eligibility requirements. (See [Longevity](#), Article 6, Section 3.D.)

- If the employee's current pay rate is not within the new lower pay range, the employee's pay will be redlined and the reduction in wages will not occur until one year after the effective date of the pay range adjustment. The delay in reduction of wages shall not apply to the Executive Director.

c. Pay Range Adjustments to Same Pay Range

The employee's step or pay may remain the same following a pay range adjustment.

8. Lead Worker

If the Executive Director assigns an employee to a full spectrum of lead worker duties, the Housing Authority shall compensate the employee an additional 5%. Employees whose class spec includes lead worker duties shall not be eligible for this additional compensation.

Lead worker duties comprise of the following:

- Training
- Reviewing work
- Organizing, planning, and scheduling work assignments
- Providing input on employee performance evaluations
- Providing guidance in daily activities
- Providing technical expertise
- Acting as a resource on difficult points of procedure
- Providing assistance to and making recommendations in the hiring process

Employees shall not exercise lead worker responsibilities over employees with whom they have a family, financial, or close personal relationship. (See [Nepotism](#) in the Marion County Administrative Policies and Procedures.)

9. Acting in Capacity (Working out of Class)

Any employee temporarily designated to act in the capacity of a position in a classification with a higher pay range than the employee’s regular classification will receive a 5 % pay increase, or the minimum step of the higher range, whichever is greater, for actual hours worked in the higher classification.

The Executive Director must approve a department manager’s request before the department manager may place an employee in acting in capacity status. The department manager must submit a Position Review Form to the Executive Director listing the duties the employee is performing, and validating that the employee meets the minimum qualifications of the classification in which the employee is working.

Acting in capacity on a full-time continuous basis is limited to six consecutive months. If a department manager wishes to request an extension, the department must submit a Position Review Form to the Executive Director. The Executive Director must approve the extension before the department manager will be allowed to implement it.

Intermittent use of acting in capacity will be tracked hour for hour for non-exempt employees.

10. Longevity Increases

(See [Longevity](#), Article 6, Section 3.D.)

11. Extra-Meritorious Pay Increase

A department manager may request a one-step extra-meritorious pay increase for regular status employees in recognition of exemplary service. The department manager shall submit a written request to the Executive Director that includes the following:

- Employee's name and date hired by the department.
- The current classification of the employee
- The employee's working title, pay rate, pay range, and step, if applicable.
- A brief description of the normal job requirements of the employee and the reasons why the employee deserves an extra-meritorious pay adjustment. These reasons may include unusual job-related skills and training, exceptional performance, or special work on a complex project.
- The effective date of the extra-meritorious increase (which need not coincide with the employee's regular anniversary date.)

Employees who have reached the top step of their classification pay range are not eligible for an extra-meritorious pay increase.

The employee's anniversary date will not change following the extra-meritorious increase even if the Executive Director grants the extra-meritorious increase on a date other than the employee's regular merit increase.

Following an extra-meritorious increase, some employees will be eligible to move to Longevity 1 without having served one year on the top step of the pay range. One example would be an employee on Step 6 who has ten years of Housing Authority service. Normally, the employee would move to Step 7 and wait for one year before being eligible to move to Longevity 1. If the extra-meritorious increase places the employee on Step 7, and the employee has ten years of service, the employee will be eligible to move to Longevity 1 on the employee's regular anniversary date. (See [Longevity](#), Article 6, Section 3.D.)

12. Cost of Increase

The Finance Manager must certify that sufficient funds are available to cover the cost of pay increases.

13. Holiday Pay

(See [Holidays](#), Article 6, Section 3.A.)

Regular employees who are employed at .5 FTE or higher shall receive one day's pay for each of the recognized holidays on which they perform no work. Employees working less than .5 FTE are not eligible for holiday pay unless they work on the holiday, in which case the Housing Authority will pay the employees at straight time.

The number of hours for the paid holiday is equal to the number of hours the department manager would have normally scheduled an employee to work had it not been a holiday. For example, if a department manager normally schedules an employee to work ten hours on the day the holiday falls, the Housing Authority will pay the employee ten hours of holiday pay. If a holiday falls on a day the department manager normally schedules an employee to work eight hours, the Housing Authority will pay the employee eight hours of holiday pay. The term for this is day for day.

The Board of Commissioners designates all legal holidays and days of mourning.

a. Authorized Leave on a Holiday

If an employee is on an authorized leave with pay when a holiday occurs, the holiday shall be paid and not charged against sick or vacation leave accumulation. The Housing Authority shall not pay an employee for holidays occurring during unpaid leave.

b. Weekend Holidays

Whenever a holiday falls on Sunday, the Housing Authority shall observe the succeeding Monday as the holiday. Whenever a holiday falls on Saturday, the Housing Authority observe the preceding Friday as the holiday.

c. Overtime for Holidays

Compensation to overtime-eligible employees who perform work on a holiday is subject to the rule governing overtime compensation. (See [Overtime Compensation](#), Article 3, Sec. 5.C.15.)

14. Personal Holidays

(See [Personal Holidays](#), Article 6, Section 3.B.)

15. Overtime

The Housing Authority shall consider overtime as time worked by non-exempt employees in excess of 40 hours in a workweek. For employees on schedules of less than 40 hours per week, the Housing Authority shall consider time worked by the employees beyond their regular schedules as additional time, rather than overtime, until the time exceeds 40 hours per week.

a. Computing Overtime Work

The Housing Authority shall consider all hours worked, holidays, jury duty, and paid sick leave as hours worked when computing overtime hours for overtime-eligible employees.

No employees shall work overtime unless the Executive Director authorizes it.

b. Notice of Overtime Work

Whenever a department manager requires overtime work, he/she shall provide 48-hour advanced notice when, in the opinion of the Executive Director, it is determined that this notice can reasonably be provided.

c. Refusal to Work Overtime

The Housing Authority shall not discipline any employee for refusing to work overtime when, in the opinion of the Executive Director, another qualified employee is available to perform the work.

d. Overtime Compensation

Compensation for authorized overtime shall be at the rate of time-and-one-half and may be either cash or compensatory time off at the discretion of the Executive Director, subject to Housing Authority policies and funding. Payment shall be based on the employee's rate of pay.

e. Payment Date for Overtime Pay

When the Executive Director authorizes cash payment for overtime, the Finance Manager shall make that payment no later than the next payday following the pay period in which the employee worked the overtime.

f. Exemption from Overtime

The Executive Director may exempt classifications from overtime compensation based on executive, professional, or administrative duties. The provisions of the Fair Labor Standards Act (FLSA) and the Administrative Rules of the Department of Labor or Bureau of Labor and Industries shall govern the criteria for determining exemptions to overtime. The compensation plan shall identify overtime-exempt classifications.

g. Overtime Compensation at End of Employment

When an employee leaves Housing Authority service, Housing Authority shall compensate the employee for accrued overtime.

16. Reappointment

(See [Reappointment](#), Article 4, Section 8.C.)

17. Compensation Credit

(See [Compensation Credit](#), Article 6, Section 3.C.)

18. Compensatory Time

(See [Compensatory Time](#), Article 6, Section 3.H.2.)

Article 4: Recruitment

Section 1: Purpose

To provide an open, competitive system of filling positions in the Marion County Housing Authority classified service with the best-qualified persons possible based on job-related factors. All or portions of the following procedures may be followed when filling vacancies in the unclassified service. This article applies to all employees except those in the unclassified service. (See [*Unclassified Service, Preface*](#))

Section 2: Requisition for Recruitment

Departments will fill vacancies in positions in the classified service, as provided in these Rules. Whenever a department manager wishes to fill a vacancy in the classified service, the department manager will submit a Requisition for Recruitment to the Executive Director. A department manager will ensure that requisitions for the recruitment of applicants are based on vacancies in authorized positions for which funding has been approved, unless the Executive Director approves the recruitment for the purposes of generating a list of qualified applicants for future vacancies.

Section 3: Announcements and Applications

A. Recruitment

The Executive Director will determine the dates of recruitments for filling current and projected vacancies in the classified service. Marion County Human Resources will assist the Executive Director in filling vacancies in the unclassified service, consistent with the Marion County Housing Authority Affirmative Action Plan.

B. Recruitment Announcement

The Housing Authority will post announcements for recruitments on bulletin boards of the Marion County Housing Authority at least 14 days before the closing date. Marion County Housing Authority will supplement this by other appropriate means to attract qualified persons for the examination. Marion County Housing Authority will post announcements of internal list and active list recruitments on bulletin boards within the department at least five working days before the closing date. The announcements will specify the title, minimum and maximum rates of pay for the classification, duties, minimum qualifications required, final date on which applications will be received, and other pertinent information.

C. Filing Applications

Applicants must file completed applications on prescribed forms with Marion County Human Resources by 5:00 p.m. Pacific time on the closing date. Applications filed with Marion County Human Resources will become the property of Marion County Housing Authority. When Marion County Housing Authority considers additional detailed applicant background information necessary, Marion County Housing Authority may require completed supplemental materials.

D. Rejected Applications

When rejecting an application, Marion County Human Resources will send a notice to the applicant explaining the reason for the disqualification.

E. Disqualification of Applicants

At any time during the recruitment process, Marion County Human Resources may disqualify applicants from employment consideration for reasons including but not limited to:

- Failure to meet the published qualification requirements for the classification for which application was made
- Inappropriate behavior during the interview process
- Failure to furnish true statements or material facts
- Practice or attempted practice of fraud or deception in connection with filing of an application
- Failure to pass a background check or Department of Motor Vehicles check, drug/alcohol test (See [*Drug and Alcohol Use and Testing Policy*](#) in the *Marion County Housing Authority Administrative Policies & Procedures*), physical examination, or other pre-employment examinations as required for the position
- Inability to perform the essential duties of the classification effectively
- Failure of an applicant, after notification, to be present at the time and place designated for any portion of an examination
- Use, or attempted use, of political influence, bribery, threats or intimidation to secure an advantage in testing or appointment
- Prior dismissal from the Housing Authority for cause or resignation in lieu of dismissal

Section 4: Examinations

A. Preparing and Conducting Examinations

Marion County Human Resources will prepare and administer all examinations conducted for establishing eligibility lists. Questions on all written and alternative test forms must be job-related.

B. Scheduling of Examinations

Marion County Human Resources will determine the times and locations that examinations are scheduled and may postpone examinations if it serves the best interest of the County.

C. Forms of Examinations

Marion County Human Resources will work with the Executive Director to determine the type of competitive examination Marion County Human Resources will administer in order to fairly test and determine an applicant's qualifications to perform the duties of the vacant position. Tests may include, but are not limited to, written examinations, performance tests, experience and education ratings, oral examinations, demonstrations of skill and tests of physical ability to perform the essential job functions, or any combination of tests.

D. Grading of Examinations

Qualified Applicants

Marion County Human Resources, in partnership with the hiring department representative(s), will determine a final score for each application using one of the following methods. Applicants will be rated on a scale of 100 points based on:

- An evaluation of experience, education, and training as it relates to the position, or
- A computation of the weights and preferred answers established at the outset of the recruitment. For examinations consisting of multiple parts, failure in any part of the examination will disqualify the applicant in the entire examination. Appropriate techniques and procedures will be used in rating the results of examinations and in determining the passing score for the examination.

E. Examination Results

Within five working days after Marion County Human Resources establishes the list, Marion County Human Resources will mail applicants written notice to let them know whether they qualify for the position.

F. Open Continuous Recruitment

Marion County Human Resources may accept applications on an open continuous basis when vacancies are frequent, and at the hiring department's request. Marion County Human Resources will accept applications, evaluate candidates, and record the names of successful candidates on the eligible list at any time, in accordance with the application grade received. Marion County Human Resources will ensure that examination procedures follow uniform and fair standards of competition.

G. Internal Recruitment

Internal recruitments are restricted to current regular and temporary employees. The Housing Authority intends internal recruitments to provide development opportunities for current employees who desire a position or career change, regardless of whether the job opportunity resides in the current profession, or represents a reassignment, internal appointment, promotion, or voluntary demotion. In order to qualify as an applicant for an internal recruitment, the applicant must be an active employee as of the closing date for the internal recruitment.

H. Veteran Preference

1. Veterans who successfully complete all phases of an application or entrance exam will receive additional points as provided by Oregon Revised Statutes (ORS Chapter 408.)

2. If a veteran is certified to an interview list, the hiring department will be notified that there is a veteran on the list. After interviews are completed, one of the following procedures should be used:

- a) If the Housing Authority relies on a scoring system to make their hiring decision and there is a difference of 10 or less points between the top two candidates, they are to contact HR, who will inform them as to whether or not one or more of the finalists is/are eligible for veteran hiring preference. If so, HR will ask the Housing Authority to add 5 or 10 points to their score, depending upon the Veteran Points for which the applicant qualifies. If the Veteran then has the highest score, the Housing authority is encouraged to hire the veteran.
- b) If the Housing Authority is not using a scoring system and the top candidates are relatively equal, the Housing Authority should contact HR and they will inform them as to whether or not one of the finalists is a Veteran. If so, the Housing Authority is encouraged to hire the

Veteran.

I. Paid Time for Job Interviews

The Executive Director shall grant full-time and part-time employees time off with pay to take any Marion County or Housing Authority examination if the examination occurs during the employee's regularly scheduled work hours. Employees shall request time off prior to taking the examination.

Section 5: Lists

A. Establishment of Lists

When vacancies occur, Marion County Human Resources will work with MCHA to establish lists of qualified candidates for positions in the classified service.

B. Types of Lists

1. Open Competitive

Eligibility lists consist of the names of applicants who passed open competitive tests. Marion County Human Resources will rank candidates by order of their application scores plus any applicable veteran or preference points.

2. Internal List

Eligibility lists consist of the names of regular and temporary Marion County/Housing Authority employees who submitted completed applications, and who met the minimum qualifications for the position. Marion County Human Resources will rank candidates by order of their application scores, plus any applicable veteran or preference points.

3. Active List

The Housing Authority may fill a vacant position by accessing an eligibility list previously established for the same classification. This list must not have expired. Before appointing from this list, the Executive Director will post a notification of vacancy for five working days so that regular and/or temporary employees may submit an application. Marion County Human Resources must receive applications by 5:00 p.m. Pacific time on the closing date of the recruitment. Employees on the active list may update their applications, however, the most recent application grade will determine placement on the eligibility list.

4. Alternative List

When there is a vacancy in a classification for which there is no eligible list, or when a list is incomplete, the Executive Director may authorize Marion County Human Resources to certify names from the eligible list of a higher-level classification in the same classification series.

If there is no appropriate list in the same classification series, Marion County Human Resources may certify a list from a closely related classification for which minimum qualifications, job duties, and examinations are similar to or higher than those required for the class in which the vacancy exists, as determined by the Executive Director.

Section 6: Names on Lists

A. Removal of Names from Lists

The Executive Director may temporarily or permanently remove an applicant's name from a list for reasons including, but not limited to:

- An applicant's failure to respond to a written inquiry from Marion County Human Resources relative to availability for appointment. Such written inquiries must include the deadline for an applicant to respond
- An applicant requests removal from the list
- Failure to report for duty as specified by the Executive Director
- Failure to maintain a record of current address as evidenced by the return of a properly addressed unclaimed letter, or other evidence
- Willful violation of any of the provisions of these Rules
- In the case of internal lists, separation from service except while on an active layoff list
- If it is determined the person is not qualified or not suitable to perform the duties of the classification, then prompt notification will be given to person whose name is removed from a list for this reason
- Any cause set forth in [Section 3.E](#) (Disqualification of Applicants) of this article

B. Restoration of Names to Eligible Lists

If Marion County Human Resources removes an applicant's name from a list, the applicant may request that Marion County Human Resources restore the applicant

to the list. The applicant must file a written request within ten days after the date on which Marion County Human Resources mailed the notification, and must justify the reasons for the requested restoration. Marion County Human Resources will determine whether to approve the applicant's request.

C. Availability of Qualified Applicants

Applicants must notify Marion County Human Resources, in writing, of address changes or other changes that may affect availability for employment.

Section 7: Interview Lists

Marion County Human Resources will certify the proper number of applicants from the active list.

A. Order and Number of Names Certified

Marion County Human Resources will place applicant names on the interview list in alphabetical order. The names certified from an eligibility list will be the names of the top scoring applicants. The number of names certified to the interview list will be determined by Marion County Human Resources and the Housing Authority. The list will also include the top three qualified regular Marion County employees, and any tying scores, if available, less those already on the list in one of the above designations.

B. Special Qualifications

The Executive Director may request, in writing, special experience, training, or characteristics necessary for satisfactory performance in a particular position. Should Marion County Human Resources determine that the request is justified, it will place only the highest-ranking qualified applicants who possess the special qualifications on the interview list. The job announcement must list special qualifications.

C. Notification of Qualified Applicants

When the Executive Director receives the interview list, the department manager will notify all applicants on the list of their eligibility for interview. Marion County Human Resources recommends that the department manager notify applicants at least five days before the interview date, if practical.

D. Action Required/Allowed by the Executive Director

The Executive Director must notify Marion County Human Resources in writing of the actions taken on applicants. The Executive Director must fairly consider all applicants on the list. The following actions by the Executive Director are required:

- Interview each candidate on the interview list using job-related criteria
- Request additional names to replace names of eligible applicants who:
 - Decline or otherwise waive consideration
 - Failed to reply within the specified period to appear for consideration
 - Are determined by the Executive Director to be not satisfactory for valid and pertinent reasons directly connected with the position, based on a written report by the appointing power
- Appoint one of the certified candidates

In cases where none of the candidates was appropriate for the position, the Executive Director may cancel the recruitment and submit a new Requisition for Recruitment to acquire qualified applicants for the position.

Section 8: Appointments

A. Trial Service Appointments

Appointments made from open competitive, internal, or active lists will be trial service appointments. Employees who successfully complete the initial trial service period will attain regular status. The Executive Director may appoint a new hire only at the beginning of a pay period, unless the Executive Director grants an exception.

B. New Hires

1. Pay

(See [Administration of Compensation Plan](#), Article 3, Section 5.)

2. Continuous Service Date

(See [Continuous Service Date](#), Article 5, Section 4.A.)

3. Initial Service Period

All new hires must serve a six-month initial service period. Following the six-month period, the employee will accrue vacation leave, personal holidays, and compensation credit.

4. Trial Service Period

(See [Trial Service Period](#), Article 5, Section 3.)

5. Performance Evaluation

(See [Performance Evaluation](#), Article 8, Section 2.)

6. Anniversary Date

(See [Anniversary Date](#), Article 5, Section 5.)

7. Leave Benefits

a. Compensation Credit

(See [Compensation Credit](#), Article 6, Section 3.C.)

b. Holidays

(See [Holidays](#), Article 6, Section 3.A.)

c. Personal Holidays

(See [Personal Holidays](#), Article 6, Section 3.B.)

d. Sick Leave

(See [Sick Leave](#), Article 6, Section 3.F.)

e. Vacation Leave

(See [Vacation Leave](#) Article 6, Section 3.E.)

C. Reappointment

As an alternative to making an appointment from an active list, the Executive Director may reappoint a former employee to a position in the classification the employee previously held within the same department. This process is subject to the approval of the Executive Director. The reappointment must occur within 12

months of the date of separation from the Housing Authority.

The Executive Director may reappoint an employee only at the beginning of the pay period unless granted an exception.

1. Pay

Generally, the Executive Director will reappoint an employee at the entrance rate for the classification. If a department manager believes it is necessary to reappoint someone above the entrance rate, the department manager must submit a Position Review Form to the Executive Director requesting approval. The Executive Director must approve the request before a department manager can reappoint someone above the entrance rate.

2. Vacation Leave

An employee may accrue and access vacation leave immediately upon reappointment if the employee was eligible to accrue and use vacation leave before ending employment. (*Also, see [Vacation](#), Article 6, Section 3.E.*)

3. Continuous Service Date

(*See [Adjustments to Continuous Service Date](#), Article 5, Section 4.B.*)

4. Vacation Accrual Based on Length of Service

The Housing Authority will adjust an employee's continuous service date at the time of reappointment. The continuous service date governs an employee's eligibility for vacation accrual based on length of service. Prior service will count towards the 5-, 10-, 15-, and 20-year criteria. (*Also, see [Vacation Accrual Based on Length of Service](#), Article 6, Section 3.E.2.*)

5. Restoration of Sick Leave

Upon reappointment, the Housing Authority will restore all of an employee's previous sick leave credit. (*Also, see [Sick Leave](#), Article 6, Section 3.F.*)

6. Anniversary/Evaluation Date

The Housing Authority will adjust an employee's anniversary/evaluation date by one month for each calendar month during which the employee was off the payroll for more than ten workdays.

The Housing Authority bases an anniversary cycle on 12 months of service. The Housing Authority will add the continuous months from the last anniversary date worked by an employee before separation to the continuous months worked after reappointment. When these months equal 12 months, the employee will be eligible for a performance evaluation/merit increase. The Housing Authority will establish a new anniversary date. (Also, see [Anniversary Date](#), Article 5, Section 5 and [Continuous Service](#), Article 5, Section 4.)

7. Compensation Credit

An employee may accrue and access prorated compensation credit upon reappointment if the employee was eligible to accrue and use compensation credit before ending employment. If the Executive Director reappoints an employee within the same fiscal year in which the employee left Housing Authority service, the employee will not accrue compensation credit until the next fiscal year. (Also, see [Compensation Credit](#), Article 6, Section 3.C.)

8. Initial Service Period

If the employee did not complete the initial service period before voluntary separation from the Housing Authority service, the employee must complete the remainder of the initial service period following reappointment.

9. Trial Service Period

If the employee did not complete the trial service period before voluntary separation from the Housing Authority service, the employee must complete the remainder of the trial service period following reappointment. The Housing Authority will adjust the employee's trial service period by one month for each calendar month that the employee was off the Housing Authority payroll for more than ten workdays. If the employee completed the trial service period before separation from the Housing Authority service, no new trial service period is required. (Also, see [Trial Service Period](#), Article 5, Section 3.)

10. Personal Holidays

The employee will accrue and access personal holidays upon reappointment if the employee was eligible to accrue and use personal holidays before the end of employment. If the Executive Director reappoints an employee within the same calendar year as the employee left the Housing Authority service, the employee will not accrue personal

holidays until the next calendar year. (Also, see [Personal Holidays](#), Article 6, Section 3.B.)

11. Service Credit

A reappointed employee retains previously accrued service credit. The Housing Authority bases an employee's service credit on the employee's continuous service date, which the Housing Authority will adjust by one month for each calendar month or partial calendar month in which the employee was off the Housing Authority payroll for more than ten workdays. (See [Service Credit Adjustments](#), Article 11, Section 4.)

D. Promotion

The Executive Director may promote an employee only at the beginning of a pay period, unless granted an exception.

1. Anniversary/Evaluation Date

The employee's evaluation date changes at the time of promotion. (See [Anniversary Date](#), Article 5, Section 5.)

2. Leave Benefits

There is no change to the employee's vacation and sick leave benefits following promotion. (See [Forms of Leave](#), Article 6, Section 3.)

3. Continuous Service Date

There is no change to an employee's continuous service date following promotion.

4. Pay

Following a promotion, the Housing Authority will grant an employee a minimum of a 5 % increase and place the employee on step, or move the employee to Step 1 of the new pay range, whichever is higher.

5. Initial Service Period

If an employee completed the initial service period before promotion, no new initial service period is required. If an employee did not complete the initial service period before promotion, the employee must complete the remainder of the initial service period in the new position. (*Also, see [Initial Service Period](#), Article 5, Section 2.*)

6. Trial Service Period

Following a promotion, the employee must serve a new trial service period in the new classification. The trial service period is six months for Unit 12 employees and 12 months for other non-represented employees. (*See [Trial Service Period](#), Article 5, Section 3.*)

7. Compensation Credit

Payroll will adjust an employee's compensation credit if the employee is promoted into a unit that has more compensation credit workweeks. (*See [Compensation Credit](#), Article 6, Section 3.C.*)

E. Temporary Employees

The Executive Director may hire a temporary employee only at the beginning of a pay period, unless granted an exception. (*See [Temporary Employees](#), Article 11, Section 3.*)

F. Reassignment

A reassignment occurs when an employee moves from one position to another position in the same classification and department without going through the recruitment process. Reassignment is one of two terms that replaces "transfer."

The department manager or employee may initiate the move. An employee who seeks reassignment must submit a written request to the department manager. If more than two employees request reassignment to the same position, the Executive Director will decide which employee to reassign. The Executive Director may choose to conduct interviews to find the best fit for the job.

The Executive Director may reassign an employee only at the beginning of a pay

period, unless granted an exception.

1. Anniversary/Evaluation Date

The employee's anniversary and evaluation dates will not change as the result of a reassignment (*Also, see [Anniversary Date](#), Article 5, Section 5 and [Performance Evaluation](#), Article 8, Section 2.*)

2. Continuous Service Date

The employee's continuous service date does not change as the result of a reassignment. (*See [Continuous Service Date](#), Article 5, Section 4.A.*)

3. Compensation Credit

There is no additional waiting period to access compensation credit following reassignment. Employees are eligible to access compensation credit once they have served six continuous months of Housing Authority service.

If an employee's FTE changes as the result of the reassignment, payroll will adjust the amount of the employee's compensation credit, based on the new FTE at the time of use. (*Also, see [Compensation Credit](#), Article 6, Section 3.C.*)

4. Pay

An employee's pay will remain the same following reassignment.

5. Sick Leave

The employee is eligible to use sick leave as it accrues following reassignment. (*Also, see [Sick Leave](#), Article 6, Section 3.F.*)

6. Vacation Leave

There is no additional waiting period following reassignment. If the employee served six continuous months of Housing Authority service in the previous position, the employee is eligible to use vacation leave in the new position. (*Also, see [Vacation](#), Article 6, Section 3.E.*)

7. Personal Holidays

There is no additional waiting period following reassignment. If the employee served six continuous months of Housing Authority service in

the previous position, the employee is eligible to use personal holidays in the new position. (Also, see [Personal Holidays](#), Article 6, Section 3.B.)

8. Initial Service Period

If the employee completed the initial service period before the reassignment, the Housing Authority will not require the employee to complete a new initial service period. If the employee did not complete the initial service period before reassignment, the employee must complete the remainder of the initial service period in the new position. (Also, see [Initial Service Period](#), Article 5, Section 2.)

9. Trial Service Period

The Housing Authority will not require the employee to serve a new trial service period following reassignment. (Also, see [Reassignment During Trial Service](#), Article 5, Section 3.E.)

G. Internal Appointment

An internal appointment occurs when the Executive Director, either within the same or different department, selects a current employee via the recruitment process to fill a different position in the same classification or same pay range. Internal appointment is one of two terms that replaces “transfer.”

The Executive Director may appoint an employee only at the beginning of a pay period, unless granted an exception.

1. Anniversary/Evaluation Date

The employee’s anniversary date will not change as the result of an internal appointment. (Also, see [Anniversary Date](#), Article 5, Section 5 and [Performance Evaluation](#), Article 8, Section 2.)

2. Continuous Service Date

The employee’s continuous service date does not change as the result of an internal appointment. (See [Continuous Service Date](#), Article 5, Section 4.A.)

3. Compensation Credit

There is no additional waiting period following an internal appointment. An employee is eligible to access compensation credit after having served six continuous months of Housing Authority service.

If an employee's FTE changes as the result of the internal appointment, Payroll will adjust the amount of the employee's compensation credit, based on the new FTE at the time of use. (Also, see [Compensation Credit](#), Article 6, Section 3.C.)

If an employee changes departments as the result of the internal appointment, unused compensation credit will move with the employee to the new department.

If the employee changes departments within the same fiscal year in which the employee accessed compensation credit, no new compensation credit will be accrued until the next fiscal year. (Also, see [Compensation Credit](#), Article 6, Section 3.C.)

4. Pay

An employee's pay will remain the same following an internal appointment.

5. Sick Leave

An employee will be eligible to use sick leave as it accrues following an internal appointment. (Also, see [Sick Leave](#), Article 6, Section 3.F.)

6. Vacation Leave

There is no additional waiting period following an internal appointment. If an employee served six continuous months of Housing Authority service in the previous position, the employee will be eligible to use vacation leave in the new position. (Also, see [Vacation](#), Article 6, Section 3.E.)

7. Personal Holidays

There is no additional waiting period following an internal appointment. If an employee served six continuous months of Housing Authority service in the previous position, the employee will be eligible to use personal holidays in the new position. (Also, see [Personal Holidays](#), Article 6, Section 3.B.)

8. Trial Service Period

An employee must serve a new trial service period following an internal appointment. (See [Trial Service Period](#), Article 5, Section 3.)

9. Initial Service Period

If an employee did not complete the initial service period before the internal appointment, the employee must complete the initial service period in the new position. (See [Initial Service Period](#), Article 5, Section 2.)

H. Job Share

Subject to the approval of the Executive Director, employees may participate in a job share position. Employees must submit a written request to the Executive Director, who will review the request and determine the employee's qualifications, the impact of the proposed job share on the department's service delivery, and the percent of time to be worked by each employee in the job share position.

If the Housing Authority assigns one employee in the job share an FTE of .5 or more, that employee will accrue the benefits for the position. The employee assigned an FTE of less than .5 will not be entitled to benefits other than Social Security, Workers' Compensation, unemployment, and retirement.

If both employees in the job share have an FTE of .5, each employee shall be eligible to receive one-half of the medical and dental insurance plus prorated benefits. Each employee shall be required to pay one-half of the cost of the benefit through payroll deduction. The total cost of a job share position shall not exceed one full-time position. The two employees must develop a contract that designates whether they will share the total benefit package or agree that one employee will accrue the position's total benefits. Other than at open enrollment, the employees may not make more than one change to their shares of the total benefits package per rolling year. The department must attach a copy of the employees' contract to each of the Personnel Action Forms that appoint the employees to the job share position. The department must also submit copies of the contract to the Executive Director and to payroll.

1. Pay

(See [Administration of Compensation Plan](#), Article 3, Section 5.)

2. Continuous Service Date

(See [Continuous Service Date](#), Article 5, Section 4.A.)

3. Trial Service Period

(See [Trial Service Period](#), Article 5, Section 3.)

4. Performance Evaluation

(See [Performance Evaluation](#), Article 8, Section 2.)

5. Anniversary Date

(See [Anniversary Date](#), Article 5, Section 5.) (Also, see [Merit Increase](#), Article 3, Section 5.C.1.)

6. Leave Benefits

a. Compensation Credit

(See [Compensation Credit](#), Article 6, Section 3.C.)

b. Personal Holidays

(See [Personal Holidays](#), Article 6, Section 3.B.)

c. Sick Leave

(See [Sick Leave](#), Article 6, Section 3.F.)

d. Vacation Leave

(See [Vacation](#), Article 6, Section 3.E.)

e. Holidays

(See [Holidays](#), Article 6, Section 3.A.)

I. Voluntary Demotion

A voluntary demotion occurs when a department selects an employee via the recruitment process to fill a position with a lower pay range. A voluntary demotion should be effective the beginning of the pay period, if possible.

A voluntary demotion may also occur when an employee requests to move to a vacant position within the same department without going through the recruitment process. An employee may submit a written request to the Executive Director asking to demote to a vacant position in a classification with a lower pay range. If the employee is qualified and if the Executive Director concurs with the employee's request, the Executive Director may approve the request, provided it will not result in the layoff of another employee. If this option is used, the department does not have to recruit to fill the position.

1. Anniversary Date

An employee's anniversary date will not change as the result of a voluntary demotion. (Also, see [Anniversary Date](#), Article 5, Section 5.)

2. Compensation Credit

There is no additional waiting period following a voluntary demotion. Employees are eligible to access compensation credit once they have served six continuous months of Housing Authority service.

If an employee voluntarily demotes within the same fiscal year in which the employee accessed compensation credit, no compensation credit will be accrued until the next fiscal year. If an employee demotes into a unit with fewer compensation credit workweeks, Payroll will reduce the employee's compensation credit benefit.

If an employee's FTE changes as the result of the voluntary demotion, payroll will adjust the amount of compensation credit, based on the employee's FTE at the time of use. (Also, see [Compensation Credit](#), Article 6, Section 3.C.)

3. Evaluation Date

An employee's evaluation date will not change as the result of voluntary demotion. (Also, see [Performance Evaluation](#), Article 8, Section 2.)

4. Pay

If an employee voluntarily demotes to a position within the same department, the employee's pay remains the same if it fits within the lower pay range. If the employee's pay rate is outside the lower pay range, the Housing Authority will move the employee to the top step of the pay range.

If an employee voluntarily demotes to a position within a lower pay range in another department, the Housing Authority will place the employee on the first step of the pay range. If the department manager wishes to appoint the employee at a step higher than the first step, the department manager may submit a Position Review Form to the Executive Director requesting a higher step. An employee will not receive a pay increase as the result of a voluntary demotion.

An employee can only move to longevity if the employee meets the eligibility criteria. (Also, see [Longevity](#), Article 6, Section 3.D.)

5. Sick Leave

An employee may use sick leave as soon as it accrues following voluntary demotion. (Also, see [Sick Leave](#), Article 6, Section 3.F.)

6. Vacation Leave

There is no additional waiting period for vacation leave following voluntary demotion. If an employee served six continuous months of Housing Authority service in the previous position, the employee is eligible to use vacation leave in the new position. (Also, see [Vacation](#), Article 6, Section 3.E.)

7. Personal Holidays

There is no additional waiting period for personal holidays following voluntary demotion. If an employee served six continuous months of Housing Authority service in the previous position, the employee may access personal holidays in the new position. (Also, see [Personal Holidays](#), Article 6, Section 3.B.)

8. Initial Service Period

If an employee served the initial service period before the voluntary demotion, no new initial service period is required. If the employee did not complete the initial service period before voluntary demotion, the employee must complete the remainder of the initial service period in the new position. (Also, see [Initial Service Period](#), Article 5, Section 2.)

9. Trial Service Period

The Housing Authority does not require a new trial service period for employees who voluntarily demote within their classification series. The trial service period for non-management employees who voluntarily demote outside of their classification series is six months and 12 months for management/supervisory employees. (Also, see [Trial Service Period](#), Article 5, Section 3.)

J. Demotion in Lieu of Layoff

(See [Demotion in Lieu of Layoff](#), Article 10, Section 6.)

K. Injured Worker Reassignment

If an employee is unable to perform the essential duties of his/her position because of an on-the-job accident or on-the-job disability, the Executive Director

may reassign the employee to another position in a different classification within the same or lower pay range. This requires the consent of the Executive Director, and the employee's attending physician. If the Executive Director determines that an employee is qualified for reassignment to another position and the employee refuses the reassignment, the employee may lose Workers' Compensation benefits.

L. Double-Filled Position

The Executive Director may employ two employees in the same position as a double-fill for the following purposes:

- Short-term transitioning of employees to train a new employee
- The pending creation of a position

Employees double-filling positions must meet the minimum qualifications of those positions and must be appointed in accordance with applicable recruitment and appointment rules, policies, or collective bargaining agreements.

The double-fill method of filling positions shall not exceed six months in duration, and department managers must demonstrate the ability to cover the increased costs related to double-filling the position.

The department manager shall complete a Position Review Form requesting approval to double-fill a position and shall forward it to the Executive Director for processing. The Executive Director must approve double-filling the position before a department manager can implement the double-fill.

Double-filling a position is not a job share. (*Also, see [Job Share](#), Article 4, Section 8.H.*)

M. Under-Fill Position

An employee may under-fill a position in a trainee-level classification within the same classification series. For a limited period, the Executive Director may under-fill a position as a training opportunity to prepare an employee for promotion to a higher-level classification within the same classification series. The Executive Director will create the higher-level position in the budget and will fill the position with a trainee-level employee. An employee may under-fill a position only until the employee has met the criteria to auto-promote to the higher-level position.

The Executive Director may make exceptions based on departmental needs. Department managers must request exceptions by submitting a Position Review Form to the Executive Director for approval.

N. Auto-Promotion

An auto-promotion can occur only within a classification established and identified as part of a training program and is not subject to the recruitment process. The Executive Director may auto-promote an employee only at the beginning of a pay period, unless granted an exception.

Only an employee under-filling a higher-level position may auto-promote. Before under-filling a position, the Executive Director must outline the criteria for the auto-promotion, including training requirements and timelines.

Once the employee in the trainee-level classification completes the trial service period and meets the minimum qualifications and performance requirements of the higher-level classification, the Executive Director will promote the employee to the higher-level classification. The department manager will draft a memo stating that the employee has met the criteria to auto-promote. The department manager will submit the memo to the Executive Director, along with a Personnel Action Form for promoting the employee. The employee will be subject to all rules and policies that relate to promotion.

If the employee does not meet the criteria for the auto-promotion, the department manager will dismiss the employee or begin the layoff process. The Executive Director may make exceptions due to extenuating circumstances.

Article 5: Initial/Trial Service, Continuous Service, and Anniversary Date

Section 1: Purpose

To provide a working test period during which an employee in a classified position is required to demonstrate by conduct and actual performance of job duties that the employee is qualified and fit for the employee's position. This article applies to all employees except those in the unclassified service.

Section 2: Initial Service Period

All Marion County Housing Authority employees in classified positions must serve a six-month period of initial service that begins with the employee's hire date. The Housing Authority previously referred to this as "Housing Authority probation."

At the end of the initial service period, the Executive Director shall evaluate the employee's performance. If the employee's performance evaluation rating is at least "Meets Expectations" the employee will be removed from initial service and will accrue benefits such as vacation, personal holidays, and compensation credit. At the completion of the initial service period, the Executive Director shall grant the employee a merit increase, unless the Executive Director appointed the employee at the top step of the pay range. (*Also see [Merit Increase](#), Article 3, Section 5.C.1 and [Performance Evaluation](#), Article 8, Section 2.*)

The employee's department must submit a Personnel Action Form and the employee's performance evaluation to the Executive Director in order for an employee to complete the initial service period and receive a merit increase.

Section 3: Trial Service Period

A. Reason for Trial Service

An employee in a classified position must serve a trial service period during which an Executive Director is able to observe the employee's work, train and aid the employee in adjusting to the position, and remove any employee whose performance or fit to the position fails to meet the required standards. The Housing Authority previously referred to this as "class probation." The trial service period is six months for non-management employees and 12 months for management employees.

B. Exemptions from Trial Service

The following classification is exempt from serving a trial service period:

- Executive Director

C. Evaluation of Performance During Trial Service

During the trial service period, the Executive Director will evaluate an employee's work, work habits, dependability, and willingness and ability to satisfactorily perform the job duties.

D. Internal Appointment During Trial Service

An employee selected via the recruitment process as an internal appointment must serve a new trial service period. (*Also, see [Internal Appointment](#), Article 4, Section 8.G.*)

E. Reassignment During Trial Service

An employee reassigned before completion of the trial service period must serve the remainder of the trial service period in the latter position. (*Also, see [Reassignment](#), Article 4, Section 8.F.*)

F. Promotion During Trial Service

An employee must serve a new trial service period following promotion. (*Also, see [Promotion](#), Article 3, Section 5.C.2.*)

G. Reclassification During Trial Service

An employee reclassified to a classification with a higher pay range must serve a new trial service period. An employee reclassified to a classification with the same or lower pay range does not have to serve a new trial service period. (*Also, see [Reclassification](#), Article 3, Section 5.C.3.*)

H. Failure to Pass Trial Service

An employee, who is on trial service because of a promotion, internal recruitment, or reclassification, who fails to qualify in the new position for reasons other than misconduct, and who was a regular employee immediately before the promotion or reclassification, will be reinstated to the employee's former position, unless that position no longer exists or is no longer vacant.

If the former position no longer exists or is no longer vacant, the Executive Director may dismiss the trial service employee.

I. Dismissal During Trial Service

The Executive Director may dismiss an employee at any time during an employee's trial service period if, in the opinion of the Executive Director, the employee is unable or unwilling to satisfactorily perform the duties of the job. The Executive Director may also dismiss an employee if the employee's work habits, conduct, or dependability does not merit continuance. Before dismissal, the Executive Director will consult with Marion County Human Resources.

J. Completion of Trial Service

1. Non-Management Employees

Before a non-management employee completes the trial service period, the Executive Director shall evaluate the employee's performance. If the employee's performance evaluation rating is "Meets Expectations" or higher, the Housing Authority will grant the employee regular status. Upon the employee's successful completion of the trial service period, the Housing Authority will grant the employee a merit increase, unless the Executive Director appointed the employee at the top step of the pay range. The department manager must submit a Personnel Action Form and the employee's performance evaluation to the Executive Director in order for an employee to complete the trial service period and receive a merit increase.

It is recommended that the Executive Director dismiss an employee during the trial service period if the employee's evaluation rating is less than "Meets Expectations".

2. Management Employees

At the completion of the trial service period for management employees, the Executive Director will draft a memo to the file stating whether the employee has successfully completed the trial service period. Because the employee is not due a merit increase, the Housing Authority does not require an evaluation. The department manager must submit a Personnel Action Form and the memo to the employee's file to the Executive Director in order for an employee to complete the trial service period,

Section 4: Continuous Service

Continuous service is Marion County Housing Authority service unbroken by an absence without pay of more than ten workdays in a calendar month.

A. Continuous Service Date

Generally, the continuous service date is the first day of employment for all employees.

The Housing Authority bases the continuous service date for employees hired on the time of the month in which the employee was hired. In this case, the continuous service date for an employee hired on the first of the month is the employee's actual hire date. The continuous service date for an employee hired mid-month is the first of the month following the employee's hire date.

B. Adjustment to Continuous Service Date

The Housing Authority will adjust an employee's anniversary/evaluation date by one month for each calendar month during which the employee was off the payroll for more than ten workdays. The Housing Authority will not adjust the continuous service date for employees on unpaid military leave, Workers' Compensation, or family medical leave.

C. Effect on Vacation Accrual

(See [Vacation](#), Article 6, Section 3.E.)

D. Effect on Longevity

(See [Longevity](#), Article 6, Section 3.D.)

E. Following Reappointment

(See [Continuous Service Date/Reappointment](#), Article 4, Section 8.C.3.)

F. Recall from Layoff

(See [Recall from Layoff](#), Article 10, Section 7.)

Section 5: Anniversary Date

An employee's anniversary date is the date upon which the last appointment, promotion, or reclassification occurred and the date upon which an employee is normally eligible for a merit increase. The anniversary date usually coincides with the employee's evaluation date.

A. New Employees

The anniversary date for new employees, whether full-time or part-time, is generally six months from the hire date. At that time, if the employee's performance evaluation rating is at least "Meets Expectations," the Housing Authority will advance the employee to the next step in the pay range and will

establish a new anniversary date. The employee will usually be eligible for merit increases annually thereafter until the employee reaches the top step of the pay range. (Also, see [Merit Increase](#), Article 3, Section 5.C.1.)

If the Executive Director places an employee on the top step of the pay range at the time of hire, no further anniversary date is established. The employee's next pay increment will be to Longevity 1. (Also, see [Longevity](#), Article 6, Section 3.D.)

B. Following Promotion

Following an employee's promotion to a classification with a higher pay range, the Housing Authority will establish a new anniversary date for the employee. (Also, see [Promotion](#), Article 3, Section 5.C.2.)

C. Recall from Layoff

The Housing Authority shall establish a new anniversary date for a laid off employee who is recalled from layoff. The Housing Authority bases its anniversary cycle on 12 months of Housing Authority service. The Housing Authority adds the continuous months from the employee's last anniversary date before layoff to the continuous months worked after recall. When these months equal 12 months, the employee will be eligible for a performance evaluation/merit increase and the Housing Authority will establish a new anniversary date. (Also, see [Recall from Layoff](#), Article 10, Section 7.)

D. Reappointment

(See [Reappointment/Anniversary Date](#), Article 4, Section 8.C.6.)

E. Following Unpaid Leave

The Housing Authority will adjust the anniversary date by one month for employees who are on unpaid status for more than ten workdays within a calendar month. The Housing Authority will not adjust the anniversary dates for employees on unpaid military leave or Workers' Compensation, but will adjust the anniversary dates for employees who are on unpaid family medical leave.

F. Following Reclassification Upward

The Housing Authority will establish a new anniversary date for employees reclassified to a position in a classification with a higher pay range. (Also, see [Reclassification Upward](#), Article 3, Section 5.C.3.a.)

G. Following Reclassification Downward

The Housing Authority will not adjust the anniversary date for employees reclassified to a position in a classification with the same or lower pay range. (Also, see [Reclassification Downward](#), Article 3, Section 5.C.3.c.)

H. Following Reclassification to Same Pay Range

The County will not adjust the anniversary date for employees reclassified to a position in a classification with the same pay range. (Also, see Reclassification to Same Pay Range, Article 3, Section 5.C.3.b.)

H. Following Pay Range Adjustment

The Housing Authority will not change an employee's anniversary date after the Executive Director makes a pay range adjustment to an employee's job classification. The Housing Authority will move the employee into the new pay range at the employee's existing rate of pay and place the employee on step. An employee will be eligible to move to the next step on the employee's regular anniversary date. If the pay range adjustment places an employee between steps, the Housing Authority will move the employee to the next higher step. If the employee's current pay rate is below the first step of the higher pay range, the employee will be moved to Step 1 of the higher range. (Also, see [Pay Range Adjustment](#), Article 3, Section 5.C.7.)

Article 6: Benefits

Section 1: Purpose

Marion County Housing Authority will provide non-represented regular employees the benefits listed below. To be eligible for benefits, employees must be assigned an FTE of .5 or higher. Employees assigned an FTE of less than .5 are not eligible for benefits. From time to time, the Board may grant additional or alternative benefits as deemed appropriate. Non-management employees receive the same benefits as employees represented by the Marion County Employees Association/SEIU.

Section 2: Insurance/Retirement Benefits

A. Medical Insurance

The Housing Authority will pay a portion of the premium for a medical insurance program. Part-time employees with an FTE of .5 or higher generally receive full medical benefits. *(Also, see [Job Share](#), Article 4, Section 8.H.)*

B. Dental Insurance

The Housing Authority will pay a portion of the premium for a dental insurance program. Part-time employees with an FTE of .5 or higher generally receive full dental benefits. *(Also, see [Job Share](#), Article 4, Section 8.H.)*

C. Life Insurance

The Housing Authority will pay the premium for term life and accidental death and dismemberment insurance coverage.

D. Long-Term Disability

The Housing Authority will pay the premium for long-term disability insurance coverage.

E. Optional Insurance Programs

Employees who participate in optional insurance programs authorized by the Board may do so at their own expense through payroll withholding. Employees on non-family medical leave non-paid leave status must make their own arrangements with payroll to continue insurance benefits at their own expense, subject to the contract terms and conditions between Marion County and the insurance carriers.

F. Employee Assistance Program (EAP)

The Housing Authority will pay for an Employee Assistance Program that provides for confidential counseling sessions for benefits-eligible employees and their covered dependents, subject to the limitations of the EAP plan.

G. Retirement

1. PERS/OPSRP

The Housing Authority will maintain membership in the Public Employees Retirement System (PERS) and the Oregon Public Service Retirement Plan (OPSRP). The Housing Authority withholds 6% of eligible employees' wages which is credited to the employee's Individual Account Program (IAP).

The employee shall have no option to receive the amount withheld and contribute directly instead of having it paid by the Housing Authority to the IAP.

Subject to the provisions of Oregon law, the Housing Authority will participate in the sick leave conversion program under PERS.

2. 457 Deferred Compensation Plan

The Housing Authority has established and maintains 457 accounts for eligible employees and will contribute an amount, approved by the Board, into an Employer Account in the employee's name. The Marion County Housing Authority contribution of base pay is 7.5% for the Executive Director and 2.5% for management and supervisors. Marion County Housing Authority invests account contributions with a financial provider approved by the Board.

Non-management employees have the option to participate at their expense in the Marion County 457 Deferred Compensation Plan. A financial provider invests employee contributions from payroll withholding into an investment account. The Marion County Housing Authority sponsors plans with Board-approved financial providers.

Section 3: Forms of Leave/Pay

A. Holidays

The following holidays are recognized and observed as paid holidays for regular or trial service employees:

- New Year's Day (January 1)
- Martin Luther King's Birthday (Third Monday in January)
- President's Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Veteran's Day (November 11)
- Thanksgiving Day (Fourth Thursday in November)
- Day after Thanksgiving Day
- Christmas Day (December 25)

(Also, see [Holiday Pay](#), Article 3, Section 5.C.13.)

B. Personal Holidays

Regular and trial service employees with an FTE or .5 or higher are entitled to one personal holiday each calendar year following six continuous months of Housing Authority service. Employees must take the workday off in full-day increments. The length of the workday for the personal holidays is equal to the number of hours the Executive Director would have regularly scheduled the employee to work. For example, if the Executive Director schedules an employee to work eight hours and the employee takes that day off as a personal holiday, the Housing Authority will pay the employee for eight hours. If the Executive Director normally schedules an employee to work ten hours and the employee takes that day off as a personal holiday, the Housing Authority will pay the employee for ten hours. This term for this is day for day.

Employees accrue personal holidays on January 1 of each year and must use them by December 31 of the calendar year in which the holiday is earned. Employees shall schedule personal holidays in the same manner as vacation leave and may not carry personal holidays forward into the following year.

C. Compensation Credit

Employees working .5 FTE or more in a regular position shall receive compensation credit to be taken as leave time or as additional pay at the employee's option. Employees working less than .5 FTE do not accrue compensation credit. Compensation credit is accrued April 1 and employees must use compensation credit within the fiscal year (April 1 – March 31).

1. Accrual Rate for New Hires

The Housing Authority prorates compensation credit for new hires, based on the employees' hire dates and FTE. New hires must complete six continuous months of Housing Authority service before the end of the fiscal year to accrue prorated compensation credit for that fiscal year.

2. Accrual Rates for Employees Other Than New Hires

Accrual rates for employees other than new hires are:

- Executive Director = 5 workweeks
- Management/Supervisor = 4 workweeks
- Non-Management/Supervisor = 3 workweeks

The Board may adjust the number of weeks available to employees.

Employees who are on unpaid leave on **April 1** do not accrue compensation credit for the new fiscal year until the employees return to work.

3. Adjustment Following Unit Change

If an employee moves into a unit that accrues more compensation credit, the employee will accrue the additional compensation credit at the time of the unit change.

If an employee moves into a unit that accrues fewer weeks of compensation credit, and the employee's existing balance is more than is allowed for this unit, payroll will adjust the employee's balance downward to the number of units allowed. Payroll will adjust the balance based on the amount of accrued compensation credit at the time of the unit change.

Before moving to a unit that has fewer weeks of compensation credit, an employee may take the difference between the two units as payout or leave. For example, if an employee has four weeks of accrued compensation credit and will be moving to where only three weeks' accrual is allowed, the employee can take one week of compensation credit as either leave or pay prior to the change. If the employee does not use the additional week of compensation credit before the change, payroll will adjust the employee's compensation credit balance to three weeks at the time of the change.

4. Pay or Leave Time

Employees may elect to schedule leave or ask for compensation in increments as small as one day.

If an employee has compensation credit remaining at the end of the fiscal year, the employee may request payment for the balance. The employee must include the remaining compensation credit hours on a timecard during a pay period that will result in a paycheck dated no later than the end of the fiscal year in which the compensation credit was accrued.

5. Full Time Employee

An employee shall receive compensation credit based on the employee's FTE at the time of use. If an employee changes FTE, Payroll will adjust the employee's balance of compensation credit.

6. Eligibility for Use

Employees are eligible to access compensation credit following six continuous months of Housing Authority service.

7. End of Employment

The Housing Authority will pay unused compensation credit on the final paycheck if the employee has completed six continuous months of Housing Authority service.

8. Following Reappointment

An employee who previously completed a trial service period will receive prorated compensation credit at the time of reappointment. If a reappointed employee accessed compensation credit before leaving employment and a department reappoints the employee within the same fiscal year, the employee will not accrue additional compensation credit at the time of reappointment. Compensation credit is a fiscal-year benefit and no employee shall receive more than the allotted compensation credit in any fiscal year. If the Executive Director reappoints an employee at a higher FTE than the employee's previous position, payroll will adjust the employee's compensation credit at the time of reappointment.

9. Following Internal Appointment

(See [Internal Appointment/Compensation Credit](#), Article 4, Section 8.G.3.)

10. Following Reassignment

(See [Reassignment/Compensation Credit](#), Article 4, Section 8.F.3.)

D. Longevity

Longevity is pay based on length of Housing Authority service. The Executive Director does not receive longevity pay.

1. Continuous Service Date

The Housing Authority bases eligibility for placement on longevity on the employee's continuous service date. (Also, see [Continuous Service Date](#), Article 5, Section 4.A.)

2. Eligibility for Longevity 1

To qualify for Longevity 1, an employee must have served ten years of Housing Authority service and must have been on the top step of the current pay range for at least one year.

Effective July 1, 2005, Longevity 1 adds 5% to the employee's base pay.

3. Eligibility for Longevity 2

To qualify for Longevity 2, an employee must have served 15 years of Housing Authority service and must have been on Longevity 1 for at least one year.

Effective July 1, 2005, Longevity 2 adds 10% to the employee's base pay.

4. Possible Exceptions to Eligibility for Longevity

There may be instances when an employee is not required to wait a full year on the top step before moving to Longevity 1 or wait a full year on Longevity 1 before moving to Longevity 2.

Exceptions can sometimes occur when the Housing Authority grants an employee an extra-meritorious increase, when an employee promotes or is reclassified upward, or following a pay range adjustment.

If any of these actions place an employee on the top step, the employee will be eligible to move to Longevity 1 on the employee's regular anniversary date if the employee has met the ten-year Housing Authority service requirement as of the employee's anniversary date. If any of these actions place an employee on Longevity 1, the employee will be eligible to move to Longevity 2 on the employee's regular anniversary date if the employee has met the 15-year Housing Authority service requirement as of the employee's regular anniversary date.

E. Vacation Leave

The Housing Authority shall credit regular or trial service employees working .5 FTE or more with vacation leave after the employees have completed six continuous months of Housing Authority service. Employees working less than .5 FTE do not accrue vacation leave. Employees will not accrue vacation leave while on unpaid status.

1. Beginning Accrual Rates

Accrual rates are 4.0 hours for full-time employees who work a 40-hour workweek and 3.75 hours for full-time employees who work a 37.5-hour workweek. The Housing Authority prorates accrual rates for part-time employees who work .5 FTE or more, based on the employees' FTE.

2. Accrual Rates Based on Length of Service

The amount of vacation leave for full-time employees, which is accrued each semi-monthly pay period, increases with years of Housing Authority service as follows, beginning with the fifth year:

40-hour Workweek

5 years of service = 15 days/year or 5.0 hrs/pay period
10 years of service = 18 days/year or 6.0 hrs/pay period
15 years of service = 21 days/year or 7.0 hrs/pay period
20 years of service = 24 days/year or 8.0 hrs/pay period

37.5-hour Work Week

5 years of service = 15 days/year or 4.69 hrs/pay period
10 years of service = 18 days/year or 5.63 hrs/pay period
15 years of service = 21 days/year or 6.56 hrs/pay period
20 years of service = 24 days/year or 7.50 hrs/pay period

The Housing Authority prorates the amount of vacation leave for part-time employees as related to years of Housing Authority service.

3. Continuous Service

Continuous service, for the purpose of determining eligibility for vacation accrual based on length of service, is service unbroken by separation from the Housing Authority service, except for employees recalled from layoff, time spent on military leave, an authorized leave of absence with pay, family medical leave, or a leave without pay resulting from a job-incurred injury.

The Housing Authority shall adjust an employee's continuous service date by one month for each calendar month or partial calendar month that an employee is off the Housing Authority payroll for more than ten workdays.

4. Part-Time Employees

Regular part-time employees working .5 FTE or more accrue vacation leave based on the employees' FTE.

5. Scheduling Vacations

Employees must submit their vacation requests in advance, and with as much notice as possible, so that department managers can review the requests and make appropriate decisions based on operational needs. In establishing regular schedules, department managers shall give due consideration to the desires of individual employees within limits of work requirements of the division. The Executive Director may amend vacation schedules to meet work emergencies or to grant requests of individual employees.

If two or more employees request to take vacation during the same period and the matter cannot be resolved by agreement of the parties concerned, the employee with the most seniority with the Housing Authority shall be granted vacation time. The Executive Director shall not give this seniority consideration more than once every two years.

6. Maximum Accumulation of Vacation Hours

An employee shall not accumulate more than 250 hours of vacation leave, regardless of whether the employee works a 40-hour workweek or a 37.5-hour workweek or whether the employee works part-time or full-time. An employee who is about to reach the maximum accrual may notify the department manager five days in advance and take vacation to reduce the leave balance and ensure further vacation accrual. This action shall not constitute a basis for disciplinary action.

7. Vacation Following Appointment/Reassignment

When the Executive Director selects an employee through the recruitment process, or when the Executive Director reassigns an employee. If the employee was eligible to take vacation before the appointment or reassignment, the employee will be eligible to take vacation following the appointment or reassignment. If an employee had not yet met the eligibility criteria for taking vacation prior to the appointment or reassignment the employee must meet the criteria in the department before being eligible to use vacation.

8. Vacation Following Reappointment

An employee may accrue and access vacation leave immediately upon reappointment if the employee was eligible to accrue and use vacation leave before ending employment. (Also, see [Reappointment](#), Article 4, Section 8.C.)

9. Vacation at the End of Employment

An employee who terminates during the initial six months of employment will not be entitled to cash compensation in lieu of vacation leave. An employee who separates from Marion County Housing Authority after serving six consecutive months will be entitled to cash compensation at the employee's hourly rate at the time of termination.

10. Vacation in Lieu of Sick Leave

An employee who has insufficient sick leave and who remains off work due to an illness not covered by family medical leave may request to use vacation leave to cover the absence. The employee must request to use vacation before exhausting sick leave. The Executive Director retains the authority to grant or deny an employee's request to use vacation leave while the employee is ill. (Also, see [Sick Leave Utilization](#), Article 6, Section 3.F.4.)

F. Sick Leave

Employees who work .5 FTE or more in regular positions accrue sick leave. Employees who work less than .5 FTE do not accrue sick leave. Sick leave accrues upon hire and employees may access it as soon as it accrues. The Housing Authority has no cap on the amount of sick leave an employee may accrue. Employees will not accrue sick leave while on unpaid status.

1. Accrual Rates

The sick leave accrual rate for full-time employees who work a 40-hour workweek is 4.0 hours per semi-monthly. The sick leave accrual rate for employees who work a 37.5-hour workweek is 3.75 hours per semi-monthly pay period.

2. Part-Time Employees

Part-time employees who work .5 FTE or more shall accrue prorated sick leave based on the employees' FTE.

3. Sick Leave Following Move to Another Department

When an employee promotes, voluntarily demotes, or when a department manager selects an employee as an internal appointment and the employee moves to another department, the new department manager shall assume the employee's sick leave balance.

4. Sick Leave Utilization

An employee may utilize accrued sick leave when the employee is unable to work due to the employee's illness, illness in the employee's immediate family, injury, pregnancy, or for medical or dental care. An employee may utilize sick leave in increments as small as the Housing Authority payroll system will allow.

Absence to tend to an ill family member shall be limited to the time the employee's presence is actually required. An employee has the obligation to make other arrangements within a reasonable period to attend to family members unless the absence relates to family medical leave. (*See [Family Medical Leave](#) in the Marion County Administrative Policies and Procedures.*)

The Executive Director may require evidence that an employee is under a doctor's care if the employee's sick leave exceeds five consecutive workdays. The Executive Director may require a certification from the employee's health care provider indicating that an illness or injury prevents the employee from working.

An employee is not automatically entitled to use vacation leave, personal holidays, compensatory time, or compensation credit for sick leave purposes. If an employee has exhausted or will exhaust all accrued sick leave, the employee must request in writing to management to use any other accruals for such absences. The employee must submit this request before exhausting sick leave.

5. Required Physical Exam

The Housing Authority will pay the expense should it require an employee to undergo a physical examination.

6. Immediate Family Members

For the purpose of this section, immediate family includes mother, father, son, daughter, husband, wife, sister, brother, equivalent in-laws, significant other, domestic partner, and other relatives who reside in the employee's household.

7. Bereavement Leave

The Housing Authority will allow an employee to take a maximum of five days of accumulated sick leave for each death in the immediate family. *(See **Immediate Family Members**, #6 above.)*

8. Vacation Credit Donations

An employee may receive donated vacation leave to cover the employee's absence related to family medical leave. *(See [Vacation Credit Donations](#) in the Marion County Housing Authority Administrative Policies and Procedures.)*

9. Sick Leave without Pay

Before exhausting all accumulated sick leave, an employee shall submit a written request to the Executive Director requesting sick leave without pay. Upon an employee's request, the Executive Director shall grant sick leave without pay for one period not to exceed 10 calendar days.

An employee is eligible to exercise this option only once in a 12-month period based on a rolling year, and must take the days off consecutively. Upon returning to work, the Executive Director shall return the employee to the former position and shift in that week's schedule. The employee shall notify the Housing Authority before returning to work. In the event that the Housing Authority designates an employee's leave as qualifying under the provisions of the Family Medical Leave Act (FMLA) or related statute, any leave granted under the provisions of this section shall be counted against leave granted under the FMLA or related statute.

The Executive Director shall not grant sick leave without pay until an employee has exhausted all sick leave or other forms of leave, or unless the Executive Director has denied the leave per Sick Leave Utilization. *(See [Sick Leave Utilization](#), Article 6, Section 3.F.4.)*

10. Sick Leave Following Reinstatement or Recall from Layoff

When the Housing Authority reinstates an employee following a hearing or recalls an employee from layoff the Housing Authority shall restore the employee's sick leave accrued during the employee's previous employment.

11. Sick Leave Following Reappointment

The Housing Authority shall restore an employee's previous sick leave credit when an appointing authority reappoints an employee. (*Also, see [Reappointment](#), Article 4, Section 8.C.*)

12. Sick Leave Notification

An employee who is ill and unable to report to work shall make a reasonable effort to notify the employee's supervisor no later than 30 minutes after the scheduled reporting time. In case of a continuing illness, the employee shall keep the immediate supervisor advised on a daily basis of the employee's inability to report to work.

13. Sick Leave Investigation

The Executive Director may disallow the use of sick leave if an employee is abusing sick leave.

If a department manager believes that an employee is using sick leave for reasons other than the employee's own illness, the illness of an immediate family member, injury, pregnancy, or the necessity for medical or dental care, the department manager may initiate an investigation by contacting the Executive Director to discuss the details of the allegations.

If the Executive Director agrees with the department manager's assessment, the Executive Director, in collaboration with Marion County Human Resources, will begin an investigation using necessary Housing Authority resources and staff.

Except for the collection of payroll data as part of the assessment process, the Housing Authority will not require staff working in the employee's usual worksite to assist in the investigation. As part of the investigation, the Housing Authority will contact the employee and ask the employee to provide information to address the Housing Authority's concerns.

Upon completion of the investigation, the Executive Director will relay the findings on a business need-to-know basis. The Housing Authority will conduct all sick leave investigations in a manner that will provide the

necessary operational information while protecting the privacy of the employee.

14. End of Employment

When an employee separates from Housing Authority service, the Housing Authority will not compensate the employee for unused accrued sick leave.

G. FMLA/OFLA

Marion County Housing Authority will adhere to federal and state laws governing family medical leave. *(Also, see [Family Medical Leave Policy](#) in the Marion County Housing Authority Administrative Policies and Procedures.)*

An employee who is on family medical leave must use all forms of accrued leave before accessing leave without pay. An employee may choose to use, but cannot be required to use, compensation credit or compensatory time while on family medical leave.

An employee will use sick leave first, then vacation leave, then other forms of leave, and leave without pay last, unless the Executive Director grants an exception.

H. Other Leave Types

1. Administrative Leave (Paid)

The Housing Authority may place an employee on administrative leave following a consultation between the department manager and the Executive Director. An employee must remain available during work hours while on administrative leave. A department manager shall not use administrative leave as a sanction. *(Also, see [Administrative Leave](#), Article 9, Section 4.A.)*

2. Compensatory (Comp) Time

Due to service needs, a non-exempt employee may occasionally work in excess of the hours scheduled in a regular work week. This requires prior approval from the Executive Director. The Executive Director will determine if the extra hours will be included in the employee's pay or whether the time is accrued as compensatory time. The employee must schedule compensatory leave in the same manner as vacation. There is a 40-hour accrual cap on compensatory time. Compensatory time must be taken as leave or pay within on year of accrual. When an employee

terminates employment, the employee shall be paid for compensatory time at the hourly rate the employee was receiving at the time of separation.

3. Workers' Compensation

The Housing Authority will withhold a contribution from the wages of each employee, as required by ORS 656.506.

The claim for an employee who suffers an occupational injury or illness will be administered according to Marion County Housing Authority's Injured Worker Policy and Procedures. (See [*Injured Worker Policy*](#) in the *Marion County Housing Authority Administrative Policies and Procedures.*)

4. Temporary Interruption of Employment

(See [*Reduced Staffing and/or Temporary Closure of County Offices*](#) in the *Marion County Housing Authority Administrative Policies and Procedures.*)

5. Military/Peace Corps Leave

The Housing Authority shall grant military and Peace Corps leave in accordance with Oregon Revised Statutes and federal law.

6. Jury/Court Duty

The Housing Authority shall grant an employee a paid leave of absence for:

- Service with a jury (regular and trial service employees only)
- Appearance in response to a subpoena before a court, legislative committee or judicial or quasi-judicial body
- Attendance in court, legislative committee or judicial or quasi-judicial body in connection with an employee's officially assigned duties, including the time required going from and returning to the work place

An employee excused from jury service or a court appearance before the end of the workday shall report immediately to the employee's supervisor. The employee may retain payment for mileage but must remit all jury and witness fees to the Housing Authority.

7. Leave of Absence Without Pay

The Executive Director may authorize unpaid absences or extensions of absences not to exceed one year in instances where an employee's temporary absence will not hinder the Housing Authority's operations. An employee's request for leave must be in writing and must establish reasonable justification for approval of the request. If the Executive Director denies the leave, the employee may appeal to the Board within ten days of the denial. The Board's decision is final.

An employee granted leave without pay must exhaust all accrued vacation leave before commencing leave without pay.

a. Failure to Return from Leave

The Housing Authority shall consider an employee to have resigned the employee's position when an employee granted a leave of absence fails, for any reason, to return to work at the expiration of the leave.

If an employee wishes to request an extension of the leave of absence without pay, the employee must make the request before the leave of absence expires and must do so by furnishing evidence of the employee's inability to return to work because of sickness, physical disability, or other legitimate reasons beyond the employee's control. Otherwise, the Housing Authority shall declare the position vacated.

b. Absence Without Leave

The Housing Authority shall deem an absence of an employee from duty, not approved by the Executive Director, as absence without leave. This includes any absence for a single day for exempt employees and for a single day or partial day for non-exempt employees. The Executive Director may discipline an employee and the absence shall be unpaid. Absence without leave of three or more consecutive working days may result in the Housing Authority declaring the position vacant and the appointing authority terminating the employee.

Article 7: Training

Section 1: Purpose

It is the intent of Marion County Housing Authority to create a positive work environment where employees are informed, productive, valued, and respected. It is also the intent of the Housing Authority to link individual employee goals with departmental and organizational goals. In addition, the Housing Authority takes a preventive approach to liability concerns through awareness training, policy distribution, skill building, and role clarification. It is intended that with a clear understanding of roles, responsibilities, and expectations, employees shall be successful and productive.

Section 2: Training Activities

The Housing Authority encourages and promotes training and development opportunities for employees and supervisors to help the Housing Authority achieve its mission and goals, and to improve departmental and individual efficiency and effectiveness. Marion County Human Resources offers training on topics that apply to all Housing Authority employees. Marion County Human Resources also assists the Housing Authority in meeting its training needs, developing customized training programs related to personnel issues, and preparing employees for promotion to positions of greater responsibility.

Training activities may include on-the-job training, department-specific training, one-on-one coaching, group facilitation, mentoring, computer-based learning, and conferences.

Employees must obtain a department manager approval before registering for training sessions that occur during work hours.

Section 3: New Employee Orientation

Marion County Human Resources provides an orientation to familiarize new employees with their obligations and rights, and to inform them about the general functions of Marion County government.

New Employee Orientation is mandatory for all new employees. Marion County Human Resources will generally schedule countywide orientation every other week. The Housing Authority expects new employees to attend orientation before starting work.

Following New Employee Orientation, new employees will report to their department manager, who will provide the employees with an orientation to the Housing Authority and new positions. Most employees must complete this orientation within the first 15 days on the job. There is an exception for on-the-job training, which may last up to six months.

All new employees must complete a checklist and sign off on key Marion County policies and training received at New Employee Orientation.

Section 4: Management Development Series

The Management Development Series includes basic skills and expectations regarding personnel management. All department managers are required to attend and complete the Management Development Series within the first 12 months of employment before completing trial service.

Section 5: Other Mandated Training

Employees are required to attend other training deemed necessary by Marion County Human Resources. Mandatory training topics may include *Valuing Diversity* and *The Issue is Respect*. (Also, see [Non-Discrimination Policy](#) in the Marion County Housing Authority Administrative Policies and Procedures.)

Employees are required to attend a biennial refresher of *The Issue is Respect*.

Section 6: Authorized Travel and Conference Attendance

Employees must obtain prior approval from the department manager to attend a conference or training. In order to receive reimbursement for food, lodging, and travel expenses, employees must comply with Housing Authority policy. (Also, see [Reimbursement of Miscellaneous Travel Expenses](#) in the Marion County Housing Authority Administrative Policies and Procedures.)

Section 7: Tuition Aid and Educational Assistance

(See [Tuition Payments](#) policy in the Marion County Housing Authority Administrative Policies and Procedures.)

Article 8: Performance Evaluation Process

Section 1: General Policy

It is Marion County Housing Authority's policy to review the work of each employee in the classified service to assure that the employee is meeting the performance expectations for that particular position. The employee performance evaluation is a constant process that takes place with or without a written performance evaluation. The role of the department manager is to support an employee's effort to maximize the employee's potential. The evaluation process should be flexible, objective, and consistent. The process should review the past, analyze the present, and plan for the employee's future.

The review shall include an evaluation of an employee's work performance, which includes acknowledgement of accomplishments, a review of work performance problems that occurred during the previous year, and the establishment of performance goals for the coming year. This article applies to all employees except those in the unclassified service. (See [Unclassified Service](#), Preface.)

Section 2: Performance Evaluation

The Executive Director shall establish a system designed to fairly evaluate employee work performance. The evaluation will also outline ways to improve employee performance. The department manager shall prepare and record evaluations for all employees at least annually.

A. Initial Service Period/Merit Increase

A performance evaluation is required when an employee completes the initial service period and when an employee is eligible for a merit increase. The employee and the department manager must sign the evaluation. The department manager shall submit the evaluation to the Executive Director with the Personnel Action Form removing the employee from initial service, and/or granting the employee a merit increase if the employee has met the criteria. If the employee refuses to sign the evaluation, the department manager must write on the evaluation that the employee refused to sign. (Also see [Merit Increase](#), Article 3, Section 5.C.1.)

It is recommended that a department manager dismiss an initial service employee if the employee's performance evaluation rating is less than "Meets Expectations."

B. Completion of Trial Service With No Merit Increase

When an employee is due to complete a trial service period and no merit increase

is due, the department manager shall submit a memo to the employee's personnel file declaring whether the employee has met the criteria for passing the trial service period. The department manager shall submit this memo to the Executive Director with the Personnel Action Form removing the employee from trial service if the employee has met the criteria.

C. Annual Evaluation With No Merit Increase

Once an employee reaches the top step of the pay range, the employee is not eligible for further merit increases; however, the department manager must complete an employee performance evaluation annually thereafter. A memo to the employee's personnel file is not sufficient.

Section 3: Procedure

A. Supervisor Review

At least annually, the department manager shall meet individually with each employee to evaluate the employee's work performance. The department manager shall give the employee a copy of the evaluation at the time of the evaluation.

In the event that two or more departments share an employee, the primary department shall be responsible for the evaluation, with appropriate input regarding performance from the other department(s). The primary department is the department with the primary funding source. In the event two departments equally share the position, the primary funding source is the department that has the position in its budget and receives reimbursement from the other department.

If an employee changes department managers, the department manager with the longer period of supervision over the employee is responsible for taking the lead in the evaluation.

B. Executive Director Review

The Executive Director shall review all performance evaluation forms and, when necessary, shall meet with the employee or department manager to discuss problems with the evaluation score. Any comments made by the Executive Director are part of the evaluation form, which the Executive Director shall supply to the department manager and the employee.

C. Evaluation Completion

A department manager shall complete the evaluation during the pay period in which the anniversary date occurs. If the employee is also eligible for a merit increase, the department manager will submit a Personnel Action Form to the Executive Director, along with the evaluation form and an updated Essential Job

Functions form. Payroll will not process merit increases without the accompanying performance evaluation.

Section 4: Failure to Meet Expectations

The Executive Director will not grant an employee a merit increase if the employee's overall performance evaluation rating is lower than Meets Expectations. (See [Merit Increase](#), Article 3, Section 5.C.1.)

Section 5: Use of Performance Evaluation

The performance evaluation shall be part of the employee's personnel file and may be used for determining promotion, demotion, internal appointment, reassignment, layoff, merit increase, disciplinary action, satisfactory completion of the trial service period and other purposes.

Section 6: Employee Disagreement With Performance Evaluation

Performance evaluations are a permanent part of an employee's personnel file and are not subject to grievance. If an employee disagrees with the performance evaluation, the employee may file a response with the department manager or with the Executive Director citing reasons for the disagreement. The Executive Director will file the responses in the employee's personnel file. Employees must file responses no later than 30 days after the employee signs the performance evaluation, or no later than 30 days after the employee refused to sign the evaluation, as noted by the department manager.

Article 9: Discipline and Appeal

Section 1: Employees' Standard of Conduct

The expected standard of conduct for all Marion County Housing Authority employees shall be to act in the public interest as opposed to individual interests. In order to render the best possible service to the public and to reflect credit on Housing Authority service, the Housing Authority deems high standards of conduct essential. The Housing Authority shall base employment on good conduct and satisfactory performance of duties. This article applies to all employees except those in the unclassified service. (See [Unclassified Service, Preface.](#))

Section 2: Discipline

The Housing Authority shall impose disciplinary measures to correct employee conduct. These measures shall be progressive in nature until, or unless, separation from Housing Authority service is considered appropriate. The Executive Director shall take appropriate and timely disciplinary action in dealing with employee misconduct. Disciplinary action shall be for cause.

Progressive discipline does not preclude the Executive Director from skipping steps, when appropriate, due to the nature, severity, or accumulation of misconduct.

Section 3: Cause for Disciplinary Action

Any conduct or action that reflects discredit upon the Housing Authority or a Housing Authority employee, or is a direct hindrance to the effective performance of Housing Authority functions, shall be cause for disciplinary action. Improper action by an employee includes, but is not limited to, the following:

- Commission of a felony
- Commission of a misdemeanor that is related to the position held by the employee
- Insubordination or disloyalty
- Inefficiency or incompetence
- Inattention to duty, tardiness, indolence, carelessness, or damage to or negligence in the care and handling of Housing Authority property
- Improper or unauthorized use of Housing Authority vehicles, equipment or supplies

- Claim of sick leave under false pretenses or misuse of sick leave
- Absence from duty without authorized leave
- Misconduct in the performance of duties as an employee
- Violation of the Housing Authority policies
- Willful giving of false information or withholding information with intent to deceive
- Willful violation of any provisions of ordinances or rules adopted by the Board of Commissioners, or any provisions of departmental rules

Section 4: Manner of Imposing Disciplinary Action

If disciplinary action is taken, it shall be done privately so as not to embarrass the employee before other employees or the public. Generally, department managers will inform an employee when the employee is the subject of an investigation. For all forms of disciplinary action, the department managers shall follow all department procedures established by the Executive Director, and shall keep the Executive Director fully informed of any action taken.

A. Administrative Leave (Paid)

The Housing Authority may place an employee on administrative leave during the period of time in which the employee may respond to allegations of misconduct, or for any other reason the Executive Director deems to be in the best interest of the Housing Authority. The Executive Director must notify the employee in writing when placing an employee on administrative leave. This written notification shall outline the conditions of administrative leave. The Executive Director shall not use administrative leave as a sanction. (*Also, see [Administrative Leave](#), Article 6, Section 3.H.1.*)

B. Due Process Notification

Written notification to the employee must contain:

- A statement citing improper conduct, inadequate performance, or other cause for discipline engaged in by the employee
- A statement that dismissal, demotion, reduction in pay, or suspension without pay is being considered as a possible sanction for the stated improper conduct, inadequate performance, or other cause
- A statement listing the time frame in which the employee may choose to

respond to the statement of cause and discipline under consideration

C. Imposing Discipline

Before dismissing, demoting, suspending an employee without pay, or reducing an employee's pay, the Executive Director must:

- Notify the Marion County Personnel Analyst assigned to the department, and Legal Counsel.
- Notify the employee in writing that the Executive Director is dismissing, demoting, suspending an employee, or reducing the employee's pay. The notification must state the effective date of the action.
- Generate a Personnel Action Form, signed by the department manager, and if possible, the employee. The department manager must submit the Personnel Action Form and a copy of the notification to the Executive Director and to Marion County Human Resources as soon as possible.
- Submit the employee's final timecard and pay request to payroll for processing if the Housing Authority is dismissing an employee.

Section 5: Types of Disciplinary Action

Disciplinary action shall include, but is not limited to, oral and written reprimand, suspension (unpaid), pay reduction, demotion, and dismissal. Letters of admonishment, reprimand, warning, etc., remain in the employee's personnel file for at least three years. Only the Executive Director may authorize removal of these letters. (*Also, see [Personnel Files](#), Article 1, Section 1.*)

The Executive Director may note in the employee's performance evaluation any behavior and performance issues referenced in disciplinary actions.

Marion County Human Resources shall place no information that reflects critically upon an employee in the employee's personnel file unless it bears either the signature or the initials of the employee indicating that the department manager showed the employee the document. If the department manager showed the employee the document, but the employee refused to sign or initial it, the department manager must make a notation that the department supervisor showed a copy to the employee, but that the employee refused to sign it. The Executive Director shall provide the employee with a copy when the Executive Director places this type of document in the employee's personnel file.

A. Oral Reprimand

An oral reprimand is verbal notification of discipline from the department manager to an employee stating that the department manager is disciplining the employee because of specified activities or conduct inappropriate for the workplace. The department manager will also give notification that continuation

thereof will result in more severe discipline, up to and including discharge. When a department manager administers an oral reprimand, the department manager shall make a brief record of the warning for the department's file, but the warning shall not become part of the employee's official personnel file.

B. Written Reprimand

A written reprimand is official written notice from a department manager to an employee that the employee's failure to take immediate and sustained corrective action will result in a more severe form of disciplinary action. Marion County Human Resources shall place a copy of the written reprimand in the employee's official personnel file.

C. Pay Reduction

The Housing Authority may reduce an employee's pay for a limited period as a sanction in lieu of suspension, usually after an oral or written reprimand. The Housing Authority will place an employee on a step in the pay plan following a pay reduction, with the reduction period not to exceed one year.

The employee is not eligible to receive a cost-of-living increase during the period of pay reduction. At the end of the pay reduction, the Housing Authority will restore the employee's pay step and shall include any cost-of-living increases granted during the pay reduction. The Housing Authority will not issue the employee retro pay for the period the employee did not receive the cost-of-living adjustment.

The Executive Director may defer the employee's merit increase if the employee's anniversary date occurs during the period of pay reduction. This deferment does not change the employee's anniversary date.

D. Suspension (Unpaid)

A suspension is a form of discipline used when oral and written reprimands have not achieved the desired results. The Executive Director can use suspension sooner, based upon the nature and severity of the misconduct. The Executive Director may suspend an employee for disciplinary reasons for a period not to exceed 30 days. The Executive Director must notify the employee in writing of the reasons for the suspension. An employee will not acquire service credit during a period of suspension of more than ten workdays in a calendar month.

1. Effect on Anniversary Date

(See [Anniversary Date Following Unpaid Leave](#), Article 5, Section 5.E.)

2. Effect on Continuous Service Date

(See [Adjustment to Continuous Service Date](#), Article 5, Section 4.B.)

3. Effect on Use of Leave Accruals

Employees are not allowed to use vacation leave, sick leave, personal holidays, compensatory time, or compensation credit while on suspension. Employees on suspension will not accrue sick or vacation leave during the suspension period.

E. Demotion

The Executive Director may use demotion as a form of discipline when the action does not warrant discharge or when the Executive Director believes that the employee has potential for corrective conduct. This action shall not cause the displacement of another employee.

1. Effect on Anniversary and Evaluation Dates

An employee's anniversary and evaluation dates will remain the same following demotion. (See [Anniversary Date](#), Article 5, Section 5.)

2. Effect on Continuous Service Date

An employee's continuous service date will remain the same following demotion. (See [Continuous Service Date](#), Article 5, Section 4.A.)

3. Effect on Use of Leave Accruals

An employee may access leave accruals just as the employee could before the demotion. (See [Forms of Leave](#), Article 6, Section 3.)

4. Effect on Pay

Unless the Executive Director reduces an employee's pay as a form of discipline, the Housing Authority shall place a demoted employee on a step in the new pay range closest to the employee's former pay rate without resulting in a pay increase.

If the employee's pay does not fit within the lower pay range, the Housing Authority will decrease the employee's pay at the time of demotion. The Housing Authority will move an employee to longevity only if the employee meets the criteria for longevity. (See [Longevity](#), Article 6, Section 3.D and [Demotion](#), Article 3, Section 5.C.4.)

F. Dismissal

The Executive Director may dismiss any regular employee for cause if the employee is under the Executive Director's jurisdiction.

Section 6: Appeal Process

A. Discipline Other Than Dismissal

An employee with regular status who has been the subject of disciplinary action may appeal in writing all disciplinary actions, except dismissal, to the Executive Director within ten business days of the action. The written appeal will state the reasons why the employee believes the discipline was excessive or without cause. The Executive Director will review the appeal and issue a final written decision.

B. Dismissal

A dismissed employee who held regular status may appeal in writing to the Executive Director within ten business days after the effective date of the dismissal. The written appeal must state the reasons why the employee believes the dismissal was without cause.

If the appeal is not resolved, the Executive Director shall forward the appeal to the Marion County Human Relations Manager. The Marion County Human Resources Manager shall first offer the appellant voluntary mediation of the appeal pursuant to ORS 662.435. The Housing Authority will pay any mediation fees required by the state mediator. Each party shall be responsible for the cost of presenting its case at mediation. If the appellant refuses mediation, or if mediation is unsuccessful in resolving the dispute, the Marion County Human Resources Manager will provide the appellant with a list of three arbitrators.

The Marion County Human Resources Manager shall select and obtain a list of three arbitrators from the list of arbitrators maintained by the Oregon Mediation and Conciliation Service pursuant to ORS 662.445.

C. Arbitration Hearing Procedures

The Housing Authority shall be the moving party and shall have the burden of proof by a preponderance of the evidence. The arbitrator will determine if the Housing Authority had cause to dismiss the employee. The cost of the arbitrator shall be borne by the party who does not prevail. Each party is responsible for the cost of presenting its case at arbitration. The decision of the arbitrator is final and binding upon the Housing Authority and the appellant.

An attorney or representative of the appellant's choice may represent the appellant requesting arbitration. The appellant shall be responsible for all costs

and expenses associated with representation.

The arbitrator has the authority to determine if the Housing Authority had cause to dismiss the employee. No award shall be valid if the reinstatement of a public employee or absolution of the public employee of responsibility for misconduct does not comply with public policy requirements. Public policy requirements are defined in statutes or judicial decisions including, but not limited to, policies respecting sexual harassment or sexual misconduct, unjustified and egregious use of physical or deadly force, and criminal misconduct related to work. In addition, the award would not be valid with respect to claims that an appellant be reinstated or otherwise relieved of responsibility for misconduct, based upon the public employer's alleged previous differential treatment of employees for the same or similar conduct. The arbitrator's award shall be limited to setting aside and making the employee whole from the discipline imposed. The arbitrator shall not have authority to impose judgment for lesser or alternative discipline.

The arbitrator, once having issued the decision, shall have continuing jurisdiction over the case for 30 calendar days to clarify the arbitrator's decision if there are questions concerning the arbitrator's decision and its implementation.

Article 10: Layoff

Section 1: Layoff

The Executive Director may lay off an employee because of the elimination of the position, shortage of funds or work, substantial changes in duties, or other changes in the organization. The Executive Director may assign the laid off employee's duties to other employees who hold positions in appropriate classifications. Suspension without pay or termination is not a layoff. This article applies to all employees except those in the unclassified service. (See [Unclassified Service](#), Preface.)

Any contemplation of eliminating a position and laying off an employee requires the Housing Authority to contact Marion County Human Resources as early as possible, but in no event not less than 30 days prior to the proposed layoff date.

Section 2: Identifying the Position to be Laid Off

The Housing Authority must identify which position the department will eliminate. The employee in the identified position is not necessarily the employee the department will lay off. Layoffs are department-specific and do not affect employees in the same classification in other departments.

Section 3: Order of Layoff

The Housing Authority shall first lay off the employee in the affected classification who has the fewest service credits. If the employee in the eliminated position has more service credits than another employee in the same classification, the employee with more service credits may displace the employee with fewer service credits. The employee with more service credits must be qualified for the work in the new position in order to displace that employee.

Section 4: Service Credit Computation

The Finance Manager will calculate service credits for all employees in the affected classification by adding the points from the employees' last performance evaluation and the employees' length of Housing Authority service. In the event that two employees have the same service credits, the Housing Authority shall use the date of employment as a regular employee to determine the order of layoff. The Housing Authority will first lay off the employee with the most recent hire date. If two or more employees with the same service credits were hired the same date, the Finance Manager shall determine the order of layoff. This requires prior approval of the Executive Director.

Calculations are as follows:

A. Performance Evaluation Rating

The Finance Manager will use the last performance evaluation. If the evaluation is not current, the department manager must prepare an evaluation. The Finance Manager will base scoring on the following scale:

- 0 points for Unsatisfactory
- 7.5 points for Needs Improvement
- 15 points for Meets Expectations
- 22.5 points for Exceeds Expectations
- 30 points for Exceptional

B. Length of County Service

The Housing Authority will give each employee $\frac{1}{4}$ of a point for each continuous month of service, based on the employee's continuous service date. (*Also, see [Continuous Service Date](#), Article 5, Section 4.A.*)

Section 5: Employee Notice of Layoff

The Executive Director shall notify the employee in writing of a pending layoff at least 15 days before the effective date. The notice must state the reason and effective date of the layoff. The Executive Director must send a copy of the notification to the Marion County Personnel Analyst.

Section 6: Voluntary Demotion in Lieu of Layoff

Any regular or trial service employee who is facing layoff may file a written request with the Executive Director for demotion in lieu of layoff. The employee cannot displace another employee, but may demote to a vacant position in the same department. The employee must be qualified to perform the lower-level duties. A demotion in lieu of layoff should align with the beginning of a pay period, if possible.

Employees who wish to demote in lieu of layoff may not demote into represented positions.

If the Executive Director agrees with the request, the Executive Director shall give the employee written approval. If more than one employee identified for layoff requests to demote into a vacant position, the Executive Director will allow the employee with the most service credits to demote. If two or more employees with the same number of

service credits request to demote, the Executive Director will decide which employee may demote.

If the Executive Director does not agree with the request, the Executive Director shall give the employee written notification stating the reasons for the denial. The employee may request that the Executive Director review the reasons for denial.

A. Anniversary Date

(Also, see [Voluntary Demotion](#), Article 4, Section 8.I and [Anniversary Date](#), Article 5, Section 5.)

B. Compensation Credit

(Also, see [Voluntary Demotion](#), Article 4, Section 8.I and [Compensation Credit](#), Article 6, Section 3.C.)

C. Anniversary/Evaluation Date

(Also, see [Voluntary Demotion](#), Article 4, Section 8.I and [Performance Evaluation](#), Article 8, Section 2.)

D. Pay

(Also, see [Voluntary Demotion](#), Article 4, Section 8.I and [Longevity](#), Article 6, Section 3.D.)

E. Sick Leave

(Also, see [Voluntary Demotion](#), Article 4, Section 8.I and [Sick Leave](#), Article 6, Article 3.F.)

F. Vacation Leave

(Also, see [Voluntary Demotion](#), Article 4, Section 8.I and [Vacation](#), Article 6, Section 3.E.)

G. Personal Holidays

(Also, see [Voluntary Demotion](#), Article 4, Section 8.I and [Personal Holidays](#), Article 6, Section 3.B.)

H. Trial Service Period

The trial service period for employees who demote outside of their classification

series is six months for non-management employees and 12 months for management/supervisor employees.

Section 7: Recall From Layoff

Laid off employees or employees demoted in lieu of layoff are eligible for recall to the classification held before the layoff or demotion. All recall rights for laid-off employees or employees demoted in lieu of layoff shall be limited to 12 months following layoff or demotion. The Housing Authority shall notify all eligible employees of their recall rights and shall recall employees in order of service credits before filling vacancies by other means.

A. Pay

When the Executive Director recalls an employee, the Housing Authority shall pay the employee at the same pay rate as when the Housing Authority laid off the employee. If any increases to the pay range occurred during the period of layoff, the Housing Authority will adjust the employee's pay rate accordingly.

B. Anniversary Date/Evaluation Date

(See [Recall from Layoff, Anniversary Date](#), Article 5, Section 5.C.)

C. Continuous Service Date

The Housing Authority will adjust an employee's anniversary/evaluation date by one month for each calendar month during which the employee was off the payroll for more than ten workdays. (Example: If the Housing Authority laid-off an employee June 30 and recalled the employee August 23, the Housing Authority will adjust the employee's continuous service date. If the employee's previous continuous service date was September 1, 1998, the Housing Authority will adjust it by two months, to November 1, 1998, because the employee was off the Housing Authority payroll more than ten workdays in July and August.) (Also, see [Continuous Service Date](#), Article 5, Section 4.A.)

D. Vacation Leave

If the recalled employee was eligible to take vacation leave before the layoff, the employee is eligible to take vacation leave following recall. (See [Vacation](#), Article 6, Section 3.E.)

E. Vacation Accrual Based on Length of Service

An employee's continuous service date affects the employee's eligibility for vacation accrual based on length of service. If the Housing Authority adjusts a recalled employee's continuous service date, the Housing Authority will also

adjust the date on which the employee receives added vacation leave. (*Also, see [Vacation Accrual Based on Length of Service](#), Article 6, Section 3.E.2.*)

F. Personal Holidays

If an employee was eligible to take personal holidays before the layoff, the employee will be eligible to take personal holidays following recall. (*See [Personal Holidays](#), Article 6, Section 3.B.*)

G. Trial Service Period

If the recalled employee was serving a trial service period before layoff, the employee must serve the remainder of the trial service period following recall. The Housing Authority will adjust the employee's trial service period by one month for each calendar month or partial calendar month in which the employee was off the Housing Authority payroll for more than ten workdays. If an employee was a regular employee at the time of layoff, there will be no additional trial service period following recall. (*Also, see [Trial Service](#), Article 5, Section 3.*)

H. Sick Leave Restoration

The Housing Authority will restore all sick leave credit accrued before the layoff when an employee is recalled.

I. Compensation Credit

If an employee used the compensation credit benefit before layoff, or if the Housing Authority paid the employee for the compensation credit at the time of layoff, the Housing Authority will not grant the employee additional compensation credit if the Executive Director recalls the employee within the same fiscal year as the layoff. If the Executive Director recalls an employee after the start of the new fiscal year, the employee accrues full compensation credit at the time of recall. (*Also, see [Compensation Credit](#), Article 6, Section 3.C.*)

J. Service Credit Adjustments

A recalled employee retains previous service credit.

Article 11: Miscellaneous

Section 1: Overpayment to Marion County Housing Authority Employees

An employee shall return any overpayment resulting from wages, reimbursements, benefits, or other types of payments to Marion County Housing Authority. The Housing Authority shall use all legally available means of recovery. This includes, but is not limited to, payroll withholding, collection efforts, and correcting adjustments.

Section 2: Part-time Employees

Part-time employees are employees appointed by the Executive Director to fill budgeted positions and whose daily or weekly hours are less than the hours established for full-time positions. (Also, see [Job Share](#), Article 4, Section 8.H.)

A. Insurance

(See [Insurance](#), Article 6, Section 2.)

B. Employee Assistance Program (EAP)

(See [Employee Assistance Program](#), Article 6, Section 2.F.)

C. Retirement Benefits

(See [Retirement](#), Article 6, Section 2.G.)

D. Anniversary/Evaluation Date

(See [Anniversary Date](#), Article 5, Section 5.)

E. Compensation Credit

(See [Compensation Credit](#), Article 6, Section 3.C.)

F. Holidays

(See [Holidays](#), Article 6, Section 3.A.)

G. Personal Holidays

(See [Personal Holidays](#), Article 6, Section 3.B.)

H. Sick Leave

(See [Sick Leave](#), Article 6, Section 3.F.)

I. Vacation Leave

(See [Vacation](#), Article 6, Section 3.E.)

Section 3: Temporary Employees

Temporary employees are those employees who:

- a. Provide seasonal or on-call relief;
- b. Fill a vacancy in a budgeted position due to sick leave, parental leave, vacation leave, military leave, shift work, Workers' Compensation injury, recruitment, or family medical leave; or
- c. Work on special projects and extra work of limited duration

The Executive Director may only hire a temporary employee at the beginning of a pay period unless granted an exception. Temporary employment is limited to 975 hours based on a 37.5-hour workweek or 1,040 hours based on a 40-hour workweek, commencing from the date of hire as a temporary worker.

No temporary employee shall work in the classified service for more than the stated number of hours in any 12-month period unless the Executive Director grants an extension of temporary hours. A temporary employee may work more than 12 months, provided the employee does not exceed the yearly allocation of hours. Temporary employees may work for one or more departments, provided the combined work hours do not exceed the allocation of hours for temporary employment.

A department manager may request an extension of temporary hours by submitting a written request to the Executive Director. The decision of the Executive Director is final. The granting of a request to extend the yearly allocation of hours for a temporary employee does not grant the employee regular or trial service status.

Temporary employees generally will receive cost-of-living increases if they work in a classification linked to a bargaining unit that receives a cost-of-living adjustment. The Housing Authority does not pay temporary employees retroactively for cost-of-living adjustments. Temporary employees will receive a pay increase beginning with the pay period in which the Housing Authority reflects the cost-of-living adjustment in the pay plan. Temporary employees are not eligible to receive benefits. (See [Benefits](#), Article 6.)

Section 4: Service Credit Adjustments

Periods of unpaid leave or periods when an employee leaves Housing Authority employment then returns to Housing Authority service generally affect an employee's service credit.

A. Job Injury

An employee who has an interruption in continuous service because of loss of time due to a job injury shall accrue service credit for the duration of time between the expiration of accumulated leave and the date of the employee's return to work.

B. Authorized Leave of Absence With Pay

Employees on an authorized leave of absence with pay shall accumulate service credit.

C. Military Leave

An employee who leaves Housing Authority service for military service, and who returns to a position in the previous classification within six months after receiving an honorable discharge, shall receive full longevity service credit for the military service.

D. Recall from Layoff

A recalled employee retains previous service credit. (Also, see [Recall from Layoff](#), Article 10, Section 7.)

E. Reinstatement Following a Hearing

Employees reinstated following a hearing shall regain previously accrued service credit.

F. Reappointment

Employees reappointed shall regain previously accrued service credit. (*See [Reappointment](#), Article 4, Section 8.C.*)

G. Returning to Marion County Housing Authority Employment

Employees with regular or trial service status who separate from Housing Authority service and subsequently return to Housing Authority employment shall not regain previously accrued service credit, except as provided in C, D, E, F, or G of this section and article.

Section 5: Complaint Procedure

Marion County Housing Authority’s policy is to provide for an orderly process whereby employees may have their problems and complaints considered as fairly and rapidly as possible without fear of reprisal. These procedures are available to all employees. The Housing Authority shall make every effort to find an acceptable solution by informal means at the lowest possible level of supervision.

A. Definition of Administrative Grievance

An administrative grievance occurs when an employee has an unresolved problem, complaint, misunderstanding, or disagreement. Employees shall not use this grievance procedure to resolve disciplinary matters or disagreements relating to performance evaluation ratings.

B. Procedure

An employee may proceed individually or may select a representative of the employee's choice. Employees with a problem or complaint shall proceed with the grievance as follows:

1. Department Manager

An employee shall discuss the matter frankly and openly with the employee's department manager.

If an employee's department manager is unable to satisfactorily resolve the matter within ten days of the discussion, the employee shall present the department manager with a written explanation of the issue.

2. Executive Director

If an employee believes the matter has not been properly resolved, or if the matter cannot be resolved within the department within ten working days from the date of submission to the department manager, the employee may submit a written grievance to the Executive Director. The Executive Director shall review the problem and, if necessary, confer with the concerned parties. The Executive Director's decision will be final.

If an employee believes that the matter cannot be satisfactorily settled at the supervisory level due to a break down of communication between the employee and the department manager, the employee may take the complaint directly to the Executive Director.

Article 12: End of Employment

Section 1: Reasons for Ending Employment

A. Resignation/Retirement

Any employee may resign or retire from Housing Authority service by presenting written notice to the Executive Director. To resign in good standing, an employee must give the Executive Director at least two weeks notice. Because of extenuating circumstances, the Executive Director may permit a shorter notification period.

An employee may withdraw the resignation by the end of the third business day after the employee tenders the resignation. Beyond the third day, an employee must submit a written request to the Executive Director requesting to withdraw the resignation.

1. Letter of Intent

The employee must submit a written letter stating whether the employee is resigning or retiring. The letter must also state the last regularly scheduled day the employee will work. Employees must work their last day and cannot use leave time unless approved by the Executive Director.

2. Separation Questionnaire

The employee must complete a Separation Questionnaire. If the employee is unable or unwilling to complete the form, the department manager must complete it and submit it to the Executive Director with the resignation or retirement letter and the final Personnel Action Form.

3. Personnel Action Form

The department manager must generate a Personnel Action Form signed by the employee and the Executive Director. The effective date of the Personnel Action Form must be the last day the employee worked. The Housing Authority must submit the Personnel Action form to Marion County Human Resources with the resignation or retirement letter and the Separation Questionnaire as soon as possible.

B. Dismissal

(See [Discipline](#), Article 9.)

C. Layoff

(See [Layoff](#), Article 10.)

D. Death

When an employee dies, the Executive Director must:

- Notify Marion County's Benefits Manager via e-mail so the Benefits Manager can notify the insurance carriers of the employee's death.
- Submit a Personnel Action Form to Marion County Human Resources as soon as possible stating that the employee is deceased.
- Timely submit the employee's final timecard and payment request to Payroll for processing.
- Coordinate with payroll for disbursement of pay.
- Facilitate the return of personal or Housing Authority property.

Section 2: Property Checklist

Before an employee leaves Housing Authority employment, the Executive Director must make every effort to reclaim all Housing Authority property issued to the employee. (See [Checkout For Departing Employees](#) in the *Marion County Housing Authority Administrative Policies and Procedures*.)

Section 3: Final Paycheck

A. Timecard and Payment Request

The department manager will submit the employee's final timecard and payment request to Payroll.

B. Leave Time

The Housing Authority will pay all accrued compensation credit, accumulated compensatory time, and vacation leave. The Housing Authority will not pay for personal holidays or sick leave not taken before the end of employment.

C. Timelines for Issuance of Final Paycheck

1. When an Employee Quits Without Giving Notice

The final paycheck is due within five days, excluding Saturdays, Sundays and holidays. The exception is if a regular payday occurs within the five-day period, then the employee must receive all wages due at that time, per ORS 652.140(2).

2. When an Employee Has Given Notice

When an employee has given at least 48 hours notice, excluding Saturdays, Sundays and holidays, the paycheck is due on the final day worked. If the final day worked falls on a Saturday, Sunday or holiday, the final paycheck is due no later than the end of the next business day, per ORS 652.140(2) and (3).

3. Dismissal or Termination by Mutual Agreement

When an employer dismisses an employee, or if termination is by mutual agreement, Payroll must issue the final paycheck no later than the end of the first business day after the termination, per ORS 652.140(1).

4. When an Employee is Laid Off

If there is no reasonable expectation that an employee will return to work, the layoff is a termination for the purposes of OAR 839-001-0420 and 839-001-0440. Payroll must issue the employee's final paycheck no later than the end of the first business day after the layoff.

5. When an Employee Dies

Upon an employee's death, all wages earned up to \$10,000 must be paid to the surviving spouse or, if there is no surviving spouse, to dependent children, per ORS 652.190. All benefits will be paid to the designated beneficiary.

If there are questions regarding the identity of the beneficiary, Legal Counsel will work with Payroll to address payout criteria.

D. Mailing Final Paycheck

An employee may request in writing that the employer mail the final paycheck to any address the employee designates.

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Glossary

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Nothing in this glossary supersedes the Personnel Rules

- A -

Accrual: The amount of leave time an employee earns each pay period.

Acting in Capacity: When a supervisor temporarily assigns an employee to perform the duties of a classification with a higher pay range than the employee's designated position. The Housing Authority also refers to this as Working Out of Class.

Active List: A recruitment eligibility list previously established for the same classification.

Add/Delete Process: When the Executive Director requests that, for organizational needs, one position is deleted and another position in a different classification be created.

Administrative Leave: When the Executive Director places an employee on paid time off work.

Allocation: The assignment of an individual position to an appropriate classification.

Anniversary Date: The date of an employee's last appointment, promotion or reclassification. This is also when an employee is normally eligible for a merit increase.

Announcement: The recruitment document that lists information pertinent to vacant positions.

Appellant: Someone who appeals a decision.

Applicant: A person who applies for employment with the Housing Authority in response to a specific recruitment announcement.

Application: The form completed and submitted by someone wanting employment into a vacant Housing Authority position.

Appointing Authority: The official with the authority to hire someone to a Housing Authority position or take other authorized employment action.

Appointment: The selection and designation of a candidate to fill a vacant position.

Arbitration: The hearing and determination of just cause for termination by an arbitrator.

At-Will Employee: An unclassified employee whom the MCHA and employee presume the employment to be voluntary and indefinite for both employee and employer. An employer may generally discharge an at-will employee at any time for any reason.

Augment: To use accrued leave time to supplement an employee's pay while the employee is on Workers' Compensation.

Auto-Promotion: To move from a training level classification to a higher-level job classification within the same series when the worker meets the requirements to move to a higher level of responsibility and pay.

- B -

Bargaining Unit: A group of employees represented by a collective bargaining agreement. Marion County has four bargaining units: MCEA/SEIU (Marion County Employees Association), FOPPO (Federation of Parole and Probation Officers), ONA (Oregon Nurses Association) and MCLEA (Marion County Law Enforcement Association).

Base Pay Rate: An employee's hourly rate of pay. The base rate does not include other types of pay, such as certification, longevity, or acting in capacity, added to an employee's hourly rate.

Beneficiary: The person designated by an employee to receive the insurance proceeds or benefits in the event of the employee's death.

Benefits-Eligible Employee: Generally, an employee who works an FTE of .5 or higher.

Bereavement Leave: Leave allowed for each death in the employee's immediate family.

Board of Commissioners: Representatives elected by voters to govern Marion County.

Break in Service: Separation from Housing Authority employment.

Budgeted Position: A position budgeted for the fiscal year.

- C -

Calendar Days: All days, including weekends and non-workdays, in a calendar year.

Calendar Year: The period between January 1 and December 31 of each year.

Chief Administrative Officer: An unclassified position appointed by the Board of Commissioners to provide executive management level leadership.

Class Probation: Housing Authority no longer uses this term. See *Trial Service*.

Classification Plan: A document that contains all Housing Authority service classifications and the specifications or descriptions for the classifications.

Classification Specification: The written description of a job classification.

Classification: A group of positions similar in duties, authority and responsibility listed under a common title that calls for similar qualifications and the same pay schedule.

Classified Employee: Any employee not in the unclassified category.

Classified Service: All regular MCHA service positions held by non-management employees.

Closing Date: The last day of a recruitment that an applicant is able to apply for a vacant position.

Coaching: A supervisor or manager working with an employee one-on-one to educate, instruct, clarify, support or encourage the employee to correct areas that need improvement.

Compensation Credit: A benefit that provides employees with either additional pay or additional vacation each fiscal year.

Compensation Plan: The schedule of pay, wages, special pay provisions and paid benefits.

Compensatory (Comp) Time: Time off in lieu of monetary overtime compensation.

Consecutive Months: Months following one after the other in order.

Continuous Months of Service: Months unbroken by periods of unpaid leave of more than ten workdays in a calendar month.

Continuous Service Date: The date an employee began Housing Authority service, generally the first day of employment, and adjusted by one month for each period of unpaid leave of more than ten workdays in a calendar month.

Continuous Service: Housing Authority service unbroken or adjusted by a leave without pay of more than ten workdays in a calendar month of employment.

County Probation: Housing Authority no longer uses this term. See *Initial Service*.

County Service: Employment in the Housing Authority as a trial service or regular employee.

Court Duty: An appearance before a court, legislative committee or judicial or quasi-judicial body as a juror, in response to a subpoena or as part of an employee's duties.

- D -

Day for Day: One day's pay for each of the recognized holidays on which an employee performs no work as determined by the employee's regular work schedule.

Demotion in Lieu of Layoff: The voluntary movement of an employee from a position in one class to a position in another class having a lower maximum pay rate instead of the Housing Authority laying the employee off.

Demotion: The voluntary or involuntary movement of an employee from a position in one class to a position in another class having a lower maximum pay rate.

Department: Marion County Housing Authority.

Department Head: Elected or appointed officials or Under-sheriffs with administrative responsibility for a Marion County department.

Department Manager: A manager with operational responsibility of a department of MCHA.

Direct Deposit: Electronic deposit of a regular employee's pay into the employee's bank account of choice.

Discipline: Action taken regarding an employee including, but not limited to, oral reprimand, written reprimand, suspension, reduction in pay, demotion, dismissal, or any combination.

Discrimination: Unequal or different treatment of an individual on the basis of race, color, sex, age, religion, national origin, marital status, sexual orientation, familial status, physical or mental disability, or other protected status in accordance with applicable law.

Dismissal: Involuntary termination of employment for a regular or trial service employee.

Domestic Partner: One of two persons, who have (a) jointly shared the same permanent residence for at least six months immediately preceding and plan to continue to do so indefinitely; (b) have a close personal relationship with each other; (c) are not legally married to anyone; (d) are each 18 years of age or older; (e) are not related to each other by blood in a degree of kinship closer than would bar marriage in the State of Oregon; (f) were mentally competent to contract when the domestic partnership began; (g) Are each other's sole domestic partner; and (h) Are jointly responsible for each other's common welfare, including basic living expenses; individuals need not contribute equally or jointly to the cost of these expenses as long as they agree that both are responsible for the cost.

Double-Filled Position: The Executive Director may employ two employees in the same position as a double-fill for the short-term transitioning of employees to train a new employee or for the pending creation of a position.

- E -

EEOC Category: One of nine job survey categories established by the Equal Employment Opportunity Commission to which Marion County assigns each classification specification.

Elected Officials: Department heads elected by voters. (Assessor, County Commissioners, County Clerk, District Attorney, Justices of the Peace, Sheriff, Treasurer.)

Employee Assistance Program (EAP) – A program that provides for confidential counseling sessions for employees and their families.

Entrance Pay: The level of pay received by a new hire into Housing Authority service, generally the first step in the pay range of the classification.

Executive Director: Appointed official with responsibility for administration and agency oversight of Marion County Housing Authority.

Evaluation: The appraisal of an employee's trial service period or the annual appraisal of an employee's job performance over the previous year.

Examination: Any test, method or combination of methods used to determine the fitness and qualifications of applicants for Housing Authority service.

Extra-Meritorious Increase: A one-step merit increase given in addition to an employee's annual merit increase when the employee has shown exceptional job performance.

- F -

Facilitation: Helping employees move through complex employment situations in an efficient

and safe manner.

Fiscal Year: The period of April 1 through March 31.

FLSA: Fair Labor Standards Act. A federal act prescribing nationwide compulsory regulation of wages and hours.

FMLA: Family Medical Leave Act. A federal act granting an employee up to 12 weeks of leave during any 12-month period for the birth and care of a newborn child of the employee, for placement with the employee of a son or daughter for adoption or foster care, to care for an immediate family member (spouse, child, or parent) with a serious health condition, or to take medical leave when the employee is unable to work because of a serious health condition.

FTE: Full-time equivalency.

Full-Time Employee: An employee who works 40 hours/week in a position budgeted for 40 hours, or an employee who works 37.5 hours/week in a position budgeted for 37.5 hours.

Funding Source: The source of money to pay for positions.

- G -

- H -

Hire Date: The date a trial service or regular employee began working for the Housing Authority.

Holidays: Paid days off designated as recognized holidays as authorized by law or by the Board of Commissioners.

Human Resources Manager: The position responsible for the planning, administration, and coordination of Marion County Human Resources Division services.

- I -

I-9 Form: A form required by the U.S. Citizenship and Immigration Services to verify that employees are legally authorized to work in the United States.

Initial Service Period: The first six months of service for all new employees in budgeted positions.

Injured Worker Assignment: Assignment to another position in another classification with the same or lower pay range when an employee is unable to perform the essential duties of the regular position due to an on-the-job injury that results in Workers' Compensation reimbursement.

Internal Appointment: When the Executive Director selects an employee, via the recruitment process, to fill a different position in the same classification or pay range, either within the same department or in a different department

Internal Competitive List: A list of qualified applicants for an internal recruitment. These

applicants must be current trial service, regular, temporary or relief/on-call employees of Marion County Housing Authority.

Internal Recruitment: A recruitment for a vacant position that is open only to current Marion County Housing Authority employees and is not open to members of the public at large.

Interview List: A list of job applicants who meet the qualifications to interview for a vacant position during the interview process.

- J -

Job Share: Two part-time employees performing the work of one budgeted position.

Jury Duty: Paid time away from the employee's regular duties when the employee receives a jury duty summons. This includes time actually served on a jury, as well as time spent as part of the jury selection process.

- L -

Layoff: The complete separation of an employee from the non-management service for an indefinite period by reason of elimination of position, change in organization, lack of work, insufficient funds, or other reasons outside the employee's control that reflect no discredit on the employee.

Lead Worker: An employee assigned to oversee the work of other employees.

Leave Without Pay: An absence from work for which an employee is unpaid because the employee does not have leave time to cover the absence.

Longevity Date: The date used for determining eligibility for longevity pay.

Longevity Pay: Additional pay given to employees who serve at least 10 and 15 years of Housing Authority service.

Long-Term Disability: A benefit that provides a portion of an employee's income in the event an employee is unable to work due to a non-work-related physical injury or illness, pregnancy or mental disorder.

- M -

Marion County Housing Authority Board of Directors: Marion County Commissioners.

Marion County Housing Authority Administrative Policies and Procedures: Policies established by the Board of Commissioners that have countywide application.

Mediator: A person who works with people or groups involved in a disagreement to try to help them to agree or solve their problems.

Medical Records: Any records involving an employee's health information.

Mentoring: A proactive approach to help guide employees toward development of skills and abilities. The mentor may be a co-worker or a supervisor.

Merit Increase: An increase from one pay step to the next higher pay step within the established pay range for the class or position.

Minimum Qualifications: The training, education, experience, and other qualifications established for a given class and required of an applicant for admission to the examination for that class.

- N -

Nepotism: Favoritism shown by those acting in the capacity of a supervisor or a person with oversight authority to family members or someone with whom they have a financial, close personal, or familial relationship.

Non-Continuous Month: A calendar month in which an employee has an absence without pay of more than ten workdays.

New Employee Orientation: Mandated training for all new employees. This orientation serves as an introduction to Marion County Housing Authority policy and expectations.

Non-Exempt Employee: An employee who is eligible for overtime pay, as defined by the Fair Labor Standards Act.

- O -

OFLA: Oregon Family Leave Act. A state act allowing eligible employees to take a leave of absence from work for parental leave, serious health condition leave, pregnancy disability leave and sick child leave.

Open Competitive List: An interview list comprised of internal and external applicants following recruitment.

Open Continuous Recruitment: Recruitment for classifications that yield frequent vacancies. Marion County accepts these applications on a continuous basis.

ORS: Oregon Revised Statutes.

OPSRP: Oregon Public Service Retirement Plan.

Overpayment: Any circumstance resulting in payment to a MCHA employee in excess of what the Personnel Rules allow through wages, reimbursements, benefits, or other type of payment.

Overtime: Generally, all hours worked, including sick leave, by a non-exempt employee in excess of 10 hours per day or in excess of 40 hours per workweek.

- P -

Part-Time Employee: An employee who works less than 1.0 FTE.

Pay Period: A designated semi-monthly period for calculating compensation.

Pay Range Adjustment: A pay range increase or decrease based upon factors such as recruiting and retention problems, relevant labor markets, internal comparisons, and scope and complexity of assigned work.

Pay Range: The minimum, intermediate, and maximum rates of pay assigned to each job classification. The Housing Authority may use flat rates in place of pay ranges where appropriate, such as with elected officials

Pay Reduction: Temporary reduction in pay used as discipline in lieu of suspension.

Performance Evaluation: The written review of an employee's job performance by the employee's department manager.

PERS: Public Employees Retirement System.

Personnel Action Form: A form generated by a department manager and submitted to the Executive Director that documents changes to an employee's job status or pay, or that is used to update an employee's demographic information.

Personnel Action: Any employment action taken by the Housing Authority in connection with appointment, compensation, promotion, internal appointment, reassignment, layoff, dismissal or any other action affecting the status of an employee.

Personnel Analyst: An employee who works in Marion County Human Resources who performs a wide variety of technical personnel assignments and provides technical expertise to department heads, managers, employees and other agencies.

Personnel File: The employee file maintained by the MC Human Resources Division.

Personnel Officer: The employee appointed by the Board of Commissioners to administer the Personnel Ordinances for the County.

Position Description Worksheet: A form completed by an employee and the employee's supervisor that lists the job duties performed and percentage of time spent by the employee performing the duties.

Position Request Action Sheet: The form signed by the Executive Director authorizing the creation of a new position. This is the follow up form to the Position Request Form.

Position Request Form: The form completed by a department and submitted to the Executive Director requesting the creation of a new position.

Position Review Form: A form completed by a department and submitted to the Executive Director requesting approval for a variety of actions, including, but not limited to, FTE and workweek changes, acting in capacity and extension of acting in capacity, extra-meritorious increases, and appointment above the first step of a pay range.

Position: A group of related duties and responsibilities requiring the full-time or part-time employment of one person. If the position is a job share, two employees fill the position.

Primary Department: The department with the primary funding source when two departments share the same employee.

Probation: MCHA no longer uses this term. See *Initial Service* and *Trial Service*.

Promotion: A movement of an employee to a classification with a higher maximum pay rate than the employee's current classification.

Property Checklist: The checkout list completed by a supervisor at the end of an employee's employment to ensure that the Housing Authority receives any Housing Authority-owned equipment issued to an employee.

Prorate: To calculate and distribute a benefit based on an employee's hire date and FTE.

- R -

Reassignment: When an employee moves from one position in a classification to another position in the same classification and same department without going through the recruitment process.

Reappointment: When an employee who has terminated regular employment with the Housing Authority is subsequently placed back into the position without having to go through the recruitment process.

Recall: When the Housing Authority reinstates a laid-off employee to a regular position or classification from a recall list.

Reclassification: Changing allocation of a position by raising it to a classification with a higher pay range, reducing it to a classification with a lower pay range, or moving it to a different classification within the same pay range on the basis of type, difficulty or responsibility of the work performed.

Recruitment: The process of seeking, interviewing, and hiring applicants to fill a vacant position.

Recruitment Announcements: Flyers listing information pertinent to vacant positions.

Redlining Wages: Continuing to pay an employee at the current pay rate for one year following a downward reclassification that places the employee in a lower pay range.

Regular Employee: An employee who fills a budgeted position and who has satisfactorily completed the employee's first trial service period.

Regular Position: A position included in the annual budget.

Reinstatement: The return of a former employee to the employee's previous position following an approved leave of absence, or when ordered by the Executive Director or arbitrator.

Resignation: A voluntary separation from MCHA service initiated by an employee.

- S -

Service Credit: The combination of points for length of service and performance evaluation scores to determine the order of layoff.

Sick Leave: Absence from work due to illness, injury, bereavement, dependent care, or pre-

approved medical appointments.

Significant Other: See *Domestic Partner*.

Step: A regular interval between the minimum and the maximum range of pay established for each pay range.

Supervisor: An employee who manages two or more employees, and who has hiring and firing authority, or is able to make recommendations regarding hiring and firing.

Suspension: Disciplinary action placing employee on involuntary, unpaid leave from Housing Authority service.

- T -

Temporary Employees: Employees hired on a short-term basis who do not fill regular positions.

Termination: Ending an employee's Housing Authority service.

Training: A focused effort to educate an individual or group for the purpose of improving or increasing knowledge, skills and abilities in order to fulfill job requirements and goals. The Housing Authority may provide training through class sessions, one-on-one coaching, self-study, and conferences.

Transfer: MCHA no longer uses this term. See *Reassignment* and *Internal Appointment*.

Trial Service Period: A period of time during which an employee is required to demonstrate satisfactory performance of the duties and responsibilities of the employee's classification and position.

Trial Service Status: The status of an employee who has not yet passed the trial service period.

- U -

Unclassified Employee: An employee holding a position in the unclassified service.

Unclassified employees are elected officials or officials appointed to fill a vacancy caused by death, resignation, or removal of an elected official; deputy district attorneys; County Legal Counsel; division commanders; assistant legal counsels; hearings officers; juris doctors; Chief Administrative Officer; temporary employees; persons employed jointly by the County and some other governmental agency; department heads, deputy department heads, and any person in a policy-making confidential position, as determined by the Board by resolution.

Unclassified Service: A group of at-will positions.

Under-Fill: The process of filling a vacant position with a worker who will perform the duties of a lower-level classification in the same series.

Unit 2: Comprised of managers and supervisors.

Unit 6: Comprised of everyone exclusive of managers, supervisors and the Executive Director.

Unit 10: Comprised of the Executive Director only.

Unpaid Leave: Any period of leave away from work for which an employee is not paid.

- V -

Vacancy: An unfilled position.

Vacation in Lieu of Sick Leave: The use of vacation leave to cover an employee's absence due to illness when the employee has exhausted sick leave.

Vacation Leave: Leave time accrued each pay period taken, with prior approval, at the employee's request.

Veteran Preference: Additional points given to eligible veterans who successfully complete all phases of a job application or entrance exam.

Voluntary Demotion: When an employee voluntarily moves to a position in a classification with a lower pay range in order to retain employment.

Voluntary Separation: Leaving Housing Authority employment of one's own accord, rather than for reasons such as dismissal or layoff.

- W -

Working Hours: The hours the Executive Director schedules an employee to work.

Working Out of Class – See *Acting in Capacity*.

Workweek: A seven-day period beginning at 12:01 a.m. Sunday and ending at midnight Saturday.

Written Appeal: A document stating an employee's disagreement with a finding or decision, and requesting review by a higher authority.

Written Reprimand: A document from the Executive Director to an employee notifying the employee that specified activities or conduct are inappropriate for the workplace, and that continuation thereof will result in more severe discipline, up to and including discharge.