



Sunset Empire Transportation District
BOARD OF COMMISSIONERS
BOARD MEETING AGENDA
THURSDAY SEPTEMBER 28, 2023
9:00 AM
900 MARINE DR, ASTORIA, OR

<https://us02web.zoom.us/j/5148435264>

Meeting ID: 514 843 5264

+12532050468,,5148435264# US +12532158782,,5148435264# US (Tacoma)

AGENDA:

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. CHANGES TO AGENDA
5. PUBLIC COMMENT (3-minute limit)
6. APPROVAL OF BOARD MEETING MINUTES
7. REPORTS FROM CHAIR AND COMMISSIONERS
8. FINANCIAL REPORTS
9. CONTINUED BUSINESS
10. NEW BUSINESS
 - a. Personnel Policies
 - b. Board Training
 - c. Restore Fixed Route Services
 - d. Transportation Advisory Committee – Astoria and Tillamook
 - e. Executive Session ORS 192.660(2)(a)
11. CORRESPONDENCE
12. EXECUTIVE DIRECTOR REPORT
13. LEADERSHIP TEAM REPORTS
14. ADJOURNMENT

SUNSET EMPIRE TRANSPORTATION DISTRICT

COMMONLY USED ACRONYM LIST

APRIL

2023

AASHTO	AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS
ACT	ACTUAL
ACCTS	ACCOUNTS
ADA	AMERICANS WITH DISABILITIES ACT
ADS	ADVERTISEMENTS
AP	ACCOUNTS PAYABLE
APTA	AMERICAN PUBLIC TRANSPORTATION ASSOCIATION
AR	ACCOUNTS RECEIVABLE
ARP	AMERICAN RESCUE PLAN
ASC	ASTORIA SENIOR CENTER
ATU	AMALGAMATED TRANSIT UNION
BG	BACKGROUND
BLDGING	BUILDING
BOC	BOARD OF COMMISSIONERS
BS	BALANCE SHEET
BUS REG FEE	BUS REGISTRATION FEE
CARES ACT	CORONAVIRUS, AID, RELIEF, AND ECONOMIC SECURITY ACT
CBA	COLLECTIVE BARGAINING AGREEMENT
CCC	CLATSOP COMMUNITY COLLEGE
CCCHD	CLATSOP CARE CENTER HEALTH DISTRICT
CCO	COORDINATED CARE ORGANIZATION
CK	CHECK
COMP	COMPUTER
CONF	CONFERENCE
CPCCO	COLUMBIA PACIFIC COORDINATED CARE ORGANIZATION
CRRSAA	CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT
CRS	CLATSOP REHABILITATION SERVICES
CSR	CUSTOMER SERVICE REPRESENTATIVE
CTAA	COMMUNITY TRANSPORTATION ASSOCIATION OF AMERICA
CTE	CENTER FOR TRANSPORTATION AND THE ENVIRONMENT
DAV	DISABLED AMERICAN VETERANS
DHS	DEPARTMENT OF HUMAN SERVICES
DIST	DISTRICT
DLSM	DRIVE LESS SAVE MORE
DMAP	DIVISION OF MEDICAL ASSISTANCE PROGRAM
DOJ	DEPARTMENT OF JUSTICE
DOT	DEPARTMENT OF TRANSPORTATION
ELA	EMERGING LEADERS' ACADEMY
EQUIP	EQUIPMENT
FHWA	FEDERAL HIGHWAY ADMINISTRATION
FTA	FEDERAL TRANSIT ADMINISTRATION
GF	GENERAL FUND
HR	HUMAN RESOURCES

SUNSET EMPIRE TRANSPORTATION DISTRICT
COMMONLY USED ACRONYM LIST

APRIL

2023

IGA	INTERGOVERNMENTAL AGREEMENT
IJA	INFRASTRUCTURE INVESTMENT AND JOBS ACT
INFO	INFORMATION
INT	INTEREST
IS	INCOME STATEMENT
INS	INTEGRATED NETWORK SYSTEM
IT	INFORMATION TECHNOLOGY
KTH	KEY TRANSIT HUBS
LCC	LOWER COLUMBIA CONNECTOR
LGIP	LOCAL GOVERNMENT INVESTMENT POOL
LGPI	LOCAL GOVERNMENT PERSONNEL INSTITUTE
LRCTP	LONG RANGE COMPREHENSIVE TRANSPORTATION PLAN
MAINT	MAINTENANCE
MASA	MEDICAL AIR SERVICES ASSOCIATION
MBRC	MILES BETWEEN ROAD CALLS
MISC	MISCELLANEOUS
MM	MOBILITY MANAGEMENT
MOS	MONTH
MOU	MEMORANDUM OF UNDERSTANDING
NADTC	NATIONAL AGING AND DISABILITY TRANSPORTATION CENTER
NCTMN	NORTH COAST TOURISM MANAGEMENT NETWORK
NEMT	NON-EMERGENT MEDICAL TRANSPORTATION
NHMP	NATURAL HAZARDS MITIGATION PLAN
NRTAP	NATIONAL RURAL TRANSIT ASSISTANCE PROGRAM
NTI	NATIONAL TRANSIT INSTITUTE
NWACT	NORTHWEST AREA COMMISSION ON TRANSPORTATION
NWOTA	NORTHWEST OREGON TRANSIT ALLIANCE
OAR	OREGON ADMINISTRATIVE RULES
ODOT	OREGON DEPARTMENT OF TRANSPORTATION
OHA	OREGON HEALTH AUTHORITY
OHP	OREGON HEALTH PLAN
OrCPP	OREGON COOPERATIVE PROCUREMENT PROGRAM
ORS	OREGON REVISED STATUTES
OPTC	OREGON PUBLIC TRANSPORTATION CONFERENCE
OPTIS	OREGON PUBLIC TRANSIT INFORMATION SYSTEM
OPTP	OREGON PUBLIC TRANSPORTATION PLAN
OR	OREGON
OTA	OREGON TRANSIT ASSOCIATION
OTC	OREGON TRANSPORTATION COMMISSION
OTP	OREGON TRANSPORTATION PLAN
P&L	PROFIT AND LOSS
PARA	PARA-TRANSIT
PCA	PERSONAL CARE ATTENDANT

SUNSET EMPIRE TRANSPORTATION DISTRICT
COMMONLY USED ACRONYM LIST

APRIL

2023

PM	PREVENTATIVE MAINTENANCE
PTAC	PUBLIC TRANSPORTATION ADVISORY COMMITTEE
PTD	PUBLIC TRANSIT DIVISION
PTSP	PUBLIC TRANSPORTATION SERVICE PROVIDER
QE	QUALIFIED ENTITY
QTR	QUARTER
RAC	RULES ADVISORY COMMITTEE
RC	RIDECARE
REHAB	REHABILITATION
RFP	REQUEST FOR PROPOSALS
RFQ	REQUEST FOR QUOTES
RIBTC	RURAL AND INTERCITY BUS TRANSPORTATION CONFERENCE
SDAO	SPECIAL DISTRICTS ASSOCIATION OF OREGON
SDIS	SPECIAL DISTRICTS INSURANCE SERVICES
SETD	SUNSET EMPIRE TRANSPORTATION DISTRICT
SETD GF	SUNSET EMPIRE TRANSPORTATION DISTRICT GENERAL FUND
SETD GEN	SUNSET EMPIRE TRANSPORTATION DISTRICT GENERAL FUND
SIP	SERVICE IMPROVEMENT PROGRAM
SSP/0401	ACCOUNT FROM OREGON DEPARTMENT OF HUMAN SERVICES
STF	SPECIAL TRANSPORTATION FUND
STIF	STATEWIDE TRANSPORTATION IMPROVEMENT FUND
STIP	STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM
STN	STATEWIDE TRANSPORTATION NETWORK
STP	SURFACE TRANSPORTATION PROGRAM
SUN	SMALL URBAN NETWORK
SWIP	SIDEWALK IMPROVEMENT PROGRAM
TAC	TECHNICAL ADVISORY COMMITTEE
TAC	TRANSPORTATION ADVISORY COMMITTEE (STF/5310/STIF)
TCTD	TILLAMOOK COUNTY TRANSPORTATION DISTRICT
TECH	TECHNOLOGY
TGM	TRANSPORTATION AND GROWTH MANAGEMENT
TO	TRANSPORTATION OPTIONS
TPJCC	TONGUE POINT JOB CORPS CENTER
TRB	TRANSPORTATION RESEARCH BOARD
TSP	TRANSPORTATION SYSTEMS PLAN
VETP	VETERANS ENHANCED TRANSPORTATION PROGRAM
YTD	YEAR TO DATE
ZEB	ZERO EMISSION BUS
ZEP	ZERO EMISSION PROPULSION
ZEBRA	ZERO EMISSION BUS RESOURCE ALLIANCE



**Sunset Empire Transportation District
Board of Commissioners
August 24, 2023
Draft Board Meeting Minutes**

Available to view: YouTube Sunset Empire Transportation 2023-08-24. Corresponding times listed on minutes.

1. CALL TO ORDER: Chair Debbie Booth-Schmidt called the meeting to order at 9:06 AM.
2. PLEDGE OF ALLEGIANCE-0:0:43
3. ROLL CALL: Present: Chair Boothe-Schmidt, Secretary/Treasurer Diana Nino, Commissioner Pamela Alegria, Commissioner Charles Withers, Commissioner Tracy MacDonald, Commissioner Rebecca Read. Commissioner Guillermo Romero

Guest- Arla Miller, ODOT Region 2 Transit Coordinator

Staff- Interim Executive Director Paul Lewicki, Executive Assistant Mary Parker, Finance Officer Kelly Smith, Operations Officer Jennifer Geisler, Human Resources Sue Farmer, Mobility Manager Jason Jones

4. CHANGES TO AGENDA- 0:02:00

Interim Executive Assistant Paul Lewicki said he would like to add an OTIB update report to the minutes.

Commissioner MacDonald moved to approve the addition of the OTIB report.

Commissioner Read seconded the motion.

Name	Boothe-Schmidt	MacDonald	Nino	Alegria	Withers	Read	Romero	
Aye	x	x	x	x	x	x	x	
Nay								

7 Aye

0 Nay

Motion passed unanimously

5. PUBLIC COMMENT- None
6. APPROVAL OF JULY 27, 2023, BOARD MINUTES-0:03:02

Commissioner MacDonald moved to approve the July 2023 Board Minutes

Commissioner Romero seconded the motion.

Discussion- Commissioner Alegria asked for clarification if Mary read the June 7th meeting minutes at the July Board meeting. Mary said she had been asked to read the minutes because they had just been handed out.

Name	Boothe-Schmidt	MacDonald	Nino	Alegria	Withers	Read	Romero	
Aye	x	x	x	x	x	x	x	
Nay								

7 Aye

0 Nay

Motion Approved unanimously.

7. REPORTS FROM COMMISSIONERS 0.05:00

- a. Commissioner Read- No Comment
- b. Commissioner Alegria- No Comment
- c. Commissioner Nino- Reported that she had attended the Transportation Advisory Committee and the meeting went well, and it was nice to see everyone on the committee again.
- d. Commissioner MacDonald- Reported that he had completed Board training from SDAO and said we are doing very good. He added that he found out the Budget Officer does not have to be the Executive Officer. There was discussion about Kelly being the Budget Officer this year, but she was not given that training. Interim Executive Director Lewicki said there is a Board Policy that says the Executive Director will be the Budget Officer however he said that Kelly is now prepared to be the Budget Officer, but it is up to the Budget Committee to select the Budget Officer.
- e. Commissioner Withers- Reported that his Outlook account does not seem to be working correctly and asked if he could contact IFocus for assistance.
- f. Commissioner Boothe-Schmidt- Reported that we will be working on our Board Policies and bringing them up to date.
- g. Commissioner Romero- Reported he will be starting his new job in September which will make it easier for him to attend Board meetings.

8. FINANCIAL REPORT- 0:10:00

- a. Preview of 2022 SETD Audit Report 0:11:02:
Paul reported that he had given Kelly a draft of the 2022 Audit report. He explained that this is your Financial Statement and Financial Status and there will be a paragraph added to the report about what happened in April. Paul also said he is getting ready to start the 2023 audit next. Paul explained that there has been a lack of auditors in the state right now. Clatsop County and 5 schools are also behind in their audits. Paul explained that he works full-time, however the number of delinquent audits is pages long. Paul also said that in his 40 years of being an auditor he has never seen anything like this. He was asked why he thought there was such a shortage of auditors. Paul said there is a shortage because so many auditors are retiring. Paul also said he was up here the last few days auditing the City of Warrenton.
- b. July Financial Report 0:14:19 –
Kelly Smith discussed the new format and dashboard, and more changes were suggested. Kelly said she is opening a separate bank account for the STIF funds. There were several questions and clarifications and discussed the funds received in the last week. Commissioner Alegria said the information about the grants seems to be all over the place and asked if a separate report could be made for each grant that showed the current specifics. Commissioner Alegria said she would like to see that the grant reports would have what date we approved the grant and what date we received the funds and what the match was for each and what the expenditures are for each grant each month. Commissioner Nino said it would be nice to see from month to month. There was further Board discussion about grant reporting and a decision that Kelly would provide the Board grant reports on a quarterly basis. Commissioner Nino requested that the term “poker chips” used as fare for the County Sheriff’s Department be changed to some description so no one is confused when they are looking at our records. Chair Boothe-Schmidt asked that the Financial Report be entered into the recorded minutes.

9. CONTINUED BUSINESS-

- a. Update STIF Formula Approval-0:29:00
- b. Interim Executive Director Lewicki explained that the Transportation Advisory Committee (TAC) had met in January of 2023 and went through an approval process of the STIF plan that was presented at that time. Lewicki said that the approved plan was sent to the state and the plan was conditionally approved. The 2 projects that were part of that plan that supported operations were approved. Lewicki said the State did not approve the fixed route service, the shelter at Ensign and new buses, so the plan has been kicked back to us. Lewicki said that Arla Miller from ODOT has updated the STIF plan to reflect SETD needs more closely today which will cover operations, administration, matching funds and for the terms of the quarterly payments for the OTIB loan. Lewicki reviewed the Matrix he had prepared:
 - 1. Match for 5310 funds Preventative Maintenance and Mobility Management \$18,495 FY24 and FY25
 - 2. Match for FTA 5311 Projects Operations Preventative Maintenance, Administration for routes that have been reinstated \$437,094 FY24 and FY25
 - 3. Operations-This project will help fund reinstated routes. \$286,674 (has no match)
 - 4. Administration-This project will fund administrative daily tasks and planning for new financial software. \$286,674.
 - 5. Help repay the OTIB debt service loan spread over 2 biennia. This project sets aside the funds for 1 biennium. \$309,168. (Amount to be adjusted with update that Kelly is waiting for)

There was further discussion concerning looking into other financial software, however Kelly discussed the need to get the numbers corrected in Accufund before moving forward in the search. There was also a question about the ranking of the projects that were done during the TAC meeting. Interim Executive Director Lewicki explained that the project numbers that are on the plan must remain. The projects are ongoing every day throughout the year, however, we cannot choose when we are going to use one and when we are not going to use one. Lewicki added that it is more of a financial approach than a project approach. Arla Miller also added that this is kind of the cart before the horse because we needed to get the plan in and get it approved by PTAC and OTC and Arla said she had neglected to tell Paul it had to be approved by TAC and the Board first. Arla said this plan has already been submitted to ODOT and will be forwarded on to PTAC in September and it is her fault that it is kind of backwards. Usually, the Executive Director has a list of things they want to do and then it is ranked by TAC and then submitted to ODOT.

There was also discussion on the status of scheduling the Board Financial training sessions. Commissioner Boothe-Schmidt said she is working on this. Several suggestions were made for sources which Chair Boothe will check on.

Commissioner Nino moved to adopt the recommended STIF projects worksheet for FY 2024 and 2025 as presented.

Commissioner MacDonald seconded the motion.

Name	Boothe-Schmidt	MacDonald	Nino	Alegria	Withers	Read	Romero	
Aye	x	x	x	x	x	x	x	
Nay								

7 Aye
 0 Nay
 Motion passed unanimously.

c. OTIB Loan Update- 0:51:21

Interim Executive Director Lawicki reported that SETD did receive the initial loan of \$500,000 and the first draw was \$ 225,000 and the third draw of \$ 295,000 so the current total is \$920,000 available to us. Lewicki also said we are waiting for the statement about the March money that was due and not received yet which is being used for the loan payment.

Commissioner Alegria noted a correction that needed to be made to the total loan amount in the TAC Minutes.

10. NEW BUSINESS

a. Oregon Paid Leave Policy-0:55:01

Sue Farmer distributed a packet with employee benefits including the new Paid Leave Oregon program that is administered through the Oregon Employment Department. This program ensures that individuals and families have the time and support needed to care for themselves and their family. Employees and employers pay into these programs. Benefits will begin September 3, 2023. Sue also said that this policy also covers care for someone who is “like family”. Oregon Paid Leave will run concurrently with FMLA. Sue said staff recommends that the Board review and authorize the Executive Director to sign.

Commissioner Read moved to approve the Oregon Paid Leave and have the Interim Executive Director sign.

Commissioner MacDonald seconded the motion.

Name	Boothe-Schmidt	MacDonald	Nino	Alegria	Withers	Read	Romero	
Aye	x	x	x	x	x	x	x	
Nay								

Aye-7
Nay-0
Motion passed unanimously.

11. CORROSPONDENCE- None

12. EXECUTIVE DIRECTOR REPORT- Interim Executive Director Lewicki Monthly Report

13. LEADERSHIP TEM REPORTS- Review and discussion of Team Monthly Reports

14. OTHER- Arla Miller shared a comment that Brian Vitulli, Tillamook County Transportation District General Manager had been made at the last NWOTA meeting: **“The sun will rise again for Sunset!”**

15. ADJOURNMENT

Chair Boothe Schmidt Meeting adjourned meeting at 11:00 AM Mary Parker, Recording Secretary

Secretary/Treasurer _____
Diana Nino

Date _____

Sunset Empire Transportation District

Available Balances as of 9/21/2023 (Cash on Hand)

General Checking:	\$ 254,386.13
Payroll Account:	\$ 1,814.59
LGIP:	\$ 113,164.82
ODOT Loan Funding:	\$ 121,661.57
STIF:	\$ 591,392.00
Total Funds Available	\$ 1,082,419.11

Monthly (Actual & Projected) Expenditures:

AP Week of 9/11/2023 **Funds are already removed from above numbers**	\$ 31,647.48
<i>Projected</i> AP Week of 9/25/2023	\$ 15,000.00
Payroll 9/8/2023 w/Taxes **Funds are already removed from above numbers**	\$ 38,035.61
Payroll 9/22/2023 w/Taxes **Funds are already removed from above numbers**	\$ 38,553.92
Total Expenditures	\$ 123,237.01

Outstanding ODOT Funds Owed to SETD:

5311 Funding	\$ 186,363.00
Transportation Options/Bike Grant/Innovative Mobility Grant	\$ 2,488.83
Total Outstanding ODOT Grants Due to SETD:	\$ 188,851.83

OTIB Loan 8/1/2023	
Total w/Intereset & Fees:	\$933,546.37
Interest Payment:	\$4,346.37
Principle Payment:	\$42,153.63
Outstanding Balance:	\$887,046.37

Follow-up:

*As of 9/1/23 we received all of our 1st quarter STIF payments

Consolidated Statement of Activity - MTD and YTD
August 31, 2023

	<u>M-T-D</u> <u>Actual</u>	<u>M-T-D</u> <u>Budget</u>	<u>Variance</u>	<u>Y-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Budget</u>	<u>Variance</u>
<u>Revenues</u>						
4010 FIXED ROUTE FARES	4,122.74	3,500.00	622.74	8,084.96	6,500.00	1,584.96
4022 PARATRANSIT FARES	1,084.00	700.00	384.00	2,011.00	1,900.00	111.00
4110 NW NAVIGATOR	350.41	100.00	250.41	768.24	500.00	268.24
4130 OTHER-VENDING	61.41	0.00	61.41	61.41	0.00	61.41
4205 PROPERTY TAXES	4,502.43	5,000.00	(497.57)	13,871.52	14,000.00	(128.48)
4206 PRIOR YEAR TAXES	3,554.37	2,500.00	1,054.37	4,794.26	3,500.00	1,294.26
4207 PROPERTY TAX INTEREST	40.59	35.00	5.59	75.19	85.00	(9.81)
4210 LAND SALES/US FISH & WILDLIFE	0.00	0.00	0.00	158.45	0.00	158.45
4310 TIMBER SALES	53,489.49	58,000.00	(4,510.51)	53,489.49	58,000.00	(4,510.51)
4315 MASS TRANSIT ASSESSMENT	0.00	0.00	0.00	29,667.80	22,500.00	7,167.80
4420 PARKING SPACE LEASE	712.50	760.00	(47.50)	1,425.00	1,520.00	(95.00)
4425 CHARGING STATION	70.43	0.00	70.43	70.43	0.00	70.43
4505 INTEREST EARNED ON BANK ACCT	243.50	200.00	43.50	360.51	225.00	135.51
4605 OTHER INCOME	489.40	100.00	389.40	1,636.69	725.00	911.69
5010 ODOT LOAN DISBURSEMENT REVENUE	0.00	0.00	0.00	195,000.00	0.00	195,000.00
5203 OREGON STIF FUNDS	464,459.00	0.00	464,459.00	464,459.00	650,000.00	(185,541.00)
5304 TRANSPORTATION OPTIONS	0.00	0.00	0.00	10,368.37	0.00	10,368.37
Total Revenues	998,723.27	71,595.00	927,128.27	1,252,772.32	1,411,355.00	(158,582.68)
<u>Expenses</u>						
6010 WAGES	67,562.01	67,700.00	137.99	134,837.40	139,850.00	5,012.60
6111 TAXES	8,012.90	7,975.00	(37.90)	16,009.21	16,145.00	135.79
6210 BENEFITS	18,512.75	19,400.00	887.25	37,366.38	36,100.00	(1,266.38)
SUB TOTAL WAGES/TAXES/BENEFITS	94,087.66	95,075.00	987.34	188,212.99	192,095.00	3,882.01
8000 AUDIT	0.00	0.00	0.00	12,000.00	12,000.00	0.00
8001 PROFESSIONAL SERVICES	8,122.00	8,500.00	378.00	15,252.00	15,000.00	(252.00)

	<u>M-T-D</u>	<u>M-T-D</u>	<u>Variance</u>	<u>Y-T-D</u>	<u>Y-T-D</u>	<u>Variance</u>
	<u>Actual</u>	<u>Budget</u>		<u>Actual</u>	<u>Budget</u>	
8002 LEGAL COUNSEL	0.00	0.00	0.00	179.00	250.00	71.00
8003 BANK/MERCHANT FEES	88.33	125.00	36.67	165.09	250.00	84.91
8010 EQUIP LEASE/RENT	201.80	220.00	18.20	403.60	420.00	16.40
8015 COMP/FURNITURE/DURABLE GOODS	0.00	400.00	400.00	22.88	800.00	777.12
8020 B&M	937.64	2,500.00	1,562.36	3,512.25	4,450.00	937.75
8023 BUILDING LEASE	0.00	158.00	158.00	158.00	316.00	158.00
8031 ONLINE SUB/IT SERVICES	10,178.98	10,200.00	21.02	19,248.90	19,150.00	(98.90)
8040 TELEPHONE/INTERNET	2,646.86	2,700.00	53.14	5,293.49	4,900.00	(393.49)
8041 UTILITIES	2,130.17	2,200.00	69.83	3,687.46	4,150.00	462.54
8050 HR/EMPLOYEE RECOGNITION	120.00	120.00	0.00	202.36	170.00	(32.36)
8060 TRAVEL/TRAINING	30.00	100.00	70.00	1,358.94	200.00	(1,158.94)
8081 PRINTING	551.86	600.00	48.14	551.86	600.00	48.14
8090 DUES, SUBSCRIPTIONS	6,000.00	6,000.00	0.00	6,060.00	6,300.00	240.00
8091 IGA-DUES	0.00	0.00	0.00	3,000.00	3,000.00	0.00
8092 FEES.TAXES/LICENSES	100.00	150.00	50.00	212.96	300.00	87.04
8100 INSURANCE	0.00	0.00	0.00	21,223.30	21,500.00	276.70
8105 UNINSURED LOSS	0.00	1,000.00	1,000.00	0.00	1,500.00	1,500.00
8112 MEETING EXPENSE	0.00	100.00	100.00	0.00	150.00	150.00
8116 OFFICE SUPPLIES	610.04	1,000.00	389.96	925.02	1,100.00	174.98
8170 FUEL	8,359.70	8,500.00	140.30	14,917.71	16,000.00	1,082.29
8171 VEHICLE REPAIR/OUTSIDE SERVICES	1,971.74	2,800.00	828.26	2,483.87	2,900.00	416.13
8180 SHOP SUPPLIES	0.00	100.00	100.00	39.93	150.00	110.07
SUB TOTAL MATERIALS/SERVICES	42,049.12	47,473.00	5,423.88	110,898.62	115,556.00	4,657.38
Total Expenses	136,136.78	142,548.00	6,411.22	299,111.61	307,651.00	8,539.39
Excess Revenue Over (Under) Expenditures	862,586.49	(70,953.00)	920,717.05	953,660.71	1,103,704.00	(167,122.07)

SUNSET EMPIRE TRANSPORTATION DISTRICT
A/R Aging as of 08/31/2023

<u>Customer</u>	<u>Due Date</u>	<u>Invoice Number</u>	<u>Invoice Date</u>	<u>Description</u>	<u>Current</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>Total</u>
[6009] ALLSTATE INSURANCE AGENCY	8/31/2023	1762	8/01/2023	Aug 2023 Parking Spaces #3-5	142.50	0.00	0.00	0.00	142.50
[6011] ANDI WARREN INSURANCE AGENCY	8/31/2023	1764	8/01/2023	Aug 2023 Parking Space #14	47.50	0.00	0.00	0.00	47.50
[6494] ANGI WILDT GALLERY	7/31/2023	1749	7/01/2023	Jul 2023 Parking Space #12	0.00	47.50	0.00	0.00	47.50
[6494] ANGI WILDT GALLERY	8/31/2023	1765	8/01/2023	Aug 2023 Parking Space #12	47.50	0.00	0.00	0.00	47.50
[6291] CURRY & COCO THAI EATERY	5/31/2023	1690	5/01/2023	May 2023 Parking Space #1	0.00	0.00	0.00	47.50	47.50
[6291] CURRY & COCO THAI EATERY	7/01/2023	1712	6/01/2023	Jun 2023 Parking Space #1	0.00	0.00	47.50	0.00	47.50
[6291] CURRY & COCO THAI EATERY	7/31/2023	1750	7/01/2023	Jul 2023 Parking Space #1	0.00	47.50	0.00	0.00	47.50
[6291] CURRY & COCO THAI EATERY	8/31/2023	1767	8/01/2023	Aug 2023 Parking Space #1	47.50	0.00	0.00	0.00	47.50
[6112] HOMESPUN QUILTS	8/31/2023	1769	8/01/2023	Aug 2023 Parking-Spaces #8 & 9	95.00	0.00	0.00	0.00	95.00
[6113] HOXIE, RONALD	5/01/2023	1667	4/01/2023	Apr 2023 Parking Space #7	0.00	0.00	0.00	47.50	47.50
[6113] HOXIE, RONALD	5/31/2023	1692	5/01/2023	May 2023 Parking Space #7	0.00	0.00	0.00	47.50	47.50

<u>Customer</u>	<u>Due Date</u>	<u>Invoice Number</u>	<u>Invoice Date</u>	<u>Description</u>	<u>Current</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>Total</u>
[6113] HOXIE, RONALD	8/31/2023	1771	8/01/2023	Aug 2023 Parking Space #7	47.50	0.00	0.00	0.00	47.50
[6153] ODOT	3/22/2023	1643	12/31/2022	Innovative Mobility Grant	0.00	0.00	0.00	300.00	300.00
[6153] ODOT	3/22/2023	1644	12/31/2022	Bike Grant	0.00	0.00	0.00	2,188.83	2,188.83
[6153] ODOT	3/21/2023	1675	12/31/2022	Q2 FY23 5311 34997	0.00	0.00	0.00	158,525.00	158,525.00
[6153] ODOT	5/10/2023	1700	12/31/2022	Q2 FY23 5311 #34415	0.00	0.00	0.00	6,958.00	6,958.00
[6153] ODOT	5/13/2023	1702	3/31/2023	Q3 FY23 5311 #34415	0.00	0.00	0.00	30,240.00	30,240.00
[6153] ODOT	6/29/2023	1705	3/31/2023	Q3 FY23 MM/PM 5310 #35192	0.00	0.00	0.00	37,019.00	37,019.00
[6153] ODOT	6/29/2023	1706	3/31/2023	Q3 FY23 5311 34997	0.00	0.00	0.00	186,363.00	186,363.00
[6153] ODOT	9/18/2023	1758	6/30/2023	Q4 FY23 5311 34997	82,909.00	0.00	0.00	0.00	82,909.00
[6153] ODOT	9/18/2023	1759	6/30/2023	Q4 FY23 #35108	16,294.00	0.00	0.00	0.00	16,294.00
[6153] ODOT	9/21/2023	1760	6/30/2023	Q4 FY23 MM/PM 5310 #35192	12,062.00	0.00	0.00	0.00	12,062.00
[6583] Sondra Carr	5/01/2023	1668	4/01/2023	Apr 2023 Parking-Space #10	0.00	0.00	0.00	47.50	47.50
[6583] Sondra Carr	8/31/2023	1725	8/01/2023	Aug 2023 Parking-Space #10	47.50	0.00	0.00	0.00	47.50
[6214] TILLAMOOK COUNTY TRANSPORTATION DISTRICT	3/31/2023	1682	3/01/2023	Feb 2023 Bus Passes	0.00	0.00	0.00	700.00	700.00
[6214] TILLAMOOK COUNTY TRANSPORTATION DISTRICT	6/30/2023	1708	5/31/2023	MED BILLING 05/01-05/31/2023	0.00	0.00	740.00	0.00	740.00
[6214] TILLAMOOK COUNTY TRANSPORTATION DISTRICT	7/30/2023	1777	6/30/2023	MED BILLING 06/01-06/30/2023	0.00	0.00	740.00	0.00	740.00

<u>Customer</u>	<u>Due Date</u>	<u>Invoice Number</u>	<u>Invoice Date</u>	<u>Description</u>	<u>Current</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>Total</u>
[6244] WEDDLE, DIANNA	5/11/2023	1641	5/01/2023	May 2023 Parking Space #6	0.00	0.00	0.00	47.50	47.50
[6244] WEDDLE, DIANNA	6/11/2023	1730	6/01/2023	Jun 2023 Parking Space #6	0.00	0.00	0.00	47.50	47.50
[6244] WEDDLE, DIANNA	7/11/2023	1753	7/01/2023	Jul 2023 Parking Space #6	0.00	0.00	47.50	0.00	47.50
[6244] WEDDLE, DIANNA	8/11/2023	1773	8/01/2023	Aug 2023 Parking Space #6	0.00	47.50	0.00	0.00	47.50
Total					111,740.00	22.50	1,575.00	422,579.33	535,916.83

SUNSET EMPIRE TRANSPORTATION DISTRICT
AP Aging as of 08/31/2023

<u>Invoice Date</u>	<u>Invoice Number</u>	<u>Due Date</u>	<u>Description</u>	<u>Original Amount</u>	<u>Amount Owed</u>	<u>Not Yet Due</u>	<u>Less Than 30 Days</u>	<u>Less Than 60 Days</u>	<u>More Than 60 Days</u>
[6001] ACCUFUND INC									
8/07/2023	20232132	10/01/2023	HOSTED SERVICES: 10/01 - 12/31/2023	5,313.00	5,313.00	5,313.00	0.00	0.00	0.00
[6111] HOME DEPOT CREDIT SERVICES									
7/25/2023	OAC-000000007	8/24/2023	Finance Charge Credit	(20.00)	(20.00)	0.00	(20.00)	0.00	0.00
[6327] NORMAND MECHANICAL									
5/30/2023	2529	10/13/2023	Vis AC System - 2 FR Buses	645.50	645.50	645.50	0.00	0.00	0.00
[6148] NW NATURAL									
7/11/2023	1360752-807112023	7/21/2023	7/2023 GAS SRV - TC \$67.31 Overpayment -\$281.19	(213.88)	(213.88)	0.00	0.00	(213.88)	0.00
8/08/2023	1360752-808082023	8/18/2023	8/2023 GAS SRV - TC \$38.92 Overpayment -\$174.96	38.92	38.92	0.00	0.00	38.92	0.00
Report Total				5,763.54	5,763.54	5,958.50	(20.00)	(174.96)	0.00

SUNSET EMPIRE TRANSPORTATION DISTRICT
Check Listing as of 8/31/2023

<u>Check Number</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Check Amount</u>
22667	8/14/2023	[6259] ISLER CPA - AUDIT FYO 06/2022	AUDIT	12000	12,000.00
22676	8/14/2023	[6193] SDIS - Invoices 2023-14, 2023-15, ADJ WC 07282023	PREPAID WORK COMP BENEFITS MEDICAL SDIS	119.16 16922.04	17,041.20
22691	8/31/2023	[6623] RTA FLEET MANAGEMENT SOFTWARE - DUES, SUBSCRIPTIONS Annual Subscription - 8/01 - 7/31/2024		6000	6,000.00
22692	8/31/2023	[6193] SDIS - Invoices 2023-16, 2023-17, ADJ WC 08302023, COBRA083023	BENEFITS MEDICAL SDIS	16982.04	16,982.04
Total Checks					52,023.24

SUNSET EMPIRE TRANSPORTATION DISTRICT
Reconciliation - CREDIT CARD

Run: 9/21/2023 @ 11:38 AM

Page: 1

Closing Balance from Previous Statement.....	8/08/2023	-1,683.87
0 Deposits and Other Additions Totaling.....		0.00
10 Checks and Other Withdrawals Totaling.....		2,769.97
1 Adjustments Totaling.....		1,683.87
0 Voids Totaling.....		0.00
Service Charge.....		0.00
Interest Earned.....		0.00
Closing Balance for this Statement.....	9/07/2023	-2,769.97
Difference.....		0.00

Cash Balance from General Ledger.....	9/07/2023	-194,602.29
Open Activity from Bank Register.....		5,831.36
Adjustment for Service Charges and Interest.....		0.00
General Ledger Reconciliation to Statement.....		-200,433.65

Date	Check	To	Check Description	Amount
✓ 8/16/2023	0000269	ADOBE ACROBAT	Parker - Monthly Chrg	12.99
✓ 8/17/2023	0001365	ASTORIA FORD	Geisler - Parking cord Cable - Bus 1702`	45.34
✓ 8/18/2023	0001365	ADOBE ACROBAT	Geisler - Monthy Chrg	19.99
✓ 8/28/2023	0001209	CHEFSTORE	Farmer - Office Supplies	31.68
✓ 8/29/2023	0001209	LCHRMA	Farmer - Training	30.00
✓ 8/30/2023	0001209	FRED MEYER	Farmer - Office Supplies	32.46
✓ 9/03/2023	0000284	ZOOM	Jones - Subscription Upgrade	1,088.70
✓ 9/06/2023	0000284	ZOOM	Jones - Yearly Fee	1,379.55
✓ 9/06/2023	0001209	LCHRMA	Farmer - Refund/Training	-30.00
✓ 9/18/2023	0001365	AMAZON	Geisler - Paper Towels/Batteries	159.26
Total Unmarked Checks:			0.00	
			Total Checks:	<u>2,769.97</u>

Date	Reference	Adjustment Description	Amount
✓ 8/31/2023	GC22655	Payment made from Gen. Ck. for Statement Ending 08/08/2023	1,683.87
Total Adjustments:			<u>1,683.87</u>

Cover for Personnel Policies

Date: September 28, 2023

To: Board of Commissioners

From: Sue Farmer, Human Resources Manager

Re: Agenda Item 10.a. Draft of Updated Personnel Policies

A draft of the updated SETD Personnel Policies is attached. These policies are updated from the current personnel policies dated 2008.

The draft policy is currently being reviewed by HR Answers and SDAO. Any changes or additions suggested by HR Answers or SDAO will be incorporated into the policies. A final draft of the policies is expected for your review at the October 25, 2023 Board Meeting.

SUNSET EMPIRE TRANSPORTATION DISTRICT PERSONNEL POLICIES



SEPTEMBER 2023

SETD Employee Personnel Policies

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INTRODUCTION

DRAFT

WELCOME TO SUNSET EMPIRE TRANSPORTATION DISTRICT!

We're happy to welcome you to **Sunset Empire Transportation District (SETD)** – we're glad you've joined us! We take pride in selecting people such as you to join our District, and we truly believe you will be a positive addition to our most important asset – our employees.

We hope you will enjoy a productive and pleasant association with us. We have created a work environment, compensation and benefits program, and interactive culture that we believe fosters positive work relationships. We expect that you will enhance the atmosphere by contributing your best efforts in whatever is asked of you.

We believe that you can contribute significantly to our success and want you to share in the growth of our future. We also feel that the best way to help you achieve is to help you understand our District and your role in it. These SETD Personnel Policies have been prepared as a guide to give you a better understanding of the District's policies, procedures, and practices. Please familiarize yourself with its contents and keep it handy for reference.

Our District values two-way communication, and our “open door” policy encourages you to ask questions if there are policies or procedures you don't understand. We welcome your ideas and suggestions for ways to improve our operations and services or to save unnecessary costs during your employment with us.

Again, welcome to our team. We wish you success in your new position and truly value you and the contribution you make during your employment with us.

XXXXXXXXXXXXXXXXXXXXX
Executive Director

MISSION STATEMENT

Provide safe, reliable, relevant, and sustainable transportation services to Clatsop County with professionalism, integrity, and courtesy.

DRAFT

ABOUT THESE SETD PERSONNEL POLICIES

The Employee SETD Personnel Policies are a guide to help you understand our employment provisions and expectations. The SETD Personnel Policies apply to all of our employees. It is intended to be a positive document that begins to establish the relationship between us.

Please remember that the SETD Personnel Policies contain only general information and guidelines. It is not intended to address all the possible applications of or exceptions to general policies and procedures. Our policies are based on the belief that common sense, good judgment, and consideration for the rights of others are paramount in our ability to serve our customers and ourselves. While we have tried to anticipate many of your questions, keep in mind that this document won't provide every answer. If you have any questions concerning eligibility for a particular benefit or how a policy or practice applies to you, please refer them to the Human Resources Department.

We know that employees have varied skills, goals, perceptions, and values, and that such diversity may create situations not fully addressed within the SETD Personnel Policies. In that event, we'll try to make fair and equitable decisions while making sure that the best interests of the District are served.

Neither the SETD Personnel Policies nor any other District document confers any express or implied contractual right to remain in SETD's employ, nor does it guarantee any fixed terms or conditions of your employment. Your employment is not for any specific period of time and may be terminated at will, with or without reason, and without prior notice by SETD or you for any reason, at any time.

The procedures, practices, policies, and benefits described here may be modified or discontinued from time-to-time. We recognize our responsibility to keep employees informed of changes that may affect them and will provide replacement pages so you can keep your SETD Personnel Policies current.

Some subjects described in the SETD Personnel Policies, such as benefit plan information, are covered in detail in official policy documents. You should refer to these documents for specific information since the SETD Personnel Policies provide summaries only. Please note that when discrepancies occur between benefit language in the SETD Personnel Policies and in the official policy documents, the terms of the written insurance policies are controlling. We encourage you to use caution when making decisions with long-term impact based on our current benefit offerings, given that we may find it necessary to make changes to these programs.

You are encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions. Please read through the SETD Personnel Policies carefully and share it with your family members so they will also understand your work environment. If you have additional questions or need further details, please talk with your supervisor, who can advise you or refer you to the appropriate resource.

EMPLOYMENT RELATIONSHIP

DRAFT

SECTION 1 – EMPLOYMENT RELATIONSHIP

1.1 AT-WILL EMPLOYMENT

You and Sunset Empire Transportation District (SETD) are engaged in an “at-will” employment relationship. Therefore, employment at SETD is for no definite period of time and may, regardless of the time and manner of payment of wages and salary, be terminated at will. This means that either you or the District may terminate the employment relationship at any time, with or without reason or advance notice.

No one in the District has the authority to enter into any agreement contrary to this “at-will” relationship except the Executive Director. It cannot be altered, except when in writing and signed by the Executive Director and you. SETD will not make and will not be bound by any oral promises concerning the length or terms of your employment.

1.2 EQUAL EMPLOYMENT OPPORTUNITY

SETD is an equal opportunity employer and, as such, considers individuals for employment according to their abilities and performance. Employment decisions are made without regard to race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, genetic information, or any other classification protected by law. All employment requirements mandated by local, state, and federal regulations will be observed.

The District employs affirmative personnel measures to ensure the achievement of equal employment opportunities in all aspects of employment and the work environment. These policies of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, total compensation, promotion, transfer, layoff and recall, termination, training, and dispute resolution.

In keeping with our philosophy and applicable laws, our advertising and recruiting materials will contain the following statement to encourage qualified applicants to apply: “Equal Opportunity Employer.” Our policy as an equal opportunity employer is to employ those legally entitled to work in the United States without regard to citizenship status, ethnic background, or national origin. However, in conformity with the relevant immigration statutes and regulations, our policy is to hire only those who are eligible to work in the United States. Verification documentation is required of all new hires.

All employees in the District are responsible for following and carrying out this policy according to the spirit and intent of our equal employment commitment. Management provides and supports a dispute resolution procedure for complaints alleging discrimination. Employees are expected to bring any questions, issues, or complaints to Management’s attention. If you believe you have been harassed, or if you witness or suspect any violation of this policy, you should report the matter immediately to the Executive Director or Human Resources Manager. We also encourage that you document your concerns. We will not retaliate against you for filing a complaint or cooperating in an investigation and we will not tolerate or permit retaliation by Management or co-workers.

All references to employees in this Agreement designate all genders. Regardless of whether the male, female or non-binary gender is used, it shall be construed to include male, female, and non-binary employees.

1.2 AMERICANS WITH DISABILITIES (ADA) ACCOMODATIONS

The Americans with Disabilities Act [ADA], amended by the Americans with Disabilities Act Amendments Act (ADAAA) of 2008, is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities from discrimination in the workplace.

Individuals are protected under the ADA if any of the following conditions exist:

- They currently have a physical or mental condition that significantly restricts their ability to normally conduct a major life function (walking, seeing, hearing, breathing, bodily functions, etc.);
- They have a history of such impairment; or,
- They are regarded as having such impairment.

The ADA also prohibits discrimination on the basis of an individual's relationship to someone (parent, sibling, child, spouse, friend, etc.) with a disability.

SETD offers equal employment opportunities to qualified individuals who may have a physical or mental disability but are still able to perform essential job functions with reasonable accommodation. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or it is so highly specialized that an expert is required to perform it.

Reasonable accommodations are available to employees and applicants, as long as the requested accommodations do not cause an undue hardship on the District. Individuals protected by the ADA/ADAAA should discuss their needs for possible accommodation with the Human Resources Manager.

1.4 HARRASSMENT

SETD will not tolerate conduct by any employee, elected official, Board or committee member, volunteer or intern, customer or member of the public that harasses, disrupts, or interferes with an employee's work performance or which creates an intimidating, offensive, or hostile work environment. All forms of harassment are prohibited. We want to maintain a working environment free from all forms of harassment, whether based upon race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, on-the-job injury, genetic information, or any other legally protected characteristic or status. Retaliation associated with a complaint of harassment is also prohibited.

Behavior such as telling ethnic jokes; using religious slurs or offensive slang, or other derogatory terms regarding a person's race, sexual orientation, age, sex, national origin, or disability; or mimicking one's speech, accent, or disability are examples of prohibited conduct and will not be tolerated. Harassing individuals by making derogatory comments regarding protected status or characteristics is strictly prohibited, as well as using any other words or conduct that might create a hostile or offensive work environment.

Sexual harassment or assault is also a form of harassment. The following conduct is considered to be sexual harassment:

- Submission to the conduct is in any way deemed to be a term or condition of employment.
- Submission to or rejection of the conduct is used as a basis for employment-related decisions; or,

- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment can also consist of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Conduct such as sexual or sexist language, jokes, or innuendoes; nude, profane, or obscene cartoons, drawings, or photographs; whistling; staring; and inappropriate touching are not tolerated at SETD. Cell phone use, including text messages and other similar electronic communications, can also be considered harassing behavior.

Sexual Assault is defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled using physical force, manipulation, threat, or intimidation.

Each manager/supervisor has a responsibility to maintain a workplace free of any form of sexual harassment. No person shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Sexual harassment in the workplace, whether by managers/supervisors, non-managerial employees, or outside individuals (vendors, customers, etc.) is prohibited.

This policy explicitly applies to conduct in the workplace, at social functions sponsored by the District, and at business functions (conventions, trade shows, etc.). This policy applies to any conduct, however, as described above, which impacts the District or work environment, regardless of where it occurs.

Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations. As an employee of SETD, you have the responsibility to immediately report any actions or words which you find to be harassing. The District will not retaliate against you for filing a complaint or cooperating in an investigation and will not tolerate or permit retaliation by anyone.

Reporting Incidents of Harassment

If you believe that you have been harassed, have witnessed harassment, or suspect any violation of our harassment policy, you must immediately report the matter to the Human Resources Manager, Executive Director or your manager/supervisor, or any other management representative with whom you feel comfortable speaking. These individuals are responsible for ensuring that all complaints are promptly and thoroughly investigated without prejudice or retaliation. The investigation will be conducted promptly, but no specific timeframe can be guaranteed because each situation is likely to be different, and individuals may have varying schedules. Every effort will be made to complete the investigation within two (2) weeks. In all cases, you will be notified of the outcome of the investigation. We will also check in with you quarterly following receipt of the information to ensure the matter has been resolved and continues to meet the District's standards.

All complaints of harassment will be investigated promptly and impartially. Discretion will be used during the investigation in order to maintain as much confidentiality as possible while effectively completing the investigation, however, confidentiality cannot be guaranteed. If you are not satisfied with the handling of a complaint or the action taken by management, you should bring the complaint to the next higher level of authority. In all cases, you will generally be advised of the outcome.

Any employee or manager who is found, after appropriate investigation, to have engaged in harassment or to have retaliated against an individual for reporting harassment will be subject to appropriate corrective action, depending on the circumstances, up to and including termination.

External Complaint Procedure

We encourage employees to bring their concerns and complaints to the District, and understand that, at times, this may not be the choice of the employee. Below is a list of the external complaint options. Please reach out to the preferred choice to determine the appropriate timelines for their processes.

- Oregon Bureau of Labor and Industries at the following web address:
https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx
- Civil or Criminal Action. In these circumstances, a Notice of Claim must be provided to us in accordance with ORS 30.275.

Employment Agreements

No employee will be required or invited to sign an agreement requiring the non-disclosure of information related to discrimination or sexual assault as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits. An employee may request this type of agreement and, upon request, will be provided with at least seven (7) days to change their mind.

Additional Employee Support Services

Employees may choose to use other support services throughout, and following instances related to concerns and complaints. The District provides the following for additional assistance:

- Legal, Counseling and Support Services through the Employee Assistance Program

1.5 WHISTLEBLOWER PROTECTION

SETD encourages any employee with knowledge of an illegal or dishonest activity to report it to the Human Resources Manager. All such issues will be promptly investigated with the intent to determine fault and institute any appropriate corrective measures. Examples of illegal or dishonest activities are violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting. Any employee wishing for more information can obtain further details from the Human Resources Manager.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee should immediately contact the Human Resources Manager. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to corrective action, up to and including termination.

Whistleblower protections are provided to maintain confidentiality and to prevent retaliation. Although someone's identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their due course, the privacy of the individual making the report will be protected to the extent possible. SETD will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments as well as threats of physical harm. Any whistleblower who believes retaliation has occurred must contact the Human Resources Manager immediately. The right of a whistleblower to protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the Human Resources Manager who is responsible for investigating and coordinating corrective action.

1.6 WORKPLACE PROFESSIONALISM

While harassment due to a person's protected class is prohibited, so too is unprofessionalism, such as incivility, due to personality clashes or issues. We want our focus to be on customer service, productivity, and the ability for each employee to flourish at SETD. This makes it essential that our employees treat each other and those with whom we serve with courtesy, respect, and consideration. Further, we require that employees work cooperatively and constructively in resolving issues or problems on-the-job to foster satisfactory working relationships.

SETD defines unprofessionalism as repeated or one-time behavior, which is inappropriate, and which may be verbal, non-verbal, or physical; either direct or indirect which generally occurs at work and in the course of employment but may also apply to off-site behavior exhibited by employees that negatively impacts the working relationship. Such behavior, whether exhibited between co-workers, management and staff, vendors/customers, another outside party, or a member of the public, violates our policy on how others should be treated while at the workplace or engaged in District operations.

Where an allegation of unprofessionalism is made, consideration of the intention will be given. The purpose of this policy is to communicate to all employees, including supervisors, managers, and executives, that SETD will not, in any instance, tolerate unprofessional behavior. Employees found to be in violation of this policy will be subject to corrective action, up to and including termination.

We will consider the following examples as unprofessional; however, this is not considered a comprehensive list. Any actions that create the same or similar result will also be considered.

- Making comments on Facebook, texting, misuse of other forms of social media.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's performance or job description.
- Spreading rumors and gossip regarding individuals.
- Interfering with the ability of someone to perform job duties or consistently assigning menial tasks not central to the job.
- Taking credit for another person's ideas.

Any SETD employee who has experienced unprofessionalism should immediately report the behavior according to the reporting process outlined in our anti-harassment policy. All reports will be investigated and addressed. Making false/baseless or malicious complaints of unprofessionalism will be regarded as a serious offense, which may also lead to corrective action, up to and including termination.

1.7 DISPUTE RESOLUTION

We believe that undisclosed problems will remain unresolved and will lead to impaired work relationships, dissatisfaction with working conditions, and a decline in operational efficiency. Therefore, the District has established this dispute resolution procedure to solve problems as quickly, fairly, and thoroughly as possible. This procedure is a method for impartially hearing the complaint and is intended to resolve problems and provide a fair and objective review. All issues will be handled without prejudice or retaliation.

Reporting Issues Other than Harassment/Discrimination

Any other questions or concerns you may have should be discussed with your immediate manager/supervisor, absent special circumstances, as soon as you are aware there is a problem or have a question. Your manager will generally follow-up to your concern, in writing, within one (1) week.

We realize there may be valid reasons to forego this initial step; in those circumstances [*i.e.*, a concern involves an immediate manager/supervisor], you may go directly to the next level of management or to the Human Resources Manager for assistance.

DRAFT

TERMS OF EMPLOYMENT

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SECTION 2 – TERMS OF EMPLOYMENT

It is our goal to fill employment vacancies with the most qualified applicants, whether recruiting internally, externally, or utilizing both options. Job applicants will be considered on an equal basis for all positions without regard to sex, age, race, color, religion, national origin, marital or veteran status, sexual orientation, gender identity, genetic information, a physical or mental disability, or any other characteristic protected under applicable law, including Veterans' Preference.

Our goal will always be to select the most qualified person for each available job.

Former employees and relatives of current employees will be considered for employment in the same manner as other applicants. We may refuse to place a spouse, domestic partner, or immediate family member under the direct supervision of a spouse, domestic partner, or family member, if such placement adversely affects supervision, safety, security, or morale.

You may, from time-to-time, be temporarily transferred or assigned to perform work outside of your regular job duties, schedule, or location. Employees shall be paid not less than the same hourly rate to which they are entitled in their current position; however, should an employee be assigned other work for the District which is paid at a higher hourly rate than the employee's rate, they shall receive such higher rate of pay while performing those job duties. The District may also reassign employees on a long-term basis whose placements are determined to be unsuited to their individual skills and transfer any employee who has an illness or disability that requires modified duty without posting the position.

2.1 RECRUITMENT

A job posting will be made for vacant positions within the District and shall be initiated upon the approval of the Executive Director. The posting shall specify the job title and salary range of the position, the nature of the duties performed, qualification requirements, the time and place to apply, and may include the selection process to be used. Job postings shall be posted on appropriate bulletin boards and may be published in District publications and appropriate newspapers or newsletters. Job postings will be posted a minimum of fourteen (14) days prior to the closing date.

An appointment to positions is through an open and competitive process and will be based on merit and qualification. Promotional appointments may be made exclusively with current employees if qualified. Ordinarily, all vacancies will be posted internally to provide promotional opportunities. When a job posting is needed, the position is filled by a person whose skills and abilities best match those outlined in the posting and job description. Where skill and ability are equal, length of continuous employment is the determining factor. If no internal qualified candidates are determined, the job vacancies will be advertised internally and externally to hire the most qualified applicant.

2.2 APPLICATIONS

Applications are available at the District's Transit Center, Operations or on the District's web site, Facebook, Oregon Employment Department or Indeed. Applicants will complete the application form and any supplemental materials required by the District for the positions within the time period specified in the job announcement.

Applicants for employment shall furnish complete information requested as to education, special training, experience, and skills, as well as a chronological schedule of employment, references, and other pertinent information.

If applying for a Bus Driver position an applicant will need to provide a current DMV record and any record from their previous employer(s) that shows, they have been drug tested and the results.

2.3 ELIGIBILITY

At the time of the application all applicants must meet the minimum qualifications for the position or demonstrate a reasonable assurance of meeting the minimum qualifications by the time of appointment.

2.4 CRIMINAL HISTORY RECORD CHECKS

A. PURPOSE AND DELEGATION

The District is committed to providing a safe working environment for its employees and the public. It also seeks to protect its assets, preserve its reputation; and comply with laws, regulations, and agreements. All positions within the District regarding employment and/or continued employment are contingent upon a satisfactory background check.

The District will consider the seriousness and extensiveness of adverse information in making a determination of eligibility for employment. Job applicants and/or current employees who are subject to background checks are given an opportunity to explain any discrepancies between the job application and the results of the background check. Any material misrepresentation on the job application either by omission or falsification of information may be grounds for denial of employment, withdrawal of an employment offer, or dismissal of an employee.

Criminal history records will be obtained, maintained, destroyed, considered, and relied upon and disseminated by the Executive Director and Human Resources Manager in strict accordance with this policy and ORS 181.537 or ORS 267.237.

These rules also establish the process by which the District:

1. Obtains criminal offender information record checks when the information is required to implement Oregon law and District policies that expressly refer to criminal conduct or exclusions expressly based on such conduct;
2. Authorizes employer to make decisions based on requirements or exclusions expressly contained in criminal offender information record checks;
3. Communicates decisions made based on criminal offender information, and;
4. Disseminates criminal offender information to authorized persons and subject individuals.

B. AUTHORITY TO MAKE CRIMINAL RECORDS INQUIRIES

The Executive Director or Human Resources Manager is authorized to request criminal background checks for employees through the Oregon State Police (OSP) Law Enforcement Data System (LEDS), the Federal Bureau of Investigation (FBI) and other contracted services. Inquiries shall be made, and information administered in accordance with the law and the District's agreement with these agencies.

C. PROCESS FOR CRIMINAL OFFENDER INFORMATION RECORD CHECKS

1. Criminal Offender information in the records of the OSP and the FBI will be obtained by the District through the OSP.
2. Prior to conducting criminal offender information records check, the District shall provide the subject notice that criminal offender information may be made through the OSP and the FBI. The notice shall state that OSP has a process to challenge inaccurate criminal offender information and an applicant may be informed of such rights by contacting the OSP Identification Services Section.

3. Before the District commences a criminal offender information records check, the subject individual shall complete and sign a statement that:
 - a. Contains the name, address, date of birth, place of birth, gender, race, height, weight, eyes and hair color, Social Security Number and other identifying information about the subject individual called for in the FBI fingerprint card;
 - b. Affirms that the subject individual has not been convicted of a crime or if a Returning Citizen Program employee, **or** if the subject individual has been convicted of a crime, contains a description of the crime and the particulars of the conviction.
4. Notifies the subject individual of the subject individual's rights:
 - a. To inspect a copy of the subject individual's own Oregon criminal offender information records check; and
 - b. To challenge the accuracy and completeness of any information contained in Oregon criminal offender information records check obtained from the OSP as described under procedures adopted under ORS 181.555(3) and OAR Chapter 257.
 - c. To correct errors in records maintained by the FBI.
5. Notify the subject individual that pending the completion of criminal offender information records check, the District shall prohibit the subject individual from working independently transporting passengers.
6. Each applicant shall be informed that any subject individual who refuses to sign a release authorizing the criminal history check or provides false information relating to his/her criminal history shall not be considered for employment or continued employment by the District in any capacity.
7. The criminal offender information records check shall be conducted solely for the purpose of determining whether the subject individual has been convicted of a crime that bears upon the subject individual's suitability and fitness for employment by the District.
8. The District shall pay the costs associated with obtaining Oregon and FBI criminal offender information.

D. RESPONSIBILITIES IN MAINTENANCE, USE AND DESTRUCTION OF INFORMATION

1. The District shall ensure strict compliance with federal and state laws, rules, and procedures in obtaining and handling criminal offender information, including that which is fingerprint based. This includes the agency agreement with the OSP, and the rules and procedures of the OSP as specified in OAR 257.010.0010 through 257.010.0050.
2. The District shall obtain criminal offender information to ascertain whether subject individuals required to undergo Oregon Law Enforcement Data System checks have been convicted of a crime that is substantially related to their fitness and suitability to fulfill the requirements of employment with the District as established by the District.
3. Criminal offender information obtained from the OSP or the FBI shall not be used for any purpose other than that for which it was obtained; nor shall it be given to unauthorized persons or entities.

4. All criminal offender information (including summaries and facsimiles) is confidential and shall be maintained in locked file cabinets, accessible only for purposes directly connected with the administration of these rules, until it is destroyed.
5. The District shall destroy by shredding or burning all criminal offender information, including fingerprint cards, within 180 days from the date the criminal record was printed unless required as evidence when a subject individual has appealed the decision of an appointing authority to deny, revoke, or otherwise terminate the subject individual's employment.
6. Criminal offender information used in the District's contested case process, or other appeal processes shall be destroyed within 90 days of case resolution. However, the name of a subject individual and the subject individual's fitness.
7. Determination status based on criminal offender information records check shall be maintained by the District.

E. CRIMES WHICH SHALL BE CONSIDERED

When reviewing the qualifications of an applicant and in making fitness and suitability determinations, the Executive Director, and in cases deemed appropriate, the District's legal counsel and others with a need to access in order to effectuate the purposes of Oregon law and this policy, shall have access to criminal history information furnished to the District by the OSP and by the FBI. They shall consider the following factors.

1. The nature of the crime;
2. The facts that support the conviction or pending indictment or that indicate a false statement;
3. The relevancy, if any, of the crime or false statement to the position requirements; and
4. Intervening circumstances which are relevant to the responsibilities and circumstances of the position such as, but not limited, to the passage of time since the commission of the crime, age at the time of commission, restitution, likelihood of repetition of the behavior, subsequent commission of another relevant crime, and the credible recommendation of an employer or other reliable reference information obtained by the District.
5. They shall consider crimes committed in accordance with the following general guidelines:

GENERAL GUIDELINES FOR DETERMINING FITNESS FOR EMPLOYMENT			
	Type of Offense*	Class of Offense	Time Frame to Consider
1	Offenses against persons	Class A Felony Class B or C Felony Misdemeanor	Forever 15 years 10 years
2	Offenses against property	Class A Felony Class B or C Felony Misdemeanor	15 years 10 years 5 years
3	Offenses involving fraud or deception	Class C Felony Misdemeanor	10 years 5 years

4	Offenses against public order; firearms and other weapons-related offenses; racketeering	Class A Felony Class B or C Felony Misdemeanor	15 years 10 years 5 years
5	Offenses against public health, decency, and animals	Class A Felony Class B or C Felony Misdemeanor	15 years 10 years 10 years
6	Controlled substances, illegal drug cleanup, paraphernalia, precursors**	Class A, B or C Felony Misdemeanor	15 years 10 years

*Any offense committed with a weapon, or which results in serious injury to any person shall be considered forever.

**Consideration of crimes involving drugs shall include an appropriate current risk assessment, prior treatment, proof of recovery from an established and proven disability and confidence of the decision maker based on the totality of information received that the applicant has not current connection with illegal controlled substances and drug activity. The burden of establishing the absence of risk factors is on subject individuals.

The decision maker shall consider the following crimes provided for in the Criminal Code of the State of Oregon, or substantially similar crimes committed in violation of federal law or the laws of other states:

Escape; supplying contraband; interfering with peace officer; resisting arrest; impersonation of peace officer; false law enforcement I.D. card; official misconduct; criminal homicide; aggravated murder; murder; manslaughter; criminal negligent homicide; assault; menacing; recklessly endangering another; criminal mistreatment; assault of a public safety officer; kidnapping; custodial interference; rape; sodomy; sexual abuse; contributing to the sexual delinquency of a minor; sexual misconduct; public indecency; bigamy; incest; buy or sell a person under 18 years of age; child neglect; using child in display of sexually explicit conduct; dealing in depictions of sexual conduct involving a child; paying for viewing of sexual conduct; encouraging child sexual abuse; possession of material depicting sexually explicit conduct of a child; failure to report child pornography; invasion of personal privacy; stalking; violating court's stalking order; theft; burglary; possession of burglar's tools; criminal trespass; arson; criminal mischief; robbery; forgery; harassment; interfering with public transportation; intimidation; unlawful use of weapon; carry on concealed weapon; unlawful possession of firearms; prostitution; promoting prostitution; compelling prostitution; sadomasochistic abuse or sexual conduct in live show; furnishing obscene materials to minors; sending obscene materials to minors; exhibiting an obscene performance to minors; displaying obscene materials to minors; animal abuse; animal neglect; providing liquor to a person under 21 or to intoxicated person; reckless driving; criminal driving while suspended; or revoked or in violation of a permit; fleeing or attempting to elude police; failure to perform duties of driver when property is damaged; hit and run vehicle (injury); driving under the influence of intoxicants.

The District shall not construe these rules as conferring any substantive or procedural rights on any applicant to appeal a determination that the applicant is not among the most qualified or most suitable for employment. Appeal rights shall not apply to any determination made in reliance on information provided by the applicant during the application process.

F. DETERMINING FITNESS FOR A POSITION

1. Authorized employees of the District shall review all criminal offender information and determine suitability and fitness for employment.
2. Subject individuals who refuse to be fingerprinted or who make material false statements as to the non-conviction of a crime shall not be eligible for employment or continued employment. If hired conditionally, such employment shall be terminated.
3. The District shall rely on the criminal offender information supplied by the OSP and/or the FBI until notified that the information has been changed or corrected.
4. Subject individuals required to undergo criminal offender records checks who have been convicted of any crime(s) listed in these rules (or the substantial equivalent of any crimes if the conviction occurred in another state or in Oregon under a different statutory name) or who have made material false statements about a conviction shall be disqualified from employment, and if employed shall be separated from employment.
5. In determining whether a subject individual is suitable and fit to be employed, the District shall consider the nature of the crime for which subject individual was convicted and connection between the conduct and suitability and fitness for employment. The District shall consider the facts that support the conviction and intervening circumstances. Factors to be considered in making a fitness determination include, but are not limited to:
 - a. The nature of the crime;
 - b. The facts that support the conviction or pending indictment or indicate the making of a material false statement;
 - c. The relevancy, if any, of the conviction for a crime or the material false statement to the specific requirements of the subject individual's current or proposed license, certification or registration or other regulatory oversight by a qualified entity;
 - d. Passage of time since the conviction of the crime;
 - e. Circumstances surrounding the commission of the offense that demonstrate that repetition is unlikely;
 - f. Intervening circumstances since the commission of the offense;
 - g. A recommendation from an employer;
 - h. Any other information related to criminal activity engaged in by the subject individual; and
6. The District is granted immunity from any civil liability that might otherwise be incurred or imposed for determining pursuant to Oregon law and these policies and procedures that a subject individual is not fit to be employed or to retain provisional employment. The District shall not be liable for defamation, invasion of privacy, negligence, or any other civil claim in connection with lawful dissemination of information lawfully obtained under ORS 181.010 through 181.560, these policies and procedures, and procedures of the OSP.

G. RELIANCE ON CRIMINAL HISTORY RECORDS IN THE CUSTODY OF THE DISTRICT OR OTHER QUALIFIED ENTITY SPECIFIED IN THIS POLICY

The District may rely on disqualifying information revealed in criminal history information obtained at any earlier time by the District in cases where no question exists concerning the identity of the applicant.

H. NOTICE OF DISQUALIFICATION

The District shall inform subject individuals, in writing, who have been determined not suitable or fit for employment of such disqualification. The notice will indicate that the subject individual:

1. Has a right to review or challenge their Oregon criminal offender information in accordance with OSP procedures adopted per ORS 181.555(3) and OAR 257-010-0035; and
2. May challenge the accuracy or completeness of any entry on the subject individual's criminal offender information records check obtained from the FBI by filing a challenge with the Assistant Director of the FBI Identification Division, Washington, DC, 20537-9700.
3. The notice will indicate that the subject individual may appeal a fitness determination to be employed as an appeal described in these policies and procedures.

I. RIGHTS FOR REVIEW AND CONTESTED CASE HEARINGS FOR SUBJECT INDIVIDUALS

1. The District has established an administrative appeal process by which a subject individual may appeal a fitness determination. A subject individual who desires to appeal may submit an appeal to the District.
2. A person who is disqualified from employment based on criminal history information provided by the Oregon State Police or the Federal Bureau of Investigation shall be provided written notification, which shall contain the District's procedure for appeal of that determination. The person may request a hearing in accordance with District procedures. Prior to scheduling a hearing, a mandatory conference shall be convened between the subject individual and the District to review all available information and determine the need for a hearing. The subject individual shall submit documentary evidence related to any inspection of or challenge of the accuracy of the criminal offender information record.
3. The issue at the conference and at a hearing shall be limited to the determination by the District that the person is disqualified based on a criminal offender information records check. The hearing shall not involve any consideration related to the accuracy or completeness of information provided by any law enforcement agency. The burden is on the subject individual to demonstrate to the satisfaction of the District that the individual in fact is suitable and fit for employment.
4. Failure to submit a proper request for a hearing or to appear at a scheduled conference or hearing shall constitute a waiver of the right to a hearing established by this Policy.
5. Any appeal hearing under this rule is not open to the public.
6. The Executive Director shall designate a hearings official to preside at the mandatory pre-hearing conference and the hearing itself, if conducted. Formal rules of evidence shall not apply. The hearings officer shall consider reliable and trustworthy evidence and sworn testimony and may limit the hearing in order to receive relevant and not redundant evidence.

The hearings officer shall consider the record and submit to the Executive Director recommended findings of fact, conclusions, and a recommended action. The Executive Director may accept or modify the findings and conclusions of the hearings officer, or modify them, if the Executive Director so determines based on clear error.

2.5 PHYSICAL EXAMINATIONS

An offer of employment may be contingent upon an applicant's successful completion of a medical examination to determine if the applicant is able to perform the essential functions of the job, with or without reasonable accommodation and without direct threat to the health or safety of the applicant or other persons. If required, this examination will be provided by the District at District expense. Any information gathered will be treated as a confidential medical record. The scope of the post-offer medical examination need not be limited to the ability to perform essential job functions and may include a base-line physical exam and other inquiry into the applicant's physical and/or mental condition.

In order to ensure continued qualification for employment, the District may request its employees to submit to a medical examination when the request is job related and consistent with business necessity at the District's expense. Medical examinations may be required to support family medical leave situations, including requests for second or third opinions and fitness for duty certifications, as provided by Family Medical Leave laws and the District's policies.

2.6 DRIVING RECORDS

Employees who may be required to drive must possess a valid Oregon driver's license and must drive with any operator's license restriction. All employees who may be required to drive on District business may at any time have their driving record checked by the District as permitted by applicable law. If the record indicates violations, the employee may be subject to appropriate warnings or disciplinary action. As a condition of continued employment each employee who operates District vehicles must maintain a personal driving record that is within risk criteria, if any, established by the District's insurer.

Job applicants' driving records are checked prior to being hired as a condition of employment and may be a reason for not being hired.

Employees who may be required to drive shall notify the Human Resource Officer of any change in license status, and all traffic violations. Failure to report a traffic violation or change in license status to the Human Resource Officer is viewed as a violation of District policy. The District monitors driving records as a component of risk management in order to identify needs for driver improvement.

2.7 VETERAN'S PREFERENCE IN PUBLIC EMPLOYMENT

Public employers must grant a preference in hiring and promotion to qualifying veterans and disabled veterans if their hiring decision will be based on the results of a merit-based, competitive process. This process involves recruiting, selecting, and promoting employees on the basis of their relative ability, knowledge, experience and skills, determined by open competition and consideration of qualified applicants.

Selection criteria and procedures will be based solely on job-related knowledge, skills, abilities, experience, education, training, and, when appropriate, prior demonstrated performance, aptitude, and character. The Human Resources Manager shall design selection criteria based on the classification specifications and job requirements. Based on the results of the selection process, applicants will be selected by the Human Resources Manager for an employment interview.

There are four ways to qualify as an eligible veteran:

1. Must have served on active duty with the US Armed Forces for a period of more than 178 consecutive days and have been discharged under honorable conditions; or
2. Must have served on active duty with the US Armed Forces for 178 days or less and have been discharged under honorable conditions because of a service-connected disability (disabled veteran); or
3. Must have served on active duty in the US Armed Forces for at least one day in a combat zone and have been discharged under honorable conditions; or
4. Must have received a qualifying military decoration for service in the US Armed Forces.

At each step of the application process, preference points will be added to an eligible veteran's score and preference points to a disabled veteran's score. These points need to be added every time an eligible veteran or disabled veteran applies for a position based on the results of a merit-based, competitive process even if they are already an employee of the District.

Preference points must be granted as follows:

1. For an initial application screening used to develop a list of persons for interviews, preference points will be added to a veteran's score and preference points will be added to a disabled veteran's score.
2. For an application examination, given after the initial screening that results in a score, add preference points to the combined examination score without allocating the points to any single feature of the examination. Add preference points to a veteran's score and add preference points to a disabled veteran's score.
3. For an application examination that consists of an interview, an evaluation of the veteran's performance, experience or training, a supervisor's rating, or any other method of ranking an applicant that does not result in a score, preference must be given to the veteran or disabled veteran. Districts that use an application examination of this type must devise and apply methods by which special consideration in the hiring decision is given to veterans and disabled veterans.

2.8 PRE-EMPLOYMENT DRUG SCREENING

Applicants who are offered a "safety sensitive" position with the District will be required to consent to a pre-employment drug screen. All "safety sensitive" employees will remain on a random drug pool throughout their employment with the District. "Safety sensitive" is defined as "Discharge duties fraught with risk of injury to others that even a momentary lapse of attention can have disastrous consequences." Examples: Chief Operations Officer, Fixed Route Bus Driver Supervisor, Fixed Route Bus Driver, ParaTransit Supervisor, ParaTransit Bus Driver, Transportation Support Specialist, Maintenance Supervisor, Mechanic, Assistant Mechanic, Lot attendant, positions wherein driving, or dispatching is an essential aspect of daily duties.

All employees are monitored under the reasonable suspicion Drug and/or Alcohol Policy Section 2.9.

The applicant will be advised that the presence of one or more drugs will be cause for rejection from further consideration for employment, and that appointment to a position is contingent upon a negative drug test result.

The District will decline to extend a final offer of employment to any applicant with a verified positive test result, and such applicant may not reapply to the District for a period of twelve months. The District shall object to the applicant on the basis of failure to pass the drug screen, a lack of personal characteristics necessary to relate to public employment or failure to support the goals of the District. The District shall inform such applicant that a confirmed presence of an illegal drug in the applicant's urine precludes the District from hiring the applicant.

2.9 DRUG AND ALCOHOL TESTING POLICY – ZERO TOLERANCE

A. PURPOSE

1. SETD provides public transit and paratransit services for the residents of Clatsop County. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, SETD declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.

2. Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result or a refusal to test. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.

3. Any provisions set forth in this policy that are included under the sole authority of SETD and are not provided under the authority of the above-named Federal regulations are underlined. Tests conducted under the sole authority of SETD will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full or part-time) when performing safety sensitive duties. SETD employees that do not perform safety-sensitive functions are also covered under this policy under the sole authority of SETD. See Attachment A for a list of employees and the authority under which they are included.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or persons controlling the movement of revenue service vehicles and any transit employee who operates a non-revenue service vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above-mentioned duties is provided in Attachment A. Supervisors are

only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL or receive remuneration for service in excess of actual expense.

C. DEFINITIONS

Accident: An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

- a. An individual dies;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn or windshield wipers that makes them inoperative.

Adulterated specimen: A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation, or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

Aliquot: A fractional part of a specimen used for testing; it is taken as a sample representing the whole specimen.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is canceled. A canceled test is neither positive nor negative.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

Covered Employee Under FTA Authority: An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees).

Covered Employee Under District Authority: An employee, applicant, or transferee that will not perform a safety-sensitive function as defined by FTA but is included under the district's own authority. (See Attachment A).

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

DOT, The Department, DOT Agency: These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline & Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security are considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if operated but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn or windshield wipers that makes them inoperative.

Evidentiary Breath Testing Device (EBT): A Device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations and appears on ODAPC's Web page for "Approved Evidentiary Breath Measurement Devices" because it conforms with the model specifications available from NHTSA.

Initial Drug Test: (Screening Drug Test) The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid

Invalid Result: The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Limit of Detection (LOD): The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantitation: For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug, or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

Non-negative test result: A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety-sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS-Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

Prohibited drug: Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

Rejected for Testing: The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

Safety-sensitive functions: Employee duties identified as:

1. The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
2. The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Driver's License (CDL).
3. Maintaining a revenue service vehicle or equipment used in revenue service.
4. Controlling the movement of a revenue service vehicle.
5. Carrying a firearm for security purposes.

Split Specimen Collection: A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an District listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen: A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

Test Refusal: The following are considered a refusal to test if the employee:

1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
2. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
3. Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
4. In the case of a directly observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
5. Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
6. Fail or decline to take a second test as directed by the collector or the employer for drug testing.
7. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
8. Fail to cooperate with any part of the testing process.
9. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly observed test.
10. Possess or wear a prosthetic or other device used to tamper with the collection process.
11. Admit to the adulteration or substitution of a specimen to the collector or MRO.
12. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
13. Fail to remain readily available following an accident.
14. As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

Vehicle: A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

D. EDUCATION AND TRAINING

1. Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.
2. All supervisory personnel or District officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

E. PROHIBITED SUBSTANCES

1. Prohibited substances addressed by this policy include the following.
 - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy.

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in Section H of this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a SETD Manager and/or Human Resources Officer and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.
- c. Alcohol: The use of beverages containing alcohol (including any mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited.

F. PROHIBITED CONDUCT

1. All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.
2. Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
3. The Transit Agency shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol.
4. Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
 - a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the US DOT-FTA drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, US DOT-FTA regulation require the employee to be removed from the performance of safety-sensitive duties until:
 - i. The employee's alcohol concentration measures less than 0.02; or
 - ii. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.
5. No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
6. No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
7. SETD, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.

8. Consistent with the Drug-free Workplace Act of 1988, all SETD employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the workplace including transit system premises and transit vehicles.

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the SETD management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy.

H. TESTING REQUIREMENTS

1. Analytical urine drug testing and breath testing for alcohol will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up. All employees covered under District authority will also be subject to testing for reasonable suspicion, post-accident, random and return to duty/follow-up using non-DOT testing forms.

2. A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function Under SETD authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

3. All covered employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with SETD. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section Q of this policy.

I. DRUG TESTING PROCEDURES

1. Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.

2. The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at an HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) or Liquid Chromatography/Mass Spectrometry (LC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS or LC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.

3. The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific

validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to the SETD Drug and Alcohol Program Manager (DAPM). If a legitimate explanation is found, the MRO will report the test result as negative.

4. If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.

5. Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. SETD will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however SETD will seek reimbursement for the split sample test from the employee.

6. If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.

7. The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.

8. Observed collections

- a. Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:
 - i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to SETD that there was not an adequate medical explanation for the result;
 - ii. The MRO reports to SETD that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
 - iii. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).

- iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
- v. The temperature on the original specimen was out of range;
- vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.
- vii. All follow-up-tests; or
- viii. All return-to-duty tests

J. ALCOHOL TESTING PROCEDURES

1. Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of EBTs can be found on ODAPC's Web page for "Approved Evidential Breath Measurement Devices". Alcohol screening tests may be performed using a non-evidential testing device (alcohol screening device (ASD) which is also approved by NHTSA. A list of approved ASDs can be found on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids". If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

2. A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section Q. of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the workday whichever is longer and will be subject to the consequences described in Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.

3. SETD affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be cancelled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.

4. The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

1. All applicants for covered transit positions shall undergo urine drug testing prior to performance of a safety-sensitive function.

- a. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.
- b. A covered employee shall not be placed, transferred, or promoted into a position covered under FTA authority or District authority until the employee takes a drug test with verified negative results.
- c. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded, and the applicant will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
- d. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or District authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Section Q herein.
- e. If a pre-employment test is canceled, SETD will require the applicant to take and pass another pre-employment drug test.
- f. In instances where an FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- h. Applicants are required (even if ultimately not hired) to provide SETD with signed written releases requesting-USDOT drug and alcohol records from all previous, USDOT covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. SETD is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a USDOT covered employer, the applicant must provide SETD proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

L. REASONABLE SUSPICION TESTING

1. All SETD FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible

drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under SETD's authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the employee is on duty. All employees covered under the sole authority of SETD will also be subject to non-USDOT reasonable suspicion testing procedures modeled off the provisions in 49 CFR Part 40.

2. SETD shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in Section Q of this policy.

3. A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the SETD Designated Employer Representative (DER).

4. When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with Section Q of this policy. SETD shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of the SETD. Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority. However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Section Q.

M. POST-ACCIDENT TESTING

1. FATAL ACCIDENTS – A covered employee will be required to undergo urine and breath testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.

2. NON-FATAL ACCIDENTS - A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:

- a. The accident results in injuries requiring immediate medical treatment away from the scene unless the covered employee can be completely discounted as a contributing factor to the accident.

- b. One or more vehicles incurs a disabling damage as a result of the occurrence and must be transported away from the scene unless the covered employee can be completely discounted as a contributing factor to the accident.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that SETD is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), SETD may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

N. RANDOM TESTING

1. All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Employees covered under District authority will be selected from a pool of DOT-covered employees.
2. The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
3. The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA administrator. The

current year testing rates can be viewed online at:
<https://www.transportation.gov/odapc/random-testing-rates>.

4. Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.

5. Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from any testing pool that may be in place of non-safety-sensitive employees that are included solely under SETD authority.

6. Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. However, under SETD's authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.

7. Employees are required to proceed immediately to the collection site upon notification of their random selection.

O. RETURN-TO-DUTY TESTING

SETD will terminate the employment of any employee that tests positive or refuses a test as specified in section Q of this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety.

P. FOLLOW-UP TESTING

Covered employees that have returned to duty following a positive or refused a test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion, and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under District authority and will be performed using non-DOT testing forms.

Q. RESULT OF DRUG/ALCOHOL TEST

1. Any covered employee that has a verified positive drug or alcohol test or test refusal, will be removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAP) for assessment, and will be terminated.

2. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

3. Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a list of USDOT qualified SAPs. A test refusal includes the following circumstances:

- a. Fail to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer.
- b. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- c. Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- d. In the case of a directly observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- e. Fail to provide a sufficient quantity of urine or breath without valid medical explanation.
- f. Fail or decline to take a second test as directed by the collector or employer for drug testing.
- g. Fail to undergo a medical evaluation, as required by the MRO or the employer's Designated Employer Representative (DER).
- h. Fail to cooperate with any part of the testing process.
- i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly observed test.
- j. Possess or wear a prosthetic or other device used to tamper with the collection process.
- k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
- l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- m. Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

4. An alcohol test result of ≥ 0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours or the remainder of the workday whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NONDOT alcohol test with a result of less than 0.02 BAC.

5. In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:

a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return- to-work agreement;

b. Failure to execute or remain compliant with the return-to-work agreement shall result in termination from SETD employment.

i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in Section P of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section Q of this policy is under the sole authority of SETD and will be performed using non-DOT testing forms.

c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. All tests conducted as part of the return-to-work agreement will be conducted under District authority and will be performed using non-DOT testing forms.

d. A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q of this policy.

e. Periodic unannounced follow-up drug/alcohol testing conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q of this policy.

f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with SETD.

g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.

6. Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

R. GRIEVANCE AND APPEAL

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

S. PROPER APPLICATION OF THE POLICY

SETD is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an

unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

1. Drug/alcohol testing records shall be maintained by the SETD Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
2. The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
3. Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need-to-know basis.
4. Records will be released to a subsequent employer only upon receipt of a written request from the employee.
5. Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
6. Records will be released to the National Transportation Safety Board during an accident investigation.
7. Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
8. Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
9. Records will be released if requested by a Federal, state or local safety agency with regulatory authority over SETD or the employee.
10. If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken.
11. In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the SETD on June 28, 2018, and updated on September 24, 2020.

Attachment A

Covered Classifications for SETD (all non-safety sensitive positions)

<u>Job Title</u>	<u>Job Duty</u>	<u>Testing Authority</u>
Executive Director	Director, Clerical	SETD
Executive Assistant	Assistant, Clerical	SETD
Financial Officer	Finance, Clerical	SETD
Human Resource Manager	Manager, Clerical	SETD
Mobility Management Manager	Manager, Clerical	SETD
Transportation Options Program Specialist	Specialist, Clerical	SETD
Payroll/Accounting Clerk	Finance, Clerical	SETD
CSR (Client Services Representative)	Call Taker, Clerical	SETD

Covered Classifications for FTA (all safety sensitive positions)

<u>Job Title</u>	<u>Job Duty</u>	<u>Testing Authority</u>
Chief Operating Officer	Officer, Operations	FTA
Transportation Support Specialist	Assistant, Dispatcher	FTA
Fixed Rt. Driver Supervisor	Supervisor, Drive bus	FTA
Fixed Rt. Driver	Drive bus	FTA
Paratransit Supervisor	Supervisor, Dispatcher	FTA
Paratransit Driver	Drive bus	FTA
Maintenance Supervisor	Supervisor, Mechanic	FTA
Mechanic	Mechanic	FTA
Mechanic Assistant	Mechanic	FTA
Lot Attendant	Bus Maintenance	FTA

Attachment B

SETD

Drug & Alcohol Program Manager

Name: Sue Farmer
Title: HR Manager
Address: 900 Marine Dr.; Astoria, OR 97103
Telephone Number: (503) 861-5362

Collection Site

Name: Brenda Hartman
Title: Owner/ Certified DOT Collector
Address: 737 E. Harbor Place Suite B; Warrenton, OR 97146
Telephone Number: (503) 861-0693

Third Part Administrator

Name: BIO-MED Testing Services Inc.
Title: Certified Consortium- Third Party Administrator - Tina Pinard, DOT Program Manager
Address: 3110 25th Street SE ; Salem, OR 97302
Telephone Number: (503) 585-6654

Medical Review Officer

Name: Matthew Noble, MD
Title: Certified MRO
Address: 3110 25th Street SE, Rm 202; Salem, OR 97302
Telephone Number: (206) 242-0855

Substance Abuse Professional

Name: Peter Barbur, LPC, MPH
Title: Certified SAP
Address: 1007 NE Broadway, Suite 220; Portland, OR 97232
Telephone Number: (503) 295-7974

Substance Abuse Professional

Name: Lynnette Clark,
Title: Certified SAP
Address: 2810 NE 259th Street; Ridgefield, WA 98642
Telephone Number: 360-907-8894

HHS Certified Laboratory Primary Specimen

Name: Metro Lab Legacy Laboratory Services
Address: 1225 NE 2nd; Portland, OR 97232
Telephone Number: (503) 413-5295

HHS Certified Laboratory Split Specimen

Name: Clinical Reference Laboratory
Address: 8433 Quivira; Lenexa, KS 66215
Telephone Number: (800) 445-6915

2.10 NEW EMPLOYEE ORIENTATION

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

2.11 PROBATIONARY PERIOD

As a new employee, you are hired on a ninety (90) day probationary period. The probationary period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by supervisors. An evaluation of your adjustment to work tasks, conduct and other work rules, attendance, and job responsibilities will be conducted during the probationary period. This period gives you an opportunity to demonstrate satisfactory performance for the position and provides an opportunity for us to see if your abilities and the requirements of the position match. It is also a chance to see if we meet your expectations as an employer.

Your performance will be evaluated at the end of the probationary period, and a decision about your employment status will be made and shared with you in writing. If you have successfully completed the probationary period, you will be moved to regular status. Movement to regular status does not alter the at-will condition of your employment. If your skills border on satisfactory, but fall a little short, the probationary period may be extended if there is reason to believe that your skills will improve within sixty (60) days. This period may be extended only by approval of the Human Resources Manager. The request for an extension won't be approved if it is submitted after the normal conclusion of your probationary period. If expectations are not met or if your skills are not satisfactory, it is unlikely that your employment will continue.

2.12 PROMOTIONS AND TRANSFER TRAINING PERIOD

If you are promoted or transferred to a new position, you must also complete a probationary period of ninety (90) days to determine the suitability of the placement and your ability to satisfactorily perform the required work. If it is determined that the job change is not working during this period, you will be returned to your original job if a vacancy exists. Otherwise, you will be assigned to any other vacant job we deem suitable. If no such job is vacant, your employment may be terminated. If you are placed in a job other than your original job, the pay and benefits may be adjusted.

2.13 RE-EMPLOYMENT

Employees who resign from the District in good standing may be eligible for re-employment consideration. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. Previous performance with the District will be evaluated if the reference check phase is reached. We are not obligated to rehire former employees.

2.14 CREDIT FOR PRIOR SERVICE

Non-represented employees who are rehired by SETD will receive credit for prior time worked as follows:

- A. Employees who were separated because of a reduction in workforce will receive credit for prior time worked for the purposes of benefit eligibility if they are re-employed within one (1) year after the separation date. They will be eligible for reinstatement of benefits, on the 1st day of the month, within the first thirty (30) days of re-employment.
- B. Employees who voluntarily resigned from their employment with SETD will receive credit for prior time worked for the purposes of benefit eligibility, subject to management approval, if re-employed within six (6) months after the resignation date. However, a new anniversary date will be established based on the date of rehire.

C. All other rehires shall be considered new employees, except where the Employee Retirement Income Security Act may rule otherwise for pension purposes.

2.15 EMPLOYMENT CLASSIFICATIONS

Employee status is categorized to make distinctions in employment-related conditions and to aid in a better understanding of employment relationships within the District. Employees may be considered probationary, full-time, or part-time, or temporary as described below:

Regular Full-time: A regular full-time employee is an employee who has completed the ninety (90) day probationary period and who is regularly scheduled to work a minimum of thirty (30) hours per week.

Regular Part-time: A regular part-time employee is an employee who has completed the ninety (90) day probationary period and who is regularly scheduled to work an average of twenty (20) but less than thirty (30) hours per week on a continuing basis over a bi-annual period, defined as January 1-June 30 and July 1-December 31.

Temporary: An employee who is hired for a specified period of time, usually no more than six (6) months. This classification is typically not eligible for benefits, except for those mandated by law.

Employees are further classified according to federal and state wage and hour laws as exempt or non-exempt, as defined below. Management will make the appropriate designation regarding the status for each new position or when a position changes substantially. If you are uncertain as to your status, ask your supervisor/manager.

Exempt: An employee who is exempt from the overtime pay and minimum wage requirements under federal and state laws. Exempt employees include executives, managers and others who are generally paid a salary and whose duties and responsibilities allow them to be exempt under federal and state law.

Non-exempt: An employee who is paid an hourly wage and whose job generally calls for the payment of minimum wage and overtime as specified under state or federal regulations.

2.16 DURATION OF EMPLOYMENT

All employees are hired for an unspecified duration. The District may not guarantee employment for any specific length of time. Employment is at the mutual consent of the employee and the District. Accordingly, either the employee or the District can end the employment relationship at any time, in accordance with District procedures. Discipline and discharge may occur subject to the policies and procedures set forth in Policy 3.17.

2.17 ANNIVERSARY DATES

The anniversary date used to determine vacation and step increases of an employee shall be the employee's hire date.

2.18 VOLUNTEERS

Volunteers are not employees of the District. Volunteers receive only those benefits expressly conferred in writing or by law. The service of a volunteer may be discontinued at any time for any reason. Volunteers must understand all applicable rules, policies, and practices of the District, and will be held to the same standard of performance as applies to regular employees. Volunteers serve at the pleasure of the District, and either party may end the volunteer arrangement at any time.

2.19 LAYOFFS

If a one (1) year period of reduction in the District workforce becomes necessary, the following procedures shall apply. Layoffs may be implemented on a District-wide basis or in one or more departments, work groups, or job classifications depending on the needs of the District. Once it is determined what the scope of the layoff will be, employees generally will be laid off in the following order:

- Part-time non-represented employees, according to length of service and qualifications.
- Full-time non-represented employees, according to length of service and qualifications.

It is District policy that layoffs shall not be utilized as a method of dismissal. The District will provide optional information to the non-represented employees who may be or who are subject to layoff regarding resigning or retiring in lieu of layoff. Dismissals shall comply with statutes relating thereto.

In lieu of layoffs the District may reduce the hours of work of any non-represented District personnel. The District will institute Consolidated Omnibus Budget Reconciliation Act (COBRA) notification as appropriate.

- A. A non-represented employee who is laid off shall be placed on a Call Back list for the class of position from which they were laid off. This Call Back list will be set up by length of service but will take into consideration all factors of qualifications for the classification being rehired for.
- B. For a period of one (1) year, a non-represented laid-off employee shall be offered first opportunity of an open position before any new applicant or another laid-off non-represented employee with lesser length of service that is already on the Call Back list.
- C. For a period of one (1) year, a laid-off non-represented employee shall not be removed from the Call Back list unless:
 1. They notify SETD in writing that they no longer desire consideration for a position on the Call Back list.
 2. They decline two (2) written offers of employment for the same classification they were in before the layoff and the category of work is accepted, i.e., part-time, or full-time.
 3. Without good cause, if, they fail to report for an interview and/or work.
 4. They have been convicted of a felony within the preceding one (1) year and their civil rights have not been restored or they have not been pardoned by the Governor.
 5. They cannot be located by postal authorities at the last address provided by them.
- D. Conviction of a non-job-related misdemeanor, during the layoff period, shall not constitute grounds for automatic disqualification; however, it may be considered with the qualifications for the position being hired.
- E. When a laid-off non-represented employee is removed from a Call Back list they shall be notified in writing.

- F. When a laid off non-represented employee has been called back to accept a bona fide offer of employment to any position effective on a specified date, the following will occur:
1. Non-represented employee name will be removed from the Call Back list as per 2.19 (A);
 2. Non-represented employee will be brought back at the wage scale of the position being offered;
 3. Depending on status of employment, Part-Time or Full-Time, non-represented employee will begin to receive all benefits stated under Section 2.14 (A) of this policy manual and at that specified time.
 4. Non-represented employee will keep their original hire date from before the layoff, knowing a new list will be established for the laid off employees that are called back to work, which will take into account the break of service;
 5. Non-represented employee passes the required pre-employment drug test, if it has been more than ninety (90) days since they had worked for SETD, if a safety-sensitive non-represented employee; and
 6. Represented employees can give copies of a valid Commercial Driver's License and a current DOT physical, if a driver or mechanic.

2.20 VOLUNTARY RESIGNATION

To voluntarily resign in good standing, an employee is requested to submit a written letter of resignation to the Supervisor/Manager allowing at least ten (10) working days advance notice. Salaried personnel are requested to give thirty (30) days written notice. Failure to submit a timely written resignation may preclude the individual from future employment opportunities with the District. We reserve the right to accept your resignation effective immediately and separate employment, even if notice is provided. The Human Resources Manager is expected to have an exit interview with each employee leaving. Without proper notice a final check will be available per BOLI rules.

Upon resignation, accrued annual leave except for sick leave will be paid in a lump sum provided the employee has worked the number of months required. An employee's eligibility in the medical and dental plan will cease on the first day of the month following the date of resignation. COBRA continuation coverage for the medical and dental plan is available to all employees who are participating at the time of their resignation.

2.21 INVOLUNTARY TERMINATION

Upon the Executive Director or designee's determination of need for discharge, the Executive Director or designee will contact legal counsel for consultation of affirmative actions or requirements for discharge of an employee. The documentation, discipline and ultimate discharge will be considered. If legal counsel is not available, the Executive Director or designee may send the employee in question home on administrative leave until the next scheduled shift or up to three (3) days at which time the Executive Director or designee may be contacted. If discharge is agreed upon, the Executive Director or designee will have a final payroll check cut and prepare for the exit interview. This should be done at the start of the employee's next scheduled shift.

Upon termination, accrued vacation will be paid in a lump sum provided the employee has worked the number of months required. Accrued sick leave is not paid out. An employee's eligibility in the medical and dental plan will cease on the first day of the month following the date of resignation. COBRA continuation coverage for the medical and dental plan is available to all employees who are participating at the time of their termination.

2.22 OUTSIDE EMPLOYMENT (MOONLIGHTING)

A. Object

SETD recognizes that some employees may need or want to hold additional jobs outside their employment with the company. Employees of SETD are permitted to engage in outside work or hold other jobs, subject to certain restrictions based on reasonable business concerns.

B. Procedures

SETD applies this policy consistently and without discrimination to all employees, and in compliance with all applicable employment and labor laws and regulations. The following rules for outside employment apply to all employees notifying their supervisors or managers of their intent to engage in outside employment:

- Work-related activities and conduct away from SETD must not compete with, conflict with, or compromise the company's interests or adversely affect job performance and the ability to fulfill all responsibilities to SETD. Employees are prohibited from performing any services for customers of SETD that are normally performed by SETD. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use or application of any company confidential information. In addition, employees may not solicit or conduct any outside business during work time for SETD.
- SETD employees must carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems at SETD, the employee will be asked to discontinue the outside employment, and the employee may be subject to the normal disciplinary procedures for dealing with the resulting job-related problem(s).
- Employees may not use SETD paid sick leave to perform work for another employer.
- The District will notify an employee at any time outside employment is found to conflict with the interests of the District or is likely to bring discredit upon the District. It shall be up to the employee to choose which employment option is most desired.

2.23 EMPLOYMENT RECORD KEEPING

Access to Personnel Files

The District maintains a personnel record for each employee, and access to those records is restricted to authorized persons only. The records contain applications, written evaluations, performance counseling notices, correspondence, and other information pertinent to employment. Authorized persons are individuals in a direct line of supervision over the employee to whom the file applies or any management representative involved in a pending personnel action.

Your personnel file is available for review, except for any references and other material exempt from disclosure under state law, by making advance arrangements with the Human Resources Manager. We will provide copies of personnel records or files as required by law, but you may be asked to reimburse us for the reasonable cost of providing copies.

Change in Personal Data

Keeping your personnel records current can be important to you with regard to pay, payroll deductions, benefits, and other matters. If you have changes in any of the following items of information, please notify the Human Resources Manager:

- Name
- Marital status
- Address
- Telephone number(s)
- Email address
- Dependent(s)
- Beneficiary(ies)
- Person to be notified in case of emergency
- Job-related physical or other limitations that impact employment
- Other information having a bearing on your employment

A Change in Personal Data form is available for your use in reporting any changes in your personal information.

**EMPLOYMENT RELATIONS
AND
CONDUCT**

DRAFT

SECTION 3 – EMPLOYMENT RELATIONS & CONDUCT

3.1 TEAMWORK AND EXCELLENCE

SETD believes policies and procedures are essential for the orderly operation of our District and for the protection and fair treatment of all employees. As a result, we have clearly identified performance expectations so that each employee behaves according to our workplace standards. Courtesy and common sense should always prevail. The following work rules are not all-inclusive but serve as guidelines to demonstrate the work behaviors considered important to SETD.

1. You are expected to be at work on time, to stay until your workday ends, and to do the work assigned to or requested of you. If you are unable to be at work on time, you are expected to contact your immediate supervisor promptly.
2. You are expected to regard your workplace with respect and attention. SETD records, equipment, and property are to be treated carefully and appropriately. You are responsible for those items in your custody and will be held accountable for their maintenance, appropriate use, and accuracy.
3. You are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by SETD or by outside regulatory bodies.
4. You are expected to conduct yourself in a professional manner, exhibiting a high regard for our customers, vendors, business associates, and for co-workers. No breach of professional behavior (abusive language, harassment, personal business during work time, etc.) will be condoned.
5. You are expected to maintain the confidentiality of District information or customer information in your possession (*i.e.*, personnel information, etc.).

This information regarding our behavioral expectations should help guide employee actions. You are urged to use reasonable judgment and to seek advice in doubtful or unclear situations. If all employees do their best to meet both the spirit and intent of these guidelines, disciplinary issues will be minimal. It is our policy to resolve conduct and performance problems in the most informal and positive manner possible; however, conduct which falls outside of the above guidelines will result in corrective action, up to and including termination.

We also believe that all our employees should have an opportunity to be heard in matters involving discipline; therefore, we have adopted a formal Appeal of Discipline Action, which can be found in Section 3.21.

3.2 PERSONAL CONDUCT

A positive attitude, proper courtesy, and conduct on and off the job are important to the individual as well as to the District. Neatness of work performed is also important. All employees are engaged in public relations. Some deal directly with the public; others, while not in direct personal contact, do perform work under the public eye. Employees of the District, regardless of whether contacts are direct or indirect, are expected to be courteous, efficient, and helpful in all their work assignments. Favorable impressions created by employees' public behavior help develop good will and support for District services.

3.3 ETHICS FOR DISTRICT EMPLOYEES

We believe in treating people with respect and adhering to ethical and fair practices. All Public Officials are held accountable to the states Ethics laws found in ORS 244.

Public Officials

A public official includes anyone serving the State of Oregon or any of its political subdivisions or any other public body in any of the listed capacities, including as an “agent.” An “agent” means any individual performing governmental functions. Governmental functions are services provided on behalf of the government as distinguished from services provided to the government. This may include private contractors and volunteers, depending on the circumstances.

Upon employment with our District, you became a Public Official.

Gifts

During a calendar year, a public official, a candidate or a relative or member of the household of the public official or candidate may not solicit or receive, directly or indirectly, any gift or gifts with an aggregate value in excess of \$50 from any single source that could reasonably be known to have a legislative or administrative interest.

During a calendar year, a person who has a legislative or administrative interest may not offer to the public official or a relative or member of the household of the public official any gift or gifts with an aggregate value in excess of \$50.

During a calendar year, a person who has a legislative or administrative interest may not offer to the candidate or a relative or member of the household of the candidate any gift or gifts with an aggregate value in excess of \$50.

Use of Official Position or Office

A public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official’s holding of the official position or office.

Except:

- Any part of an official compensation package as determined by the public body that the public official serves.
- The receipt by a public official or a relative or member of the household of the public official of an honorarium or any other item allowed under ORS 244.042 (Honoraria).
- Reimbursement of expenses.
- An unsolicited award for professional achievement.
- Gifts that do not exceed the limits specified in ORS 244.025 (Gift limit) received by a public official or a relative or member of the household of the public official from a source that could reasonably be known to have a legislative or administrative interest.
- Gifts received by a public official or a relative or member of the household of the public official from a source that could not reasonably be known to have a legislative or administrative interest.
- The receipt by a public official or a relative or member of the household of the public official of any item, regardless of value, that is expressly excluded from the definition of “gift” in ORS 244.020 (Definitions).
- Contributions made to a legal expense trust fund established under ORS 244.209 (Application to establish fund) for the benefit of the public official.

A public official may not solicit or receive, either directly or indirectly, and a person may not offer or give to any public official any pledge or promise of future employment, based on any understanding that the vote, official action, or judgment of the public official would be influenced by the pledge or promise.

A public official may not attempt to further or further the personal gain of the public official through the use of confidential information gained in the course of or by reason of holding position as a public official or activities of the public official.

A person who has ceased to be a public official may not attempt to further or further the personal gain of any person through the use of confidential information gained in the course of or by reason of holding position as a public official or the activities of the person as a public official.

A person may not attempt to represent or represent a client for a fee before the governing body of a public body of which the person is a member. This subsection does not apply to the person's employer, business partner or other associate.

The provisions of this section apply regardless of whether actual conflicts of interest or potential conflicts of interest are announced or disclosed under ORS 244.120

Honoraria

A public official may not solicit or receive, whether directly or indirectly, honoraria for the public official or any member of the household of the public official if the honoraria are solicited or received in connection with the official duties of the public official.

A public official may receive of an honorarium or a certificate, plaque, commemorative token, or other item with a value of \$50 or less; or receive an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the public official or candidate.

Financial Interest in Public Contracts

A person who ceases to hold a position as a public official may not have a direct beneficial financial interest in a public contract for two years after the date the contract was authorized.

You are required to inform us of any activity that is ongoing or planned that may be or is a conflict with these laws. We will work with the State Ethics commission to determine the appropriate steps for resolution.

Failure to meet these standards will result in investigation and, depending on the outcome, result in discipline up to and including separation.

3.4 POLITICAL ACTIVITIES FOR DISTRICT EMPLOYEES

A. Official Position Campaigning

Employees may not use their official authority or position with the District to further the cause of any political party or candidate for nomination or election to any political office.

B. On-Duty Activity

Oregon law forbids any District employee, while on the job, from soliciting money, influence, service, or other article of value or otherwise aiding and/or promoting any political cause, or the nomination or election of any person for public office.

3.5 CONFIDENTIALITY – DISTRICT AND CLIENTS

At SETD, employees have access to highly confidential information, including information about our District and our clients. Our clients trust us with confidential information and disclosing this information without authorization would have a materially adverse impact on our integrity and on our relationships with our clients. Employees must not disclose any information pertaining to the District or its clients without prior explicit approval of their Supervisor/Manager and must sign a form stating such.

A. District Records or Information

No District records or information, including documents, files, records, computer files, and similar materials may be removed from our premises without permission from SETD, except in the ordinary course of performing duties on behalf of SETD. Additionally, the contents of District records or information otherwise obtained in regard to business may not be disclosed to anyone except where required for a District purpose. This prohibition also applies to items posted on a blog or website. Employees are subject to appropriate corrective action, up to and including termination, for revealing confidential information.

B. Employee Records

SETD's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of this information. Additionally, the District will only collect personal information that is required to pursue its operations and to comply with government reporting and disclosure requirements. Personal information collected by the District includes employee names, addresses, telephone numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, benefit plan enrollment information, which may include dependents' personal information, and school/college or certification credentials. All pre-employment inquiries, including reference check records, as well as former employee files are maintained in locked, separate areas and are not used by the District in the course of business operations.

Personal employee information will be considered confidential and, as such, will be shared only as required and with those who have a need for access to such information. All hard copy records will be maintained in locked, secured areas with access limited to those who have a need for such access. Personal employee information used in business system applications will be protected under District proprietary electronic transmission and Virtual Private Network policies and security systems. Participants in District benefit plans should be aware that personal information will be shared with plan providers as required for claim handling or record keeping needs.

District-assigned information, which may include organizational charts, department titles and staff charts, designated positions, department budgets, District coding and recording systems, telephone directories, e-mail lists, and District facility or location information and addresses, is considered by the District to be proprietary District information to be used for internal purposes only. The District retains the right to communicate and distribute such information as it feels necessary to conduct business operations.

If an employee becomes aware of a breach in maintaining the confidentiality of any personal information, the employee should report the incident to the Human Resources Manager or Executive Director. The Human Resources Manager or Executive Director has the responsibility to investigate the incident and take corrective action. Please understand that the reasonableness of actions taken in these circumstances will be taken into consideration. Examples of the release of personal employee information that will not be considered a breach include the following:

- Release of partial employee birth dates (*i.e.*, day and month, which is not considered confidential and will be shared with supervisors/managers who elect to recognize employees on such dates).
- Personal telephone numbers or e-mail addresses may be distributed to supervisors/managers in order to facilitate District work schedules or business operations.
- Employee identifier information used in salary or budget planning, review processes, and for timekeeping purposes will be shared with supervisors/managers.
- Employees' District anniversary dates will be distributed to appropriate Supervisors/Managers periodically.

- Employee and dependent information may be distributed in accordance with open enrollment processes, for periodic benefit plan changes, or for benefit statement updates.

Should a security breach occur, you will be notified in writing as soon as possible.

3.6 ATTENDANCE AND PUNCTUALITY

Each employee and the employee's performance on the job are important to the overall success of operations. When absent, someone else must do the job. Everyone is expected to keep regular attendance, be on time, and work as scheduled.

In accepting employment with the District, each employee is required to meet certain standards. Maintaining an acceptable level of job attendance is part of good work performance and is one of the standards by which an employee's overall contribution to the District may be measured. Continued employment carries with it the personal responsibility of each employee to be on the job and on time every scheduled workday. Recurring and excessive absences and/or tardiness are disruptive to work schedules, costly to the District and its residents, and detrimental to the morale and efforts of employees who maintain a good work record (refer to Section 3.18 for additional information).

If employees are unable to report for work, they shall notify the supervisor on duty as soon as possible, but in no event later than two (2) hours or one-hundred and twenty (120) minutes prior to their scheduled starting time, except in the event of emergencies making it impossible to give notice. In the latter event, the employee shall give notice as soon as possible.

If an employee becomes sick during the day, the supervisor or designee must be notified before the employee leaves work. The employee must comply with the notice requirements under family leave laws, which may provide for later notification of inability to work than is otherwise required by this policy if the need for the leave is unanticipated.

If the employee has worked less than 50% of their shift, it will count as an absence. If the employee has worked 50% of their shift or more, it will count as one-half (½) of an absence. Consecutive absences are considered continuous unless broken by any period of work. Employees will be paid regular time for hours worked and, if available, paid sick time for hours missed. Legally protected absences will not be used as a basis for discipline; however, if an employee provides false or misleading information about an absence, including the reason for the absence, the employee will be subject to discipline, up to and including termination (Refer to Section 3.18) for further information on disciplinary action related to absenteeism and punctuality.

3.7 PERSONAL APPEARANCE

Employees contribute to the atmosphere and reputation of SETD in the way they present themselves. It is SETD's belief that our employees are responsible individuals who can ensure that their appearance is neat, clean, and professional. Employees are expected to practice good grooming and personal hygiene habits. Business casual dress is an acceptable attire at SETD. A professional appearance is essential to a favorable impression with customers. Good grooming and appropriate dress reflect employee pride and inspire customer confidence.

Managers have the discretion to determine appropriateness in appearance. Employees who do not meet a professional standard may be sent home to change and may not be paid for that time off. A basic essential of appropriate dress includes the need for clothing to be neat and clean. Some departments may require specific guidelines. If you are meeting clients, business dress is always appropriate. These policies may be changed as fashion trends in clothing for the business world change.

Some departments may require specific guidelines. People who need to leave work to change clothes for meetings must utilize personal time or vacation time.

The employee's name badge is an important part of how we all represent ourselves to SETD customers. It is necessary that the name badge be clean and worn at all times when engaging with the public.

3.8 APPEARANCE OF WORK AND BREAK AREAS

The District's objective is to provide and maintain clean, safe, and healthy working conditions. It is the responsibility of each employee to maintain a safe, neat work area and ensure that all working documents, desks, cabinets, and equipment are secure at the close of the work shift.

It is the responsibility of each employee to clean up after themselves when using the break area to provide and maintain clean, safe, and healthy conditions. Cleaning supplies are provided by the District.

3.9 TOBACCO USE

State law prohibits smoking (including vaping devices) and chewing of tobacco in the workplace buildings, vehicles and from within 10 feet of entrances, exits, and accessibility ramps that lead to and from an entrance or exit windows, and ventilations intakes. Refer to ORS 433.835-870

3.10 USE OF PERSONAL AND EMPLOYER PROVIDED CELL PHONES

District phones are to be used for District purposes. Telephone calls and text messaging of a personal nature (incoming or outgoing) should be kept to a minimum and made during breaks or lunch periods whenever possible. Under no circumstances should an employee charge a long-distance call to the District unless it is work related. Friends and relatives should be discouraged from calling during working hours except in emergencies.

The District specifically reserves the right to access, monitor and disclose all matters received, disseminated, or stored on its phone systems at any time and for any reason, and may do so with or without notice.

All phone conversations on the district phones can be monitored by the Executive Director, Supervisor/Manager or Human Resources Manager for use in employee performance evaluation purposes involving customer service.

3.11 COMPUTER/NETWORK ACCEPTABLE USE POLICY

Electronic Communication Systems

SETD provides electronic communication systems to maintain superior communications both within the District and with outside clients and vendors. You are encouraged to learn about these tools and how to use them. This policy provides directions for you regarding access and disclosure of information when using these communication systems. All employees and others outside the District who may use the systems are expected to be aware of and support this policy.

Our electronic communication systems include computers, software, electronic mail (e-mail), copiers, fax machines, telephones, cell phones, voice mail, messengers, and various online services. All of these systems are operated and managed based upon this policy.

These systems and any other informational, storage, or retrieval services that the District provides are District tools and are to be used for business purposes only during business hours. Use of District systems during business hours for other than work-related purposes should be minimal and must not impact business operations.

The use of these systems is not private or confidential. Within the bounds of current and future laws, the District reserves and intends to exercise the right to review, audit, intercept, access, and search these business systems at will, monitor data and messages within them at any time and for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of the District.

As an employee, you must not permit any proprietary or confidential information of SETD to enter the public domain through electronic transmissions. Examples of the District's proprietary and confidential information are provided in the Confidentiality Policy. Also, these systems shall not be used to receive or distribute copyrighted materials, trade secrets, proprietary information, or similar materials from/to outside the District without prior authorization.

Any messages or communications used through this system are subject to our anti-harassment, anti-discrimination, and non-solicitation policies. You are expected to carefully compose and review the wording, tone, and content of your communications before transmission.

You should check with your supervisor if you have any questions about the proper use of communication or software systems. All system users who discover violations of this policy are expected to notify their supervisors or managers immediately. Improper use or violation of this policy can result in corrective action, up to and including termination.

A. Electronic Mail System

You are reminded to be courteous to other users of the e-mail system and to always conduct yourself in a professional manner. E-mail messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. You should write e-mail communications with no less care, judgment, and responsibility than you would use for letters or internal memoranda written on District letterhead.

You should know that even when a message is erased through e-mail, it is still possible to retrieve and read that message. Even though the District reserves the right to retrieve and read any e-mail messages, those messages are to be treated as confidential by other employees and accessed only by the intended recipient. We expect employees to respect others' privacy and not retrieve or read electronic messages for which they are not the intended recipient unless authorized. The use of passwords for security does not guarantee confidentiality; all passwords to District systems must be disclosed to the District's Information Technology (IT) provider.

B. District-owned Personal Computers

To protect the integrity of our systems, all software used on our computers must be registered with the IT provider. Personal or downloaded software may only be installed after written authorization from the IT provider. A virus check of all such software must be made immediately before it is installed on any District computer. A virus check must also be conducted on any electronic devices originating from or used on any computer outside of the District prior to its use with a District-owned computer. The copy or transfer of District-owned software may occur only with the written authorization of Executive Director and the IT provider.

C. Laptop Security

It is accepted that laptops will be taken off-site. The following controls must be applied:

- Only equipment approved by the organization may be used to download personal information locally to the device.

- Equipment and media taken off-site must not be left unattended in public places and not left in sight in a car. Lock devices in the trunk out of sight while traveling.
- Laptops must be carried as hand luggage when traveling.

When outside the office, computers must utilize the organization's VPN before connecting to District resources.

D. Mobile Devices

Allowing Remote Wipe Provisions/Data Liability

If you are connected to the District's server, understand that making this connection via a mobile device may compromise the privacy of certain sensitive information. Confidential electronic information, including personally identifiable information, must be protected to prevent it from being exposed if the device on which the information was accessed is lost or stolen. In order to protect this information, the District retains the right to delete data and applications from any device that contains the District's information. This right to delete such information may be exercised remotely or on-site if the District determines such action is necessary to protect confidential, sensitive, or proprietary information. Please understand that in downloading any such information to a personal mobile device, you are consenting to the District's ability to delete this information at any time. This policy covers mobile devices such as smart phones, tablets, laptops, and any similar devices. Please ensure that you regularly sync any personal data (e.g., applications, information, photos) to another device/computer for safekeeping, as the wipe command does not differentiate between business and personal information.

Mobile devices should be set to lock after every 15 minutes for security reasons. A PIN-based lockout is required, and the PIN must be given to the IT provider.

Obviously, it is critical that any loss or theft of a mobile device, including laptops, be immediately reported to the Executive Director or Chief Operations Officer who will contact the IT provider.

E. Use of Internet, Virtual Private Network, and Commercial Online Systems

Management approval is required before anyone can post any information on commercial online systems, the VPN, or the Internet. Any material not owned by SETD that will be posted must have received all proper copyright and trademark permissions from its originators prior to approval. For newly generated material, an employee should obtain copyright and trademark designations, as appropriate, prior to posting any content; the posted content should include copyright and trademark notices. Absent prior approval to act as our official representative from SETD, you must include the following disclaimer with any information you post: "Views expressed by the author do not necessarily represent those of SETD."

F. Social Media and Networking

Social networking websites and online communities, such as Twitter, LinkedIn, Facebook, and Flickr are increasingly used and can be accessed by individuals not only from computer systems, but also from smart phones. These tools have value because they can be used to market SETD's services and share information; employees may also use these systems as a quick communications and networking tool to complete projects. It is not the intent of this policy to unduly limit employees' access to these conduits, however, guidelines and expectations surrounding their use are necessary as there are liabilities inherent in such use. When any employee is using District-provided computers or cell phones or is representing the District via social networking activity, that individual is expected to represent the District in a professional and positive light. SETD wishes to use social networking exclusively to its advantage, preventing and minimizing any negative outcomes. This includes ensuring that all employees will be free from

harassment and unprofessional behavior when utilizing or consuming social media; therefore, employees authorized for its use must abide by all applicable laws including copyright and ethical considerations.

G. Business Use

Employees may use social networking websites to conduct District business, as long as such use is authorized and complies with the District's policies. District logos or other District information must conform to pre-approved marketing concepts and standards. We do not endorse making business references on behalf of others on sites such as LinkedIn.

H. Ownership of Social Media Accounts

In the case that a social media account is set up for business purposes, the District has the right to review, edit, and delete content associated with the account. The District will have access to information associated with the account such as the username and password, and any content associated with the account will be considered the property of the District. If an employee separates from SETD, the District has the right to assume control of this account.

I. Monitoring

While the District does not routinely monitor social networking sites, other employers, Districts, and individuals do monitor and share information found on social networking websites. Again, posted information is public information.

J. Protection

Social networking sites collect profile information for advertising opportunities and criminal reasons. Phishing (e-mail messages asking for username and passwords, etc.) and spamming are two downsides. Never click on links asking for personal or confidential information. Heed security warnings and pop-ups. Use of these sites may mean more SPAM sent to your e-mail account. If possible, disable the ability of others to post HTML comments to your home page. When accessing these sites, use caution when you see a posting or link that looks suspicious; when in doubt, delete it. Viruses and spyware may damage the District's operating system, compromise data, or expose your privacy and that of others you communicate with via e-mail and social media sites.

Be aware that others may piece together personal information for identity theft purposes. Be prudent in making comments or posts which reveal your or others' travel plans or divulge other safety-sensitive and private information.

K. Prohibited Conduct

Behavior and judgment in an electronic environment should mimic behavior in a physical setting. Employees are expressly prohibited from posting content that is malicious, abusive, threatening, intimidating, coercing, profane, disruptive, discriminatory, or harassing. Defamatory statements are prohibited, and employees should be aware they are personally responsible for the legal consequences of such statements.

Nothing in this policy should be interpreted as limiting an employee's right to engage in legally protected speech or other activity. Failure to adhere to these standards and to use appropriate protocols will lead to further corrective action, up to and including termination.

L. Telephone Usage

SETD realizes that employees must occasionally make and receive personal telephone calls at work. Such calls must be kept to a minimum and should impact on your work as little as possible. Unauthorized use of the telephone, including charging long distance calls to the District, will result in corrective action, up to and including termination.

M. Voice Mail System

The voice mail system at SETD is the property of the District and is provided for use in conducting District business. All communications and information transmitted by, received from, or stored in this system are District records and property of SETD. The voice mail system is to be used for business only; use of the system for personal purposes is prohibited. You have no right to personal privacy in any matter stored in, created, received, or sent over the voice mail system. SETD, in its discretion as owner of the voice mail system, reserves the right to monitor, access, retrieve, and delete any messages stored in, created with, received by, or sent over the system for any reason and without employee permission. You are not authorized to retrieve or listen to any voice mail messages that are not sent to you. Any exception to this policy must receive prior approval from management officials with authority to waive the policy.

3.12 PURCHASING

Purchases made by employees for the operations of the District are typically done in one of three ways:

- District credit cards assigned to designated staff members;
- Through vendor accounts established by a manager and approved by the Executive Director, and;
- Out of pocket, direct purchase to be reimbursed by the District.

1. Credit Card Purchases

Designated staff shall receive a credit card upon signing the District's Employee Card Holder Agreement. Each credit card holder shall adhere to the policies and procedures defined in the Credit Card Policy. Additionally, supply and equipment purchases, conference registrations, and other travel related expenses that are known to be \$100 or more require prior approval by your direct supervisor. The prior approval is obtained through the District's purchase order process.

2. Vendor Accounts

Any staff member making a purchase on account with the District's established vendors shall follow the procedures described in the Supply Purchasing Policy.

3. Out of Pocket Purchases

From time-to-time staff members may need to make a purchase using their own out-of-pocket funds. As with all purchase decisions, staff are expected to exercise good judgment and restraint when incurring expenses and ensure they are reasonable amounts. The District will reimburse employees for out-of-pocket expenses incurred in the normal course of business. Reimbursable expenses are generally for meals, parking, and other nominal miscellaneous travel-related expenses and for materials and supplies necessary to deliver the District's services. All out-of-pocket purchases for reimbursement must adhere to the IRS Guidelines.

3.13 IRS GUIDELINES

The Internal Revenue Service (IRS) has stringent guidelines regarding documentation of expenses. To be eligible for reimbursement, all expenses must be appropriately documented and approved by your Supervisor/Manager. Appropriate documentation for an expense includes:

- Date
- Department and/or Class
- Description of purchase
- Type of expense
- Business purpose of the expenditure

Documentation of expenses for reimbursement can be in one of the following forms: invoices, cash receipts, canceled checks, or detailed credit card receipts.

All expense reimbursement requests shall be made by completing the Expense Reimbursement Form and submitting it to your Supervisor/Manager within two (2) weeks from date of purchase. Expense reimbursements will be made within fourteen (14) days of submission of expenses. Expense reimbursements may be denied if receipts are received thirty (30) or more days after the expense was incurred.

The Executive Director reserves the right to request clarification of any item on any expense reimbursement request. Abuse of this policy, including falsifying expense reports to reflect costs you have not incurred, can be grounds for disciplinary action, up to and including termination of employment.

3.14 EDUCATION AND TRAINING

The District encourages continued education and training for employees to enhance job performance and assist in potential career advancement within the District. The District shall provide such work-related training as deemed necessary and beneficial to the delivery of services and performance of duties.

Employees may request compensation for the costs of college-level, technical or other academic course work, seminars, and conferences relevant to their current or future roles in the District. Such requests must be made in writing to the Supervisor/Manager or Human Resources Manager (and forwarded with a recommendation to the Executive Director for approval prior to the employee's enrollment or participation). All training activities involving a cost to the District must be approved in advance, in writing.

3.15 PERFORMANCE MANAGEMENT AND REVIEW

To establish a meaningful performance evaluation system upon which SETD can continuously monitor the effectiveness of District operations and employee performance, all employees will receive regularly scheduled formal performance evaluations at ninety (90) days for a New Hire and annually thereafter.

The objectives of our performance management and formal appraisal process are to:

- Ensure that employees know their individual performance against established performance standards;
- Determine how well the District is doing in assisting employees with work performance and meeting goals;
- Ensure communication and two-way feedback;
- Provide a consistent, objective, and fair method of making compensation decisions;
- Provide a tool for career planning; and,
- Provide a permanent record of employee performance and District contributions.

Supervisors/Managers and the Executive Director are accountable for providing employee development actions designed to improve and enhance employee performance such as:

- Reasonable employee training;
- Assigning, directing, controlling, and reviewing employee work;
- Assisting employees in correcting deficiencies; and,
- Objectively evaluating employee performance during the evaluation period.

Our performance appraisal program is intended to be participatory and equally involves both your input and your Supervisor/Manager's. This allows you to contribute to the growth and improvement of the District. You are encouraged to:

- Inquire about your performance periodically;
- Accept additional responsibilities and show initiative;
- Review opportunities for advancement within the District;
- Ask for assistance in developing a goal-oriented path for advancement within the department or District; and,
- Learn about training available to assist you in improving your skills or qualify you for a promotion or lateral transfer.

Performance evaluations serve as one factor in decisions related to employment such as training, job assignments, employee development, promotions, and retention. Evaluations identify specific performance levels as compared to established standards, acknowledge the merit of outstanding performance, and prescribe the means and methods of improving performance deficiencies.

3.16 STANDARDS OF CONDUCT

Everyone benefits when we work together and conduct ourselves in a manner that reflects the best interests of both the District and its employees. On-the-job conduct of District employees affects the ability of the District to serve its citizens and affects the taxpayer's impression of District government. Employee safety, public safety, productivity, and morale are dependent upon employee conduct. It is the philosophy of SETD to correct performance deficiencies and address violations of policies and work rules in order to correct situations and avoid repetition.

You will be informed if corrective action is necessary as soon as possible after any performance problem has been identified. Your Supervisor/Manager will discuss the situation with you, explaining this policy and the necessity for corrective action to avoid additional disciplinary actions.

Occasionally it is necessary to resort to corrective action when other actions are inappropriate, or where a particular employee fails to respond to informal guidance.

In order to provide a fair method of correcting and when necessary, disciplining employees, the District has progressive corrective action measures procedures.

3.17 DISCIPLINE/CORRECTIVE ACTION – GENERAL GUIDELINES

The District reserves the right to discipline, demote, suspend, or discharge regular employees at its discretion. This section concerning corrective action does not apply to the Executive Director, who serves at the pleasure of the Board of Commissioners under the terms of an employee agreement.

Although one or more corrective action measures may be taken in connection with a particular performance problem, no formal order will be followed. Corrective action may include any of a variety of actions depending on the circumstances and severity of the particular situation.

Corrective actions taken at the discretion of management may include any of the following:

- Verbal counseling with the employee, which will be confirmed in writing by the Supervisor/Manager and placed in the employee personnel file.
- Written warning, which will be placed in the employee personnel file.
- Suspension, which will be confirmed in writing for the employee personnel file. Suspension is normally used to remove an employee from the organization's premises during an investigation

or as a disciplinary action. A suspension may be paid or unpaid. If an employee is suspended, it will be documented in their personnel file.

- Demotion, which will be documented in the employee personnel file.
- Termination, which will be documented in the employee personnel file.

The corrective action process will not always commence with verbal counseling or include every step. The above options are not to be seen as a process in which one step always follows another. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or a subsequent offense. Consideration will be given to the seriousness of the offense, any change in behavior, and the circumstances surrounding the offense.

Counseling, verbal warning and written warnings may be undertaken by a Supervisor/Manager without prior approval from the Chief Operations Officer. However, the Chief Operations Officer and Human Resources Manager must be informed by the Supervisor/Manager of any such actions taken. Suspension with or without pay, demotion and discharge require prior approval from the Executive Director before the action is taken.

3.18 CAUSES FOR CORRECTIVE ACTION

1. Excessive absenteeism
Defined as exceeding more than one day off per month, without prior approval, over a period of time for other than scheduled vacations, when the absence is due to leave protected by state or federal law, or a pattern of absenteeism such as every Friday or every day prior to a holiday.
2. Excessive Tardiness
Includes reporting late to work for a scheduled shift or returning late from a meal period three (3) or more instances in any calendar month. Tardiness can only be counted once. Ten (10) or more minutes late is considered tardy.
3. Failure to follow the posted schedule, including, but not limited to:
 - a. Trading, switching, or not following the posted work schedule without prior approval of management.
 - b. Beginning work prior to the start of your shift or leaving before your work shift is completed without the express approval of management to change your schedule. Working "off the clock."
 - c. No show – Failure to report to work for your entire schedule shift without notifying management.
 - d. Working overtime without prior approval from management.
4. Failure to perform work as required. Not meeting District requirements for quality, accuracy, or quantity of work; inefficiency or the inability to perform assigned tasks or responsibilities (job incompetence); violations of cash handling policies (excluding theft of any kind or other acts of dishonesty).
5. Use of rude, derogatory, or obscene language or gestures, not of the nature to constitute a violation of the anti-harassment policy.

6. Behavior unbecoming and SETD employee such as discourtesy, insolence, or rudeness to a customer or co-worker.
7. Improper use of District property.
8. Unnecessary loitering, wasting of time, engaging in personal conversations, detracting from your work or the work of others, including any behavior or conduct that causes a disruption in the workplace.
9. Violations of established policies and procedures, including, but not limited to:
 - a. Excessive failure to consistently or accurately clock in or out at beginning and end of shift, at beginning and at end of meal period, including clocking in early from your meal period without management approval. (Three separate failures to clock in consistently or accurately in a 30-day period are considered excessive).
10. Chewing tobacco, smoking, or vaping except in designated areas and never in the buildings, within 10 feet of a door or window, or in any District vehicle.
11. Failure to follow any safety rules or regulations.
12. Violation of SETD's Personal Appearance policy.
13. Any violation of state, municipal or federal law while on agency premises.

3.19 CAUSES FOR TERMINATION

Our commitment requires us to operate within the law. You must adhere to District policies and directives in all aspects of the operation. The following is a list of actions that can result in immediate termination of employment. These causes of termination do not in any way prohibit the sharing of information for purposes of communicating about your wages, hours, and working conditions. No previous Counseling Notices are necessary. If termination does not occur, an Employee Counseling Notice will be issued and is permanently retained in the employee's personnel file.

1. Falsification of District records or timecards, including omitting facts or willfully giving wrong or misleading information. This includes, but is not limited to:
 - a. The employment application
 - b. Internal investigations
 - c. Benefit enrollment forms
 - d. Workers' compensation or Leave Of Absence forms
 - e. Accounting forms
 - f. Pre-trip and Post-trip Inspection Forms and maintenance forms
 - g. Completing someone else's time record
 - h. Having your time record completed by someone else
2. Violation of District policy prohibiting harassment or discriminations including, but not limited to:
 - a. Harassment including sexual harassment
 - b. Retaliation
 - c. Interfering with an investigation
3. Violation of District policy not of the nature to constitute a violation of District policy prohibiting discrimination or harassment including, but not limited to:

- a. Malicious gossip
 - b. Derogatory attacks
 - c. Retaliation
 - d. Interfering with an investigation
 - e. Breach of confidentiality
4. Unauthorized collection, disclosure, or misuse of confidential information relating to SETD, its customers, employees, suppliers, or agents including, but not limited to:
 - a. Unauthorized removal of such confidential information from District premises
 - b. Recording a conversation without permission from all parties
5. Violation of Manager's Standard of Ethics Section 3.21.
6. Job Abandonment – failure to report to work for three (3) consecutive days without notifying management or unauthorized absence for three (3) consecutive days. This occurrence will be considered voluntary resignation.
7. Violation SETD's policies involving Leave of Absence (LOA) or other time off, including, but not limited to:
 - a. Unauthorized leave of absence;
 - b. Failure to return from a leave of absence;
 - c. Failure to provide required documentation for a leave of absence;
 - d. Providing false or misleading information in connection with a leave of absence, or other time off.
8. Any act that jeopardizes the order of business or safety of the District, the employee, other employees, customers, suppliers, District property, including, but not limited to:
 - a. Unbecoming conduct or horseplay;
 - b. Possession of firearms, weapons, or explosives on District time or in any District facility.
9. Any conflict of interest which includes, but is not limited to:
 - a. Performing unauthorized work for a customer as a representative of SETD.
10. Serious misconduct of any kind as defined by the District, including, but not limited to, failure to provide fair, courteous, or respectful customer service.
11. Excessive Policy Violations including, but not limited to:
 - a. Third violation of Causes for Disciplinary Action of the same or similar nature within a six-month period*
 - b. Four counseling notices within a six-month period, even if unrelated*
**Counseling Notices for Excessive Absenteeism are not to be counted.*
12. Any conduct or relationship that jeopardizes your ability to perform your job responsibilities safely, competently, and/or honestly.
13. Creating or contributing to unsanitary or immoral conditions.
14. Any violation of the Drug and Alcohol Policy
15. Dishonesty includes, but not limited to, theft of any kind.

16. Borrowing, using, lending, removal of, or giving away District funds, supplies or equipment without written authorization of the Executive Director.
17. Fighting, striking, or attempting to strike another person, or any act of violence or threat of violence occurring on District premises, District vehicles, or on District time.
18. Willful damage or destruction of District property, equipment, or property of others on District premises.
19. Insubordinate conduct including, but not limited to:
 - a. Refusal to comply with the direct instructions or directions of your Supervisor/Manager.
 - b. Any violation of, or non-compliance with, a Contract for Continued Employment.
20. Unauthorized posting, distribution, removal, or alterations of any material in work areas.
21. Exceeding maximum time granted for leaves of absence or exceeding a vacation without prior approval.
22. Disobedience of District rules, including, but not limited to:
 - a. Electronic Communications and Technology policy
 - b. Safety policies and procedures
 - c. Fire procedures
23. Failure to produce or maintain required licenses or proper work authorization, including, but not limited to:
 - a. Commercial Drivers Licenses for fixed route bus and paratransit drivers
 - b. Medical cards
 - c. Non-citizens must maintain current government-issued work authorizations.
24. Failure to report to your Supervisor/Manager any injury, accident, or damage to District property.

3.19 DURATION OF WARNINGS

No employee written warning shall remain in effect for a period of more than one (1) year; however, the parties, including attorney or arbitrator, may consider an employee's entire work record, including previous warning(s), if any, regardless of the date of issuance, if presented to support the District's decision regarding discipline or discharge.

Employee Counseling Notices for absenteeism will remain in the employee's personnel file for one (1) year.

Employee Counseling Notices for Causes for Termination will remain in the employee's personnel file permanently.

Note: The amount of time an Employee Counseling Notice remains in an employee's personnel file will be extended by the amount of time an employee is out on a leave of absence.

3.20 ADMINISTRATIVE LEAVE

The District has the option to give you an immediate paid administrative leave for the purpose of an investigation for a violation of any of the major offenses listed under the “Causes for Terminations” in Section 3.19. The length of administrative leave is as follows:

Non-Exempt 3 days

Exempt 3 days

- While on suspension, you may not perform any work for the District.
- If the investigation finds you violated District policy and your employment is not terminated, the Employee Counseling Notice is retained permanently in your personnel file.
- If the investigation continues past the number of days listed above, your administrative leave may be extended.

3.21 APPEAL OF DISCIPLINE ACTION

1. Written Notice to Immediate Supervisor

The employee may present, in writing a notice of appeal which shall include at least the following information: (a) a statement of the complaint and the facts upon which it is based; (b) the remedial action requested; (c) a statement of the reasons why the remedial action is appropriate; (d) a statement of any policies, procedures or law or rules which have not been adhered to or which should be followed. The written appeal must be presented not later than five (5) calendar days after the date when the employee knew or had reasonable knowledge of the event giving rise to the appeal. The supervisor shall schedule a conference with the Human Resources Manager and the employee to occur within ten (10) calendar days after receipt of the appeal. The Supervisor shall provide a written response within ten (10) calendar days of the conference.

2. Time Limits

If the employee fails to file an appeal or progress any appeal to the next step within the specified time limits contained in this section, the appeal; will be denied as untimely, and may not be petitioned. The employee forfeits the appeal, and the appeal will be deemed denied, and the District’s last response will be the final resolution of the appeal. All timelines in this section may be extended by mutual agreement.

3. Written Appeal to Chief Operations Officer

If the appeal is not resolved by the Supervisor and Human Resources Manager, the appeal may be appealed by the employee to the Chief Operations Officer. The appeal must be reduced to writing by the employee and signed by the employee affected. The written appeal shall contain the nature of the appeal, act or acts appealed, date of occurrence, identity of the party or parties who claim to be wronged, provision of this policy allegedly violated, and the remedy sought. The appeal must be filed with the Chief Operations Officer within ten (10) calendar days after the Supervisor’s written response. The Chief Operations Officer, or his/her designee, shall respond within ten (10) workdays of the receipt of the written grievance.

4. Written Appeal to the Executive Director

If the grievance is not resolved by written appeal to the Chief Operations Officer, it may be referred in writing by the employee to the Executive Director within ten (10) calendar days after the Chief Operations Officer was in receipt of the written grievance. Not later than ten (10) calendar days after the receipt of the written appeal, the Executive Director, or his/her designee, shall meet with the

employee, and the employee may present their appeal to the District. The Executive Director or their designee shall give written answer to the appeal within ten (10) calendar days after meeting with the employee.

5. Who May Appeal

Employees who have successfully completed their probationary period, not excluded from the application of these policies, have a right to appeal disciplinary actions. In addition to formal appeals under this Section, the Human Resources Manager may give consideration to all suggestions and complaints that concern administration of the personnel policies.

6. Investigations

In connection with an appeal or complaint, with respect to any matter arising under these personnel policies, the Human Resources Manager may conduct an investigation as they deem necessary. The Human Resources Manager shall make a written report upon all matters investigated under the personnel policies. A copy will be given to both the Executive Director and the employee and placed in the employee's personnel file.

7. Hearings on Appeal

a. Procedure:

The Human Resources Manager shall set a hearing upon timely requests made under this policy. The employee and Supervisor shall be given written notification of the time and place of the hearing.

8. The order of procedure at the hearing will be as follows:

- a. The Supervisor will set forth the reasons for the action and the facts on which it is based. The employee may conduct cross-examination if appropriate.
- b. The employee may present evidence in support of the appeal with or without the assistance of legal counsel or other representative.
- c. The Manager may cross-examine or submit evidence in rebuttal or both.
- d. Opening statements, if any, will be brief and confined to the issues. Closing argument, if any, will be first by the Manager then by the employee. The Manager may offer rebuttal evidence if desired.
- e. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible. Irrelevant, immaterial or unduly repetitious evidence may be excluded. Affidavits and counter-affidavits are acceptable as evidence. If either party intends to rely on an affidavit, it shall provide the other party with such affidavit together with the name, address, and telephone number of the affiant at least ten (10) days prior to the hearing or such affidavit shall be inadmissible.
- f. Conduct of Hearings:
A hearing before the Human Resources Manager is intended solely for the purpose of receiving evidence either to refute or substantiate specific charges brought to the District. The hearing shall be conducted accordingly. The Human Resources Manager may impose limits on questioning in the interest of the orderly conduct of the hearing and fairness.
- g. Counsel or Representative:
In appealing a disciplinary action to the Human Resources Manager, an employee may, but is not required to, have counsel or other representation.
- h. Findings:

If, after receiving evidence presented in hearings on disciplinary actions, the Human Resources Manager finds that sufficient evidence supports the charges, that the complained-of action taken by the Manager was reasonable and was taken for a proper reason consistent with policy, the Human Resources Manager may affirm the action; if he/she finds that the complained-of action taken by the Manager was not so made, the Executive Director shall fashion an appropriate remedy and the personnel file shall be purged of such record. The Human Resources Manager in lieu of affirming the disciplinary action may modify the discipline as the circumstances warrant.

9. At the time of filing of the request of the appeal with the Human Resources Manager, the Human Resources Manager shall supply the employee with an outline of the procedures used by the Department Supervisor. The decision of the Human Resources Manager can be appealed to the Executive Director utilizing the same procedure as set forth above.
10. All appeals shall first be made in writing to the Human Resources Manager, and the Human Resources Manager will then prepare facts and findings to be presented to the Executive Director. The Executive Director decision shall include all facts and findings and shall be final.

All documentation and written warnings will be placed in the personnel files kept at the office of the Human Resources Manager.

3.22 STANDARD OF CONDUCT – MANAGERS/SUPERVISORS

Managers/Supervisors above all else lead by example:

- You must treat employees, customers and suppliers with respect and dignity.
- Inappropriate fraternization with employees creates an atmosphere of conflict of interest and favoritism and is not acceptable.
- You must always strive to keep the workplace free of any form of harassment, bullying, discrimination, or retaliation. All members of management must review, be versed in, and administer the policy prohibiting harassment, bullying, discrimination, and retaliation as outlined by the SETD Personnel Policies. All forms of harassment are prohibited.
- You must deal with suppliers in the same honest and forthright manner that we expect from them.
- Personal relationships with any person providing a business service to SETD are generally prohibited. Do not give, seek, or accept from any person doing business with SETD any gift, service, loan, entertainment, or trip of any value. Your position with SETD must never be used to influence a supplier or any person doing business with us to provide benefit to you or your family.
- Without proper authorization, you may not release confidential information to outside sources.
- Never manipulate records (personnel, ridership, etc.) to enhance performance or results.
- Do not exploit SETD equipment, supplies, or employees for personal gain.
- Our management commitment requires us to operate within the law. Additionally, management must adhere to District policies and directives in all aspects of the operation.

- All Managers are to be aware of and administer our Drug and Alcohol Policy.

Following and administering the standards of conduct and discipline as stated in the SETD Personnel Policies is one way to foster our goal of maintaining a safe and efficient working environment.

The above common-sense guidelines can never answer every question or solve all problems. At the core of our philosophy as a District must be the implicit understanding that not one of us is required to lie or cheat on behalf of SETD or to enhance our District or personal performance. Managers must never engage in or permit any activity which could raise a question concerning integrity.

3.23 PRIVACY POLICY

SETD respects our customers' and employees' right to privacy, and it is up to each employee to take every precaution to make sure we respect this right. In the course of our business, we collect from our customers and employees a substantial amount of personal information (such as name, address, phone number, e-mail address, and social security number).

All of this information must be held strictly confidential and cannot be disclosed to any third party for any reason, unless (1) we have the person's prior consent, (2) a special exception is allowed that has been approved by legal counsel, or (3) employees are exercising their right to communicate about wages, hours, and working conditions by sharing fellow employee contact information including name, address, phone number, and e-mail addresses, so long as such information was not obtained by an employee who improperly accessed SETD's database.

Social Security Number/Personal Information

It is SETD's policy to protect the confidentiality of social security numbers and personal information obtained in the ordinary course of business from employees, suppliers, contractors, customers or others in either electronic or paper form. "Personal information" is any information that can be connected with an individual and includes, at a minimum, first name or initial and last name plus: (a) social security number (SSN); or (b) driver's license number; or (c) a financial account number.

SETD restricts access to information or documents containing SSNs or personal information to employees who have a legitimate business reason to access such information or documents. No employee shall knowingly obtain, store, transfer, use, disclose, or dispose of an SSN or personal information that SETD obtains or possesses except in accordance with District policy.

- No part of an SSN should be used as a primary account or identification number for any individual.
- All documents containing SSNs or personal information should be stored in a physically secure manner. SSNs and personal information should not be stored on computers or other electronic devices that are not secured against unauthorized access.
- Do not put SSNs on documents that are designed for public display or may be widely seen, such as name badges, timecards, schedules, and bulletin board postings.
- Documents, materials, or computer screens that display all or part of an SSN should be kept out of public view at all times.
- Documents containing all or part of an SSN that are sent through the mail should not reveal the number through the envelope window or otherwise from outside the envelope or package.

- Neither an SSN nor part of an SSN should be used or transmitted on the Internet or on a computer system unless you know the transmission is encrypted.
- Documents containing SSNs and personal information will be retained in accordance with SETD's record retention policy and the requirements of state and federal laws. Documents containing confidential, personal, and/or protected information that are authorized for disposal will be shredded.
 - Electronic documents containing SSNs, personal information or confidential information should be destroyed in a manner consistent with guidance from the I.T. Department.
- As part of employment, employees agree that SETD may use their image, voice or likeness in videos, photographs, or recordings with or without their name and for any lawful purpose including, for example, such purposes as internal publications, illustrations, advertising, training, and Web content.
- If you at any time become aware of a possible violation of this Privacy Policy, you are required to report the matter to a manager.
- SETD shall take reasonable measures to enforce this Privacy Policy and to correct and prevent any known violations. Any employee who knowingly obtains, uses, or discloses SSNs or personal information contrary to the requirements of this Privacy Policy shall be subject to disciplinary action, up to and including termination of employment, in accordance with District policy.

Additional rules apply to personal health information related to our employees, such as benefits and leaves of absence for medical reasons.

- Documents containing confidential or otherwise protected information that are authorized for disposal will be shredded.
- SETD employees shall refrain from discussing private matters of customers and private matters of employees, such as employee sick calls, leaves of absence, FMLA call outs, OFLA call outs, ADA accommodations, workers' comp injuries or illnesses, personal health information, etc.

Although SETD may provide District property for employees to use, it remains SETD property. These items, as well as any articles found within them, can be inspected by SETD at any time, without prior notice. SETD reserves the right to inspect the following:

1. All District furniture and property, including, but not limited to, lockers, desks, filing cabinets, and drawers.
2. All articles, packages, or other containers brought into or taken from SETD, including backpacks, lunch boxes, and purses; and,
3. All vehicles located on District premises when management has a reason to suspect a violation of District policy.

Because an inspection might result in the discovery of an employee's personal possessions, all employees are encouraged to avoid bringing into the workplace any personal property that they do not wish to reveal at SETD.

This privacy Policy is not intended to restrict the rights of employees, which SETD respects, to share information for the purpose of engaging in protected concerted activity.

3.24 INTELLECTUAL PROPERTY PROVISION

Please remember that as an employee of SETD, all creative work, business ideas, and products that you design and develop as an SETD employee, or that otherwise relate directly to our business, are the sole property of SETD. This does not apply to creative work, business ideas or inventions developed entirely on an employee's own time and without the use of District equipment, supplies, facilities, or trade secrets.

3.25 TIMEKEEPING (Non-Exempt Employees)

Online timekeeping systems are used to record your time. Failure to accurately record your time is a violation of District policy.

You are expected to record the exact time of the following:

1. When you begin your shift.
2. When you leave for your meal period.*
3. When you return from your meal period.*
4. When you end your shift.

It is your responsibility to be at your position when your shift begins. Personal activities before you do work (hanging up coat, etc.) should be completed before you sign in.

Other important points as follows:

1. Never use another person's employee number to record their time.
2. All overtime requires management approval PRIOR to working overtime. If you work overtime without prior approval, you must still accurately record all of your time worked.

Each pay period, review your pay stubs for accuracy. Any discrepancies or inaccuracies should be immediately reported to management.

COMPENSATION

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SECTION 4 – COMPENSATION

SETD values high quality work from its employees and is committed to compensating employees for their efforts and results. It is our intent to provide a competitive compensation package that will attract, retain, and motivate employees. It is also our intent that policies and pay practices be administered consistently throughout the District to ensure internal equity is achieved.

Your pay as a new employee is established based on the pay level of current employees performing work of comparable character and based upon factors such as your previous experience, and education. This policy will be administered and interpreted in accordance with applicable federal and state laws and regulations.

4.1 WAGE COMPENSATION

The District maintains a pay plan covering all unrepresented positions in the District, showing the minimum and maximum rates of pay. In arriving at such salary ranges, consideration is given to prevailing rates of pay for comparable work in other public and in private employment, including consideration of conditions of work and basic pay, current costs of labor, the local economy, and wage adjustments in the community, suggestions of the Executive Director, and the District's financial condition.

4.2 PAY INCREASES

The District has adopted, as part of its evaluation process, a step and grade merit program. Based on the employee's evaluation, the employee could move up to the next pay grade. This will be determined by the employee's Supervisor with concurrence by the Executive Director.

Because information about your rate of pay and any increases is sensitive and personal, we ask that you exercise discretion and care regarding the discussion of these matters.

4.3 PAY PRACTICES

A. Paydays

District employees are paid every other Friday. The pay period runs from Sunday to Saturday.

B. Payroll Deductions

Certain mandatory and elective deductions which are made from employee pay are noted on the paycheck stub. The only deductions made are those mandated by law or authorized by the employee in writing.

It is the employee's responsibility to maintain current deduction information with the District. An employee who wishes to add or change the payroll deductions should contact the Human Resources Manager.

C. Pay Advances

Pay advances are not provided by the District. Employees are encouraged to find other appropriate resources for any financial difficulties.

(Financial counseling is available through the Districts Employee Assistance Program call: 800-433-2320 text: 503-850-7721 email: info@canopywell.com)

D. Delivery of Paystubs

Your paycheck stub will be available to you each payday; paystubs will not be delivered to anyone else without your written request.

E. Method of Payment

Employees will have their pay automatically deposited into the bank account stated on their Direct Deposit form. The employee will receive a statement of earnings, deductions, vacation, and sick leave balances for the period covered by the payment.

F. Employee Withholding Allowance Certificates (Form W-4)

You are required to furnish the District with an Employee Withholding Exemption Certificate (W-4) at the time of hire. You may file a new W-4 form any time. When you submit an updated Form W-4, the District will implement the desired changes by the start of the first payroll period ending on or after the 30th day from the submission date. We encourage employees to seek tax advice if they have questions about withholding amounts.

G. Time Records for Non-Exempt Employees

The timekeeping system stores a record of time worked and must be logged into daily. It provides a permanent record of time spent on the job, indicating the exact time you worked. Each non-exempt employee will be issued an employee number at their orientation and will be sent instructions on how to login to the timekeeping system.

Time records should be reviewed carefully for completeness and accuracy at the end of each week, as they will be used to calculate pay. Supervisors will review and approve time recordings for each pay period. Time records must be completed via computer. If an error needs to be corrected, the time record will be resubmitted to the Supervisor/Manager for appropriate action. All corrections must be made, reviewed, and approved by the Supervisor/Manager or other appropriate management member. Time records should be reviewed and turned in at the end of the pay period. Your submission of time records each pay period verifies that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your time record. Willfully falsifying a time record will be grounds for corrective action, up to and including termination.

E. Time Records for Exempt Employees

Employees classified as exempt do not fill out daily timecards, however SETD requires a timecard be submitted every two (2) week payroll period to track hours worked for business purposes such as job costing, benefit accruals, or computing an employee's entitlement to intermittent family leave under OFLA or FMLA. Employer may also require exempt employees to be present during specified hours.

Under federal rules deductions from leave banks for full-day (8 hour) absences may be made due to sickness or vacation. Salaries will not be reduced for absences less than a full day, except those permitted by law, if the employee has no available accrued leave to access. ORS 10.090 prohibits employers from requiring employees to use accrued leave for absences occasioned by jury service.

F. Dispute Resolution Process for Paycheck Errors

If you have any questions regarding your pay or feel a Supervisor/Manager has made a change to your pay that you do not believe is accurate, please contact your supervisor.

G. Final Paycheck

There are strict requirements that apply to the payment of final wages when you are fired, laid off, or quit. Per BOLI requirements:

- If you quit with less than 48 hours' notice (not including weekends and holidays) your paycheck and any wages owed are due within five business days or on the next regular payday, whichever comes first.

- If you quit with at least 48 hours' notice, your final check is due on your last day of employment, unless that day is a weekend or a holiday. In that case, your check is due on the next business day.
- If you are let go or fired, your final paycheck is due by the end of the next business day.
- If an employer and worker mutually agree to terminate the relationship, the check is due by the end of the following business day.

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**HOURS OF WORK
AND
WORK SCHEDULES**

SECTION 5 – HOURS OF WORK & WORK SCHEDULES

5.1 DISTRICT HOURS

The general office hours at SETD are 8:00 a.m. to 5:00 p.m., Monday through Friday.

Employees are expected to be at work on their normally scheduled workdays unless they have received approval from their Supervisor. An employee who is absent from work for three (3) consecutive working days without authorization will be considered to have abandoned their job as of the last day of active employment and will be declared to have voluntarily quit, unless the Supervisor determines the absence was due to an unavoidable situation and the employee was unable to contact the District due to circumstances beyond the employee's control.

The normal workday is eight (8) hours. The total hours in a normal workweek are forty (40). The work week for District Employees begins at 12:01 am on Sunday and ends at midnight on Saturday.

If you are a non-exempt employee, you should not begin work before your normal starting time or continue working beyond the normal quitting time without explicit advance approval from your supervisor.

Specific workday and workweek schedules for each employee will be determined by the appropriate supervisor based on the District's needs. We will attempt to notify you of any changes in workdays or workweek schedules two weeks prior to the effective date of change. Management reserves the right to modify schedules consistent with the needs of the District.

5.2 OVERTIME

You may occasionally be required to work overtime. Overtime hours will be paid to non-exempt employees at one and one-half times (1.5) the regular rate of pay for all hours worked in excess of forty (40) in a regular workweek, or as otherwise required by state and federal laws. Paid time off will not be considered when computing overtime. Your department supervisor must approve any overtime hours in advance or else you may face corrective action, up to termination.

5.3 MEAL AND REST PERIODS

Meal and rest periods will be provided for you according to any applicable state regulations. Supervisors will review these and establish schedules. Non-exempt employees are not permitted to work through a meal period unless approval from a supervisor, in an emergency situation, is obtained before the scheduled meal break. In these situations, the meal period will be paid time.

5.4 LACTATION

SETD promotes and supports the practice and need for employees to express breast milk on its premises upon their return to work.

Until their babies are 18 months old, employees may take reasonable rest periods to express breast milk. Nursing breaks may be taken concurrently with regular meal and rest breaks, although additional reasonable break time will be made available, as needed. Management and employees will work together to find mutually agreeable hours of work and breaks which support the continuation of expressing breast milk.

If an employee perceives or observes adverse treatment with respect to the expression of breast milk, a supervisor/manager should be informed immediately.

SETD will provide a private space with an electrical outlet, within the office building, to express breast milk. This space may vary according to available empty rooms. Check with the Human Resources Manager. Hand washing facilities and a refrigerator will also be available at all sites and appropriate signage for privacy will be supplied.

Employees will be responsible for the storage of the expressed milk. The milk, if stored in the refrigerator provided, must be clearly labeled with the employee's name. To ensure the safety of stored breast milk, it is recommended that the container used to store the milk be sealed in a plastic bag to prevent contamination. Since breast milk is a bodily fluid, and as such, could harbor certain communicable diseases, it is important it be labeled with the employee's name.

5.5 INCLEMENT WEATHER AND EMERGENCY CLOSURES

Emergencies such as severe weather, fires, power failures, earthquakes, and other natural disasters can disrupt District operations. In extreme cases, these circumstances may require the closing of our office.

In the event that SETD makes the decision to close the offices prior to the start of the business day, the closure will be announced via a District-wide email from the Chief Operations Officer. A closure message will also be displayed on the SETD webpage and recorded on SETD's general voice message line. It is the responsibility of each employee to check e-mail, SETD webpage and call the voice message line or other point of contact for an update, if there is any doubt regarding office operations.

If a decision is made to close the office after the business day has already begun, the closure message will also be announced via e-mail.

Exempt employees will be expected to work from home and will be paid for all absences (full-day or partial day) related to emergency closures.

Non-exempt employees, with the exception of the Accounts Payable/Payroll Clerk, will not be paid for time away from work due to office closure; however, with supervisory approval, available vacation or personal time may be used. Non-exempt employees who have reported to work before the decision to close is made will be paid for time worked, or a minimum of two (2) hours, whichever is greater.

TELEWORK OR TELECOMMUTE

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SECTION 6 – TELEWORK OR TELECOMMUTE

Both telework and telecommute are a flexibility that may be available to some positions within the District. These are two different arrangements. Telework is the planned practice of regularly working from a non-District address. This is most typically the employee's residence. Telecommute is the planned practice of occasional or intermittent work from a non-District address. This is most typically the employee's residence. Out of state telework or telecommute may not exceed a ninety (90) day period.

All telework and telecommute arrangement require the prior approval of the Executive Director and may be changed at the discretion of Executive Director. Telework and telecommute may be permissible for some jobs and not all jobs.

6.1 EMPLOYEE RESPONSIBILITIES

Employees are responsible for ensuring a safe work environment when telecommuting or teleworking. Employees are also responsible to meet the expectation of their job regardless of where the job is done. Supervisors are responsible for monitoring compliance with these types of agreements, relevant policies, performance standards, expectations for work product and productivity, and time accountability.

Any employee who is teleworking or telecommuting must be available during established work hours and provide timely response to email, phone calls etc. Absences, including unavailability during work hours, must be pre-approved. Employees must account for all time worked. Supervisors may consider an employee's request to alter regular work hours in the same way they would evaluate these requests for a person working at a District address.

An employee's salary, benefits and insurance coverage does not change as a result of telework or telecommute.

Employees are responsible for the utilization of SETD's networks while working remotely in a safe and secure manner as directed by the IT Provider.

As mentioned above these are planned arrangements. Employees and supervisors must work together to determine if an arrangement can be made and the details of the arrangement.

6.2 INFORMATION TECHNOLOGY

Teleworking or telecommuting employees are expected to be able to set up a remote office and use both District and their own equipment without direct physical help from District. While any equipment supplied by the District will be maintained by or at the direction of District, employees are responsible for the safe and secure transportation of equipment to and from the office.

Employees are expected to have sufficient telephone arrangements to perform their work and to participate in telephone conferences during agreed-upon work hours.

Employees are expected to have sufficient Internet access if work assignments require use of Web resources in the performance of their duties while working at a remote worksite.

The District will determine, with information supplied by the employee and the supervisor, what equipment will be supplied for each telecommuting situation. The employee must sign an inventory of District property and agree in writing to take appropriate action to protect the inventoried items from damage or theft.

All equipment supplied by the District will be maintained by or at the direction of District. Equipment supplied by the employee will be maintained by the employee. The District accepts no responsibility for damage or repairs to employee-owned equipment.

All equipment and software supplied by the District are only for District business and must comply with the District's security and maintenance policies and practices. Portable equipment must, at all times, have District authorized security measures installed and running

If the teleworking employee provides equipment, the employee provided equipment must comply with District's security and maintenance policies and practices, and any additional safeguards required by the District.

Employees will notify the District immediately in the event of a breakdown or other issue with supplied equipment, software, or other materials. Employees will follow the District's direction regarding any necessary repair, update, replacement, etc.

Upon separation of employment, or discontinuation of a planned arrangement, whichever comes first, all District property issued to the teleworking employee must be returned.

Information stored on any employee's personal electronic equipment is subject to public records requests and discovery, and to review by the District at any time.

6.3 SECURITY

Employees are expected to ensure the protection of District and district information accessible from their home office.

Steps include making sure that:

- All devices have anti-virus software centrally managed by the District's IT provider.
- All Wi-Fi, cellular or similar access points are protected with strong passwords or passphrases.
- All Wi-Fi, cellular or similar access point passwords or passphrases are changed on a regular and scheduled basis.
- Login and password information is secure and protected, even from family members.
- Basic network practices are being applied (firewall with appropriate security standards).
- Web-based systems are secure ("https" URL, not just "http").
- Two factor authentication is enabled and being used.
- All data is saved to District authorized shared network drives or cloud locations. Similarly, no data is saved or stored on portable machines (example: C-Drive or Desktop).
- VPN access is only via District issued devices. No personal devices are connected via VPN.

6.4 PHYSICAL SECURITY

Employees are expected to ensure physical office security by taking steps like keeping proprietary material in locked file cabinets and desks, securing doors, windows, hiding devices when not in use, and any other measures appropriate for the job and the environment.

Employees will follow all District policies related to information and data security. Complying with these policies mitigates risk and ensures an appropriate level of security for confidential information, paper and electronic, in transit or at the alternate worksite.

When accessing the District's network from a personal computer, employees are responsible for preventing access to any computer resources or data by non-authorized users. In addition, employees are expected to ensure the remote host is not connected to any other network at the same time, except for personal networks that are under their complete control or under the complete control of the employee.

Performance of illegal activities through the District network or on District time by any user, authorized or otherwise, is prohibited. The employee bears responsibility for and consequences of misuse of their access.

The District's IT provider will confirm that the user's device does not contain any traces of protected, sensitive, District, or proprietary information and delete any protected, sensitive, District and/or proprietary data, licensing, and information remaining on the device.

6.5 TECHNOLOGY SUPPORT

The District's IT provider will only provide device support that relates to District devices and connection.

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**EMPLOYEE INCURRED EXPENSES
AND
REIMBURSEMENT**

SECTION 7 - EMPLOYEE-INCURRED EXPENSES & REIMBURSEMENT

SETD will pay all actual and reasonable business-related expenses you incur while performing your job responsibilities. All such expenses must be pre-approved by the Executive Director before payment will be made. SETD expects its employees to use good judgment and reserves the right to deny an expense if, in management's belief, it is unreasonable.

7.1 EXPENSE REIMBURSEMENT PROCEDURE AND REPORTS

Requests for expense and mileage reimbursement must be submitted on a bi-weekly basis. Supporting documentation and/or itemized receipts must be provided to each request.

Expense reimbursements will not be paid unless and/or until all itemized receipts are provided or, if lost, a note with a description of the business activity and expense.

A. Mileage Reimbursement

While in the course and scope of duties on behalf of SETD, employees, with the Executive Director's approval, may use their vehicle for business purposes. While driving on behalf of SETD and in the course and scope of duties assigned, liability would accrue to SETD for negligent actions. As such, employees are encouraged to follow all rules of the road and drive courteously. Coverage provided by SETD for damages to the employee's own vehicle is secondary to any other collectible coverage. Employees are encouraged to have comprehensive and collision coverage on vehicles used for SETD business.

If use of privately owned automobile or motorcycle is authorized or if no District-furnished automobile is available, you will be reimbursed for District-related business travel at the current GSA determined rate per mile. If District-furnished automobile is available and employee chooses to drive in a privately owned automobile, the reimbursement rate will be less.

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

B. Credit Card Payment

If a credit card is provided to you, the employee, all receipts must be provided monthly to Accounts Payable for the credit card reconciliation process. You must follow the protocol for reconciliation of your statement and submission of documentation as required by the Finance Officer.

Employees may expense and/or use a District provided credit card, for business related activities or incidental supplies following IRS guidelines. The purchase of alcohol with a District credit card is expressly forbidden.

C. Overnight Travel and Meal Expense Reimbursement

If an employee is traveling overnight on a work-related activity, the employee may expense lodging, food, beverage, and any incidental expenses that are necessary and business related.

D. Lodging & Meal Reimbursement Limits

SETD will not reimburse more than the per diem allowance for lodging (excluding taxes), meals and incidental expenses. Each year the General Services Administration (GSA) establishes per diem rates for destinations within the lower 48 continental United States unless approved in advance by Executive Director; these maximums are inclusive of gratuity. For current per diem rates, visit <https://www.gsa.gov/travel/plan-book/per-diem-rates>.

E. Exceeding meal reimbursement limits

SETD recognizes that there may be certain group meal functions at locations where a conference/training is held where exceeding the meal reimbursement limits may be acceptable. Such situations should be known in advance and prior approval obtained from the Executive Director.

F. Alcoholic Beverages

SETD will not pay for alcoholic beverages and such costs should not be submitted for reimbursement.

G. Transportation Expense Reimbursement

Transportation costs may only be expensed upon prior approval. Transportation costs include such items as airfare, airport parking, hotel shuttles, automobile rental and fuel for such rental.

H. Spouse/Guest Expense Reimbursement

SETD will not pay for meals or entertainment of spouses/guest/significant others.

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EQUITY PAY

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SECTION 8 – PAY EQUITY

8.1 PAY EQUITY

SETD strives to ensure all employees receive an equitable total compensation package based on a variety of factors relating to their position, job performance, education, and experience. From time-to-time, employees performing work of comparable character may have different compensation levels. Any such differences will be based on SETD's objective processes for evaluating an employee's work and one or more of the following factors: seniority, merit, quantity or quality of work, workplace location, regular and necessary travel, education, training, experience, or any combination of those factors. Employees who believe they are not being compensated fairly are encouraged to discuss the matter with the Human Resources Manager to obtain clarification.

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BENEFITS

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SECTION 9 – BENEFITS

SETD strives to provide the most equitable and cost-effective benefits for employees in recognition of the influence benefits have on employees' economic and personal welfare. Paid in various benefit forms on your behalf, the total cost of providing the benefit program is a significant supplement to your pay and should be viewed as additional compensation.

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

Some benefits may accrue during your new-hire probationary period, but in most cases eligibility to use these benefits will not occur until you obtain regular employee status or meet other conditions of employment specified in the SETD Personnel Policies or contained in the benefit policy/plan booklets.

Benefit Pro-ration and Employee Cost Sharing

If you are a regular part-time employee, your benefits are prorated based upon the number of hours you work. Essentially, you accrue vacation and sick leave benefits at a lower rate than a full-time employee because your accrual rate is based on fewer hours.

Discretionary employee benefits not mandated by state or federal law are selected and controlled by SETD. Decisions to provide these benefits are based on such considerations as cost, composition of our workforce, operational efficiency, and desirability of benefit provisions. When costs of discretionary insurance benefit plans exceed the District's interest in or ability to pay the full premium, we will require you to share in the cost of your coverage.

Benefit Design and Modification

SETD reserves the right to design plan provisions and to add, eliminate, or otherwise modify the benefits described in these SETD Personnel Policies or elsewhere in plan documents when it is in the District's best interest. Consider that changes to benefits may occur at management's discretion prior to making a serious, long-term decision based solely on current benefit offerings.

Benefit Plan Documents

You'll receive summary plan descriptions upon eligibility and enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of a conflict between these documents and this policy, the plan documents govern. These official documents are available from the Human Resources Manager for your review. We ask that you refer any questions about this information to the Human Resources Manager.

Individual benefits may be modified, become more expensive, or may even be eliminated in the future because of cost increases or as a result of changes in our business situation or economic conditions. We encourage you to be thoughtful about relying solely on these benefits, given that they are subject to change. Upon separation from employment, employees may be eligible for the continuation of benefits consistent with state and federal law. Any benefits described in these SETD Personnel Policies apply only so long as the SETD Personnel Policies is current; employees do not have vested rights.

9.1 HEALTH INSURANCE BENEFIT

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

Eligibility

This benefit is provided for all regular full- and part-time employees. If otherwise eligible, you may begin to participate in the plan after you have completed sixty (60) days of continuous employment. Insurance plan coverage begins on the first day of the month following completion of sixty (60) days of employment. Temporary employees are generally not eligible to participate in the health insurance plan.

Plan Enrollment

Medical/Dental/Vision Coverage

The District shall pay 100% of the employee-only medical, dental and vision monthly premium for all eligible full-time employees. The employee has the option to add additional family members to their plan, with the employee paying the remainder of the premium in excess of the monthly employee-only premium.

The District shall pay 50% of the employee-only medical, dental and vision monthly premium for all eligible part-time employees. The employee has the option to add additional family members to their plan, with the employee paying the remainder of the premium in excess of the 50% monthly employee-only premium.

These amounts will be deducted from the employee's paycheck two times per month and are a pre-tax item.

Health Reimbursement Account

For all employees enrolled in medical coverage outlined above the District shall maintain a Health Reimbursement Account (HRA). Employees are eligible for reimbursements up to an amount determined by the District through the HRA each Plan Year.

Health Insurance and HRA Eligibility

All regular full- and part-time employees shall become eligible for health insurance benefits and HRA on the first day of the month following sixty (60) calendar days after starting employment with the District. To be eligible for coverage each month, employees must be on active paid status, paid leave, approved Oregon Family Leave Act (OFLA)/ Family Medical Leave Act (FMLA) leave for at least one-half (1/2) of the full-time working hours each month, or Oregon Paid Leave.

Coverage will end on the last day of the month in which an employee resigns, is terminated, laid off, or otherwise stops working as an eligible employee. Employees who lose their coverage may elect to self-pay the premium for continued coverage in accordance with state and federal law.

An eligible employee who chooses not to enroll in the insurance plan is entitled to \$100 per month (full-time) and \$50 per month (part-time) of compensation to be deposited to a 457(b) in lieu of coverage and is required to sign a written waiver of participation.

Medical information is covered by HIPAA regulations. SETD realizes the responsibility we have to treat your private health information with great care and discretion. We have implemented safeguards to protect this information.

Premium Cost

Specific types of coverage and benefit payment schedules are described in the District's health care plan booklet that is available to all eligible employees. At the time of eligibility and during open enrollment each year, you will be informed of how much the District will contribute toward your monthly premiums if you are eligible to participate in the plan. Premium rates are established by the insurance carrier and are subject to change, usually based on increased costs to provide medical services and the amount of services our employees require.

Any premium for dependent coverage you are required to pay is funded through a bi-weekly payroll deduction. SETD determines the payroll deduction schedule.

Termination of Coverage

In the event that you or your dependents lose eligibility to participate in the health plan, you may have the health plan coverage extended for a period of time. Eligibility can be lost due to a prolonged absence from work or if certain "qualifying events" occur that would otherwise cause your or a dependent's group health coverage to terminate. Examples of qualifying events are termination of employment, a reduction in hours, divorce or legal separation, entitlement to benefits under Medicare, a dependent child reaching the age of twenty-six (26), or a leave of absence. You must notify the Human Resources Manager when a dependent child loses eligibility or in the event of divorce or legal separation.

You, your spouse, and dependents may continue group health insurance for a certain period of time at your own expense under COBRA. However, continuation does not occur automatically. You and any dependents have sixty (60) days to enroll in the plan, which starts on the later of the date you and any dependent would otherwise lose coverage; you have forty-five (45) days to pay the initial premium. Coverage will be retroactive to the date of the qualifying event. You and any covered dependent will receive information about the provisions of the law when you first enroll in benefits and again if a qualifying event occurs.

Portability/Conversion of Health Plan

If you've been continuously covered under our group medical insurance policy for at least one-hundred-eighty (180) days and your employment with us ends, you may be eligible to convert to an individual policy with our insurance carrier. You may request this portability coverage before, during, or at the end of the benefit extension period described above. However, you must apply for portability coverage from our insurance carrier within sixty (60) days after your group coverage ends. Please contact the insurance carrier for more information about this coverage.

9.2 DENTAL INSURANCE BENEFIT

SETD provides Dental Insurance plans for employees.

Eligibility

Employees regularly scheduled to work twenty (20) hours or more per week are eligible for dental insurance coverage on the first day of the month after sixty (60) days of employment. Temporary employees are not eligible to participate in dental insurance.

Cost

At the time of eligibility and during open enrollment each year, you will be notified of how much the District will contribute towards monthly premiums.

Employees may enroll dependents in the dental care plan but must pay all of the premium costs associated with this coverage, which will be deducted from the employee's paycheck.

9.3 OTHER INSURANCE BENEFITS

1. Group Life Insurance/Accidental Death & Dismemberment

The District agrees to pay the full premium for a twenty-thousand-dollar (\$20,000) life/AD&D insurance policy for all eligible employees. Employees are eligible for the life insurance benefit the first day of the calendar month after sixty (60) calendar days of employment.

We provide group life insurance coverage for eligible employees. Employees who are regularly scheduled to work twenty (20) hours per week or more become eligible for this coverage on the first day of the calendar month after sixty (60) calendar days of employment.

2. Long Term Disability

SETD provides a Group Long-Term Disability plan. Employees who are regularly scheduled to work 20 hours or more per week become eligible for this plan on the first day of the calendar month after sixty (60) calendar days of employment. SETD pays the full premium.

3. Short Term Disability

SETD provides a Group Long-Term Disability plan. Employees who are regularly scheduled to work twenty (20) hours or more per week become eligible for this plan on the first day of the calendar month after sixty (60) calendar days of employment. SETD pays the full premium.

4. Pacific Source Flexible Spending Account (FSA)

Employees eligible for health insurance are also eligible to participate in FSA coverage. An FSA is wholly employee funded.

5. AFLAC Supplemental Insurance Plans

Employees are eligible to enroll in supplemental insurance plans through the District's AFLAC representative. These supplemental insurance plans are wholly employee paid.

9.4 VACATION BENEFIT

Vacation benefits are intended to provide eligible employees with a period of paid rest and relaxation away from work. Accordingly, employees are encouraged to schedule vacations each year, and to use all earned vacation benefits.

If a holiday falls during an employee's scheduled vacation, the employee will receive holiday pay for the day, if eligible for such pay, and will not be charged for vacation benefits for the day.

Accrued and unused vacation benefits shall be paid upon termination of employment. Vacation credits shall not accrue during any unpaid leave of absence.

All full-time and regularly scheduled part-time employees are eligible for vacation based on the schedule below. All accruals begin after the completion of ninety (90) days of employment. At the end of the specified initial employment period, credit is given from the first day of employment. No vacation time may be taken or paid during the probationary period unless specific arrangements have been made at the time of hire.

You will earn vacation benefits according to the following schedule:

Accrual

Regular full-time employees shall accrue vacation as follows:

Years of Continuous Service	Monthly Accrual	Days per year
0-5 years	8.0 hours	12
5-10 years	10 hours	15
10-15 years	12 hours	18
15+	13.34 hours	20

Regular part-time employee shall accrue vacation as follows:

Years of Continuous Service	Monthly Accrual	Days per year
0-5 years	4.0 hours	6
5-10 years	5 hours	7.5
10-15 years	6 hours	9
15+	8.34 hours	10

Years of service shall be calculated using the employee's anniversary date. The anniversary date shall be the employee's most recent date of hire.

Time is not to be banked and never used; therefore, accrual cannot exceed 260 hours. Vacation benefits will stop accruing when the maximum allowed has been reached. The benefit will begin accruing again when you reduce the total to less than the allowed maximum.

We provide vacation and personal time so you can enjoy periods of time away from work. Vacation is intended for rest and recreation and vacation pay may not be taken instead of time off. Vacation accrual will be paid out at separation in accordance with this policy and any applicable law.

Vacation Request - Non-Represented

Employees who want to use vacation time should request time off as early as possible so that arrangements for coverage can be made. Requests for vacation time are to be made in writing and submitted to your supervisor. Generally, employees won't be allowed more than two (2) weeks off at a time. Vacation requests for longer than two (2) weeks will require the approval of the Executive Director.

We'll try to grant each request, but we cannot guarantee your request will be approved. In the event of competing requests for times submitted concurrently, approval will be given to the employee with the longest tenure.

Vacation Request - Represented

Per ATU Bargaining Agreement Section 11.2

Vacation Bidding

9.5 PERSONAL DAY

Employees are eligible for a personal day only after they have been with the District for one year and are full-time or part-time. On or after an employee's birthday, after one year of employment, they will receive either eight (8) hours (full-time) or four (4) hours (part-time) of personal leave. This personal day must be used within one (1) year following the birthday. This day will need to be approved just like a vacation day.

9.6 SICK LEAVE

A. Notification of Inability to Work

Employees are expected to be able to attend work reliably, predictably, and regularly. Employees shall notify the supervisor on duty as soon as possible, but in no event later than one-hundred and twenty (120) minutes prior to the scheduled starting time, except in the event of emergencies making it impossible to give notice. In the latter event, the employee shall give notice as soon as possible. If an employee becomes sick during the day, the supervisor or designee must be notified before the employee leaves work. The employee must comply with the notice requirements under family leave laws, which may provide for later notification of inability to work than is otherwise required by this policy if the need for the leave is unanticipated.

When sick leave is taken to care for a dependent the District expects that other care arrangements will be made as soon as possible, except where leave for dependent care purposes is provided for by family leave laws and the employee is eligible for such leave. The employee must comply with the notice requirements under family leave laws, which may provide for later notification of inability to work than is otherwise required by this policy, if the need for the leave is unanticipated.

B. Accrual

To minimize the economic hardships that may result from an unexpected short-term personal or dependent illness or injury, the District provides full-time employees with eight (8) hours and part-time employees with four (4) hours of accumulated sick leave per month. Unused sick leave benefits accumulate from year to year. Maximum hours accrued for sick leave cannot exceed three-hundred-twenty (320) hours. Employees are not paid for unused sick leave upon separation from employment.

C. Concurrent Leaves

Sometimes more than one type of leave may apply to a situation. Where allowed by federal or state law (FMLA or OFLA) leaves will run concurrently. This means that sick leave, workers' compensation leave, personal leave, leave as a reasonable accommodation for a qualified individual with a disability, Oregon and Federal family medical leave, and unpaid leaves of absence may all run concurrently and be counted against the employee's family medical leave entitlement. The District may designate any type of leave as family medical leave if the leave is used for a family medical leave purpose. Vacation and sick leave credits shall not accrue during any unpaid leave of absence.

D. Medical Certification

Certification of an attending physician or practitioner may be required to support the employee's claim for sick time off for any absence in excess of three (3) consecutive workdays. An employee on sick leave that is running concurrently with another type of leave, for example family medical

leave or personal leave, must provide the medical certification required for all applicable types of leave. This means an employee on sick leave may be required to have their medical provider complete the certification of physician or practitioner form required for federal or state family medical leave, obtain second or third medical opinions, as provided by family medical leave laws, and provide fitness for duty medical certifications before returning to work as provided by the family medical leave policy.

E. Transfer of Sick Leave

Employees who have exhausted their sick and vacation leave benefits may receive a gift of sick leave from other District employees if they require extended time off for illness or injury. In such event the District's only involvement shall be to transfer an employee's sick leave credit in accordance with the employee's request and add it to the sick leave balance of another employee. Usually, employees are authorized to donate up to 10% of their accrued sick leave balance. The Executive Director can, under special conditions, increase the donation. If authorized by the Executive Director, you would only be allowed to give away 40 hours in a month's time. Employees who are resigning or being terminated may not transfer their accumulated sick leave to other employees.

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9.7 PAID HOLIDAY BENEFIT

The following holidays will be recognized and observed as paid holidays:

New Year's Day (January 1) *District Closed*
Memorial Day (Last Monday in May)
Independence Day (July 4)
Labor Day (First Monday in September)
Thanksgiving Day (Fourth Thursday in November) *District Closed*
Christmas Day (December 25) *District Closed*

Employees who work on the holiday listed above shall receive time-and-a-half for all hours worked, in addition to the designated holiday pay.

In addition to these paid holidays, employees shall receive four floating holidays:

Martin Luther King Day (Third Monday in January)
President's Day (Third Monday in February)
Veteran's Day (November 11)
Juneteenth (June 19)

The floating holidays must be used within a designated five-week period: two calendar weeks before the holiday, the week of the holiday, or two weeks after the holiday. These floating holidays can be used at any time during this five-week period for non-bargaining employees. Bargaining employees time off must be approved through the process set forth in Section 11.2 Vacation Bidding of the ATU 757 Collective Bargaining Agreement.

Eligibility

Regular full-time employees will receive eight (8) hours pay for each recognized holiday. Part-time employees will receive four (4) hours pay. Temporary employees do not receive paid holidays. Employees on active paid status, paid leave, or approved OFLA/FMLA leave receive holiday pay. Employees on unpaid leave do not receive holiday pay. New hires shall not be eligible for holiday pay until after completing 60 calendar days on the payroll.

9.8 OTHER BENEFITS

1. Employee Assistance Program

The District recognizes that employees and their family members may, from time-to-time, face personal issues that affect their careers and personal lives or both. Solutions to some of these problems may not be readily apparent. To this end, we offer, at no expense to you, the services of outside professional counseling for you and your family to help deal with personal problems such as family relationships, substance abuse, etc. You or a member of your family may consult with these professionals for up to three (3) consultations per incident on a confidential basis at no cost. Literature describing plan provisions and how to contact our providers is made available during your probationary period and to all staff members as plan provisions change.

2. 401[a] Money Purchase Retirement Plan

Eligible employees may participate in the District's 401(a) Money Purchase Retirement Plan. Under the plan, the District shall make a 2.5% contribution as defined in the plan on behalf of all eligible employees, provided the participating employees have worked a minimum of 1,000 hours of service during the Plan year. District contributions become vested fully two (2) years from the employee's date of hire as a regular full-time or regular part-time employee.

Eligible employees may also contribute to the District's 457(b) Deferred Compensation Plan.

All regular employees may enroll in the Retirement Plan on the first day of the first payroll period following their one-year anniversary date.

LEAVE OF ABSENCE

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SECTION 10 LEAVE OF ABSENCE

We realize that our employees may encounter situations that require a temporary short-term or extended absence from work. We offer several different types of leaves of absence for the following purposes:

Bereavement Leave
Civic Duty
Personal Leave

Disability Leave [Non-FMLA]
Military Leave
Crime Victims' Leave

Family and Medical Leave
Leave to Donate Bone Marrow
Domestic Violence Leave

The type of leave requested may determine which employees are eligible and what procedure should be followed in requesting and obtaining the leave. The effect of the leave on benefit accruals, benefits, and reinstatement rights also varies according to the type of leave you are requesting. Each of these leaves is discussed on the following pages. If you have any questions about your potential eligibility for a leave or your benefits and rights while on leave of absence, please contact the Human Resources Manager.

10.1 BEREAVEMENT LEAVE

A leave of absence with pay for up to four (4) days may be granted an employee when a death in the employee's family requires the absence of an employee. Leave can be taken to deal with the death of a family member by attending the funeral (or alternative service), making arrangements required by the death of the family member, or grieving the death of the family member. Should circumstances require an employee to be absent longer than the four (4) days, the days in excess shall be charged against accumulated sick leave. If an employee has exhausted his/her available sick leave, the days in excess shall be charged against accumulated vacation time. Upon exhaustion of vacation time, the leave shall be unpaid. Family member shall be defined consistent with ORS 659A.150(3). "Family member" means the spouse of an employee, the biological, adoptive, or foster parent or child of the employee, the grandparent or grandchild of the employee, a parent-in-law of the employee or a person with whom the employee was or is in a relationship of in loco parentis. The benefit is payable only on days when the employee would have been scheduled to work. Proof of eligibility may be required by the District.

District-paid bereavement leave won't affect your eligibility for benefits or the continuation of benefit accruals. If you are granted additional time off, the effect of the additional leave on your benefits will be determined by our sick time policy.

10.2 CIVIC LEAVE

Jury or Witness Duty Leave

Employees subpoenaed to serve as witnesses or for jury duty may obtain a protected leave of absence. If we feel that your absence would cause undue hardship to you or the District, we may instead request, with your agreement, that jury duty be postponed. If you are called for Jury Duty, you will be paid as outlined below in Section C.

If you are subpoenaed to serve as a witness, you may choose to use your accrued vacation/personal time available for your voluntary service as a witness appearance that you must make as part of your own legal proceedings or lawsuit.

A. Length of Leave

Jury or witness duty leave is available for the period of time covered by the initial subpoena or court order and any involuntary extensions.

B. Request Procedure

You must notify your Supervisor/Manager with a copy of the subpoena or notice within five (5) days after you receive the notice asking you to serve as a witness or on a jury so that arrangements can be made to cover your position.

- C. Pay While on Jury Leave
Regular full- and part-time employees called for jury duty shall receive the regular rate of pay for scheduled work hours missed, provided they refuse court offered compensation for such jury duty or pay such compensation to the District. An employee released by the Court prior to the conclusion of his/her scheduled shift will immediately report to the District for the remainder of the shift for assignment to any available work.
- D. Status of Benefits
Status of benefits are not affected by jury or witness duty leaves.

10.3 CRIME VICTIMS LEAVE

If you or a member of your immediate family suffers financial, social, psychological, or physical harm as a result of a personal felony or an employee is a victim of harassment, under the public offenses statutes, you may be entitled to take protected leave from work to attend criminal proceedings.

- A. Safety Measures
The District will provide reasonable safety measures if you are the victim of harassment or a threat of harm that would be expected to cause concern.
- B. Eligibility
You will be eligible to take crime victims' leave if you have worked an average of more than 25 hours per week for the District for at least 180 days immediately before the leave would begin.
- C. Length of Leave
The amount and length of leave time you may take is limited to that which does not create significant difficulty and expense (undue hardship) to the District. If the District must limit your leave due to undue hardship, the employee will notify the prosecuting attorney in the criminal proceeding, who is required by law to notify the court. The court will then take your work schedule into consideration when scheduling the criminal proceedings.
- D. Request Procedure
You must provide your Supervisor/Manager with reasonable notice of your intention to take crime victims' leave and provide copies of any notices of scheduled criminal proceedings that you receive from a law enforcement agency. We will treat such documentation as confidential information.
- E. Pay While on Leave
Crime victims' leave is unpaid; however, eligible employees who take this type of leave may use any accrued paid vacation/sick/personal time available to them. Exempt employees working partial days, or a partial week will be paid in full for the entire week, although accrued time must be used first.
- F. Status of Benefits
Benefits are not affected by crime victims' leave.

10.4 DOMESTIC VIOLENCE LEAVE

An employee who is a victim of domestic violence, harassment under the public offense's statutes, sexual assault, or stalking or whose minor child or dependent is a victim may be entitled to take unpaid protected leave from work.

- A. Eligibility
All SETD employees are eligible to take domestic violence leave.

B. Types of Services/Treatment

An employee may take leave to seek legal or law enforcement assistance, to secure medical treatment, to obtain counseling or victim services, to relocate, or to take other reasonable steps to ensure one's own health and well-being or that of a child or legal dependent.

C. Length of Leave

The amount of leave taken will be reasonable and that which does not create a significant difficulty and expense (undue hardship) for the District.

D. Request Procedure

An employee accessing this leave provision needs to request time off from a Supervisor/Manager as much in advance as possible to aid in scheduling. We understand that instances of violence are usually not predictable, and these requests may be made with little forewarning. We will treat any information you share as confidentially as possible.

E. Safety Measures

The District will provide reasonable safety measures, if you are the victim of domestic violence, harassment, sexual assault, or stalking. Examples of such measures may include transfer, reassignment, modified schedule, unpaid leave, different work phone number, workstation, installing new locks, and other accommodations.

F. Pay While on Leave

Domestic violence leave is unpaid; however, eligible employees who take this type of leave may use any accrued paid vacation/sick/personal time available to them. Exempt employees working partial days, or a partial week will be paid in full for the entire week, although accrued time may be used first.

Payment for this type of leave may be covered under Paid Leave Oregon.

G. Status of Benefits

Benefits are not affected by domestic violence leave.

SETD offers an Employee Assistance Program which we strongly encourage any employee experiencing such an issue to avail themselves of the EAP's service and support.

10.5 FAMILY & MEDICAL LEAVE (FMLA & OFLA)

(OFLA for Oregon Districts with 25-49 employees. FMLA for Oregon Districts with 50 or more employees.)

Our Family and Medical Leave policy allows you to take a leave of absence for your own serious health condition. Leave is also granted for the birth or adoption of a child, for the placement of a foster child, for the care of a child, spouse or registered same-gender domestic partner, parent, parent-in-law, grandchild, or grandparent with a serious health condition and for the care of a sick child with a non-serious illness, military exigency, and bereavement due to the death of a family member. This SETD Personnel Policies language is intended to outline our practices regarding this leave.

10.6 OREGON FAMILY LEAVE ACT (OFLA) (OFLA for Oregon Districts with 25-49 employees)

NOTE: This policy applies to an Oregon District with 25-49 employees. The policy does not create or grant any right to leave beyond the rights guaranteed by applicable state law. Although we intend for this section to accurately describe employee leave rights, if any statements below are inconsistent with applicable law, either as it exists now or as it may be amended in the future, the provisions of law will govern.

A. Purpose

Dependent upon the number of employees, the District is covered by the Federal Family and Medical Leave Act and the Oregon Family Leave Act (OFLA) which allow you to take a leave of absence for your own serious health condition. Leave is also granted for the birth or adoption of a child, for the placement of a foster child, for the care of a child, grandchild, spouse or registered same-gender domestic partner, parent, parent-in-law, or grandparent with a serious health condition, and for the care of a sick child, a spouse's or registered same-gender domestic partner's call to active duty in the military or leave from deployment, and bereavement due to the death of a family member. This SETD Personnel Policies material is intended to outline our practice regarding this leave.

B. Eligibility

When the number of employees in the District is between twenty-five (25) to forty-nine (49) employees you are eligible for the Oregon Family Leave Act (OFLA), but not Federal Family and Medical Leave Act (FMLA). However, an employee must meet the following requirements to be eligible for OFLA:

- You have been employed for at least one-hundred-eighty (180) consecutive days (twenty-six (26) weeks or more before the first day of the family and medical leave.
- You have worked an average of twenty-five (25) or more hours per week as of the day before the request for family and medical leave is made. This average is calculated based upon the one-hundred-eighty (180) days immediately preceding the request for leave. Some exceptions exist, including leave taken for the birth, adoption, or placement of a child called parental leave.

C. Reasons for Leave

The following situations qualify for family and medical leave:

- To care for an infant or a newly placed adopted or foster child under the age of eighteen (18), or older than eighteen (18) if incapable of self-care due to mental or physical disability, within twelve (12) months of the event called parental leave;
- To care for a family member with a serious health condition or your own serious health condition. Oregon covers child, parent, parent-in-law, grandchild, grandparent, spouse, registered same-gender domestic partner, and "in loco parentis" relationships.;
- For pregnancy-related disability or prenatal care. Employees who have used up their original twelve (12) weeks for a serious health condition related to pregnancy are entitled to an additional twelve (12) weeks of parental leave;
- To care for a sick child who does not have a serious health condition but requires home care. Employees who use up their original twelve (12) weeks for parental leave are entitled to an additional twelve (12) weeks of sick child leave. If only part of the twelve (12) weeks is used for parental leave, the employee will only be eligible for the balance remaining on the twelve (12) weeks for sick child leave or any other OFLA qualifying leave;
- To attend the funeral or alternative of a family member; make arrangements necessitated by the death of a family member; or to grieve the death of a family member; up to two (2) weeks of leave is available in each such case, and not to exceed twelve (12) weeks per leave year. The leave must be completed within sixty (60) days after the date on which you receive notice

of the death of your family member. See Bereavement Leave for details that may apply to those employees not eligible for OFLA leave.

D. Length of Leave

You may take up to twelve (12) weeks of family and medical leave during a twelve (12) month period. A week is defined as your normal work week schedule. The twelve (12) month period will be measured rolling forward from the date of leave. If medically necessary, family and medical leave may be taken on a reduced or intermittent schedule. Details of the proposed schedule should be attached to the Request for Family Leave form and should be verified by the certifying health care professional on the Health Care Provider Certification form, if applicable.

Under OFLA, an employee who takes leave for a disability related to pregnancy may qualify for up to twelve (12) additional weeks of leave for any OFLA qualifying event in the same leave year; an employee who takes a full twelve (12) weeks of parental leave may be eligible to take up to an additional twelve (12) weeks of sick child leave in the same year.

E. Request and Certification Procedure

In situations where the need for medical leave is known, you must give thirty (30) days written notice to take family and medical leave by filling out and turning in the Request for Family and Medical Leave form.

We recognize that many times the need for family and medical leave can be caused by serious or emergency situations. We will make every attempt to work with you to ensure that you receive all the benefits to which you are entitled; however, you are expected to call us as required by our call-in policy and make every effort to communicate your situation to us immediately.

Most requests for family and medical leave require verification by a third party. Requests for leave related to a serious health condition, not parental leave, must be verified by a health care professional using the "Health Care Provider Certification" form, which needs to be returned within fifteen (15) days of our request for it. Bereavement leave may require a verification of the death in your family. You may also be asked to provide proof of your relationship to a person associated with your leave, as applicable. Please check with the Human Resources Manager to discuss how best to provide this proof.

In the case of adoption, a legal representative who can attest to the validity of the adoption must verify the request for family and medical leave. In the case of placement of a foster child, a representative of the agency making the placement can verify the request.

Any medical information provided on either a personal health condition or the health condition of a family member is kept confidential and only those with a valid business-related reason for knowing any details will have access to any of this information. If you have any questions about how this information will be handled, please contact the Human Resources Manager.

Subsequent medical verification may be requested in connection with an ongoing absence but not more often than every thirty (30) days. Exceptions exist, however, in situations where:

- Circumstances change significantly from the current certification; for example, the pattern of necessary absences changes;
- Information is received casting doubt on the employee's stated reason for the leave or the continuing validity of the certification.

Lastly, the Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

F. General Provisions

You are required to use any accrued vacation, sick leave, or other paid leave available to you during the family and medical leave. When this is exhausted, the balance of the leave will be unpaid. You may be required to provide periodic status reports to the District while on a family and medical leave. The District will continue to pay our share of your medical benefits during family and medical leave. You are responsible for paying your share of medical insurance premiums prior to the due date of the premium payment. You may continue other insurance benefits by paying the full cost of the premium for any leave in excess of four (4) work weeks in duration. Premium payments must be received by the due date or coverage will be discontinued.

G. Reinstatement

You are entitled to return to the same or an equivalent job with equivalent benefits, pay, and other terms and conditions of employment at the end of a family and medical leave. You may be required to present a fitness-for-duty certificate before being reinstated.

Other details regarding family and medical leave are available from the Human Resources Manager.

10.7 FAMILY MEDICAL LEAVE ACT (FMLA)
(Districts with 50 OR MORE EMPLOYEES IN A 75 MILE RADIUS)

A. Eligibility

You are eligible for Federal specific family and medical leave as soon as the following requirements are met:

- SETD has fifty (50) or more employees.
- You have been employed for at least one-year (12) months or more before the first day of the family and medical leave; and,
- You have worked an average of 1,250 or more hours in the previous year.
- Rarely, an employee may otherwise be eligible. Speak to the Human Resources Manager for additional details.

Some situations, such as military caregiver leave, are covered only by the federal Family and Medical Leave Act. This type of leave requires that an employee worked at least 1,250 hours in the preceding twelve (12) months of employment.

B. Reasons for Family and Medical Leave

The following situations qualify for family and medical leave:

- To care for an infant, adopted child, or newly placed foster child under the age of eighteen (18), or older than eighteen (18) if incapable of self-care due to a mental or physical disability, within twelve (12) months of the event (parental leave);
- To care for a family member with a serious health-condition or your own serious health condition. Oregon covers child, parent, parent-in-law, grandchild, grandparent, spouse, registered same-gender domestic partner, and “in loco parentis” relationships. Federal law covers only child, parent, spouse, and “in loco parentis” relationships. This means an employee may be eligible for twelve (12) weeks under Oregon law and an additional twelve (12) weeks of federal leave in some situations;
- For a pregnancy-related disability or prenatal care, including morning sickness. Employees who have used up their original twelve (12) weeks for a serious health condition related to pregnancy are entitled to an additional twelve (12) weeks leave for any OFLA qualifying purpose;
- To care for a sick child who does not have a serious health condition but requires home care. Employees who use up their original twelve (12) weeks for parental leave are entitled to an additional twelve (12) weeks of sick child leave;
- The death of a family member, which is bereavement leave under Oregon law;
- To care for a qualified family member or “next of kin” as defined under Federal law who is in the military; and,
- A military exigency, which is when a family member is called to active duty. Oregon includes spouse and registered same-gender domestic partners and time when a service member is on leave from active duty; federal legislation includes spouse, sons, daughters, and parents.

C. Length of Leave

You may take up to twelve (12) weeks of family and medical leave during a twelve (12) month period. The twelve (12) month period will be measured rolling forward from the date leave begins; a week is defined as your normal work week schedule. If medically necessary, family and medical leave may be taken on a reduced or intermittent schedule. Details of the proposed schedule should be attached to the "Request for Family Leave" form and should be verified by the certifying health care professional on the "Health Care Provider Certification" form, if applicable. In certain situations, you may be eligible for additional leave including pregnant employees, new parents, and employees taking military caregiver leave, for example.

You may be required to provide periodic status reports to the District while on a family and medical leave.

D. Request and Certification Procedure

We recognize that many times the need for family and medical leave can be caused by serious or emergency situations. We will make every attempt to work with you to ensure that you receive all the benefits to which you are entitled; however, you are expected to adhere to our workplace rules and make every effort to communicate your situation to us immediately. So that we can best work with you, it's important that you complete all requested leave documentation.

In situations where the need for medical leave is known, you must give at least thirty (30) days written notice of your intent to take family and medical leave by filling out and turning in the "Request for Family and Medical Leave" form. Failure to provide thirty (30) days' notice can impact your eligibility and the timing of the leave. Upon submitting the completed leave request, you may be required to provide verification of the need for the leave. Examples of such documentation include a "Health Care Provider Certification" form, deployment orders, adoption papers, a birth certificate, or confirmation of a death.

Requests for family and medical leave for a serious health condition, except parental leave, must be verified by a health care professional by using the "Health Care Provider Certification" form, which needs to be returned within fifteen (15) days of our request. You are required to provide sufficient information for us to determine if your situation qualifies for leave. If sufficient information is not provided, we may request that you provide additional information within seven (7) days. If you fail to return the form at all, your leave request may be denied.

If you are taking family and medical leave related to the birth of a child or to care for a family member with a serious health condition, you may be asked to provide proof of your relationship to this person. Please check with the Human Resources Manager to discuss how best to provide this proof.

In the case of adoption, a legal representative who can attest to the validity of the adoption must verify the request for family and medical leave. In the case of placement of a foster child, a representative of the agency making the placement can verify the request.

Any documentation provided, including medical information provided for either a personal health condition or the health condition of a family member, is kept confidential and only those with a valid business-related reason for knowing any details will have access to any of this information. If you have any questions about how this information will be handled, please contact the Human Resources Manager.

Subsequent medical verification may be requested in connection with an ongoing absence, but not more often than every thirty (30) days. Exceptions exist, however, in situations where:

- Circumstances change significantly from the current certification; for example, the pattern of necessary absences changes;
- Information is received casting doubt on the employee's stated reason for the leave or the continuing validity of the certification.

Additional recertification exceptions may apply in the event your leave is covered only by the federal Family and Medical Leave Act (FMLA).

Lastly, the Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA,

includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's

family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

E. General Provisions

You are required to use any accrued vacation, sick leave, or other paid leave available to you during the family and medical leave. When this is exhausted, the balance of the leave will be unpaid.

The District will continue to pay our share of your medical benefits during family and medical leave. You are responsible for paying your share of medical insurance premiums prior to the due date of the premium payment. You may continue other insurance benefits by paying the full cost of the premium for any leave in excess of four (4) work weeks in duration. Premium payments must be received by the due date or coverage will be discontinued.

F. Reinstatement

You are entitled to return to the same or an equivalent job with equivalent benefits, pay, and other terms and conditions of employment at the end of a family and medical leave (OFLA & FMLA). You may be required to present a fitness-for-duty certificate before being reinstated.

Other details regarding family and medical leave are available from the Human Resources Manager.

G. Military Caregiver Leave Under FMLA

An extension of the Family and Medical Leave Policy provides a leave of absence for up to twenty-six (26) weeks to care for a family member who is a covered servicemember or veteran. This leave requires that an employee worked 1,250 hours in the preceding twelve (12) months of employment. Eligibility for this leave is also based upon the specific family relationship and the existence of a certain situation or conditions.

Family Relationship: This leave is available for care of your spouse, parent, son or daughter of any age, or if you are designated as “next of kin” by, or qualify as the nearest blood relative to, the covered family member.

Qualifying Condition or Situation: Care for a qualified family member who has a serious injury or illness requiring such care.

You may be required to provide documentation supporting both the required family relationship and the qualifying condition or situation. You will be required to complete and return a certification completed by an authorized health care provider within fifteen (15) days. If caring for a covered service member, however, a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to a member of your family can be used instead.

10.8 LEAVE TO DONATE BONE MARROW

A. Eligibility

Employees working twenty (20) or more hours per week are eligible for this leave.

B. Length of Leave

An employee may use up to 40 hours of leave which may be taken as paid or unpaid time. In extenuating circumstances, approval to take more time off (paid or unpaid) may be granted by a supervisor or manager.

C. Request Procedure

You must notify your manager or supervisor as soon as is practicable after you become aware that you will be donating bone marrow. You are expected to provide a copy of the doctor's verification for bone marrow donation. If there is a medical determination that you do not qualify as a bone marrow donor, the paid leave of absence used before that determination was made will not be affected.

D. Status of Benefits

Benefits are not affected by this leave.

10.9 PERSONAL LEAVE OF ABSENCE

A. Eligibility

Employees who have been continuously employed with the District for at least one (1) year may request a personal leave of absence without pay.

B. Length of Leave

Requests may be granted at the sole discretion of the District, for a reasonable period of time up to sixty (60) days. Requests may be granted at the sole discretion of the District.

C. Request Procedure

Requests must be submitted in writing and must be approved in writing by the Chief Operations Officer before the leave begins. Requests for extensions of leave must be submitted in writing and approved in writing by the Chief Operations Officer before the extended period of a leave begins. It is the employee's responsibility to report to work at the end of the approved leave. An employee who fails to report to work on the day after the leave expires will be considered to have voluntarily resigned. Personal leaves of absence are without pay.

D. Pay While on Leave

Personal leaves of absence are without pay.

E. Status of Benefits

The District will not pay for group health or dental insurance premiums during any portion of an unpaid leave of absence (except when leave qualifies for family medical leave and benefit continuation is provided by the OFLA/FMLA policy). Accordingly, the premiums for such coverage are the complete responsibility of the employee. In order to keep the insurance in force, premiums for the entire period of leave must be paid before the employee begins the leave (except as provided by OFLA/FMLA laws). Vacation and sick leave will not accrue during personal leave of absence.

F. Reinstatement

SETD will attempt to arrange employment for individuals returning from a personal leave of absence, but no guarantees are made. While you are on a personal leave of absence, you are required to check in with your Supervisor/Manager on a regular basis as agreed upon to inform us of your status and to notify us of any change in personal data. You may be required to present a doctor's release before being reinstated if the leave was medically related.

10.10 UNIFORMED LEAVE AND RE-EMPLOYMENT

Regular employees requiring a leave of absence for service in the uniformed services are provided leave and will be re-employed at the end of the leave. Policies governing this leave are designed according to the Uniformed Services Employment and Re-employment Rights Act and applicable state regulations. The policy covers employees who enter active military duty voluntarily and extends to Reservists or National Guard members who are called to limited active duty or extended training duty, including

regularly scheduled annual training and military summer camp training. These military members, and those with previous or current military service, are protected from discrimination and harassment.

A. Eligibility

All employees of the District except those hired on a brief, non-recurrent basis is eligible for leave.

B. Length of Leave

Given that the requirements regarding this type of leave are subject to change, the length of this leave will be administered under the current provisions of all applicable laws at the time of occurrence.

C. Request Procedure

You must provide oral or written notice, using the Leave of Absence Request Form, of your obligation or intention to perform service in the uniformed services, unless notice is precluded by military necessity or is otherwise unreasonable or impossible. Failure to do so may result in loss of re-employment rights.

D. Pay While on Leave

Military leave is without pay unless you elect to utilize vacation benefits earned before the commencement of the leave.

E. Status of Benefits

Reservists, National Guard members, and veterans returning from military service in the Armed Forces have and retain rights with respect to seniority, vacation, compensation, and length of service pay increases, as may be provided by applicable statutes of the United States and the State of Oregon. For any leave extending beyond thirty (30) days, you may maintain health care insurance benefits for up to twenty-four (24) months while on leave by paying the full insurance premiums.

F. Reinstatement

If you are returning from a USERRA leave, you generally must report to work or request re-employment within prescribed time limits, which are based on the length of the leave as follows:

1 to 30 days: You are expected to report to work on the first regularly scheduled workday following the completion of your service and an eight (8) hour rest period. You will most likely be reinstated to a position you would have held had you not taken leave or to the same position you held prior to the leave.

31 to 180 days: You should submit an application for reemployment no later than fourteen (14) days after an honorable release from service unless it is impossible or unreasonable through no fault of your own. You will generally be reinstated to the position you would have attained if continuously employed, so long as you are qualified for the job or can become qualified after reasonable efforts by SETD, or to the same position you held prior to leave. In some cases, reinstatement may be made to a position of like seniority, status, and pay to either of the aforementioned positions or to their nearest approximation.

181 days or more: You must apply for re-employment no later than ninety (90) days after the completion of satisfactory service, absent extenuating circumstances. You will generally be reinstated to the position you would have attained if continuously employed, so long as you are qualified for the job or can become qualified after reasonable efforts by SETD, or to the same position you held prior to leave. In some cases, reinstatement may be made to a position of like

seniority, status, and pay to either of the aforementioned positions or to their nearest approximation.

For service of thirty-one (31) days or more, SETD will request that you provide documentation to verify your rights to re-employment, including your separation papers.

Time limits for applications for re-employment are extended for up to two (2) years for disabled veterans unless extenuating circumstances beyond a veteran's control may warrant another minimal extension beyond that period. Failure to file an application within the required time periods may otherwise result in a loss of the right to re-employment.

10.11 OREGON MILITARY FAMILY LEAVE

An employee may be eligible to take leave beginning on the first day of employment if the employee's spouse/registered domestic partner is notified of an impending call to active duty and when the spouse/registered domestic partner is on leave from deployment.

A. Eligibility

You will be eligible to take military family leave if you work an average of at least twenty (20) hours per week for the District.

B. Length of Leave

The amount of leave time available is up to fourteen (14) days of unpaid leave per deployment.

C. Leave Interaction with the Oregon Family Leave Act (OFLA)

If an employee is also eligible for OFLA, generally at least six (6) months on the job and working at least twenty-five (25) hours per week, this time will run concurrently with OFLA leave, reducing the twelve (12) weeks of leave available in any leave year.

D. Request Procedure

An employee accessing this leave provision needs to request time off from the designated Supervisor/Manager within five (5) days of receiving official notice of an impending call or order to active duty or of a leave from deployment, or as soon as is practicable. Obviously, the more advance notice given, the easier it is to handle scheduling issues. These types of leave situations, however, arise with little forewarning at times.

E. Pay While on Leave

Oregon military family leave is unpaid; however, eligible employees who take this type of leave may use any accrued paid vacation/personal time available to them. Exempt employees working partial days, or a partial week will be paid in full for the entire week.

F. Status of Benefits

Benefits are not affected by Oregon military family leave.

10.12 OREGON PAID LEAVE

Sunset Empire Transport District provides a Paid Leave Oregon Insurance plan through Oregon Employment Department. This insurance is required by Oregon state law and provides paid time off to eligible employees. This is a protected leave. All health-related information gathered by the insurer and organization during this process will be maintained as confidential. Employees will not be discriminated against or retaliated against for using or trying to use this insurance benefit. We encourage each employee to use the combination of time off and benefits that meets their personal needs.

Cost

Employees will see a .006% deduction from gross wages for each paycheck. The employer will contribute .004% of the employee's gross wages for each paycheck.

The employee and employer minimum and maximum, as well as overall costs, of this coverage will be assessed annually by the Oregon Employment Department and may change. We will provide notice to employees in advance of any change.

Eligibility

Most employees who work in Oregon are eligible to submit a claim. The determination of eligibility will be made by the Oregon Employment Department. If an employee disagrees with an eligibility determination, the employee may use the appeal process outlined in the determination notice.

Length Of Leave

The length of leave is part of the determination process.

An employee may qualify for up to twelve (12) weeks of leave annually, starting from the first day of leave. An additional two (2) weeks of leave may be available if the employee is pregnant, has given birth, or has health needs because of childbirth. The coverage may be approved in single day or single week segments.

REASONS FOR LEAVE

Benefits may apply to a variety of situations, including:

Family leave - Caring for members of the employee's family:

- During the birth of a child
- Bonding with a child in the first year:
 - After birth
 - Through adoption
 - When the child is placed in the employee's home through foster care
- To care for a family member with a serious health condition*.

Medical leave - The employee caring for themselves when the employee has a serious health condition*.

Safe leave - For survivors of:

- Sexual assault
- Domestic violence
- Harassment
- Stalking

* A serious health condition is an illness, injury, impairment, or physical or mental condition that: requires inpatient care, poses an imminent danger of death or possibility of death in the near future, requires constant or continuing care, involves a period of incapacity, involves multiple treatments, or involves a period of disability due to pregnancy.

INSURANCE BENEFIT WHILE ON LEAVE

The amount of benefit the employee will receive will be calculated based upon the employee's earnings for the prior year. This will also be part of the determination of coverage process. No employee will receive less than the equivalent of \$540.00 per week and no employee will receive more than the equivalent of \$1,469.78 per week. The minimum and maximum benefit amounts may be adjusted by the

Oregon Employment Department annually, and the employee will receive notification before a change occurs.

NOTE: Employee may make up the difference between the PLO benefit amount and their regular rate of pay. The following leave banks are available for this purpose: Vacation or Sick Leave.

NOTIFICATION OF THE NEED FOR LEAVE

An employee is required to provide the employer with notice of the intention to take leave. For planned events the employee is required to provide thirty (30) days written notice. For unplanned events the employee is required to notify the employer within twenty-four (24) hours of the leave and provide written notice within three (3) days. If an employee is incapacitated due to the unplanned event and are unable to meet these obligations, we ask the employee to notify the employer as soon as possible.

Please contact the Human Resources Manager for a copy of the notice. Please complete the Notice Form and return it to the Human Resources Manager notifying the employer of the intention to take leave.

FILING A CLAIM FOR COVERAGE

Employees will need to establish an account at [Frances Online](#) and file claims electronically. This is the electronic system of record for the Oregon Employment Department. Employees are responsible for submitting the required paperwork and any updates or changes to their claim. The employer will be unable to complete the application process on the employee's behalf.

JOB AND BENEFIT PROTECTION WHILE ON LEAVE

If an employee has been employed by the employer for at least ninety (90) days prior to the leave, the employee will be restored to the same position upon their return if the same position exists. If the same position does not exist employees will be restored to a different position with similar job duties and the same employment benefits and pay.

If, at the time of leave, the employee is receiving health benefits these will be maintained.

COMPLAINTS PROCEDURE

Our goal is to solve all concerns at the lowest possible level. We encourage all employees to bring complaints to the supervisor promptly and in writing.

We understand employees may choose to seek outside assistance to resolve complaints regarding this coverage. Employees may contact the Oregon Bureau of Labor and Industries to file a complaint or may contact an attorney of their choice to determine if a civil action may be appropriate.

OTHER LEAVE AND BENEFITS CONSIDERATIONS

LEAVES

- SETD uses a twelve (12) month rolling forward calendar measured forward from the date of the employee's eligible leave to measure any eligible leave time under the Oregon Family Medical Leave Act (OFLA) and the Family Medical Leave Act (FMLA).
- SETD currently requires employees to use vacation or sick leave for any eligible leave under OFLA or FMLA, with the passage of this policy SETD will make it optional for employees to use their vacation or sick leave for any eligible use.
- PLO, OFLA, FMLA will run concurrently where employees qualify for eligible leave.

BENEFITS

1. Health benefits will continue while an employee is receiving a PLO benefit. If you are newly hired and not yet eligible for benefits, on the eligibility date benefits will begin.
2. If an employee is responsible for paying for any portion of a benefit, you will be responsible for that same portion while on leave. The employee will need to pay SETD their portion of the benefit by the 1st of every month.
3. SETD offers Short-Term and Long-Term disability wage replacement insurance(s). PLO does not exclude employees from PLO eligibility when receiving other insurance benefits.

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CHART OF LEAVE AND BENEFIT OPTIONS

The following chart outlines the different types of leave and benefits offered to employees in our organization. Below we summarize the eligibility requirements, reasons for use, and pay, if any, for each leave and benefit. Some of these leaves or benefits will run concurrently, others will not. If an employee is planning to use any of these leaves or benefits, it is important to notify your supervisor and Human Resources as soon as possible. We support the use of these leaves and want to coordinate coverage for the employee's time away when possible.

ELIGIBILITY	Paid Leave Oregon Insurance	OFLA 25+ Employees	FMLA 50+ Employees	Sick Leave	Vacation Leave	Short Term Disability	Long Term Disability
Wages required to be eligible for leave	\$1,000 in wages the previous year working in Oregon.	n/a	n/a	n/a	n/a	Per Policy	Per Policy
Required length of employment	n/a	180 days	12 months	90 days	90 days	Per Policy	Per Policy
Required hours worked for employee to be eligible for leave	n/a	25 hours/week in the past 180 days. Does not apply to parental leave	1,250 hours in previous 12 months	30 hours per month	30 hours per month	Per Policy	Per Policy

QUALIFYING PURPOSES	Paid Leave Oregon Insurance	OFLA 25+ Employees	FMLA 50+ Employees	Sick Leave	Vacation Leave	Short Term Disability	Long Term Disability
Birth, adoption, foster, or placement	Yes	Yes	Yes	Yes	Yes	Per Policy	Per Policy
Family member's serious health condition	Yes	Yes	Yes	Yes	Yes	Per Policy	Per Policy
Employee's own serious health Condition	Yes	Yes	Yes	Yes	Yes	Per Policy	Per Policy
Domestic violence, sexual assault, harassment, or stalking	Yes	No <i>Serious health condition and reasonable safety accommodations under ORS 659A may include leave.</i>	No	Yes	Yes	Per Policy	Per Policy
Extended leave for a pregnancy* *In addition to leave for serious health condition	Yes	Yes	No	Yes	Yes	Per Policy	Per Policy

QUALIFYING PURPOSES continued	Paid Leave Oregon Insurance	OFLA 25+ Employees	FMLA 50+ Employees	Sick Leave	Vacation Leave	Short Term Disability	Long Term Disability
Sick child leave	No	Yes	No	Yes	Yes	Per Policy	Per Policy
Military family leave	No	Yes	Yes	Yes	Yes	Per Policy	Per Policy
Bereavement leave	No	Yes	No	Yes	Yes	Per Policy	Per Policy
Public health emergency	No	Yes Active Public Health Emergency allows for sick child leave for school or childcare closure only	No	Yes	Yes	Per Policy	Per Policy
Rest/Relaxation	No	No	No	No	Yes	Per Policy	Per Policy

LEAVE DURATION AND BENEFIT PAYMENTS	Paid Leave Oregon Insurance	OFLA	FMLA	Sick Leave	Vacation Leave	Short Term Disability	Long Term Disability
Leave duration (most cases)	12 weeks in a one-year period	12 weeks in a one-year period	12 weeks in a one-year period	40 hours in a one-year period, or depending on longevity	40 hours in a one-year period, or depending on longevity	Per Policy	Per Policy
Maximum leave duration (in most cases)	12 weeks in a one-year period; 14 weeks due to pregnancy in one-year period	12 weeks in a one-year period	12 weeks in a one-year period	8-hour monthly accrual with 320-hour cap	8-hour monthly accrual with 260-hour cap	Per Policy	Per Policy
Payment	Paid benefit amount	Unpaid Leave	Unpaid Leave	Paid Leave for employers with 10 or more employees	Paid Leave for employers with 10 or more employees	Per Policy	Per Policy
Benefit amount	Varies based on employee's average weekly wage.	n/a	n/a	100% of regular wages	100% of regular wages	Per Policy	Per Policy



PAID LEAVE OREGON - NOTICE OF LEAVE

First Name:	Last Name

Type of Leave: (Check one) See below for information about each leave type.			
<input type="checkbox"/>	Family Leave	<input type="checkbox"/>	Medical Leave
<input type="checkbox"/>	Safe Leave		

Explanation of the need for leave:

Anticipated Start Date:	
-------------------------	--

Anticipated End Date:	
-----------------------	--

Anticipated Return Date, if different than End Date:	
--	--

Employees Signature

Received by

Date

Date

HEALTH AND SAFETY

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SECTION 11- EMPLOYEE HEALTH AND SAFETY

SETD is committed and legally responsible to provide our employees with a safe and healthful work environment while on-site, in the field, and working at an approved alternative location (such as an employee's home). To accomplish this goal, both management and employees must make diligent efforts to promote safety within applicable laws and standards.

We develop and implement safety rules and regulations through our managers and supervisors. This process is ongoing and requires periodic safety audits. Safety audits are undertaken to determine the necessity and feasibility of providing devices or safeguards to make the workplace safe and healthful. We also educate employees about workplace hazards and the proper and safe methods to use in performing job tasks.

You are expected to give your full skill and attention to the performance of your duties, using the highest standard of care and good judgment. You are also expected to always follow safety rules and regulations, including using appropriate protective clothing, shoes, and equipment, attending all training sessions offered, and following directions of warning signs, signals, and supervisory personnel.

All job-related injuries or illnesses are to be reported to your supervisor immediately, regardless of severity. In the case of serious injury, your reporting obligation will be deferred until circumstances reasonably permit a report to be made. Failure to report an injury or illness may preclude or delay the payment of any benefits to you and could subject SETD to fines and penalties. No one will be retaliated against for filing a workers' compensation claim in good faith.

Safety rules and regulations will be issued or modified from time-to-time and will be effective immediately upon communication. Rules and regulations will be distributed to you and posted on the employee bulletin board.

If an injury or illness occurs, you are required to:

1. Take remedial first aid actions; seek emergency care if necessary.
2. Report the injury or illness as soon as possible.
3. Fill out the report form and workers' compensation form.
4. Provide your supervisor with a medical release from a doctor.
5. Review the incident with our Chief Operations Officer.

11.1 EARLY RETURN TO WORK PROGRAM

Whenever feasible and available to minimize time away from work, our Return-to-Work program provides guidelines for returning you to work as early as possible after you have suffered an on-the-job-injury or job-related illness. The program is not intended to be a substitute for a reasonable accommodation when an injured or ill employee also qualifies as an individual with a disability.

The Return-to-Work program consists of a team effort by supervisors, employees and their treating physicians, management, and our workers' compensation insurance carrier. All team members will take an active role in returning an employee to productive work. Through this team effort, we hope to help our employees recover and return to full employment as soon as their medical condition permits.

If you are injured on the job and your doctor determines that you are able to perform modified work, the District will attempt to provide such a job until you are able to resume your regular duties, except where provided as an accommodation for a permanent disability. All modified work is temporary and may be

offered at any location or on any shift if available. If you are offered a modified position that has been medically approved, failure to report at the designated time and place may affect time loss compensation.

A return to work from non-work-related injuries or illness may be covered in the Leave section.

11.2 SMOKING IN THE WORKPLACE

SETD facilities and the Astoria Transit Center Plaza are designated as non-smoking. This includes the use of electronic cigarettes and vaping devices. Places outside the office buildings or Astoria Transit Center Plaza may be designated as smoking areas; smoking is limited to these areas. Please do not smoke or vape within ten (10) feet of any entrance, exit, window, or air intake device. If any employee has a concern about the areas designated, that individual should speak with the appropriate supervisor.

11.3 EMPLOYEE RIGHT TO KNOW/ - HAZARD COMMUNICATION PROGRAM

SETD provides a Hazard Communication Program so that all employees are aware of chemical hazards in the workplace. By becoming familiar with this information, you can help prevent injuries and illnesses from chemical exposure. If you have any questions regarding chemical hazards, do not hesitate to ask your supervisor or Chief Operations Officer.

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

A. Container Labeling

The Maintenance Supervisor will verify that all containers received for use will:

- Be clearly labeled as to the contents with a product identifier.
- Note the appropriate hazard warning with a precautionary statement, pictogram, hazard statement, and supplemental information.
- List the manufacturer/supplier name, address, and emergency phone number.

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

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

B. Safety Data Sheets (SDS)

Copies of safety data sheets for all hazardous chemicals that employees of this District may be exposed to will be kept in the Maintenance Shop. Safety data sheets will be available to all employees in their work areas for review during each work shift. Never use a chemical or associated machinery if its safety data sheet is not available; you should immediately contact the Maintenance Supervisor before using the chemical or the machine containing it.

C. Employee Information and Training

Before starting work, you will attend a health and safety orientation and receive information and training about the following:

- An overview of the requirements contained in the Globally Harmonized Hazard Communication System;
- Chemicals present in your workplace operations;
- Location and availability of our written hazard communication program;
- Physical and health effects of the hazardous chemicals;
- Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area; and,

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

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

Prior to a new hazardous chemical being introduced into any section of this District, each employee of that section will be given information as outlined above. The Maintenance Supervisor is responsible for ensuring that Safety Data Sheets (SDS) on new chemicals are available.

DRAFT

**DRUGS AND ALCOHOL
NON-SAFETY SENSITIVE**

DRAFT

SECTION 12 – DRUGS AND ALCOHOL– NON-SAFETY SENSITIVE

12.1 DRUGS AND ALCOHOL – NON-SAFETY SENSITIVE

For all employees not covered by the Federal Transit Administration the objective of this policy is to provide a workplace and environment that are free from the effects of substance abuse. Furthermore, SETD has a responsibility to our employees, to those who use or come into contact with our services, and to the general public to ensure safe operating and working conditions. To satisfy our drug free workplace objective and meet these responsibilities, we have established a work environment where employees are free from the effects of drugs, alcohol, or other impairing substances. Accordingly, we have adopted this substance and alcohol policy.

The following conditions and activities are expressly prohibited on our premises or property or during work time or while representing us in any work-related fashion and will lead to corrective action, up to and including termination:

- Manufacturing, selling, attempting to sell, using, distributing, or possessing alcohol or other controlled substances that impair job performance or pose a hazard when use or possession occurs (as a government employer this includes marijuana).
- Reporting for or being at work while impaired by the use of alcohol, drugs, or controlled substances.

If your doctor prescribes over-the-counter or pharmaceutical drugs, you are responsible for determining if you are able to maintain work performance standards, including safety. If you are not, you are to contact your Supervisor before returning to work.

If you have a problem with substance or alcohol use and wish to undertake rehabilitation, you may be granted a leave of absence for this purpose. It is your responsibility to seek help before the problem adversely affects your work performance or results in a violation of this policy. If you need assistance in seeking this help, you may talk to the Human Resources Manager. No one will be discriminated against for undertaking rehabilitation.

Where we have a reasonable basis to believe that an employee is in violation of this policy, the employee will be required to submit to testing to determine presence of, use of, or involvement with alcohol or drugs. We reserve the right to determine whether a reasonable basis exists.

The following definitions apply:

Reasonable suspicion is defined as specific, describable observations concerning such circumstances as the work performance, appearance including, for example, noticeable odor of an alcohol, behavior, or speech of the employee, or as being involved in an accident on District premises that results in physical injury or property damage.

The presence of is defined as any noticeable or perceptible impairment of the employee's mental or physical faculties.

Controlled Substances are defined as any product causing potential impairment of an employees' mental or physical faculties.

Over-the-counter drugs are defined as those that are generally available without a prescription from a medical doctor.

Prescription drugs are defined as those drugs that are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.

Any employee who is found to be in violation of this policy and who refuses to submit to testing, or refuses to cooperate, or attempts to subvert the testing process will be subject to corrective action, up to and including termination.

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WORKPLACE VIOLENCE

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SECTION 13 – WORKPLACE VIOLENCE

13.1 WORKPLACE VIOLENCE

SETD recognizes the importance of a safe workplace for employees. A work environment that is safe and comfortable enhances employee satisfaction with work as well as employee productivity.

To foster a safe workplace, this District specifically prohibits any employee, customer, or vendor from bringing any kind of weapon, knife (other than folding pocket-knife), or firearm on premises. If you have a question whether something may be considered a weapon in violation of this policy, you must ask your supervisor prior to bringing the item onto our premises.

Situations may occur despite our best efforts to prevent them, which present a risk of harm to employees and others. All employees have an obligation to report any incidents that pose a risk of harm to employees or others associated with the District or that threaten the safety, security, or financial interests of the District. Employees should make such reports directly to the Human Resources Manager.

All information related to the reports, including the name of the reporting employees, will be kept as confidential as possible under the circumstances. We will generally notify the reporting employee of action taken in response to the report.

We may, out of business necessity, conduct an investigation of a current employee when the employee's behavior raises concerns about work performance, reliability, honesty, or potential threat to the safety of co-workers or others. An employee investigation may include investigation of criminal records and a search of the District's property such as desks, work areas, lockers, file cabinets, voice mail systems, and computer systems.

If an employee is found to have violated any part of this policy, corrective action up to and including termination may occur.

EMERGENCY PREPAREDNESS

DRAFT

SECTION 14 - EMERGENCY PREPAREDNESS

14.1 EMERGENCY PREPAREDNESS

SETD may be subject to major disruptions as a result of occurrences beyond the control of the District. All employees should exercise good judgment in responding to these events as the situation necessitates. SETD will try to provide emergency and limited services during periods of disruptions. The Executive Director shall make the determination to close the District, suspend activities, or make the District available for community support.

In the event of potential or actual disruptions that may be weather-related or a result of a catastrophic event such as an earthquake, tsunami, fire, explosion, or public health emergency, a closure message will be displayed on the SETD webpage and recorded on SETD's general voice message line if possible.

Should a threat to District property or an employee be received, it should be reported immediately to the supervisor.

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EMPLOYMENT SEPARATION

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SECTION 15 - EMPLOYMENT SEPARATION

NOTE: SEPARATION FROM EMPLOYMENT WITH SETD OCCURS WHEN YOU VOLUNTARILY RESIGN, ARE LAID OFF, OR ARE DISCHARGED BY THE DISTRICT.

15.1 RESIGNATION

Employment with SETD is “at-will,” which means you are free to resign at any time, with or without cause or notice. However, in order to achieve an orderly transition, we would appreciate receiving notification of your resignation at least ten (10) working days before the intended date of departure.

15.2 JOB ABANDONMENT

To maintain a safe and productive work environment, employees are expected to be reliable in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the District; poor attendance and excessive tardiness are disruptive. Either may lead to corrective action, up to and including termination of employment. If an employee fails to call in or show up for work for three (3) consecutive shifts or days, job abandonment and voluntary resignation will be assumed.

15.3 DISCHARGE

Our philosophy and general practice to provide employees who have completed the initial probationary period of employment with an opportunity to correct minor performance and conduct problems before discharge is implemented.

The District has a corrective action policy found in this SETD Personnel Policies Section 3.17 that describes action management may take, at its discretion, to correct performance infractions prior to discharging employees. The decision to discharge employees is based not only on the seriousness of the current performance infraction, but also on the individual’s overall performance record and length of service.

We also believe that our employees should be given an opportunity to be heard in matters involving corrective action, including discharge, and we have provided a formal dispute resolution procedure found in Section 1.7 of this SETD Personnel Policies for that purpose. You are encouraged to use this procedure to resolve any issues you may have that cannot be resolved by consulting with your supervisor.

15.4 EXIT INTERVIEW

An exit interview may be arranged to give you an opportunity to address unresolved issues before leaving the District. It also allows us to solicit your opinions about our District and any suggestions you may have for its improvement. We encourage all employees invited to participate in an exit interview when they separate from employment to do so, and we value all opinions and suggestions we receive in the process.

At the exit interview session, you will be given information regarding your benefit continuation rights and responsibilities and how you will receive your final paycheck.

15.5 RETURN OF DISTRICT PROPERTY

Upon separation from employment, either voluntarily or otherwise, you must return all District property in your possession. Such property may include credit cards, District vehicles, keys, ID cards, pagers, tools, software, electronic devices, uniforms, this SETD Personnel Policy, and any other items in your possession that belong to the District.

DRAFT

Sunset Empire Transportation District

PERSONNEL POLICIES RECEIPT ACKNOWLEDGMENT FORM

As an employee of SETD, I acknowledge the following:

I have been provided with a copy of the SETD Personnel Policies. I understand that the SETD Personnel Policies contains important information about SETD's policies, work rules, and my benefits

I acknowledge the SETD Personnel Policies is neither a contract of employment nor a guarantee of specific treatment in any situation; that the District has the right to change, modify, add to, substitute, eliminate, interpret, and apply, in its sole judgment, the policies, rules, and benefits described in this SETD Personnel Policies; and that the current SETD Personnel Policies supersedes all prior SETD Personnel Policies, policies, and understandings related to the subjects it contains.

The Executive Director is the only person authorized to make changes to the SETD Personnel Policies and all such changes must be in writing to be valid. Any changes to the content will be communicated to employees via official notices.

I understand that, unless stated otherwise in an employment contract, my employment relationship with the District is "at-will" and either the District or I can end the relationship at any time, with or without reason or notice. The Executive Director is the only person who has the authority to enter into an employment contract, which must be in writing and signed by both parties to be valid.

Lastly, I am aware that I may be given confidential information during my employment, including customer lists, proprietary District plans, and other information. I understand this information is critical to the success of SETD and I agree not to disseminate or use it outside of the District, even in the event of my separation, either voluntary or involuntary.

I also acknowledge that before signing this form, I read the policy in its entirety, asked for and received clarification on any of the items discussed above that I did not understand.

I have both read and understand the information in the SETD Personnel Policies.

Employee Signature

Date

Print Employee's Name

*****EXTERNAL SENDER*****

Good morning,

I wanted to pass along some training we will be bringing in that is required. We find these areas to be where there are the most findings when we perform site reviews. If you see I missed someone that should be attending, please forward to them.

See more information below. We are working on the sign-up application that should be going out by the end of the month.

Thank you.

Arla Miller

Regional Transit Coordinator ~ 503-949-5415

ODOT Public Transportation Division

Confederated Tribes of the Grand Ronde Community of Oregon, Confederated Tribes of the Siletz Indians, Benton County, Clatsop County, Columbia County, Lincoln County, Linn County, Marion County, Polk County, Tillamook County, Yamhill County

Arla.Miller@ODOT.Oregon.gov

[Oregon Department of Transportation : Public Transportation Funding Opportunities : Public -- Transportation : State of Oregon](#)

Monday through Friday 7:00 am to 3:30 pm

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Public Transportation Division

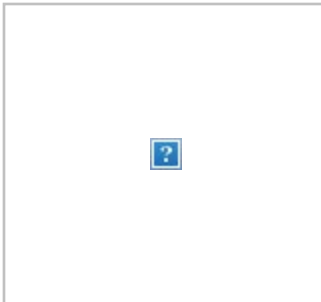
ODOT Public Transportation Division - Required Provider Training

Due to an increase in transit provider compliance findings the Public Transportation Division (PTD) in conjunction with RLS and Associates will provide a series of required trainings for PTD's subrecipient. Each agency is required to send at least one person per agency for each of these trainings. Agencies are welcome to send more than one individual. It is highly recommended that the individual(s) chosen are those that manage the program covered in each of the trainings. All of these trainings will be offered in a virtual format.



December 12-13, 2023 – Financial Management for transit providers

This class will provide essential guidance for FTA Section 5311 recipients and subrecipients on financial management topics. It will offer each provider the necessary tools to avoid findings and improve the financial health of their agency.



January 10, 2024 – Americans with Disabilities Compliance

This class will provide essential guidance for federal grant recipients and sub-recipients covering concepts related to implementation of ADA regulations in public transportation. As the number one finding for Oregon, this class is essential to ensure your transit program stays in compliance with current guidelines.

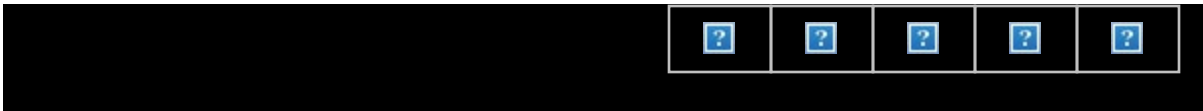


January 2024 (Date to be determined) – Civil Rights and Title VI Compliance

This class will provide the essentials for federal grant recipients and sub-recipients to ensure compliance with federal regulations associated with Title VI, Civil Rights and Equity. These topics have been high on the compliance findings list and the class will help transit programs stay in compliance with current guidelines required by both the state and federal grant funding.

For more information contact [Jennifer Boardman](#) or your [Regional Transit Coordinator](#).

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Want to help your community every day? Apply now at [ODOTJobs.com](https://www.ODOTJobs.com).
Nothing quite fit? Check back often!



Oregon Department of Transportation

355 Capitol Street NE, MS 11

Salem, OR , 97301-3871 USA

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Oregon Department of Transportation · 355 Capitol Street NE · Salem, OR 97301 · 888-275-6368



Date: September 28, 2023

To: Board of Commissioners

From: Paul Lewicki

Re: Agenda Item 10.b Restore Fixed Route Services

Staff has developed a plan to restore some of SETD's suspended services beginning on October 9th, 2023. These services include a modified Route 10, Route 20, and possibly Route 15. These routes will run a reduced schedule based on available resources and with the intent of using the resulting data to assess the viability of restoring other services.

No action is required by the Board.

Sunset Empire Transportation District

Board of Commissioners Meeting

September 21, 2023

Cover 10.d Transportation Advisory Committee

Request to Seek Volunteers

The Sunset Empire Transportation District, Transportation Advisory Committee (TAC) advises the District's Board on issues involving the districts transportation plans, grants, policies and programs with a special emphasis on access for senior and disabled riders. The TAC committee is comprised of a total of 7 community volunteers which are appointed by the SETD Board. There is also an appointed SETD Board member and SETD staff on the committee. Terms of office are 1 to 2 years and begin in July and go through June 30th. TAC meetings are generally held quarterly. The SETD TAC is currently in need of 2 members. One is needed to represent Educational Institutions and the second to represent a Public Service Organization. Staff is requesting Board approval to publicly seek 2 volunteers to serve on the TAC committee.

Paul,

John is definitely one of the best! We are glad he has been able to assist. Transit is a challenge for all of us and we most definitely need to support one another. Thank you for stepping up and taking the lead for Sunset Empire.

I will share this with Commissioners Garrett and Smith.

Sincerely,
Margaret

Margaret C. Magruder

Columbia County Commissioner

503-397-4322

503-709-9652 cell

Service ~ Engagement ~ Connection ~ Innovation

August 23, 2023

Columbia County Commissioners,

I would like to express my deep appreciation for your county's support during these challenging times. Columbia County has demonstrated its community mindedness during Sunset Empire Transportation District's difficult fiscal crisis by lending its Transportation Director, John Dreeszen, to help us figure out our predicament and work toward a more solid financial footing. John's expertise in transportation and finance has been an invaluable resource as we come to terms with our new reality.

With John's help, we have been able to understand some of the practices which contributed to our problems and develop an affirmative approach to our financial recovery.

John has helped us respond to our forensic audit and to gain a deeper understanding of reporting requirements while giving our staff a morale boost!

On behalf of our Board, staff, and riders in Clatsop County, thank you again for sharing one of your best.

Paul Lewicki
Interim Executive Director
Sunset Empire Transportation District

Interim Executive Director Report

September 2023

Our limited service continues to operate smoothly. However, with the recently received STIF funds and release of the reimbursements due the District by ODOT, it is time to begin planning for bringing back some more of our suspended services. Staff have a plan to bring back service in Cannon Beach (Route 20), Warrenton/Hammond (Route 15), and Astoria (Route 10) on a limited basis. At the time of implementation, this service will provide three loops in the morning and three loops in the late afternoon/early evening, weekdays, for each of these route. It is our intention to monitor the new service, gather feedback from our riders and other stakeholders, and adjust schedules as necessary to best serve our riders' needs and our communities' needs while being mindful of our available funds. This next step is being taken carefully to allow time to assess the actual costs and the potential of restoring more service going forward.

In order to support this service, we will need to bring back four drivers, one supervisor, and hire one mechanic and a Transit Support Specialist to support Paratransit dispatch. Jason will be moving back to Mobility Management to continue his mission there and utilize the grant funding available for that activity.

Matters of Finance continue to take up much staff time. In the past month, we have received our first quarter STIF funds and most of our reimbursements for the second, third and fourth quarters of FY2023. This gives us a much healthier financial base from which to plan and operate, but hurdles remain. ODOT presented our revised STIF plan to PTAC on September 11th. There was a lively discussion among the members which led to an eventual positive vote. It was intended that the plan go before the OTC at its meeting in September, but ODOT indicated that OTC's agenda was too full and our STIF plan would be moved to OTC's next meeting in November. This has resulted in the apparent delay in the anticipated receipt of our second quarter STIF payment which we would normally expect in October. This will also delay the second loan payment to OTIB which ODOT assures me will not include penalties due to its lateness. This will not affect our plans to restore service, but the staff is conscious of the elevated risk presented by late or uncertain ODOT payments.

ODOT reports that the forensic audit ordered by the department is complete and they have received a draft copy of the report. I have not been able to obtain a copy of that draft, nor have I been able to secure an invitation to the exit conference for the audit. As soon as I receive any documented results of the audit, I will deliver them to the Board members at once.

We have implemented our vehicle maintenance program and are working to input all work orders that have been generated since the beginning of the fiscal year. This software will facilitate clearer and more comprehensive reporting documents to be used with our requests for reimbursement from ODOT, as well as supporting management analysis of our maintenance program effectiveness.

Jennifer was registered to attend the Zero Emissions Bus Conference on September 26-28 in San Diego but has elected to forego that event in favor of being present and involved in the events surrounding the selection of our new Executive Director.

Meanwhile, we will be working on readying personnel and equipment, route alignments, schedules and other support items to successfully restart fixed route services on October 9th.

September 2023 Operations

Jennifer Geisler

I have been training in Remix. It is transit planning software that is data-driven and can help plan for transit service quality and cost. Transit providers now can have access to the GTFS and manage it themselves. This will help with more accurate on-time performance and ride schedules for riders. I will be attending a full day in person training on Tuesday October 24th in Salem that will be hosted by ODOT.

In early September I took Rutgers National Transit Institute training for National Transit Database Annual Reporting for State DOT's. The reporting is due in October 2023 and involves operational data and financial data. Kelly and I will be working on this together along with the quarterly report for ODOT.

Our mechanic, Alex and Operations Supervisor Rick are trained in the RTA fleet management system. The set up is nearly completed and Rick is now in the process of recording all work orders and parts purchased after July 1, 2023. RTA will help track everything from driver pretrips to the costs associated with maintenance.

The management team continues to host staff meetings/BBQs. It is always great to have the staff together, share food and update everyone. This month we also had the great opportunity to celebrate service milestones. We celebrated two drivers, Steve Weinert, and his 20 years with SETD and Bruce Kneeland with 10 years of service.

The current road construction project on Hwy 30/Marine Drive in Astoria has not resulted in major delays for the route. The project is projected to be completed at the end of September. The result will be a permanent traffic pattern change. Because of the traffic pattern change, we will need to move two bus stops along Marine Drive and one of them having a bus shelter. Jason and I have a Zoom meeting with Caroline Crisp Senior Transportation Planner for ODOT for the northwest area. I will also get an update on the ODOT project on Hwy 202 near the Astoria Short Stop that involves our bus shelter.

With the help of Jason and Rick we are putting together fixed routes to add to Route 101. The plan involves changing the current Route 101 to better serve from the Astoria Transit Center to the Seaside Cinema. This would require adding additional routes to service from Astoria to Seaside-Cannon Beach. Adding fixed route service will need to fit into our financial budget but also be a positive service to our community. With a major change in service, we hope to inform riders, employers, local human services, health services and local schools of the added available service. As a collaborative group we are also planning for the future service that SETD will provide for Clatsop County. The future of transit itself is evolving and if we can provide safe, efficient, accessible service to our community that is the direction we need to plan for.

**Human Resources
SEPTEMBER 2023 Board Report
Sue Farmer, Human Resources Manager**

TRAININGS ATTENDED:

- Suicide Awareness – Sponsored by Canopy, our Employee Assistance Program (EAP) this webinar covered suicide awareness and intervention. Participants learned common warning signs, communication strategies, stigma reduction and was provided with community resources.
- Paid Leave Oregon for Employers – This ODE presentation was an opportunity for employers to learn more about the Paid Leave Oregon Program Benefits. The virtual webinar gave an overview presentation about Paid Leave Oregon Benefits and was followed by questions and answers.
- Time to Prepared: An Employer’s Blueprint for the New Overtime Rule – A review of the Fair Labor Standards Act (FLSA) requirements, exemptions and consequences.

ACTIONS:

- Completed first draft of the personnel policies. Sent to HR Answers and SDAO for review.
- Employee meeting and BBQ Wednesday, August 16th. Spoke to employees about additional benefits added to our health insurance and gave an overview of Paid Leave Oregon.
- Assisted employee with Paid Leave Oregon process. Eligible employees were able to apply beginning August 24, 2023. Paid Leave Oregon benefits begin September 3, 2023.
- Attended TEAM Meetings August 17th, 30th and September 13th.
- Attended Board Meeting on August 24th.
- Held a 20-year Anniversary Party for Steve Weinert on August 31st.
- Held a 10-year Anniversary Party for Bruce Kneeland on September 11th.
- Prepared for and participated in an Unemployment Hearing.
- Met with Paul and Jennifer to discuss plans for adding positions.
- Sent meeting reminders to employees for AFLAC annual visit on October 5th.
- Prepared and processed Workshare Weekly Claim reports for the month of August/September.
- Working on Emergency Plan and Safety Committee building inspections for 3rd Quarter.

NEW/RETURNING EMPLOYEE:

Rick Yelton will return to SETD in a full-time position effective Monday, September 18, 2023. His position will be utilizing his skills as the Bus Driver Supervisor and Maintenance Supervisor. Rick will also be filling in for Payroll/Accounts Payable as needed as well as driving bus on an emergency basis. Rick is a skilled employee with a can-do attitude and a great team spirit doing all he can do for the good of the District. SETD is fortunate to have Rick on our TEAM!

WORKPLACE DEMOGRAPHICS:

Male	8
Female	8
	16
Hispanic/Latino	2
Native American/Indian	1
White	13
Two or More Races	16

- In August, there were 0 travel training requests. I was able to have 5 in-depth conversations with riders over the phone where the need for assistance was more than a 3-5 minute phone call. In all instances, the need was mostly how to read our schedules and the best location to wait for the bus for a “flag stop”. All requests for assistance came through the main call number and were then transferred to me.
- I continue to stay in contact with a couple of Veterans we had helped in the past. They are thankful to have some contact and are hopeful that we may be able to bring back even just a small portion of transportation they once had. I also keep in contact with 1 Volunteer driver and he has let me know that he is ready to get back to driving if we ever find a way to bring it back. If you know of a Veteran needing help, please forward this information to them: www.veteranscrisisline.net, Call 1-800-273-8255, and Press 1, Text 838255. If you know of a Veteran who is homeless or at imminent risk of homelessness, please encourage them to contact the National Call Center for Homeless Veterans at (877) 4AID-VET (877-424-3838) for assistance.
- In the month of August, I continued my efforts to support operations in any way possible by answering phone calls and scheduling rides for Paratransit. I have also been in deep discussion with ZOOM in efforts that I hope will get us a solid working system that I can count on. This job has been difficult but the new system has been installed and is in testing right now. I hope that as you are reading this in the September board meeting that the meeting is being streamed by this new system. . I have had the opportunity to be more involved with our mechanic Alex as he continues to work hard to keep the buses on the road. As an example, I will drive him out to a location to work on a bus that has broken down or help him with a second set of hands with heavy projects that need to be very accurate. Alex is great at letting me know exactly how I can help and not be in the way. I also work on maintaining the fixed-route driver’s schedule utilizing the TEMP driver list to cover any holes in the schedule. I thank Sue for preparing such a comprehensive list. I also continue in my efforts to keep up my small Mobility Management outpost by being available for travel training and keeping up with 1 previous trainee that needs help from time to time. I also continue to provide light assistance with IT-related items and perform other duties as requested.
- In an effort to keep a strong outreach presence, part of my limited Mobility time goes to producing a weekly outreach transit update for the community called the Transit Focus. Please go watch the video and click on the like and subscribe button, as doing so helps get the information out to more people: <https://www.youtube.com/@sunsetempiretransportation582>

Marketing, Outreach and Education
September Board Meeting 2023 Report
Mary Parker, Executive Assistant

- Prepared minutes for August 24th Board Meeting.
- Prepared Board Pack for September 24, 2023, Meeting
- Prepared and posted Public Announcement Eng/Spain for September Board Meeting

- Reserved meeting rooms for ED finalist interview process at CCC.
- Met with CCC staff to complete arrangements necessary for process.
- Arranged room set up and purchased supplies and refreshments for ED finalist interviews.

- Assisted with panelist recommendation list for ED interviews.
- Prepared Press Release Announcements Eng/Spain for ED 9/24/23 Finalist Meet and Greet
- Posted Press Release in shelters in Astoria, Seaside and Cannon Beach
- Posted Press Releases to Media
- Purchased refreshments for Meet and Greet

- Deep cleaned Transit Center
- Set up Conference Room for September 24th ED Finalists Meet and Greet
- Had phone meetings with George Dunkel about final arrangements for ED finalists interviews

- Assisted with locating ODOT audit records.

- Prepared 2023 Approved Board Minutes for final signature

- Attended Team Meeting at OPS

- Updated schedules in shelters on current 101 Route (Astoria, Seaside and Cannon Beach)

- Assisted with mail and clerical needs.