Personnel Committee Meeting Agenda
East Multnomah Soil and Water Conservation District
(March 6, 2018)

Tuesday, March 13, 2018, 10:30 AM – 12:30 PM
5211 North Williams Ave, Portland OR

<table>
<thead>
<tr>
<th>Item #</th>
<th>Time</th>
<th>Agenda Item</th>
<th>Purpose</th>
<th>Presenter</th>
<th>Packet</th>
</tr>
</thead>
</table>
| 1      | 10:30  | Welcome and Call to Order:                            | Information/Decision | Guebert   | a. September 5, 2017 Meeting Minutes
|        |        | • Review/revise agenda                                |                    |           | b. Board Decision Log
|        |        | • Previous action items                               |                    |           | c. PC Decision Log
|        |        | • Approval of Minutes                                 |                    |           |                                                                         |
| 2      | 10:35  | Time reserved for public comment ¹                    | Information        | Public    | n/a                                                                    |
| 3      | 10:40  | Draft Personnel Policies                              | Discussion         | Udelhoven | a. Open Door, Grievances, Whistle Blower ~
|        |        |                                                       |                    |           | b. Workplace Safety ~
|        |        |                                                       |                    |           | c. Professional Development ~
|        |        |                                                       |                    |           | d. Non-pay Benefits ~
|        |        |                                                       |                    |           | e. Discipline and Separation ~
|        |        |                                                       |                    |           | f. Tort Liability ~
|        |        |                                                       |                    |           | g. Public Commenting ~
|        |        |                                                       |                    |           | h. Addressing Resource Concerns ~
| 4      | 12:30  | • Announcements and Reminders                         | Information        | Guebert   | n/a                                                                    |
|        |        | • Action Items                                         |                    |           |                                                                         |
|        |        | • Adjourn                                              |                    |           |                                                                         |

Overview: Udelhoven will present the next round of draft personnel policy updates for the PC’s consideration. At this point in the process, feedback from the PC is being sought. Some staff are still reviewing the draft policies and have not yet provided their input. Udelhoven will provide input that staff have given to date. Based on the discussion, Udelhoven will continue to revise and improve the draft policies for the PC’s final consideration and approval at the June 12th PC meeting.

EMSWCD Board Members, Officers and Meeting Dates:

<table>
<thead>
<tr>
<th>Members</th>
<th>Positions</th>
<th>Officers</th>
<th>PC</th>
<th>FY17-18 Schedule</th>
<th>Board</th>
<th>PC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nellie McAdams</td>
<td>Zone 1 Director</td>
<td>Vice-Chair</td>
<td>X</td>
<td>March</td>
<td>5</td>
<td>13</td>
</tr>
<tr>
<td>Laura Masterson</td>
<td>Zone 2 Director</td>
<td></td>
<td>X</td>
<td>April</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Mike Guebert</td>
<td>Zone 3 Director</td>
<td>Treasurer</td>
<td>Chair</td>
<td>May</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Rick Till</td>
<td>At-Large 1 Director</td>
<td>Chair</td>
<td></td>
<td>June</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>Allison Hensey</td>
<td>At-Large 2 Director</td>
<td>Secretary</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Dianna Pope</td>
<td>Director Emeritus</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ Each member of the public who wishes to speak shall be given approximately 3 minutes.
## Personnel Committee Meeting Agenda

**East Multnomah Soil and Water Conservation District**  
**Tuesday, March 13, 2018, 10:30 AM – 12:30 PM**  
**5211 North Williams Ave, Portland OR**

<table>
<thead>
<tr>
<th>Date Generated</th>
<th>Previous Action Items</th>
<th>Responsible Parties</th>
<th>Due Date</th>
<th>Current Status as of Date of Draft Minutes</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/5/17</td>
<td>Research the past 4 years to see what decisions were made by the Committee vs. the Board.</td>
<td>Udelhoven</td>
<td>ASAP</td>
<td>Completed</td>
</tr>
<tr>
<td>9/5/17</td>
<td>Work further on clarity of the language used in the policies starting with defining “significant and insignificant.”</td>
<td>Udelhoven</td>
<td>ASAP</td>
<td>Completed</td>
</tr>
<tr>
<td>9/5/17</td>
<td>Get clarity on the existing policy as written on item 3c. The highlighted sentence was redundant and can cause confusion.</td>
<td>Udelhoven</td>
<td>ASAP</td>
<td>Completed</td>
</tr>
<tr>
<td>9/5/17</td>
<td>Research 3rd party that staff could report to for harassment.</td>
<td>Udelhoven</td>
<td>ASAP</td>
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<tr>
<td>9/5/17</td>
<td>Research the dress code policies of our partners for cross reference.</td>
<td>Udelhoven</td>
<td>ASAP</td>
<td>Completed</td>
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<tr>
<td>9/5/17</td>
<td>Provide an explanation of minimum vs. middle vs. maximum and how to determine the three</td>
<td>Udelhoven</td>
<td>ASAP</td>
<td>Pending</td>
</tr>
</tbody>
</table>

- **BOLI; Federal EEOC**
- **Simplified language**
- **Not sure what this is.**
**Attendees**

| Committee Members | Nellie McAdams  
<table>
<thead>
<tr>
<th></th>
<th>Laura Masterson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee Members, not attending</td>
<td>Mike Guebert, Chair</td>
</tr>
</tbody>
</table>
| Staff              | Jay Udelhoven, Executive Director  
|                   | Lissa Adams, Chief of Finance & Operations  
|                   | Kathy Shearin, Urban Lands Program Manager  
|                   | Julie DiLeone, Rural Lands Program Manager  
|                   | Suzanne Easton, Grants Program Manager  
|                   | Lindsay Nelson, Office Manager |
| Guests             |                 |

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</table>
| 1      | 10:34| Welcome and Call to Order:  
|       |      | • Review/revise agenda  
|       |      | • Previous action items  
|       |      | • Approval of Minutes | Information/ Decision | Guebert | a. July 10, 2017 minutes ~ |

Meeting called to order at 10:34AM  
• Udelhoven reviewed the previous meetings action items

MOTION: Masterson moved to approve the January, 2017 Personnel Committee Meeting Minutes  
McAdams 2nds  
All in favor – motion passes unanimously

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<tr>
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<tbody>
<tr>
<td>2</td>
<td>10:35</td>
<td>Time reserved for public comment ¹</td>
<td>Information</td>
<td>Public</td>
<td>n/a</td>
</tr>
</tbody>
</table>

• No members of the public were in attendance

¹ Each member of the public who wishes to speak shall be given approximately 3 minutes.
<table>
<thead>
<tr>
<th>Time</th>
<th>Topic</th>
<th>Discussion/Decision</th>
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</tr>
</thead>
<tbody>
<tr>
<td>10:37</td>
<td>Draft Personnel Policies</td>
<td>Udelhoven</td>
<td></td>
</tr>
</tbody>
</table>

- Udelhoven provided a detailed review of 13 personnel policies and asked for recommendations from the committee members.
- Udelhoven provided feedback and suggestions he had received from the staff.
- Udelhoven recommended empowering committees to make decisions because the committee has 3 Board Members.
- A discussion was held on the clarity of some of the language written in the policies.
  - Masterson asked for a more precise definition of “significant and insignificant.”
- McAdams started a discussion about redundancy in the language which could cause confusion.
- Udelhoven is going to look further into 3rd party options for staff to resolve/report harassment claims to. McAdams suggested SDAO, Oregon Civil Rights Commission, and Federal Equal Opportunity Commission.
- Udelhoven reported that he is less likely to give a 1-time bonus rather than a salary bump to individual, which prompted further discussion about removing it from the policy altogether.
- Udelhoven reviewed the idea of creating an Equity Team to help with the hiring process.

**MOTION:** Masterson moved to approve recommendations to the Board of all the draft personnel policies presented today except those that had recommended amendments
McAdams 2nds
All in favor – motion passes unanimously
Draft Personnel Committee Meeting Minutes
East Multnomah Soil and Water Conservation District
Tuesday, September 5, 2017, 10:00 AM – 12:30 PM
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4 12:35  Salary bumps  Decision  Udelhoven  a. Salary evaluation

• Udelhoven proposed a salary bump for two EMSWCD employees, Brown and Easton. He provided a comparison chart to illustrate.
• A discussion about salary and positions led to Udelhoven offering information in regards to Brown’s background and noted that his current status could lead to salary inequity. He also provided a brief history on Suzanne’s professional background.
• More discussion was held on the two individual’s qualifications and how the minimum vs. maximum qualification chart worked.

MOTION: Masterson moved to approve recommendations to the Board for salary bumps.
McAdams 2nds
All in favor - motion passes unanimously

5 12:30

• Announcements and Reminders
• Action Items
• Adjourn

Information  Guebert  n/a

• Next date for Personnel Committee meeting is 12/12/17.
Meeting adjourned at 1:01pm.

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<td>August</td>
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<td>September</td>
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<td>October</td>
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<td>November</td>
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<td></td>
<td>May</td>
<td>7</td>
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<td></td>
<td>June</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>Approved (Y,N)</td>
<td>Meeting Date</td>
<td>Body Deciding</td>
<td>Motion Text</td>
</tr>
<tr>
<td>---------------</td>
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</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Board of Dir.</td>
<td>Approve the June 2017 Board Meeting Minutes</td>
</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Board of Dir.</td>
<td>Approve [July 2017] Consent Agenda</td>
</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Board of Dir.</td>
<td>Approve Resolution 2017-07-01 establishing day and time of FY16-17 annual meeting</td>
</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Board of Dir.</td>
<td>Approve to appoint Mike Gerel and Carrie Sanneman as Associate Directors</td>
</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Board of Dir.</td>
<td>had already been approved by the Board</td>
</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Board of Dir.</td>
<td>Amend the early motion regarding MHCC contract to empower any member of the Board to sign contracts that had already been approved by the Board</td>
</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Board of Dir.</td>
<td>Approve the fiscal policy changes as presented</td>
</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Board of Dir.</td>
<td>Approve the recommendation from the Land Legacy Committee as discussed in Executive Session</td>
</tr>
<tr>
<td>Y</td>
<td>8/7/2017</td>
<td>Board of Dir.</td>
<td>Approve the July, 2017 Board meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>8/7/2017</td>
<td>Board of Dir.</td>
<td>Approve the [July 2017] Consent agenda</td>
</tr>
<tr>
<td>Y</td>
<td>8/7/2017</td>
<td>Board of Dir.</td>
<td>Approve the Diana Pope Natural Area Plan</td>
</tr>
<tr>
<td>Y</td>
<td>8/7/2017</td>
<td>Board of Dir.</td>
<td>Approve the recommendations of the Land Legacy Committee</td>
</tr>
<tr>
<td>Y</td>
<td>9/18/2017</td>
<td>Board of Dir.</td>
<td>Approve the [August, 2017] Board meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>9/18/2017</td>
<td>Board of Dir.</td>
<td>Approve the [August 2017] Consent agenda</td>
</tr>
<tr>
<td>Y</td>
<td>10/2/2017</td>
<td>Board of Dir.</td>
<td>Approve the [September, 2017] Board meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>10/2/2017</td>
<td>Board of Dir.</td>
<td>Approve the [September 2017] Consent agenda</td>
</tr>
<tr>
<td>Y</td>
<td>10/2/2017</td>
<td>Board of Dir.</td>
<td>Approve Approve 18-007 &amp; 18-008 from the consent agenda conditionally upon verification from Udelhoven or EMSWCD Staff that EMSWCD can legally fund lobbying activities</td>
</tr>
<tr>
<td>Y</td>
<td>10/2/2017</td>
<td>Board of Dir.</td>
<td>Approve the Annual Report</td>
</tr>
<tr>
<td>Y</td>
<td>10/2/2017</td>
<td>Board of Dir.</td>
<td>Approve Gerel &amp; Sanneman to serve on the Land Legacy Committee and also Sanneman on the SPACE Committee</td>
</tr>
<tr>
<td>Y</td>
<td>10/2/2017</td>
<td>Board of Dir.</td>
<td>Approve the recommendation of the one-time salary bumps for Brown in the amount of $10,000 annually and $5,000 annually for Easton</td>
</tr>
<tr>
<td>Y</td>
<td>10/2/2017</td>
<td>Board of Dir.</td>
<td>Approve CLIP project 18-001</td>
</tr>
<tr>
<td>Y</td>
<td>11/6/2017</td>
<td>Board of Dir.</td>
<td>Approve the [October, 2017] Board meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>11/6/2017</td>
<td>Board of Dir.</td>
<td>Approve the [October 2017] Consent agenda</td>
</tr>
<tr>
<td>Y</td>
<td>11/6/2017</td>
<td>Board of Dir.</td>
<td>Approve CLIP Project 18-002</td>
</tr>
<tr>
<td>Y</td>
<td>11/6/2017</td>
<td>Board of Dir.</td>
<td>Approve resolution 2017-11-01</td>
</tr>
<tr>
<td>Y</td>
<td>11/6/2017</td>
<td>Board of Dir.</td>
<td>Approve resolution 2017-11-02</td>
</tr>
<tr>
<td>Y</td>
<td>12/4/2017</td>
<td>Board of Dir.</td>
<td>Approve the [November, 2017] Board meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>12/4/2017</td>
<td>Board of Dir.</td>
<td>Approved SPACE 18-015 subject to the conditions recommended by EMSWCD Staff</td>
</tr>
<tr>
<td>Y</td>
<td>12/4/2017</td>
<td>Board of Dir.</td>
<td>Approve the recommendation to add two additional members to the PIC Review Committee</td>
</tr>
<tr>
<td>Y</td>
<td>12/4/2017</td>
<td>Board of Dir.</td>
<td>Approve the formation of a CLIP Committee that includes Hensey</td>
</tr>
<tr>
<td>Y</td>
<td>12/4/2017</td>
<td>Board of Dir.</td>
<td>Approve the Executive Director authority to approve CLIP and SPACE grants when there are no exculating circumstances beyond the normal grant program guidelines and policies.</td>
</tr>
<tr>
<td>Y</td>
<td>12/4/2017</td>
<td>Board of Dir.</td>
<td>Approve the FY16-17 financial audit as presented in the Board packet</td>
</tr>
<tr>
<td>Y</td>
<td>1/8/2018</td>
<td>Board of Dir.</td>
<td>Approve the FY16-17 Annual Report</td>
</tr>
<tr>
<td>Y</td>
<td>1/8/2018</td>
<td>Board of Dir.</td>
<td>Approve the [December, 2017] Board meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>1/8/2018</td>
<td>Board of Dir.</td>
<td>Approve the revisions to the current Committee assignments</td>
</tr>
<tr>
<td>Y</td>
<td>1/8/2018</td>
<td>Board of Dir.</td>
<td>Approve EMSWCD Resolution No. 2018-01-01</td>
</tr>
<tr>
<td>Y</td>
<td>1/8/2018</td>
<td>Board of Dir.</td>
<td>Approve staff recommendation discussed in Executive session</td>
</tr>
<tr>
<td>Y</td>
<td>1/22/2018</td>
<td>Board of Dir.</td>
<td>Approve the Land Legacy Committee recommendation on the Oxbow property</td>
</tr>
<tr>
<td>Y</td>
<td>1/22/2018</td>
<td>Board of Dir.</td>
<td>Approve to adopt Resolution No. 2018-01-02 No. 2018-01-02</td>
</tr>
<tr>
<td>Date</td>
<td>Action</td>
<td>Approving Members</td>
<td></td>
</tr>
<tr>
<td>------------</td>
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<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>2/5/2018</td>
<td>Approve the [January, 2018] Board meeting minutes (1/8/18 &amp; 1/22/18)</td>
<td>McAdams, Masterson</td>
<td></td>
</tr>
<tr>
<td>2/5/2018</td>
<td>Approve authorizing McAdams to vote for the Basin Chair and Vice Chair on behalf of the Board</td>
<td>Masterson, Guebert</td>
<td></td>
</tr>
<tr>
<td>2/5/2018</td>
<td>Approve the Proposed SCI grant</td>
<td>Masterson, Guebert</td>
<td></td>
</tr>
<tr>
<td>2/5/2018</td>
<td>Approve to appoint Adams as the Budget Officer for EMSWCD</td>
<td>Masterson, Guebert</td>
<td></td>
</tr>
<tr>
<td></td>
<td>approve to adopt the Board’s consensus statement for Udelhoven’s performance review for FY16-17</td>
<td>Hensey, Masterson</td>
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<td>Y</td>
<td>7/1/2014</td>
<td>Personnel Committee</td>
<td>Approve the appointment of Kuehler as Committee Chair</td>
</tr>
<tr>
<td>Y</td>
<td>7/1/2014</td>
<td>Personnel Committee</td>
<td>Approve the November, 2013 meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>7/1/2014</td>
<td>Personnel Committee</td>
<td>Recommend the approval of the Donated Leave policy, with language changes discussed, to the full Board</td>
</tr>
<tr>
<td>Y</td>
<td>4/20/2015</td>
<td>Personnel Committee</td>
<td>Approve the July, 2014 minutes</td>
</tr>
<tr>
<td>Y</td>
<td>4/20/2015</td>
<td>Personnel Committee</td>
<td>Approve to appoint McAdams Personnel Committee Chair</td>
</tr>
<tr>
<td>Y</td>
<td>4/20/2015</td>
<td>Personnel Committee</td>
<td>Moved to suggest the Board approve the creation of the new job class, the pay range for the new job class, and the assignment of Jon Wagner to that class at the mid-point of the pay range for a maximum of 15 hours per month</td>
</tr>
<tr>
<td>Y</td>
<td>4/20/2015</td>
<td>Personnel Committee</td>
<td>Moved to recommend to the Board that Guebert lead the performance review process for the Executive Director, with other members of the Personnel Committee assisting as needed.</td>
</tr>
<tr>
<td>Y</td>
<td>6/1/2015</td>
<td>Personnel Committee</td>
<td>Moved to add a discussion of Headwaters Farm usage to the agenda</td>
</tr>
<tr>
<td>Y</td>
<td>6/1/2015</td>
<td>Personnel Committee</td>
<td>Moved that the Committee recommend the new Family and Medical Leave policy to the Board</td>
</tr>
<tr>
<td>Y</td>
<td>7/27/2015</td>
<td>Personnel Committee</td>
<td>Moved to approve the April and June, 2015 minutes</td>
</tr>
<tr>
<td>Y</td>
<td>7/27/2015</td>
<td>Personnel Committee</td>
<td>Moved that EMSWCD should proceed with the disciplinary action recommendation the committee reached during executive session</td>
</tr>
<tr>
<td>Y</td>
<td>12/15/2015</td>
<td>Personnel Committee</td>
<td>Approve the July, 2015 minutes</td>
</tr>
<tr>
<td>Y</td>
<td>12/15/2015</td>
<td>Personnel Committee</td>
<td>Moved to refer the policies as amended be recommended to the Board, with the items most heavily discussed by the Personnel Committee called out explicitly</td>
</tr>
<tr>
<td>Y</td>
<td>6/29/2016</td>
<td>Personnel Committee</td>
<td>Approve the December, 2015 minutes</td>
</tr>
<tr>
<td>Y</td>
<td>8/30/2016</td>
<td>Personnel Committee</td>
<td>Approve the July, 2016 minutes</td>
</tr>
<tr>
<td>Y</td>
<td>8/30/2016</td>
<td>Personnel Committee</td>
<td>Approve the recommendation to terminate McMonagle's employment</td>
</tr>
<tr>
<td>Y</td>
<td>6/20/2017</td>
<td>Personnel Committee</td>
<td>Approve the August, 2016 meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Personnel Committee</td>
<td>Approve the June, 2017 meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>7/10/2017</td>
<td>Personnel Committee</td>
<td>Moved to hire Corkie McReynolds to conduct the Executive Director's review as proposed</td>
</tr>
<tr>
<td>Y</td>
<td>9/5/2017</td>
<td>Personnel Committee</td>
<td>Approve the June, 2017 meeting minutes</td>
</tr>
<tr>
<td>Y</td>
<td>9/5/2017</td>
<td>Personnel Committee</td>
<td>Approve recommendations to the Board of all the draft personnel policies presented today except those that had recommended amendments</td>
</tr>
<tr>
<td>Y</td>
<td>9/5/2017</td>
<td>Personnel Committee</td>
<td>Approve recommendations to the Board for salary bumps</td>
</tr>
</tbody>
</table>
Policy 1.1.10: Open Door, Grievances, and Whistle Blowing
East Multnomah Soil & Water Conservation District

Policy originally approved by EMSWCD Board of Directors on: 

Policy revised and approved by EMSWCD Board of Directors on: 

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2.0 Grievances............................................................................................................................................... 1
3.0 Whistleblowing ....................................................................................................................................... 2
   3.1 Reporting ............................................................................................................................................. 2
   3.2 False Reporting ................................................................................................................................... 2
   3.3 Example of Illegal or Dishonest Activities ........................................................................................... 2
   3.4 Protections .......................................................................................................................................... 2
   3.5 Investigation ........................................................................................................................................ 2

1.0 Open Door
It is the intent of the EMSWCD Board of Directors and the Executive Director that the EMSWCD organizational culture is creative, collaborative, and adaptive. If employees see something that can be improved, they should not hesitate to make helpful suggestions to their supervisor or the Executive Director. Likewise, if employees have questions they should not hesitate to seek answers from their supervisor or the Executive Director. EMSWCD attempts to assemble and maintain a team of employees who are unique (i.e., from diverse backgrounds, with a variety of expertise, and with a variety professional strengths) because employee diversity makes for a stronger, more resilient, and more effective organization. But this diversity is only fully appreciated if employees contribute their input in a positive and timely manner. EMSWCD wants to have the full benefit of every employee’s particular knowledge, skills, and views of the world.

2.0 Grievances
If an employee feels that they are not being treated fairly by anyone within the organization, have been discriminated against or that their rights have been violated, or have other concerns regarding their treatment as an employee, they should bring their grievance to a supervisor, the Executive Director, or the Personnel Committee/member (or other board members) as soon as practical. If employees have been, or are being, harassed in any way by their supervisor, the Executive Director, a colleague, or a partner or contractor, and/or if they have previously reported harassment and do not feel the matter was adequately addressed, they should inform the Personnel Committee/member. In addition, if employees feel that management is not adequately addressing a safety concern, they should inform the Personnel Committee/member.

All grievances will be thoroughly investigated and appropriate action will be taken. Employees should note that, depending on the concern, anonymity may not be possible in order to resolve the problem.
3.0 Whistleblowing
The procedures below are provided specifically for employees who become aware of improper government action in accordance with Oregon Revised Statute 659A.200 to 659A.224.¹

3.1 Reporting
EMSWCD encourages any employee with knowledge of or concern of an illegal, dishonest, or fraudulent EMSWCD activity to report it to a supervisor, the Executive Director, or the Personnel Committee/member (or other board member). The employee may also provide the information to another SWCD manager, a state or federal regulatory agency, a law enforcement agency, or an attorney licensed to practice law in Oregon if a confidential communication is made in connection with the alleged violation. Attorneys employed by EMSWCD may report violations of law to the Attorney General, subject to rules of professional conduct.

3.2 False Reporting
When reporting suspected illegal, dishonest, and/or fraudulent activities, employees must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to corrective action up to and including termination.

3.3 Example of Illegal or Dishonest Activities
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.

3.4 Protections
Whistleblower protections are provided to maintain confidentiality and to prevent retaliation. While 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 as much as possible.

EMSWCD 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, poor work assignments, or threats of physical harm.

Any whistleblower who believes they are being retaliated against should contact a supervisor, the Executive Director, or the Personnel Committee/member (or other board member) immediately. The right of a whistle blower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

3.5 Investigation
All reports of illegal, dishonest, and fraudulent activities will be investigated in a timely manner to determine fault and institute any appropriate corrective measures by the Executive Director or designee who is responsible for investigating and coordinating corrective action.

¹ House Bill 4067 was passed to protect employees who act on good faith and reasonable belief to report a violation of federal, state, or local law, rule, or regulation by their employer. Beginning January 1, 2017, all public and nonprofit employers must establish and implement a whistleblower policy. The policy must delineate all rights and remedies provided to employees and employers will need to deliver a written or electronic copy of the policy to each employee.
Policy 1.1.11: Workplace Safety

East Multnomah Soil & Water Conservation District

Policy originally approved by EMSWCD Board of Directors on: ______________

Policy revised and approved by EMSWCD Board of Directors on: ______________

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1.0 Introduction

This policy addresses safety expectations and procedures in the workplace for employees and non-employees alike. A closely related policy that addresses response procedures in case of emergencies, the Emergency Action Plan, can be found in Policy 1.1.12.

The safety and security of employees, customers, and visitors are EMSWCD’s most important priorities. The Board and Executive Director will establish and insist upon safe methods and practices at all times, as well as to provide a safe work place, safe equipment, proper materials, and adequate employee training. All employees are expected to perform their duties in a safe and responsible manner. Employees are expected to successfully complete required safety training, use any safety equipment provided, and observe rules of safety when using equipment to carry out responsibilities. All EMSWCD job descriptions and/or work plans will inform employees about working conditions and required training associated with each position.

2.0 Employer Notification of Special Health Issues

The following is voluntary on behalf of employees: If employees have health-related conditions and/or take medications that might influence the delivery of emergency care, employees are encouraged, but not required, to record this information in their confidential personnel files. Employees are also encouraged to let their supervisor, field colleagues, and Executive Director know in case an emergency occurs and the personnel files are not immediately available.

3.0 Incident Response and Reporting

When employees observe or experience unsafe conditions, inadequate safety equipment, unsafe practices, and other safety concerns (such as a “near-miss” situation in which an injury could have occurred but did not), they are expected to:

- Correct (i.e., make safe) the situation if it can be done without creating additional unsafe conditions or putting the employee at risk;
- Close off the affected area or cease the activity if “correcting” the situation is not immediately feasible;
- Alert all other employees that may be affected by the situation by the most expedient and practical means possible (i.e., email, marking as high importance; in-person; telephone; and/or signage);
- Alert a Safety Team member, supervisor, or the Executive Director at the earliest possible and practical opportunity; and
- Record the situation in writing and submit the sheet to their supervisor.

Any employee who experiences an actual accident or injury while on the job should also:

- Consider seeking medical attention immediately. In some cases (i.e., when there is a major injury), the need to seek medical attention will be obvious. In other cases, however, when the injury is minor or not immediately obvious, some employees may prefer to minimize the situation and not seek medical attention. Under these latter circumstances, EMSWCD highly encourages employees to seek medical attention to ensure there are no immediate medical concerns and to document the incident.
Policy 1.1.11: Workplace Safety

East Multnomah Soil & Water Conservation District

• After seeking medical attention or after determining medical attention is not needed, employees are required to report the incident (by completing an Employee Incident Report, found attached as Appendix B) to their supervisor. Reporting should be completed within 24 hours of the incident if at all possible. The report must be completed even if the employee did not seek, and/or does not plan to seek, medical attention. If medical attention is sought, employees must also complete a Workers’ Compensation Claim Form 801 (which can be obtained from the Office Manager).
• Upon notification, the supervisor shall take prompt and appropriate action, which may include assisting the employee and/or rectifying the issue.
• If not already done, the supervisor shall also report the situation to the Safety Team and Office Manager at the earliest possible convenience.
• The Office Manager will forward the completed 801 Forms to SDAO for processing.
• Any serious and/or unresolved safety concerns should be brought to the attention of the Personnel Committee or Board of Directors at the next possible opportunity.

Workers’ Compensation Insurance

Return-to-Work

4.0 Workplace Violence
All employees are responsible for preventing violence in the workplace. If any employee, Board member, visitor, patron, or member of the general public engages in threatening, violent, or dangerous words or actions, employees should notify law enforcement immediately and take necessary steps to ensure their own safety and the safety of those around them.

Threats and acts of violence against employees, patrons, visitors, guests, or other individuals by anyone in or on EMSWCD facilities or vehicles is strictly prohibited at all times and will not be tolerated. Violations of this policy by an employee or non-employee may lead to sanctions that include employment dismissal, exclusion, and/or criminal prosecution.

4.1 What is it?
Workplace violence includes any act of physical, verbal, or written threatening, violent, or dangerous behavior that is job-related or is connected to EMSWCD employment or has the potential of being carried out on or in an EMSWCD facility or vehicle. Workplace violence focuses primarily on conflicts that arise in conjunction with employment or personal relationships. However, it also includes external threats, violence, or dangerous behavior from strangers that do not have a professional or personal relationship with EMSWCD employees or customers, but may be carried out on EMSWCD premises or vehicles.

Workplace violence may include, but is not limited to:
• Acts: Physical, verbal, or written threatening, violent, or dangerous behavior.
• Assault: Causing physical injury to another person. (ORS 163.160 – 163.185)
• Criminal mischief: Use or alteration of EMSWCD’s property in a manner that relates to the definition of workplace violence.
Policy 1.1.11: Workplace Safety

East Multnomah Soil & Water Conservation District

- Harassment: Offensive physical contact or provoking another to a violent response through words or gestures. (ORS 166.065)
- Intimidation: Offenses of criminal mischief, harassment, menacing, or assault when the intent is to intimidate the victim by reason of their race, color, religion, sexual orientation, disability, national origin, age, or other protected status. (ORS 166.155 – 166.165)
- Menacing: Intentional use of words or conduct that places a person in fear of imminent serious physical injury. (ORS 163.190)
- Threats: An expression of intent to commit violence that places the listener in fear of imminent bodily harm, or is of such a character that a reasonable person could be placed in fear of imminent bodily harm upon perceiving the expression of intent.

4.2 Proactive Measures

EMSWCD’s policy is to be proactive and to develop and employ measures designed to counteract threats and acts of violence. These measures may include, but are not limited to:

- Controlled access: Exterior doors and headquarters office doors have operational locks. A security system is present and shall be on during off hours for the headquarters. During business hours the back door shall be locked and the front door shall be open only when the Office Manager or appropriate alternate is present.
- Reception desk (or any person): If confronted with a potentially dangerous situation with a visitor, employees shall alert all workers in the building (by the most practical means available) to come to her/his aid and alert authorities if appropriate.
- Careful employee selection: EMSWCD shall apply the resources available in a diligent selection process.
- Cell phone: All staff working outside the office shall carry cellular phones.
- Incident reports: Employees shall report potential dangers as well as incidents after-the-fact. Beyond compiling data, the reports shall be used for preventative action and follow-up on hazardous incidents.

4.3 Employee Responsibilities

It is the responsibility of all employees, volunteers, and other agents of EMSWCD to:

- Create and maintain a work environment free of workplace violence.
- Summon an immediate response to an emergency situation by promptly dialing 9-911 from a desk phone (or 911 from a cell phone) and provide relevant information.
- Defuse workplace violence (if possible, practical, and safe to do so), i.e., an initial response may be the removal of the individual from the premises.
- Notify their immediate supervisor of any act of physical, verbal, or written threatening, violent, or dangerous behavior that they have witnessed, have received, or have been told that another person has witnessed or received. Employees shall make this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior.
4.4 EMSWCD Responsibility
EMSWCD supervisors, Executive Director, Personnel Committee/members, Board members shall:

- Shall take the report of a physical, verbal, or written threatening, violent, or dangerous behavior seriously by documenting the information and taking immediate necessary steps to prevent or reduce the impact of the act.
- Consider reporting situations to law enforcement for follow-up. Law enforcement may assume the lead role to neutralize situations. This policy is not intended to dictate the tactics and procedures established by law enforcement to manage workplace violence situations.
- Facilitate employees’ reporting of workplace violence crimes to law enforcement (EMSWCD encourages employees who are victims of workplace violence to report the crime to law enforcement).
- Consider additional responses, which may include, but are not limited to, disciplinary action up to and including termination of employment, exclusion from facilities, criminal prosecution of the person or person involved, and suspension or termination of any business relationship.

4.5 False Reporting
Due to the significance of workplace violence, allegations are taken seriously. As deemed appropriate by EMSWCD, erroneous information pertinent to the allegations will be disclosed to the parties involved. Intentional reporting of known false information by an employee regarding workplace violence could lead to disciplinary action up to and including termination.

4.6 Retaliation
Any intimidation, coercion, discrimination, or retaliation against an individual who reports an act of workplace violence or who testifies, assists, or participates in any manner in an investigation will not be tolerated. Should an act of retaliation be confirmed, the employee who is retaliating against another person shall be subject to discipline, up to and including termination.

4.7 Use of Force
While EMSWCD employees are strongly discouraged from becoming physically engaged in any altercation, in some cases an employee may be justified in using physical force to defend against an assault. As written immediately below, the Criminal Code of Oregon (ORS 161.205) gives an individual the right to use physical force for self-defense (among other things).

The use of physical force upon another person that would otherwise constitute an offense is justifiable and not criminal under any of the following circumstances:

- A person acting under a reasonable belief that another person is about to commit suicide or to inflict serious physical self-injury may use physical force upon that person to the extent that the person reasonable believes it necessary to thwart the result.
- A person may use physical force upon another person in self-defense or in defending a third person, in defending property, in making an arrest or in preventing an escape, as hereafter prescribed in chapter 743, Oregon Laws 1971. [1971 c.743 s.21; 1981 c.246 s.1]

Given the above, employees using physical force for self-defense may use only the force that is reasonably necessary to defend themselves or another person. An employee involved in any incident...
involving physical force must immediately contact a supervisor on duty and/or Executive Director and submit an incident report. Unwarranted or excessive physical force by an employee may result in disciplinary action up to and including termination and/or criminal charges being filed.

5.0 Office Environment
Many employees spend a majority of their time working within the office. Certain office conditions should be understood and respected in terms of workplace safety.

5.1 Office Security
All employees are responsible for maintaining the security of the office building and all employees must familiarize themselves with the Security System Procedures (see Policy 1.4.2). Each regular employee will receive a building key and an individualized security code. Employees shall not copy office keys and shall not loan office keys or give the office security code to anyone. If employees lose office keys or think someone has obtained their office security code, they should immediately notify their supervisor.

5.2 First Aid Kits
First aid kits are available in the office supply room, break room, the bike locker, and the emergency provisions shed located by the parking area. First aid kits will be inspected quarterly by a member of the Safety Team.

5.3 Special Conditions
5.3.1 Hazard Assessment
An office hazard assessment shall be conducted quarterly at the main EMSWCD office by the Safety Team. Any identified hazards shall be remedied as soon as possible. Hazards may include, but are not limited to, frayed extension cords, unstable work surfaces, inappropriate amounts of office clutter, and dangerous computer station setup. Employees shall be provided with ergonomic work stations as requested and as allowed by budgetary constraints.

5.3.2 Space Heaters and Other Potentially Hazardous Devices
Space heaters may only be used with supervisor permission. Only space heaters approved by EMSWCD are allowed to be used in EMSWCD buildings. Before an employee uses a space heater, that employee must read the device’s safety manual and review the safety information in the manual. Care must be taken by employees to make sure space heaters are used in an area free of clutter and flammable materials. Space heaters must be unplugged at all times when not in use. If a space heater is found to be left on repeatedly, an employee may lose their privileges to use a space heater.

Any other potentially hazardous devices brought into EMSWCD buildings that could cause fire and/or damage to the building such as appliances, hot plates, other heat producing devices, containers or vessels holding large amounts of liquid, must also be approved by a supervisor before use.

5.3.3 Confined Spaces
No confined spaces (as defined by regulation) are present at EMSWCD headquarters. If uncertain, employees are not to enter spaces suspected as being “confined” and thus dangerous.
6.0 Outside Office/Field Work
Several EMSWCD employees spend a considerable amount of time working outside the office, which may or may not include undertaking field work. In either case, employees should take special care to ensure their safety and the safety of others. Field staff who perform on-site conservation visits, restoration project work, and other field work are expected daily to inform the office of their whereabouts in writing, via outlook calendar, or over the telephone, including landowner names and property locations to be visited that day. As a general practice, staff working in the field will either be accompanied by another staff, a crew member, or the landowner/land manager.

6.1 Specialized Training
Only employees briefed/trained on safety and specifically authorized by their supervisor to do so may access equipment such as a grinder, machete, chainsaw, bulldozer, tractor, farm implement, herbicides, and related items. Other employees should stay clear of areas where these items are stored.

6.2 Equipment and Supplies
6.2.1 First Aid Kits
EMSWCD will provide individual first aid kits for field employees to carry in their vehicles or on their person.

6.2.2 Cell Phones
EMSWCD will ensure all employees who perform field work or who attend off site evening or weekend meetings carry a cellular telephone (whether personal or EMSWCD-owned). Employees are expected to have the cell phone turned on during work activities and while in transit to/from work sites. Employees shall not use a cell phone while driving a vehicle.

6.2.3 Personal Protective Equipment
EMSWCD will provide the following personal protective equipment (PPE) and safety equipment for on-site conservation visits and other field work. Field staff should talk with their supervisor about how to access these items. PPE required for common field tasks are listed by task below though PPE listed can be accessed and used for tasks other than those listed. Some items on this list are to be purchased and provided by the employee. These items are marked with an asterisk (*) below. Field staff should talk with their supervisor about any necessary PPE and safety equipment not listed below.

Chainsaw Operation:
- Approved chainsaw chaps
- Hardhat
- Ear protection
- Eye protection
- Heavy duty, leather gloves
- Long pants*
- Long sleeved shirt*
- Closed toed shoes*

String Trimmer Operation:
Policy 1.1.11: Workplace Safety

Approved chainsaw chaps, if using metal or plastic cutting blades
Hardhat, if there is danger of head injuries on the site
Ear protection
Eye protection
Heavy duty, leather gloves
Long pants*
Long sleeved shirt*
Closed toed shoes*

Grinder Operation:
- Ear protection
- Eye protection

Chemical Mixing and Applications:
- Read the chemical label and follow PPE requirements listed on the label. These requirements typically include:
  - Eye protection
  - Impermeable exam-type gloves
  - Long pants*
  - Long sleeved shirt*
  - Closed toed shoes*
- A particle mask is available upon request

Boating (including motorboats, rafting, and kayaking):
- Properly fitted personal flotation device
- Helmet, if encountering whitewater

Shovel, Machete, Pulaski, and Other Hand Held Cutting Tool Use:
- Appropriate work gloves
- Long pants*
- Closed toed shoes*

Epinephrine Pens:
- Staff who have a known allergy are required to carry an epinephrine pen in the field. These are only available by prescription. For staff who need an epinephrine pen, EMSWCD will reimburse staff for the cost of the co-pay associated with the doctor visit to acquire one and for the out of pocket cost of the prescription.

Safety Kits:
EMSWCD will also provide safety kits to be carried in vehicles operated by staff while conducting EMSWCD business. The vehicle safety kits will be stored in state owned vehicles and should not be removed from the vehicles. A floater kit will also be available for employees who use their own vehicles. Employees who would like to use one of the kits while using their own vehicles to conduct EMSWCD business should talk with their supervisor about how to access them. The contents of the vehicle safety
kits are listed below. If any items are removed from the kits, employees should inform the Safety Team promptly so the items can be replaced.

- First aid kit
- Fire extinguisher
- Flare(s)
- Eye protection
- Ear protection
- Leather work gloves (size small and size large)
- Flashlight (with the batteries reversed)
- Pocket mask for performing emergency breathing
- Body fluid cleanup kit
- Eye wash
- Emergency blanket

6.4 Hearing Conservation
EMSWCD currently has three task environments where employees are exposed to noise levels that could potentially damage hearing over time. These are:

- Proximity to chainsaws:
- Operation of bulldozer: and
- Operation of tractor.

Relevant supervisors and employees are responsible for evaluating the above situations for noise levels sufficient to endanger hearing. Relevant supervisors and employees will re-test equipment when changes occur or the work environment changes in a way that could be expected to increase noise exposure. A noise dosiometer will be used to determine if cumulative levels exceed 8-hour time-weighted average of 85 dBA. If these conditions are found, supervisors will require hearing protection and will seek engineering solutions. These solutions may include replacing or modifying equipment, increasing the distance between the source of the noise and the employee or other similar measures. If engineering measures are not sufficient to reduce exposure below 8-hour time-weighted average of 85 dBA, supervisors will require protective equipment and a schedule of exposure times may be instituted and, if instituted, must be followed. In addition, all employees exposed to sound above this level will be required to receive an annual hearing evaluation at EMSWCD expense to ensure that exposure is not eroding hearing.

6.3 Special Conditions
6.3.1 Hazard Assessment
Employees who conduct field activities, workshops, or facilitate meetings are expected to tour the site or facility, note in writing any hazards present, and inform the facility or land manager of any remedies needed. Employees who work at home are asked to assess the hazards that might be present and to remedy them. These may include, but are not limited to, frayed extension cords, unstable work surfaces, inappropriate office clutter, and dangerous computer station setup. Employees are encouraged to consider office ergonomics and to acquire adjustable chairs and keyboard trays at their own expense.
6.3.2 Confined Spaces
If confined spaces are encountered offsite, EMSWCD employees and volunteers are not to enter them.

Confined spaces have at least three of the following characteristics:
- Contains or has the potential to contain a hazardous atmosphere;
- Contains a material that has the potential for engulfing the entrant;
- Has an internal configuration that might cause an entrant to be trapped or asphyxiated by inwardly converging walls or by a floor that slopes downward and tapers to a smaller cross section; and/or
- Contains any other recognized serious safety or health hazards.

Possible examples of a confined space include a storage tank, utility tunnel, or duct. Employees are not to enter spaces having these characteristics.

7.0 Volunteer Safety
When working with volunteers, employees will ensure that the volunteers are aware of safety procedures and have the appropriate safety equipment and training. Care must be taken to not expose volunteers or employees to unnecessary risk. Potentially hazardous recreational activities such as swimming are not allowed by employees or volunteers during work hours without the express permission of the Executive Director. Signed liability waiver forms are required of all volunteers prior to service. Consent forms are required from parent or guardian for volunteers under 18 years of age.

8.0 Reporting Child Abuse and Neglect
If employees work with children (as volunteers or otherwise), they should note that all Oregonians have a responsibility to protect those who cannot protect themselves. Members of the general public (including EMSWCD employees) may report suspected abuse and neglect if they choose. Oregon state law mandates that workers in certain professions (in most cases, these will not include EMSWCD employees) must make reports if they have reasonable cause to suspect abuse or neglect.\(^1\) Employees can call 1-855-503-SAFE (7233) to report abuse or neglect of any child or adult to the Oregon Department of Human Services.

9.0 Training
All employees are encouraged to be certified in CPR, First Aid, AED, and Epi-Pen. The cost of certification classes may be submitted to the EMSWCD for reimbursement; the EMSWCD will also pay the employee’s salary for time spent in class.

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\(^1\) A complete list of mandated reporters can be accessed at:
Policy 1.1.14: Professional Development

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1.0 Introduction
EMSWCD believes in helping employees be as successful as possible in their professional careers. To do so, supervisors shall work with employees throughout each year and during annual performance reviews to identify short, medium, and long-term professional goals. Supervisors shall then work with employees to identify formal and informal training, educational, and developmental opportunities that will support achievement of the professional goals.

2.0 Annual Training
Supervisors shall work with employees when they are first hired to identify immediate on-the-job training and other related training necessary for the employee to be successful in their position. Subsequent to this, during each performance evaluation, supervisors shall work with employees to agree on and establish a written professional development/training plan for the next evaluation period. Training shall include topics that are required on an annual or periodic basis for some or all staff as well as job-specific training. Unless exceptional circumstances warrant deviation, employees should plan for and participate in annual training events that do not exceed two weeks and $1,000 per year. Due to budget and time constraints, this annual training allotment may be limited further from year to year. Also, employees should note that annual professional development/training plans that all are required of all employees are significantly different than Professional Improvement Plans (PIPs) that are required for struggling employees (see Policy 1.1.13).

3.0 Tuition Assistance
Tuition assistance may be available to employees who pursue higher education in a field related to EMSWCD’s mission and their current or potential future positions at EMSWCD. Availability of tuition assistance will be determined by the Board of Directors on a year-to-year and case-by-case basis, depending on the availability of funding.
Conditions of tuition assistance include:
- Employees must have worked for EMSWCD for at least 12 consecutive months in a full-time (40 hours per week), regular position.
- Employees must have received “Met Expectations” (or the equivalent) or above on their two most recent performance evaluations.
- Employees must apply for tuition assistance through their supervisor by January 15 of each year to be eligible for tuition assistance for classes beginning in July or later of that scholastic year.
- Because this benefit is intended to help employees further their careers and to help employees who may otherwise not be able to afford higher education, reimbursement will be on a graduated scale as follows:

<table>
<thead>
<tr>
<th>Job Class</th>
<th>Maximum % Tuition Reimbursement</th>
<th>Maximum Reimbursement per Scholastic Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>CT/AT – C2/A3</td>
<td>75%</td>
<td>$10,000</td>
</tr>
<tr>
<td>C3 – C4</td>
<td>50%</td>
<td>$7,500</td>
</tr>
<tr>
<td>C5 – A4</td>
<td>25%</td>
<td>$2,500</td>
</tr>
<tr>
<td>A5</td>
<td>15%</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

- Employees must pursue an accredited degree: Associate, Bachelor, Master or PhD.
  - Degree must be in a field that directly relates to EMSWCD’s mission.
  - Degree must be in a field directly related to employee’s current position or potential future position at EMSWCD.
- Tuition reimbursement is to be paid after each class is successfully completed with at least a B in the class (except under extraordinary circumstances).
- Employees must agree to continue working for EMSWCD for 12 consecutive months, as a full-time, regular employee, following reimbursement of each class.
- Employees must agree to reimburse EMSWCD (a prorated amount) if they leave EMSWCD prior to 12 months following each class.
- Employees must allow EMSWCD to provide information regarding the employee’s failure to fulfill her/his commitment (i.e., early departure) to prospective employers, should employee leave prior to the 12-month commitment.
- Class time and homework time shall not be considered work time.

4.0 Developmental Assignments
Employees seeking to expand and improve their job skills through on-the-job work experiences may seek to establish and take advantage of one or more developmental assignments. Developmental assignments may include, but are not limited to:
- Temporary project assignments that are outside the scope of an employee’s job description but within the organization;
- Temporary position assignments that are outside of the organization; and
- Temporary “job swapping” assignments between similarly classed employees inside or outside of the organization.
To qualify for consideration of a developmental assignment, employees must:

- Have worked for EMSWCD for at least 12 consecutive months in a full-time (40 hours per week), regular position.
- Have received “Met Expectations” (or the equivalent) or above on their two most recent performance evaluations.
- Discuss and receive tentative approval from their supervisor.
- Develop a proposal for the assignments, including, at a minimum, substantive scope, learning objectives, project outcomes, duration, and how all normal job duties will be completed during employee’s assignment.
- Identify how the assignment will further their professional careers while supporting the mission of EMSWCD during the developmental assignment period.
- Receive final approval from the Executive Director.

4.1 Temporary Project Assignments outside of Job Description

Each EMSWCD employee has a job description that defines the parameters and expectations of their position. Each year, employees are expected to review their job descriptions with their supervisors to ensure it is accurate and within the scope of the relevant job class. At this same time, employees are expected to work with their supervisors to establish annual work plans. Activities identified within annual work plans should be consistent with an employee’s job description. With supervisor approval, employees may request to purposefully work outside the scope of their position description on a temporary basis for developmental purposes. Such developmental assignments are not intended to be, and should not be, used by employees or supervisors to work someone out of their job class as a means to later justify a promotion or pay raise. Temporary project assignments outside of an employee’s job description are intended to help employees develop new skills and abilities that may provide them with new job inspiration and an opportunity to advance their careers at a later time.

Temporary project assignments outside of an employee’s job description must:

- Meet the needs of EMSWCD;
- Be less than six months in duration;
- Be consistent with identified career goals; and
- Not unduly interfere with normal job duties.

4.2 Temporary Position Assignments outside the Organization

From time to time, external organizations may have temporary or interim positions they are seeking to fill with qualified candidates. These positions may become available when their employees are on extended leave (e.g., sabbatical, family, educational, or extended travel leave) or when a short-term project assignment needs completed. When such opportunities become available, EMSWCD employees may wish to consider filling them for career developmental purposes. With supervisor approval, employees may request to work for an external agency on a temporary basis for developmental purposes. Such developmental assignments are not intended to be, and should not be, used by employees to permanently change organizations. Temporary project assignments outside of EMSWCD are intended to help employees develop new skills and abilities that may provide them with new job inspiration and an opportunity to advance their careers at a later time.
Temporary project assignments outside of EMSWCD must:

- Be with a host organization whose goals are compatible with EMSWCD’s;
- Be less than six months in duration;
- Be consistent with identified career goals; and
- Not unduly interfere with normal job duties.

4.3 Job Swapping
As a means to grow professionally, employees may wish to explore a temporary “job swapping” assignment between similarly classed employees inside or outside of EMSWCD. For example, a Senior EMSWCD Rural Conservationist may swap jobs with a Senior EMSWCD Urban Conservationist so each employee can perform and experience the other employee’s substantive work. Likewise, an EMSWCD Conservation Program Supervisor may swap jobs with a non-EMSWCD Conservation Program Supervisor equivalent. In either case, employee supervisors/organizations must agree to the job swap. Such developmental assignments are not intended to be, and should not be, used by either employee to permanently change positions or organizations. Temporary job swap assignments are intended to help employees develop new skills and abilities that may provide them with new job inspiration and an opportunity to advance their careers at a later time.

Temporary job swap assignments must:

- If with an external organization, be with a host organization whose goals are compatible with EMSWCD’s;
- Be less than six months in duration;
- Be consistent with identified career goals; and
- Not unduly interfere with normal job duties.

5.0 Job Transfers
When vacancies occur within EMSWCD, employees who have worked for EMSWCD for at least 12 consecutive months in a full-time (40 hours per week), regular status position, may request a permanent job transfer if the vacant position is at the same or lower job class (e.g., from an Urban Conservation Specialist to a Rural Conservation Specialist or from an Urban Conservation Specialist to a Rural Conservation Technician). Employees may wish to consider a job transfer to expand their current professional knowledge, abilities, and experiences as a means to further their professional aspirations in the future or to find a better “fit” within EMSWCD. While salary/pay evaluations will always be part of a permanent job transfer, if the job transfer is a lateral move (within the same job class), then the employee’s pay will likely not be adjusted unless there are extraordinary circumstances to consider. If the job transfer is to a lower job class, then the employee’s pay will likely be adjusted to a similar relative position within the new lower pay grade unless there are extraordinary circumstances to consider. Requests for job transfers must be made to the Executive Director. The Executive Director, in consultation with each position’s supervisor, will determine if the job transfer is appropriate.

When employees are transferred to a new position, they must complete a probationary period of at least 30 days and up to six months to determine the suitability of the placement and the employee’s ability to satisfactorily perform the required work. A transferred employee serving their probationary
Policy 1.1.14: Professional Development
East Multnomah Soil & Water Conservation District

period is still considered a regular employee, eligible for all benefits to which they would normally be entitled. If it is determined that the job transfer is not working during this period, employees may:

- Be returned to their original job if the position is still vacant;
- Be assigned to another vacant position if available and deemed suitable; or
- Under exceptional circumstances, be terminated from employment.

6.0 Job Promotions

After an employee has been competently performing their assigned job duties that fall within their job description for at least 12 consecutive months as a full-time, regular status employee, s/he may be asked by their supervisor to take on additional (outside of job description) responsibilities or to work more independently. If these duties extend beyond a six-month period and are expected to continue into the foreseeable future, it may indicate that an employee’s job duties and responsibilities are a better fit for a higher-level job classification. Supervisors should review job descriptions with each employee during the annual performance review period to determine if this is the case. If the supervisor and employee are in agreement, the supervisor may submit a job reclassification request to the Executive Director. The Executive Director will consider the needs of EMSWCD and the programmatic unit the position within, budget implications of a promotion, and other ramifications of a promotion in making promotion decisions. A pay raise will often accompany such a promotion, but under special circumstances may not be warranted. If a pay raise is warranted, it will likely not be retroactive.

When employees are promoted, they must complete a probationary period of at least 30 days and up to six months to determine the suitability of the placement and the employee’s ability to satisfactorily perform the required work. A promoted employee serving their probationary period is still considered a regular employee, eligible for all benefits to which they would normally be entitled. If it is determined that the promotion is not working during this period, employees may:

- Be returned to their original job class if the lower job class is still warranted;
- Be assigned to another vacant position if available and deemed suitable; or
- Under exceptional circumstances, be terminated from employment.
1.0 Introduction
On the first of the month following the date of hire, the following non-pay benefits are offered to full and part-time employees, who normally work a minimum of 20 hours per week. Continued availability of these and other benefits are contingent on availability of funding and subject to change by the EMSWCD Board of Directors. Employees who work less than 20 hours per week, in addition to temporary and seasonal employees regardless of the hours worked, are not eligible for non-pay benefits (other than wellness leave, see Policy 1.1.8). Specific exceptions, if they exist, in terms of non-pay benefits that apply to regular status employees who work less than 20 hours per week, in addition to temporary and seasonal employees, are identified below.

2.0 Health and Disability Insurance
Health insurance (including medical, dental, and vision) is provided for regular full-time employees and regular part-time employees (who normally work at least 20 hours per week) at no cost. These same employees may purchase health insurance for family members at 10% of cost, as provided in EMSWCD's agreement with the insurance carrier. Medical benefits will begin on the first day of the month following the employee’s first day at work. Regular part-time employees who normally work less than 20 hours per week and temporary/seasonal employees receive no health insurance coverage.

Costs related to health insurance for family members are the responsibility of the employee and may be deducted from the employee’s paycheck if requested. Family members eligible for this coverage include spouses, children, domestic partners (regardless of gender), and the children of a domestic partner. An affidavit is required in order to enroll a non-married partner in the EMSWCD’s Medical Insurance Plan.

1 For benefits and other work-related purposes, EMSWCD recognizes domestic partners, consistent with the law.
Enrollment materials, affidavit forms, and information regarding coverage are available from EMSWCD’s Office Manager. Continued availability of these and other benefits are contingent on availability of funding and subject to change by the EMSWCD Board of Directors.

Employees may purchase supplemental health insurance through the EMSWCD’s provider. If an employee elects to purchase supplemental insurance through the EMSWCD’s provider, the EMSWCD will contribute 50 percent of the cost of that insurance, up to $50 per month. The remainder will be at the employee’s own expense. Changes to supplemental insurance must be requested in writing no less than 10 days before the end of the pay period to be effective at the start of the following pay period.

In the event that an employee has exhausted all paid leaves for “wellness” purposes, the EMSWCD will continue to provide insurance benefits so long as unpaid leave is approved. If an employee is approved for short-term disability coverage by the EMSWCD’s carrier, the EMSWCD will continue to provide insurance benefits so long as the employee remains on short-term disability. Short-term disability pays up to 60% of weekly wages with a $200 weekly cap; the EMSWCD pays an additional $100 per week through self-insurance. If the employee remains unable to work once short-term disability benefits are exhausted, the EMSWCD will discontinue benefits and employee will be offered COBRA.

3.1 Short-Term Disability Insurance
Short-term disability insurance is provided for employees at no cost. Short-term disability insurance is not available for family members. Short-term disability pays up to 60% of weekly wages with a $200 weekly cap. EMSWCD pays an additional $100 per week through self-insurance.

EMSWCD will pay for benefits when an employee is on approved short-term disability. If the employee is not on short-term disability, EMSWCD will limit the time benefits that will be covered up to 160 hours. Following 160 hours, the Executive Director may decide to extend benefits or make the employee eligible for COBRA.

3.2 Long-Term Disability Insurance
Long-term disability insurance is provided for the employee at no cost. Long-term disability insurance is not available for family members.

4.0 Life Insurance
$50,000 of life insurance is provided for employees at no cost. Life insurance is not available for family members. Additional coverage may be purchased at employees’ own expense.

5.0 Retirement Investment Plan
EMSWCD offers a retirement/deferred compensation plan to all regular status employees who normally work at least 20 hours per week. The provisions of the retirement plan are as follows:

- Employees are not required to make contributions, but may do so voluntarily.
- EMSWCD will match the employee’s contribution up to 6 percent of salary/wages.
  - EMSWCD will not contribute if employee does not contribute.
  - Employees may contribute more than 6 percent of their salary/wages, up to the limit defined by federal tax law.
Policy 1.1.15: Non-Pay Benefits
East Multnomah Soil & Water Conservation District

- Investment decisions for both employer and employee contributions into a given employee’s account are made by the employee. Requests for changes in the investment allocations are made directly with the plan administrator.
- Employees may request changes in the percentage or dollar amount of their voluntary payroll contributions as often as they wish. Change requests should be submitted in writing to the staff person responsible for EMSWCD payroll. The EMSWCD match will be changed accordingly.
- There is no waiting period. Employer and employee contributions may be made from the date of hire.
- Employee and employer contributions are 100 percent vested from the date of hire.
- All regular status full-time and part-time employees are eligible to participate in the retirement plan and have employer contributions made to their accounts. There is no minimum “hours per week” requirement. Temporary and seasonal employees are not eligible.
- When an employee leaves the EMSWCD, the employer contribution remains in the employee’s account.

Additional information and enrollment materials for both the retirement/deferred compensation plan are available from the Office Manager.

6.0 Employee Wellness Program
The benefits of an employee wellness program that incentivizes employees to be more active, and thus healthier, include, but are not limited to:

- Improved employee morale, productivity, and organizational loyalty.
- Reduced absenteeism (by reducing frequency and duration) caused by illnesses and other health issues.
- Reduced on-the-job injuries.
- Potential reduction in health care insurance premiums.  

As per the Mayo Clinic, for most healthy adults, the U.S. Department of Health and Human Services recommends these exercise guidelines:

- **Aerobic activity**: At least 150 minutes per week of moderate aerobic activity or 75 minutes per week of vigorous aerobic activity, or a combination of moderate and vigorous activity. The activities should be spread as evenly as possible throughout the course of each week.

- **Strength training**: Strength training exercises for all major muscle groups at least two times per week. At least one set of each exercise, using a weight or resistance level heavy enough to tire muscles after about 12 to 15 repetitions, should be completed during each session.

Moderate aerobic exercise includes activities such as brisk walking, steady-paced swimming, and leisurely cycling. Vigorous aerobic exercise includes activities such as running, sprint/paced swimming, hard cycling, and aerobic dancing. Strength training can include use of weight machines, one’s own body weight, resistance tubing, resistance paddles in the water, or activities such as rock climbing.

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As a general goal, at least 30 minutes of physical activity per day should be completed. If weight loss or specific fitness levels are desired, more exercise will likely be needed. If employees want to aim even higher they are encouraged to go beyond the Mayo Clinic guidelines. For example, 300 minutes of exercise can achieve far more health benefits, including increased weight loss. Note that prior to starting any new exercise regime, employees are encouraged to get a complete medical physical to ensure there is no unusual health risk involved in increased activities.

To incentivize employees:

- EMSWCD will provide each employee four extra hours of vacation leave per month for employees who meet the minimum recommended aerobic activity and strength training each week during that month.
- EMSWCD will provide each employee four extra hours of vacation leave per fiscal year (at the end of each year) for employees who meet the minimum recommended aerobic activity and strength training during each month of the entire fiscal year.
- EMSWCD will provide each employee four extra hours of vacation leave per fiscal year (at the end of each year) for employees who set (at the beginning of the fiscal year) and meet (at the end of the fiscal year) explicit, ‘public’ fitness/activity goals for the year (e.g., weight loss goals, cessation of smoking/drinking goals, and/or competition goals).
- Subject to budgetary constraints on a year-to-year basis, at the end of each fiscal year, employees who successfully complete and document the minimum recommended levels of aerobic activity and strength training for at least one month during the fiscal year will be invited to an end of year lunch celebration sponsored by EMSWCD.

For successful completion of all activities above, a total of seven extra days of vacation leave per fiscal year can be obtained. Documentation of aerobic activity and strength training, on the form/program and manner provided by EMSWCD, must be kept current on a weekly basis and made available to EMSWCD management at all times.

7.0 Childcare

Flexible Spending Accounts?

The federal government offers a Flexible Spending Account (FSA) that's administered through workplaces.

If your job offers an FSA (also known as a Dependent Care Account), you can put aside up to $5,000 in pre-tax dollars to pay for child care expenses. If both you and your spouse have an FSA, the family limit is $5,000 -- but you could get as much as $2,000 in tax savings if your combined contributions reach the maximum.

8.0 Commuting and Transportation

As a means to reduce local traffic, reduce EMSWCD’s collective carbon footprint, and encourage healthier lifestyles, EMSWCD encourages employees to seek transportation options other than individual driving. Employees are encouraged to explore public transportation and other more sustainable transportation options both for commuting and for other work-related travel. For employees who walk,
run, or cycle to work, these activities can be incentivized by logging the activities with the Wellness Program. For employees who take public transportation or car-pool with three or more people in the same vehicle, each two-way/one-day trip logged in the Wellness Program will count as 15 minutes of moderate aerobic activity.
Policy 1.1.16: Discipline and Separation
East Multnomah Soil & Water Conservation District

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1.0 Disciplinary Actions
When performance and/or behavioral expectations are not met by employees, supervisors will provide informal verbal and/or written feedback and correction at the earliest practical time. In the event this does not adequately address the situation or performance/behavior is so dire that informal action is deemed inappropriate by the supervisor or Executive Director, formal disciplinary action may be taken.

Formal disciplinary actions may include, but are not limited to:
- Verbal counseling/disciplinary meeting and follow-up memo;
- Stand-alone counseling/disciplinary memo;
- Documented performance review, including a Performance Improvement Plan;
- Stand-alone Performance Improvement Plan;
- Temporary or permanent re-assignment of job duties;
- Temporary or permanent pay reduction;
- Temporary or permanent job class demotion; and/or
- Suspension and/or termination from employment (see Section 2.0 below).

Formal disciplinary actions shall be recommended by supervisors and approved by the Executive Director. Employees will normally have an opportunity to provide an explanation prior to any final action being taken. In more serious cases, such as those involving criminal acts or a threat to the safety of others, immediate action may be taken, including suspension and removal from the worksite (see Section 2.0 below).

2.0 Suspension and Termination
In accordance with the Oregon’s at-will employment status, employees may be terminated at the EMSWCD’s discretion with or without cause. If deemed appropriate and/or necessary by the Executive Director, the Executive Director may:
• Place employees on administrative leave (with or without pay) and remove them from the workplace, including terminating computer and phone access and confiscating keys and other EMSWCD-owned items, until unresolved issues can be addressed or, at the Executive Director’s discretion, until a Personnel Committee can be convened to discuss such issues; and/or
• Immediately terminate employees after notifying the Personnel Committee of the decision to terminate and allowing each Personnel Committee member time to object and/or request a PC meeting prior to termination. If a PC member objects or requests a PC meeting prior to termination, the employee in question may be put on administrative leave until the PC meeting can be held.

To minimize EMSWCD liability and to ensure that employee rights are protected, the Executive Director will consult with its insurance underwriter and/or legal counsel before making a termination decision. Upon termination, the employee’s final check will be paid on his/her last day of work and will include any unused vacation pay and compensatory pay. Accrued wellness leave shall not paid upon termination.

3.0 Layoffs
Layoffs will be determined based on EMSWCD staff needs and available funding. EMSWCD is an at-will employer and positions may be eliminated or altered at the discretion of the Personnel Committee.

4.0 Appeal Process
All employees have the right to be treated fairly, to have their views heard and, in the event a supervisor is acting inappropriately, to appeal a disciplinary or other personnel situation to a higher authority. If an employee believes that a supervisor has acted inappropriately, the employee may appeal the case to the Executive Director. In the event the Executive Director is alleged to have acted inappropriately or the employee is uncomfortable approaching the Executive Director with the issue, the employee may appeal to the Personnel Committee (or to the Board Chair in the event the Personnel Committee is not available). The decision of the Executive Director, Personnel Committee, or Board Chair, as appropriate, shall be final. If an employee disagrees with a review or other employment action, he or she may provide rebuttal documents for the appropriate file.

The purpose of the Personnel Committee is to review policies, recommend changes to the Board, and address complaints of discrimination, sexual harassment, and other wrongdoing by the Executive Director, as well as to hear employee grievances regarding disciplinary actions, changes in pay, promotions, suspensions, or other personnel matters that are not satisfactorily addressed by the Executive Director. In the event that a Personnel Committee has not been established or is unavailable, these matters shall be directed to the full Board of Directors. The Executive Director is empowered to conduct staff exit interviews, but staff may request an exit interview with the Personnel committee. Personnel administration including staff evaluations, selection, discipline, suspension, dismissal, and promotion will be the responsibility of the supervisor and the Executive Director. The Personnel Committee will exercise oversight in these matters but will not reverse the decision of the Executive Director unless an impropriety is discovered.
5.0 Severance Pay
Severance pay will be decided by the Personnel Committee on an individual basis.

6.0 Voluntary Resignations
In accordance with the Oregon’s at-will employment status, employees may resign from employment at EMSWCD at their discretion with or without cause. EMSWCD respectfully requests that employees provide at least two weeks’ notice for resignations.

7.0 Death of an Employee
Upon death of an employee, all unpaid salary and unused vacation leave will be paid to the employee’s estate.
Policy 1.1.17: Tort Liability
East Multnomah Soil & Water Conservation District

Policy originally approved by EMSWCD Board of Directors on: 

Policy revised and approved by EMSWCD Board of Directors on: 

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1.0 Introduction
EMSWCD employees, Board members, and volunteers, as agents of the State of Oregon, are covered under the State’s tort liability law as long as they are carrying out their official duties within the state and with due care and in good faith. Law suits are typically based on negligence, breach of duty, or nuisance. Providing EMSWCD agents are acting within the limits of their duties, the Oregon State Attorney General’s office will defend them against suits. The Oregon Department of Agriculture’s (ODA’s) Soil and Water Conservation District (SWCD) Program can be contacted whenever there is uncertainty about Tort liability.

2.0 Definition of a Tort
Oregon soil and water conservation districts are provided protection from tort liability for their actions while doing conservation district business through tort liability insurance coverage. A tort is defined as a wrongful act, injury, or damage (not involving a breach of contract), for which a civil action can be brought. ORS 30.260(8) defines a tort as "the breach of a legal duty that is imposed by law, other than a duty arising from contract or quasi-contract, the breach of which results in injury to a specific person or persons for which the law provides a civil right of action for damages or for a protective remedy."

3.0 Insurance Coverage for Conservation Districts
Under ORS 561.400, all conservation district directors, associate directors, directors emeriti, employees, and volunteers are provided tort liability coverage under the Oregon State’s self-insurance program. ODA pays the required charges to the state’s Oregon Department of Administrative Services (DAS) Risk Management Program for this coverage.
Policy 1.1.17: Tort Liability
East Multnomah Soil & Water Conservation District

4.0 When Coverage does not Apply
The state’s tort liability coverage does not apply to:
- EMSWCD actions outside of the State of Oregon;
- Criminal complaints or actions;
- Acts not arising in the performance of duty;
- Slander;
- Malfeasance in office, or for acts due to willful or wanton neglect of duty or that were committed maliciously with intent to injure;
- The assumption of liability of another party because of negligence, unless a written agreement was entered into prior to a loss;
- Workers’ compensation;
- Public Meetings Law violation claims;
- Protective relief actions;
- Pollution;
- Aircraft, except Unmanned Aerial Vehicles (UAVs or drones);
- Watercraft over 25 feet in length; or
- Personal property.

5.0 What to do when a Claim Arises
In the event of an accident, occurrence that may result in a tort claim, or and actual tort liability claim, EMSWCD agents should notify the Executive Director immediately. The ED will then work with the Management Team and Office Manager to promptly notify DAS Risk Management Program and the ODA SWCD Program.
Policy 1.1.18: Public Commenting
East Multnomah Soil & Water Conservation District

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1.0 Application
This policy applies to all formal EMSWCD public comments intended to represent the position of EMSWCD. A public comment includes any oral or written, formal or informal, communication made by EMSWCD Board members, employees, or volunteers (collectively, “representatives”) on behalf of EMSWCD to any person or entity that is not staff or a Board member of EMSWCD. Public comments include letters of support or opposition.

Prior to making any public comment in which the EMSWCD formal position is uncertain, EMSWCD representatives should confer with an EMSWCD employee. The employee must then apply the decision-making criteria in this policy to determine if a public comment is permissible without explicit Board of Director approval. If a public comment is permissible, representatives must also determine whether the Board must be notified of the public comment by using the checklist below. Employees should copy and paste the decision-making matrix template found in Section 5 of this policy, complete the matrix as instructed in this policy (examples given in Section 6), and save the completed matrix in a separate file for future reference.

2.0 Decision-making Criteria
EMSWCD employees shall apply the criteria below to determine if a public comment, made on behalf of EMSWCD, is possible without Board approval.

1. Is the issue directly or indirectly related to the EMSWCD mission?
   a. If yes, then proceed to Question #2.
   b. If no, then commenting on EMSWCD’s behalf is not permissible.
2. Has the EMSWCD Board already taken a position on the issue?
   a. If yes, then commenting is permissible, but the Board position must be maintained.
   b. If no, then commenting is only permissible if answers to 3, 4, and 5 below are all “No.”

3. Does the project or issue somehow commit or otherwise impact EMSWCD time, staff and/or budget in a manner not previously considered and approved?

4. Is the project or issue politically, socially, and/or environmentally controversial?

5. Reality check: Does the hair on the back of your neck stand up when you think about the issue?

3.0 Board Notification Checklist
Regardless of whether the Board must give prior approval of public comments made on behalf of EMSWCD (as determined by the criteria in 2.0 above), employees shall notify the Board at the earliest practical opportunity of all public comments made on behalf of EMSWCD when the project or issue involves:

1. law-making;
2. rule-making;
3. regulatory permitting;
4. legal/regulatory action;
5. a judicial proceeding; and/or
6. political, social and/or environmental controversy.

4.0 Comment Letter Formatting
When drafting and finalizing a public comment letter, staff must use standard best practices for a business letter\(^1\), which generally include:

- EMSWCD logo and contact information;
- Date;
- Address block;
- Salutation/To/Dear followed by a colon;
- Body of letter with appropriate use of paragraphs;
- Consistent font type and size used throughout letter;
- Proper punctuation and sentence structure;
- Substantive content must be expressed professionally; all references to EMSWCD’s values, vision, mission, goals, objectives, and strategies must be as described in approved plans and reports;
- Closing; and
- Signature/Name/Position Title

While every letter does not have to look exactly the same (so there is room for personal preferences in addressing the above bullets), every letter should include the above bullets.

\(^1\) For an example, see: https://owl.english.purdue.edu/owl/resource/653/01/
5.0 Decision-making Matrix Template

<table>
<thead>
<tr>
<th>1.0 Decision-making Criteria</th>
<th>Yes</th>
<th>No</th>
<th>2.0 Board Notification Required</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Related to District Mission?</td>
<td></td>
<td></td>
<td>1. Law-making</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Board taken position?</td>
<td></td>
<td></td>
<td>2. Rule-making</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. District commitment?</td>
<td></td>
<td></td>
<td>3. Regulatory permitting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Hair standing up?</td>
<td></td>
<td></td>
<td>5. Judicial proceeding</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Political, social and/or environmental controversy</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Result: 

6.0 Decision-making Matrix Template Examples

Examples below demonstrate how the decision-making criteria and notification checklist are applied.

Example 1: Legislative hearing on the Outdoor School funding bill

<table>
<thead>
<tr>
<th>1.0 Decision-making Criteria</th>
<th>Yes</th>
<th>No</th>
<th>2.0 Board Notification Required</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
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<td></td>
<td>1. Law-making</td>
<td>X</td>
</tr>
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<td>2. Board taken position?</td>
<td>X</td>
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<td>X</td>
<td></td>
<td>5. Judicial proceeding</td>
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<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Result: Commenting permissible without Board check in.

Example 2: Troutdale Energy Facility Permitting

<table>
<thead>
<tr>
<th>1.0 Decision-making Criteria</th>
<th>Yes</th>
<th>No</th>
<th>2.0 Board Notification Required</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Related to District Mission?</td>
<td>X</td>
<td></td>
<td>1. Law-making</td>
<td>X</td>
</tr>
<tr>
<td>2. Board taken position?</td>
<td>X</td>
<td></td>
<td>2. Rule-making</td>
<td>X</td>
</tr>
<tr>
<td>5. Hair standing up?</td>
<td>X</td>
<td></td>
<td>5. Judicial proceeding</td>
<td>X</td>
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<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Result: Commenting not permissible without Board check in.

Result: Board notification required.
Example 3: Support letter for Grow Portland’s USDA grant for Future Market to Garden project

<table>
<thead>
<tr>
<th>1.0 Decision-making Criteria</th>
<th>Yes</th>
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<th>2.0 Board Notification Required</th>
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<th>No</th>
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<td>1. Law-making</td>
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<td>2. Rule-making</td>
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<td>X</td>
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<td>5. Hair standing up?</td>
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<td>5. Judicial proceeding</td>
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<td></td>
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<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**Result:** Commenting permissible without Board check in.

Example 4: Portland Airport Signage

<table>
<thead>
<tr>
<th>1.0 Decision-making Criteria</th>
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<th>2.0 Board Notification Required</th>
<th>Yes</th>
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</thead>
<tbody>
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<td>1. Law-making</td>
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<td>X</td>
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<td>2. Board taken position?</td>
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<td></td>
<td>2. Rule-making</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6. Political, social and/or environmental controversy</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**Result:** Commenting not permissible.

**Result:** Board notification not required.
1.0 Policy Scope
This policy concerns EMSWCD’s response to pollution, deleterious farming practices, or other resource concerns on a property within EMSWCD’s jurisdictional boundaries. EMSWCD may be made aware of such an issue via direct observation by a Board member, employee, volunteer, or contractor. EMSWCD may also be made aware of such an issue due to a public report or complaint.

2.0 Context
EMSWCD is a non-regulatory local government agency. As such, EMSWCD works with landowners, land managers, and other residents within its jurisdictional boundaries on a voluntary basis only. EMSWCD cannot force via statutory or regulatory provisions or enforcement oversight, landowners, land managers, and other residents to address resource concerns on their property if they do not voluntary want to do so.\(^1\) EMSWCD is also a public agency. As a public agency, much of the work and associated documentation and records are public records and available to the public upon request. As such, while EMSWCD will not broadly advertise where it is addressing resource concerns, in some cases it may not be able to keep the information confidential. Likewise, while EMSWCD attempts to maintain a “non-reporting”/neutral role when it comes to resource concerns, in some cases (as described below), it may have to fulfill its public duty to report a dire situation.

\(^1\) Exceptions to this is when EMSWCD holds some or all property rights associated with a parcel in question. In this case, it would be EMSWCD’s proprietary interests, as opposed to regulatory powers, that would allow it to take action.
3.0 Addressing a Resource Concern

If the EMSWCD is made aware of a potential resource problem being caused by a landowner, land manager, or other person within EMSWCD’s jurisdictional boundaries, the steps below will be taken by EMSWCD employees.

1. If a non-supervisory employee is made aware of the situation first, that employee should notify her/his supervisor.
2. The supervise shall determine if there is merit in further investigating the situation and which staff is best-suited to do so.
3. If agreed to by the supervisor, the assigned/best-suited employee will review the issue and attempt to verify that it is, or is not, a valid resource problem.
4. If it clearly is not a valid resource problem, the employee will advise the supervisor and complainant (if there is a public complainant) that there is no resource problem.
5. If it appears to be a valid resource problem, the employee will confer with her/his supervisor regarding the best-suited EMSWCD employee to make contact with the landowner/manager.
6. The assigned/best-suited employee shall then contact the landowner/manager about the resource problem and offer technical assistance to address the problem.
7. If, after being offered technical assistance, the landowner/manager indicates they do not wish to resolve the resource problem, the employee will confer with her/his supervisor.
8. The employee and supervisor will determine if the resource problem is likely to continue and is a severe issue that could directly harm critical environmental services that directly impact water quality, plant and animal life, and/or human life. If so, the supervisor shall notify the Executive Director. After consultation with and agreement by the Executive Director, the issue will be referred to ODA or the appropriate regulatory agency.
9. The Board of Directors should be notified of the situation at the first practical opportunity.