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### 1.0 Employment Relationship

Employees of the East Multnomah Soil and Water Conservation District (EMSWCD) and the EMSWCD as a government agency are engaged in an “at-will” employment relationship. Therefore, employment at EMSWCD is for no definite period of time and may, regardless of the time and manner of payment of salary or wages, be terminated at will. As such, EMSWCD and/or any employee may terminate the employment relationship at any time, with or without reason or advance notice.

No EMSWCD individual board member or staff has the authority to enter into any agreement contrary to this at-will relationship except the Executive Director with the explicit approval of the full Board of Directors. The at-will employment relationship cannot be altered except in writing, signed by the Executive Director and the employee in question.



## 2.0 Employee Statuses

The statuses of employees are categorized to make determinations of benefits and other employment conditions and to aid in a better understanding of employment expectations.

Employees may be considered as:

- Introductory/probationary versus non-probationary;
- Regular (no specific end date) versus temporary/seasonal (end date specified);
- Full-time (40 hours per week) versus part-time (less than 40 hours per week); and
- Exempt (salaried) versus non-exempt (hourly wage).

### 2.1 Introductory/Probationary

All newly hired or promoted employees who are in the first six months of a position are considered to be in an “introductory period” of employment (often referred to as a “probationary” period).

During this period, employees are considered to be in training and under observation and evaluation by their supervisor. Evaluation of employees’ adjustment to work tasks, conduct and other work rules, attendance, and job responsibilities will be conducted during the introductory period. This period gives employees an opportunity to demonstrate satisfactory performance for positions and provides an opportunity to see if their abilities and the requirements of the position match. It is also a chance to see if EMSWCD meets employees’ expectations as an employer.

Performance reviews may be completed throughout the introductory period at the discretion of the supervisor. If employees appear to be struggling, supervisors shall make early efforts to guide employees to success. If necessary, however, employees may be dismissed at any time during the introductory period, with or without cause, with the approval of the Executive Director.

A final introductory period performance review will be conducted at the end of the six-month period. If employees have successfully completed the introductory period, employees will be notified as such in writing. Similarly, if employees have not successfully met expectations during the introductory period, with the approval of the Executive Director, employees will be notified in writing that they are dismissed from their employment with EMSWCD.

If, at the end of the introductory period, the employee’s skills border on satisfactory, but fall short, the introductory period may be extended if there is reason to believe that the employee’s skills will improve within 30 days. The introductory period may be extended only by approval of the Executive Director, which will be conveyed in writing to the introductory employee.

Completion of the introductory period does not alter the at-will employment relationship. Employment may be terminated at will by EMSWCD or by the employee at any time during or after the introductory period, with or without reason, if either party regards it as necessary or appropriate.



## 2.2 Regular versus Temporary/Seasonal

All employees will be categorized as one of the statuses below:

- **Regular:** Employees who are expected to work on a continuing basis with no explicit end point.
- **Temporary/Seasonal:** Employees hired for a defined and limited period of time due to special projects, abnormal workloads, or emergencies. End dates are normally identified at the beginning of the position. Temporary/seasonal employees are usually not eligible for employer paid benefits.

## 2.3 Full-time versus Part-time

All employees will be categorized as one of the statuses below:

- **Full-time:** Employees who are normally scheduled to work 40 hours or more per week. Regular full-time employees are normally eligible for employer paid benefits.
- **Part-time:** Employees who are normally scheduled to work less than 40 hours per week on a continuing basis. Regular part-time employees who are normally scheduled to work at least 20 hours per week are normally eligible to receive some employer paid benefits.

In some cases, special circumstances of employees and EMSWCD coincide to allow for consideration of “job-sharing,” wherein what would normally be a full-time job position is shared between two part-time employees. See section 3.0 for more information.

## 2.4 Exempt versus Non-exempt

All employees are further classified according to federal and state wage and hour laws as exempt or non-exempt, as defined below.

- **Exempt:** Employees who are exempt from the overtime pay requirements under federal and state laws. Exempt employees include managers, executives, professional staff, and others who are paid a salary and whose duties and responsibilities allow them to be exempt under federal and state law.
- **Non-exempt:** Employees whose jobs call for overtime payment as appropriate under state and federal regulations. Employees in non-exempt positions are paid on an hourly basis and accrue compensatory time at a rate of 1.5 hours for each hour worked in excess of 40 hours worked in one work week.

Management will make the appropriate designation regarding the status for each new position or when a position changes substantially (see Policy 1.5.3 for details). If employees are uncertain as to their exempt versus non-exempts status, they should inquire with their supervisor.

## 3.0 Job Sharing

From time to time, some employees may choose to request that the number of hours they work be permanently or temporarily reduced to better balance their work-home life. Such requests should be made to supervisors in writing with an explanation of how the employee proposes the work normally assigned to the position be accomplished. One option for accomplishing a reduction in work hours for an individual employee, while maintaining previously identified outcomes and activities for the position as



a whole, is to establish a job-sharing situation. Under a job-sharing scenario, two part-time people usually work within the same position and on the same work plan. Ideally, each person would be assigned 20 hours per week. Opportunities for job-sharing will be considered on a case-by-case basis and must be approved by the Executive Director. Benefits for each person in a job-sharing position will be determined based on the average number of hours worked per week (see Policies 1.1.15 – 1.1.17).

#### **4.0 Work Location**

Most EMSWCD employee's primary work location will be at the central office located at 5211 N. Williams Ave., Portland, OR 97237. Some staff, however, may work primarily at satellite locations, but this will be formally determined when the employee begins employment or when expectations change during employment. For some positions, working from an alternate location on either a temporary or an ongoing basis may be cost-effective or otherwise advantageous. Requests to work from home or another location must be approved by the Executive Director and must not negatively impact the effectiveness of the employee. Long-term alternate work arrangements will be granted only in unusual circumstances and will be monitored to ensure that they continue to meet the EMSWCD's needs.

#### **5.0 Supervision and Reporting**

Employees are expected first and foremost to seek guidance and instruction from and report primarily to their direct supervisor. However, employees can seek guidance and instruction from other supervisors or the Executive Director if for some reason direct supervisors are unavailable or employees feel uncomfortable going directly to their supervisor. While this is not ideal, it is a viable option to resolve specific issues or conflicts. At the same time, EMSWCD has an open and collaborative work environment where employees are encouraged to brainstorm and discuss work-related programs and activities with other staff and partners. Employees may also freely communicate with board members on a one-to-one basis to exchange information about existing programs and activities. However, explicit approval from supervisors and the Executive Director must be gained prior to communicating with board members about changing EMSWCD activities or priorities and prior to communicating with more than one board member at the same time. This latter requirement does not apply when employees reach out to one or more board members with a grievance or whistleblower complaint (see Policy 1.5.10 for more details).

#### **6.0 New Employee Orientation**

New employees will be provided an orientation to EMSWCD within the first week of employment. At the orientation, new employees will receive information about general policies, procedures, benefits, expectations, job duties, and basic information on pay and leave. Orientation will include an introduction to EMSWCD, USDA Natural Resources Conservation Service (NRCS), Oregon Department of Agriculture (ODA), other EMSWCD partners, and the National and Oregon associations of conservation districts (NACD and OACD). New employee orientation helps ensure positive integration into EMSWCD's operations and helps new employees start a productive and satisfying employment relationship.

As part of orientation, all employees will be provided with an accessible copy of the EMSWCD's employee handbook and will be required to sign that they have received the handbook and understand its contents.



## 7.0 Job Position Descriptions

Upon being hired, employees will receive a written job position description that will include information about tasks they are expected to perform, whom they report to, and other pertinent information. The job position description should be reviewed and updated at least annually in coordination with the position's supervisor (usually during the annual performance evaluation), and more often if duties of the position change substantially.

## 8.0 Work Plans

Annual work plans are developed in consultation with each employee's supervisor. As soon as possible upon hire, employees and their supervisors should develop a clear and detailed six-month introductory work plan so there are mutually agreed upon expectations for performance. Upon successful completion of the introductory period, work plans should be established based on the fiscal year. Throughout each fiscal year as circumstances change and new organizational priorities arise, work plans may be modified as agreed upon by the employee and their supervisor.

## 9.0 Personnel Records

A confidential personnel file shall be maintained for each employee of the EMSWCD. These records will be secured in a locked file cabinet in a secure location at the EMSWCD main office. Typical documents kept in personnel files include, but are not limited to, those related to hiring (e.g., application materials, offer letter), on-boarding (e.g., benefits information, emergency contact), annual performance reviews, training and education, and disciplinary actions.

The position's supervisor, human resources representative/Office Manager, Chief of Finance and Operations, Executive Director, and the Personnel Committee will have access to the personnel files. The employee may have access to that employee's file upon request. Employee access to their personnel file will be in the presence of the employee's supervisor or the Executive Director; any changes will be made only with supervisor's or Executive Director's approval. An employee may request a copy of their personnel file, which will be provided as required by Oregon law. Time sheets and related information will be available to the bookkeeper and appropriate clerical staff on a need-to-know basis.

## 10.0 Searches and Monitoring

Employees have no right to privacy relating to phone/tablet/computer usage or materials and documents, including electronic documents (i.e., emails), that are created or stored on EMSWCD phones/tablets/computers or on EMSWCD premises. Any employee phone/tablet/computer, desk drawers, phone messages, and file cabinets may be accessed at any time by EMSWCD management without notice to employees. EMSWCD may monitor employees' use of the Internet, EMSWCD phones, and work vehicles. Note that if employees use personal phones for EMSWCD business, those phone records may be discoverable.