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## Chapter 2

### ADMINISTRATION

#### GENERAL

#### **2.005 Ordinances. Orders. Rules – Definitions.**

Ordinances. Legislative acts of the Board enacting general, uniform and permanent procedures and requirements relating to the affairs of Lane County. Ordinances are enacted under the authority of State law, the Home Rule Charter, or both, and require two readings before the Board at least 13 days apart.

Orders. Administrative acts of the Board or expressions of general policy and procedures or procedural rules necessary for the Board to organize the conduct of its own business under authority of State law, the Home Rule Charter or Lane County Ordinances. Orders require only one reading before the Board.

Rules. The administrative regulations of the Board for particular subject areas (e.g., personnel rules, safety rules), or a series of related orders often referred to collectively. Also acts of County officers, commissions or committees in the exercise of delegated functions (e.g., Department procedural rules, rules for conduct of Planning Commission business, etc.). *(Revised by Order No. 72-12-27-1, Effective 12.27.72)*

#### **2.006 Board Relationships With Officers and Employees.**

The Board mainly exercises its legislative and administrative powers through the use of written ordinances, orders and rules approved in public session. The Board acts as a board and individual commissioners exercise authority or perform functions only as appointed or delegated by the Board. Nothing in this paragraph is intended to restrict the right of any commissioner to make inquiries of a factual nature or to consult with individual employees, except that utmost discretion is urged when matters are discussed which involve current negotiations with employee bargaining units. The general guidelines in this paragraph are set forth for the purpose of clarifying lines of authority in a county government such as Lane County's in which a three-member board exercises both legislative and administrative powers. *(Revised by Order No. 72-12-27-1, Effective 12.27.72)*

#### **2.007 15-Minute Rule.**

(1) Individual Commissioners shall be allowed to ask any county employee for information in person, or via telephone or email on any topic. No more than 15 minutes may be expended on such a request by a county employee. All such information requests should be copied to the employee's supervisor.

(2) In the event an individual commissioner needs more information or assistance on a particular issue or matter, individual commissioners may request the Board provide authority for additional assistance beyond the 15-minute rule.

(3) Individual commissioners are encouraged to submit a Board Order for the consent calendar requesting an exception to the 15-minute rule if they wish to have more than 15-minutes worth of research or work done on a particular matter or issue. The proposed Board Order shall include an estimate of the amount of additional staff time and resources that would be required to provide the requested information. *(Revised by Order No. 09-4-29-2, Effective 4.9.09)*

#### **2.010 Numbering System.**

(1) Ordinances.

(a) General Ordinances. General ordinances shall be numbered by a system of two numbers separated by dashes, the first of which shall represent in consecutive sequence the number of general ordinances enacted during the particular year, and the second the last two digits of the year of the ordinance; e.g., 4-74 would be the number of the fourth general ordinance enacted in 1974.

(b) Special Ordinances. Special ordinances are numbered sequentially without regard to the year and usually relate only to zoning or rezoning.

(2) Orders. All orders of continuing application to the administration of Lane County Government shall be numbered as follows. By a system of four numbers, separated by dashes, the first of which shall be the last two digits of the year of the order, the second of which shall be the number of the month of the year of the order, the third of which shall be the number of the day of the month of the year of the order, and the last of which shall represent in consecutive sequence the number of orders enacted as then during the day. For example, the first order enacted on March 2, 1973, would be numbered as follows: 73-3-2-1.

(3) Resolutions. Resolutions follow the same numbering system as orders.

(4) Rules.

(a) Rules of the Board. Rules promulgated by the Board follow the same numbering system as orders since such rules are adopted by the Board as orders.

(b) Rules of Departments, Commissions, Committees, Etc. Such rules may utilize Chapter and section numbers in and beginning with Chapter 70 of this Manual; or if such rules logically parallel or follow an existing Manual section, they may utilize the existing Manual section's number with a zero character ("0") written before it. For example, if the Manual section promulgating the Planning Commission is LM 50.510, the rules governing Planning Commission procedures may be numbered LM 50.510 and shall be placed between LM sections 50.510 and 50.511. *(Revised by Order No. 72-12-27-1, Effective 12.27.72)*

### **2.015 Interpretation of Orders.**

(1) As used in the administrative orders of the Board, the term "general state law" or a phrase of similar import shall mean the entire body of Oregon law which would be applicable to Lane County if said County did not have a Charter.

(2) Where it is intended to refer to or acknowledge only provisions of law which are paramount to the Lane County Charter or to powers of Lane County under said Charter, the phrase "requirements of law" or "as required by law" or some phrase of similar import shall be used in administrative orders of the Board.

(3) It is declared to be understood by the Board that law of the State of Oregon or the United States of America may be applicable and paramount to the subject matter or general wording of any administrative order, and such paramount law is recognized and such subject matter or general wording is appropriately qualified or limited in scope or meaning, without the existence of such paramount law being expressly acknowledged in any such order. *(Revised by Order No. 72-12-27-1, Effective 12.27.72)*

### **2.020 Journals.**

The records of the Board shall be kept in five separate journals, which shall be distinguished as follows:

(1) A Journal of Ordinances, in which shall be recorded all ordinances of the Board enacted on and after January 3, 1963.

(2) A Journal of Orders, in which shall be recorded all orders of continuing application to the administration of Lane County Government enacted by the Board on and after January 3, 1963.

(3) A Journal of Administration, in which shall be recorded all other formal and official actions of the Board on and after January 3, 1963, except purchase authorizations, personnel action orders, orders for payment for personal services and similar incidental actions regarding the day to day transaction of Lane County business, and except as otherwise provided in LM 2.020(5) below.

(4) A Journal of Minutes, in which shall be kept a public record of the proceedings of the Board in the form of minutes.

(5) A Journal of Records, in which shall be recorded such orders, as designated by the Board, concerning the formation and administration of governmental districts, agencies and municipalities which are not an integral part of the Lane County Government, and such other documents as the Board may from time to time designate. *(Revised by Order No. 78-7-26-1, Effective 7.26.78)*

### **2.025 Rules of Departments, Commissions, Committees, Etc.**

Rules of Departments, County officers, commissions, committees, etc., as acts in the exercise of functions delegated by the Board, may be included in this Manual to acquire Countywide distribution. Their inclusion is accomplished following procedures set forth in LM 2.045. *(Revised by Order No. 78-7-26-1, Effective 7.26.78)*

## **MANUAL MAINTENANCE AND AMENDMENT PROCEDURES**

### **2.030 Maintenance of the Manual.**

The Lane Manual shall be maintained by the following procedures:

(1) One preliminary decision which must be made when considering additions, deletions or other changes to the Lane Manual or Lane Code is whether the change to be proposed involves an ordinance, order, or both. Because the Board exercises both legislative and administrative powers over County government, this decision may not always be an easy one. An ordinance is local law so when the public is being directed to do or not do something, an ordinance is used. When County employees or officers are given administrative direction or some ministerial matter in the implementation of an ordinance is involved, an order is appropriate.

(2) The Office of Legal Counsel will review the proposal and assist in assigning the proper Manual Chapter and section numbers and the appropriate termination category (see LM 2.040). The adopting order is the official version of the action of the Board.

(3) The Office of Legal Counsel is hereby assigned the duties of codification of the Lane Manual. Legal Counsel shall endeavor to keep the Manual and its copies as current as reasonably possible, and in format(s) conducive to public use, and to distribute a list of changes and a revised index on a regular basis.

(4) Legal Counsel may make certain editorial changes and corrections in the Manual, provided such changes do not alter the sense, meaning, effect or substance of any order. Changes and corrections may include the following: change, rearrange or renumber titles, chapters, appendices, sections or any other parts of the Manual or change numbering systems or cross-reference systems as necessary to make it more logical, readable or understandable; strike figures or words that are repetitious or unnecessary; change capitalization, punctuation, style or other format changes for purpose of uniformity and correct clerical, typographical or editorial errors. Such codification changes authorized under this section are intended to be non-substantive in nature and may be made without action of the Board.

(5) The Manual shall display a history of adoption, either by page or by section or subsection, utilizing the number and effective date of the most recent amending

order. The Office of Legal Counsel, as part of its duties, shall determine appropriate placement, depending on the medium in which it is displayed. *(Revised by Order No. 01-12-5-7, Effective 12.5.01)*

**2.035 Orders Amending Manual Provisions.**

The Manual shall be amended by an order of the Board when substituting new sections for existing sections, adding new sections, or removing existing sections. The general format of an order transmitting a Manual change shall be as follows:

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER  
2 OF LANE MANUAL REGARDING  
PROVISIONS FOR MAINTENANCE AND  
AMENDMENT OF THE LANE MANUAL  
AND LANE CODE (LM 2.030-2.045, 2.065-  
2.082)

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 2 is hereby amended by removing, substituting and adding the following sections:

REMOVE THESE SECTIONS

INSERT THESE SECTIONS

2.030-2.045, 2.065-2.080  
as located on pages 2-3 to 2-6  
(a total of 4 pages)

2.030-2.045, 2.065-2.082  
as located on pages 2-3 to 2-6  
(a total of 4 pages)

Said sections are attached hereto and incorporated herein by reference. The purpose of these substitutions and additions is to amend LM sections 2.030–2.045 and 2.065–2.082, and add new LM 2.082 to revise the provisions regarding maintenance and amendment of the Lane Manual and Lane Code.

Adopted this day of \_\_\_\_\_, 2001

\_\_\_\_\_  
Chair, Lane County Board of Commissioners

*(Revised by Order No. 01-12-5-7, Effective 12.5.01)*

**2.045 Initiation, Drafting, and Processing the Proposed Manual Amendment.**

See LM 2.065 through 2.080, substituting the words "Manual" for "Code" and "order" for "ordinance" and remembering that an order requires only one reading while an ordinance requires two. *(Revised by Order No. 01-12-5-7, Effective 12.5.01)*

**2.050 Distribution of the Manual.**

The initial cost of the Lane Manual is \$90.00 and is available to any member of the public requesting a copy. An additional \$75.00 annual update charge will be charged and is payable in advance for the fiscal year for which updates are charged. *(Revised by Order No. 93-3-31-8, Effective 3.3.93; 03-2-26-7, 2.26.03)*

**2.055 Failure to Comply.**

LM 2.035 to 2.045 above are directory rather than mandatory, and failure to comply with them shall not invalidate an order or a policy, procedure or rule promulgated by an order or resolution. *(Revised by Order No. 93-3-31-8, Effective 3.3.93)*

**CODE AMENDMENT PROCEDURES****2.060 Changes to the Lane Code.**

The general requirements for amending the Lane Code are set forth in LC 2.020 through 2.025. The following additional requirements will apply for the purpose of standardizing the procedures used in amending the Code. *(Revised by Order No. 93-3-31-8, Effective 3.3.93)*

**2.065 Initiation and Drafting of Amendments.**

Normally the Department most affected by the subject matter of the section of the Lane Code to be amended will initiate and draft the new Code sections for transmittal to the Office of Legal Counsel ordinance. The Office of Legal Counsel will assist as required, prepare the transmittal ordinance and will in all cases approve the change as to form prior to its presentation to the Board for a first reading. The Code sections and transmittal ordinance shall be typed on 8-1/2" x 11" paper. The words "Lane Code" should be centered at the top of each page. The Office of Legal Counsel shall determine appropriate formatting of the pages, placement of headings, section numbers and page numbers, and shall prepare and distribute appropriate Tables of Contents for the Lane Code and each of its chapters. The historical information (ordinance number and effective date) will be added by the Office of Legal Counsel upon enactment by the Board. The transmittal ordinance should include instructions for substitution. *(Revised by Order No. 01-12-5-7, Effective 12.5.01)*

**2.070 Processing the Proposed Amendment.**

The original of the transmittal ordinance should have attached to it a photocopy of the Code sections to be amended. The original of the Code sections to be amended are the printer's copies and shall be kept in the Office of Legal Counsel. *(Revised by Order No. 01-12-5-7, Effective 12.5.01)*

**2.075 Enactment of the Ordinance.**

Upon the enactment of the ordinance, the Office of Legal Counsel shall record the number of the ordinance and the effective date of the ordinance on the printer's copies. *(Revised by Order No. 01-12-5-7, Effective 12.5.01)*

**2.080 Printing and Transmittal of the Change.**

The Office of Legal Counsel will compile the transmittal instruction sheet to be used to send the Code amendments to the various holders of the Code and then deliver the transmittal instruction sheet and the printer's copies of the Code sections to the printer for printing. When the materials have been returned from the printer, the Office of Legal Counsel shall transmit copies of the amendments to all holders of the Code. The transmittal instruction sheet shall include the portions of each adopting ordinance setting forth the purpose of the ordinance. The transmittal instruction sheet shall also separately list and explain any editorial corrections made by the Office of Legal Counsel pursuant to LC 2.020(5). *(Revised by Order No. 01-12-5-7, Effective 12.5.01)*

**2.082 Internet/Intranet.**

The Office of The Office of Legal Counsel shall determine appropriate formatting for placement of the Lane Code and Lane Manual on the County's websites on the Internet and the Intranet, and appropriate updating practices. The Internet and Intranet versions are for information purposes, but are not the official version of the Lane Code or Lane Manual. The official version of the Code sections are the enacting ordinances, and the official version of the Manual sections are the adopting orders. *(Revised by Order No. 01-12-5-7, Effective 12.5.01)*

**2.085 Miscellaneous Control Requirements.**

(1) The Office of Legal Counsel shall number all copies of Codes which it sells or distributes. All changes which are transmitted shall be identified as being a change for a particular numbered copy of the Code.

(2) Individual Departments are responsible for maintaining internal control to determine who has the Department's copies of the Code and to whom the changes should be delivered within the Department. It is important that this be done so that all changes are always made available for all copies of the Code promptly. *(Revised by Order No. 93-3-31-8, Effective 3.31.98)*

**2.090 Distribution of the Code.**

The initial cost of the Lane Code is \$150.00 and is available to any member of the public requesting a copy. An additional \$85.00 annual update charge will be charged and is payable in advance for the fiscal year for which updates are charged. *(Revised by Order No. 93-3-31-8, Effective 3.31.98, 03-2-26-7, 2.26.03)*

**2.095 Administrative Procedures Manual.**

The Lane County Administrative Procedures Manual delineates administrative rules and procedures for implementing provisions of the Lane Code, Lane Manual and Board policy. It will include, but not be limited to, rules and procedures for County Administration, Budgeting, Financial Administration, Risk Management and Human Resources. In case of conflict between the Administrative Procedures Manual, Lane Manual or Lane Code, the order of control shall be: first - Lane Code; second Lane Manual, third - Administrative Procedures Manual. *(Revised by Order No. 93-3-31-8, Effective 3.31.98)*

**RECORD STANDARDIZATION****2.100 Record Standardization.**

(1) In recognition of the increasing trend of the legal profession, and particularly the court system, toward abandonment of the use of 8-1/2" x 13" legal size" paper in favor of conventional 8-1/2" x 11" "letter size", and in the interests of the economy and standardization, the Board directs that County officers and employees discontinue use of 8-1/2" x 13" paper effective July 1, 1974, except as follows:

- (a) Express exceptions granted by the Board.
- (b) Compliance with standard form requirements of other organizations, governmental or private, when such organizations specially request use of 8-1/2 x 13" paper.
- (c) Retaining or using 8-1/2" x 13" items prepared or received prior to the effective date or as an exception to this standardization.

(2) The Board further directs that documents, records, reports, notices and statements offered for filing and recording shall be written on paper measuring 8-1/2" x 11" in size, or smaller, except as follows:

(a) Maps, plats, financial statements, computer printouts, index cards and related forms, technical drawings, and other records that must maintain a different standard size to perform their intended function.

(b) Documents not specifically conforming to the 8-1/2" x 11" standard may be offered for filing and storage by the public. However, a fee of \$.50 per page shall be charged as compensation for converting of such documents to standard 8-1/2" x 11" form through micrographic photocopy or xerography. *(Revised by Order No. 78-11-29-6; Effective 12.6.78)*

### **2.105 Records Management Program.**

(1) Purpose. The purpose of the records management program is to provide a policy in Lane County for the efficient and businesslike manner of maintaining public records and providing for their retention or destruction. (78-11-29-6; 12.6.78)

(2) Procedure. All Lane County records shall be retained and destroyed pursuant to ORS Chapter 192, and in accordance with regulations prescribed by the State Archivist.

(a) No records shall be destroyed except pursuant to a records retention schedule prescribed or approved by the State Archivist, unless destruction is specifically authorized by ORS 192.170. Records not covered by schedules prescribed by the State Archivist may be destroyed only:

(i) In accordance with a County records retention schedule approved by the State Archivist, or

(ii) After obtaining specific approval from the State Archivist to destroy an existing set of records.

(b) No records shall be destroyed unless the destruction is approved by the Board, the County Counsel, and the County Records Officer. The order approving destruction shall certify that the records to be destroyed are of no further value to the County or the public. The approval order shall be made part of the permanent files of the Lane County Records Officer.

(c) A record of all records destroyed shall be created and made part of the permanent files of the Lane County Records Officer. This record shall contain at least the following information:

(i) A citation to the specific records retention schedule and Board order number which authorizes destruction of the records.

(ii) A description of the records destroyed, including the inclusive dates of the records.

(iii) A certification that the records destroyed are of a kind for which destruction is authorized under the records retention schedule cited according to (2)(c)(i) of this subsection.

(iv) The date of destruction of the records.

(3) County Records Officer. The Director of the Department of Management Services of Lane County is hereby appointed County Records Officer. All records awaiting destruction shall be deemed to belong to the County Records Officer for purposes of ORS Chapter 192 and the records retention regulations prescribed pursuant thereto by the State Archivist. The County Records Officer shall insure that Lane County records management is carried out in conformity with ORS Chapter 192 and rules promulgated pursuant thereto by the State Archivist.

(4) The Office of Legal Counsel shall advise the County Records Officer of any changes in Oregon statutes or administrative rules relating to the retention and destruction of records. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 89-3-15-4, 3.15.89; 78-11-29-6, 12.6.78)*

**2.110 Lane County Historical Museum.**

(1) Objective. The general objective of the Lane County Historical Museum is to acquire and preserve objectives and records of the County's pioneer period, which is generally recognized to cover the time from the arrival of settlers in the late 1840s until approximately 1910.

(2) Criteria. In keeping with the general objective, since resources are limited for Museum purposes, and there is easy accessibility to public, school and university libraries, the Lane County Historical Museum should restrict the expenditure of its resources and efforts only to the collection of materials that will meet one or more of the following criteria:

(a) Written, printed or published in Lane County, or by Lane County residents during the pioneer period.

(b) Descriptive of Lane County's pioneer period and residents.

(c) Relating to neighboring counties and likely to contain information useful to researchers on Lane County's pioneer period.

(d) Were, or were likely to have been, used in Lane County during the pioneer period.

(e) Containing information general enough to describe or illuminate specific aspects of Lane County's pioneer period, even though not meeting any of the above criteria.

(f) Aid in the technical identification and description necessary to successful exhibition and interpretation of the Museum's collection.

(g) Give perspective to the County's pioneer period by placing the County in a context with state and national history.

(3) Reproduction Policy. In order to maintain the integrity of the library collections and at the same time, provide patrons with reasonable access, the Lane County Historical Museum restricts the reproduction of its library collections subject to the following:

(a) The Museum will not permit reproduction of a full text book or pamphlet, complete collections of manuscripts or graphics or complete runs of newspapers. However, in support of well-defined, scholarly research, and upon written request, the Museum Director may grant permission for a reproduction copy if the copy is returned to the Museum upon completion of the research. The cost of the reproduction will be the responsibility of the patron.

(b) The Museum does not permit duplication of material if such action might entail possible violation of copyright laws.

(c) The Museum reserves the right to refuse to copy any item which may be harmed by the reproduction process.

(d) Written permission must be obtained from the Museum Director to publish either original or photocopy material from the Museum's collections.

(e) In giving permission to copy or publish a manuscript, the Museum does not surrender its own right to give permission to others to print it; nor does the Museum assume any responsibility for infringement of copyright or of publication rights in the manuscript held by the writer, his heirs, executors or assigns. The users of material agree to indemnify the Museum if any action is brought because of misuse of the materials.

(f) The Museum requires that at least one copy of any publication using Museum photographs be deposited in the Museum Library.

(g) Photo reproductions from the Museum's collection are for personal, reference or educational purposes and not for profit or gain. Further reproductions must be from the Museum's collection and not from the reproduced copy.

(h) The Museum reserves the right to refuse the use of the collection for uses that may violate the integrity of the Museum's stated purpose or the integrity of the collection.

(i) Charges for copy photographs made from existing negatives will reflect the current commercial price for reproduction plus a Museum handling charge. A current price list will be available for patrons.

(j) There will be a use fee charged for one-time use of illustrative material in promotional literature or advertising (brochures, calendars, etc.) and for commercial ventures (interior decoration, menus, etc.) and for illustrative material in commercial publications (books, film, tape, etc.).

(k) Any reproduction that is used as an illustration or in a display must bear a credit line adjacent to the print: "Courtesy of Lane County Historical Museum."

(l) Reproduction of photographs by patrons will not be permitted, nor will collection negatives or prints be loaned without the written permission of the Museum Director.

(m) Oversize reproductions and other special reproduction procedures or processes may be permitted with consultation and approval of the Museum Director. Additional costs for these services will be charged to the patron.

(n) In exceptional circumstances and if presented in writing, the County Administrator may grant, on an individual basis, a waiver of this policy. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 89-3-15-4, 3.15.89)*

## **INSPECTION OF PUBLIC RECORDS AND REQUESTS FOR INFORMATION**

### **2.150 Policy Statement.**

It is the policy of Lane County that the public has a right to inspect any public record maintained by the County, consistent with ORS 192.001 through 192.500. Responses to public requests for inspection of records and information should be done as soon as practicable and without unreasonable delay, pursuant to ORS 192.440(2). Reasonable delays in responding may occur depending upon the nature of the request, workload and staffing of the office which must respond and other factors. *(Revised by Order No. 76-5-26-8; Effective 12.26.76; 08-2-20-2, 2.20.08)*

### **2.155 Purpose.**

The purpose of these rules is to clarify for staff how inspection of public records and requests for information may be submitted and responses made. *(Revised by Order No. 76-5-26-8; Effective 12.26.76)*

### **2.160 Definitions.**

The "public" includes any natural person, corporation, partnership, firm or association. "Public record" includes any writing containing information relating to the conduct of the public's business, prepared, owned, used or retained by the County, regardless of physical form or characteristics.

**Certified Copy.** A reproduction of a public record which shall be supplied upon request and inscribed with a notation by a County employee, including signature, date and the words "Certified Copy". If the public record is not suitable for reproduction, a

facsimile may be prepared and the notation "Certified Facsimile Copy", signature and date inscribed.

Copy. A reproduction of a public record made at the request of a member of the general public.

Custodian of Records. The person responsible for maintaining public records and furnishing a proper and reasonable facility for making memoranda or abstracts from the records during normal business hours.

Exempt Records. Those specified in ORS 192.500 and those records which, by law, have been determined by County Counsel to be exempt from public inspection.

Fees. Those costs specified elsewhere in the Lane Manual which will be charged the general public and others for providing copies of public records and for supplying requested information. These fees are calculated to reimburse the County for actual costs in making such records or information available. No fee will be charged for inspection of public records. *(Revised by Order No. 76-5-26-8, Effective 12.26.76)*

### **2.162 Responses to Public Records Requests.**

The response to the public request must be done as soon as practicable and without unreasonable delay. Reasonable delays in responding may occur depending upon the nature of the request, workload and staffing of the office which must respond and other factors. Additionally, the response must acknowledge receipt of the request and must include one of the following statements:

1. A statement that the department does not possess, or is not the custodian of, the public record.
2. Copies of all requested public records for which the department does not claim an exemption from disclosure under ORS 192.410 to 192.505.
3. A statement that the department is the custodian of at least some of the requested public records, an estimate of the time the department requires before the public records may be inspected or copies of the records will be provided and an estimate of the fees that the requester must pay as a condition of receiving the public records.
4. A statement that the department is the custodian of at least some of the requested public records and that an estimate of the time and fees for disclosure of the public records will be provided by the department within a reasonable time.
5. A statement that the department is uncertain whether the department possesses the public record and that the department will search for the record and make an appropriate response as soon as practicable.
6. A statement that state or federal law prohibits the department from acknowledging whether the record exists or that acknowledging whether the record exists would result in the loss of federal benefits or other sanction. A statement under this paragraph must include a citation to the state or federal law relied upon by the department.

If an exemption is to be claimed for all or a portion of the records requested, the department should also note that in the response. *(Revised by Order No. 08-2-20-2, Effective 2.20.08)*

### **2.163 Procedures for Public Records Requests.**

The County shall make available to the public the written procedures for making public records requests. These procedures shall be posted on the County's website and shall be available at the Board of Commissioner's Office.

1. Public Records requests may be made to the appropriate department head, the County Administrator and/or the Public Information Officer. Names and addresses for those individuals are located on the County's website under the department headings.

Requests made to the wrong department may take longer to respond to as they will need to be routed to the correct department:

2. Fees shall be calculated to reimburse the County for actual costs in making records or information available. This may include a charge for staff time, attorney review of the public records, and copying charges. Specific information on fees is located in Chapter 60 of the Lane Manual.

3. The Department will inform the requester when the fees will exceed \$25 and will wait to receive confirmation that the requester wants the department to proceed with making the public record available prior to incurring additional costs. *(Revised by Order No. 8-2-20-2, Effective 2.20.08)*

### **2.165 Procedures for Inspection of Public Records.**

The following procedures are recommended as guidelines for responding to requests for inspection of public records.

(1) Requests for inspection of public records should be honored, wherever possible, at the time the request is made. If that is not possible, the request should be honored within the next two or three days, unless there are extenuating circumstances which are explained to the person making the request.

(2) Requests to inspect public records should clearly identify specific records desired for inspection. The request should be required to be made in writing if this would facilitate understanding the request and supplying the response.

(3) Records shall not be removed by the public from the office where they are maintained, unless a procedure which protects and assures the integrity of the records during removal has been established by the office.

(4) An adequate logging system for keeping track of records at all times should be maintained by each office. The logging system may indicate the title of the records file, the person or group reviewing the record, the amount of time the record is in the public's possession, the number of items contained in the file, a notation that all items were returned when the file was returned and other information deemed appropriate by the office. The logging system should also be used when records are transferred to other County offices in the course of official County business.

(5) An appropriate location within each office should be used for public review of records. The area should be situated to permit sufficient monitoring by an office employee assigned the responsibility for record security.

(6) A minimum of two specific employees in any Department should be assigned the responsibility for responding to public requests to review records, and one of those should be present at all times during normal working hours.

(7) No written notes, comments, markings, etc., shall be permitted to be made on any public record by any member of the general public.

(8) Other guidelines designed to maintain record security shall be adopted as necessary by affected Departments. *(Revised by Order No. 83-9-27-3; Effective 9.27.83)*

### **2.166 Inspection of Executive Session Minutes/Tapes.**

(1) Scope. This procedure applies to Executive Session discussions on the following topics:

- (a) Litigation.
- (b) Labor negotiations.
- (c) Employment of public officers.
- (d) Real property transactions.
- (e) With the consent of the affected employee, personnel matters, including performance evaluations, dismissal, discipline, complaints and charges.

(f) Records exempt from public inspections.

(2) Procedure.

(a) The request shall be in writing, identifying the date of the Executive Session and the topic. It shall be delivered to the Board's Recording Secretary, accompanied with a deposit of \$50 to cover County costs. Requests shall be limited to one request per individual every three months. No request shall encompass more than two Executive Sessions.

(b) Computation of County costs shall be the County employee's hourly rate, plus 25% (to cover benefits) for the actual time spent in fulfilling the requirements of this section. Time for County Commissioners considering this request shall not be included as a cost to be recovered. In the event costs are less than \$50, the excess shall be returned at the time the tapes are made available. If the costs exceed \$50, the person making the request will need to make full payment prior to receiving the tapes.

(c) After receipt of the request and deposit, the Recording Secretary shall deliver the request and copies of the record, including written minutes, a minute log and/or tapes of the identified Executive Session to the Office of Legal Counsel.

(d) The Office of Legal Counsel shall review the request and the written record and/or tapes, excise, or otherwise delete, those matters not relating to the identified topic, and shall make a confidential legal recommendation to the Board and other affected individual co-defendant or co-employer, as applicable, regarding release of the identified material.

(e) Pursuant to ORS 192.660(b), the Board and other affected co-defendant or co-employer, as applicable, shall review the request, the identified minutes and/or tapes, and the legal recommendations, and shall determine whether the public purpose of the original Executive Session has been satisfied and whether the identified minutes and/or tapes should be released. The Board and any affected employee, co-defendant or co-employer must all agree to the release.

(f) If it is the decision of the Board and any affected employee, co-defendant or co-employer to release said minutes and/or tapes, the Recording Secretary shall be instructed to provide copies and compute the costs in accordance with LM 2.166(a) and (b) above.

(g) Verbatim transcripts of Executive Session tapes shall not be provided unless previously prepared by the Recording Secretary for the Office of Legal Counsel and/or Board.

(2) Temporary Suspension. Due to limited resources, this procedure is temporarily suspended until July 1, 1984. *(Revised by Order No. 83-9-27-3; Effective 9.27.83)*

**2.170 Procedures for Requests for Information.**

The following procedures are recommended as guidelines for responding to requests for information which is not the subject of existing public records or is contained in diverse records not readily compilable. Such requests may be made instead of requests to inspect records, or they may be made to supplement records inspection. In some situations requests for information may be denied if it is determined that a response is of such a nature that compliance is highly impractical or substantially impossible. In some other situations, a response may be delayed for a determinant period of time.

(1) Responding to requests for information is not mandated by State Statutes nor the Lane Code, therefore, responses should be made with concern for maintaining normal County services.

(2) Oral requests for information should be answered at the time of the request if the information is readily available--that is, it can be supplied quickly, is not unduly disruptive of normal activities, can be presented with convenient documentation, and

lengthy explanation is not required. Under these circumstances a fee would not be charged.

(3) When a request for information can be answered more efficiently and appropriately by public inspection of records, that alternative is recommended.

(4) Requests which require research, evaluation, documentation, discussion, collation of materials from various sources, disruption of normal work or significant staff time should be submitted in writing. Under these circumstances it will be appropriate to charge a fee, with the size of the fee reflecting the amount of effort necessary to provide the response. The suggested hourly charge for staff time involved in preparing responses is listed in LM 60-838. Waivers of minor fee charges may be made by Department Heads if they determine the person requesting the information is unable to pay the fee.

(5) When the request is submitted, a written estimate of the time required to respond, and an estimate of the fee that will be charged to reimburse the County for actual costs in preparing the response, should be furnished to the person making the request.

(6) The decision to supply information in response to requests is at the discretion of the custodian of records. Consideration should be given to Lane County's spirit of open government, but with concern for the type and amount of information requested, the workload and staffing of the office receiving the request and similar considerations. Recognition should be given to cooperative arrangements the County maintains with other governmental agencies, associations, groups and individuals which have been mutually beneficial.

(7) A decision not to supply requested information is acceptable under these guidelines if efforts required to gather such information is of sufficient magnitude in terms of personnel and time to impair seriously the functioning of County government, but should be made only after full consideration of the circumstances involved in the request and the response. *(Revised by Order No. 83-9-27-3, Effective 9.27.83; 76-5-26-8; 5.26.76)*

### **2.175 Grievance.**

Any person who believes they are aggrieved as a result of these guidelines shall have a right to appeal to the County Administrator and/or the Board. *(Revised by Order No. 93-3-31-7; Effective 3.31.93)*

### **2.180 Department Responsibility.**

The previously listed guidelines are intended to provide direction for establishing procedures for responding to requests for:

- (1) Inspection of public records, and
- (2) Requests for information. The specific method for responding is the responsibility of each Department Head. A copy of LM 2.165 and 2.170 of these guidelines must be posted in a prominent place and available for public inspection in every County office affected by them. *(Revised by Order No. 93-3-31-7; Effective 3.31.93)*

### **2.182 Policy Regarding HIPAA**

It is Lane County's policy to support implementation of the federal Health Insurance Portability and Accountability Act ("HIPAA") as applicable to health care functions and activities of certain Lane County departments. This federal law and its implementing regulations promote patients' trust in the health care system by providing national standards protecting the privacy and security of their private health information and providing them rights to control access to such information. The uniform standards, code sets, and identifiers for carrying out administrative financial health transactions on line were designed to promote efficiency and flexibility in patient's receiving health care services and in billing and receiving payment from health plans and other payors.

Members of the public and employees of Lane County are entitled to the same benefits and protections when their protected health care information is created or received by a Lane County department program or activity providing health care or serving as a health plan, or health care clearinghouse covered by HIPAA.

The County Administrator is delegated authority to adopt procedures and guidelines to implement HIPAA to the extent it applies to work performed by Lane County departments which is covered by that law. *(Revised by Order No. 03-1-21-2, Effective 01.21.03)*

### **2.183 Policy Regarding Oregon Consumer Identity Theft Protection Act.**

The Oregon Consumer Identity Theft Protection Act (the “Act”) codified at ORS 646A.600 – 646A.628, is applicable to Lane County departments that own, maintain or otherwise possess consumer personal information as defined by the Act.

(1) Generally, unless the information is protected through encryption, redaction or other methods, consumer personal information to which the Act applies includes a consumer’s first name or first initial and last name in combination with (1) a Social Security number, (2) a driver license number or state identification card number issued by the Department of Transportation, (3) a passport number or other United States issued identification number, or (4) a financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to a consumer’s financial account.

(2) Lane County departments will establish administrative, technical and physical safeguards to protect the security, confidentiality and integrity of consumer personal information.

(3) Lane County departments will not print, retain, or publicly display Social Security numbers except as allowed by the Act.

(4) In the event that consumer personal information held by Lane County in computerized form is subject to an unauthorized release, the Lane County department involved will follow the public notification requirements provided by the Act and all adopted County administrative procedures.

(5) The County Administrator is delegated authority to adopt procedures and guidelines to implement the Act as applicable to Lane County departments. *(Revised by Order No. 08-7-9-5, Effective 7.9.08)*

### **2.185 Public Records on County Internet Website.**

The purpose of this policy is to provide procedures for Lane County in distributing public records information on the County Internet website that contains certain personal information. The following objectives were used in guiding this policy:

(1) Allow public ease of access to public records information that is currently being provided at County offices;

(2) The law may prohibit the County from disclosing certain personal information about members of the public; other personal information should be protected where feasible;

(3) Recognize that individuals who demonstrate a danger to personal safety or to the safety of a family member residing with them may request that a record containing their home address and telephone number not be disclosed;

(4) Promote public trust and confidence in the use of services and information provided by the County Internet website;

(5) Inform the public about the practices, procedures and principles for public records information that is distributed on the County Internet website. *(Revised by Order No. 02-3-12-4, Effective 3.12.02)*

**2.187 Scope.**

This policy applies to public records information distributed from Lane County Internet websites that contain personal information as that term is used in Oregon Public Records Law, applicable regulations, or judicial interpretations of these. *(Revised by Order No. 02-3-12-4, Effective 3.12.02)*

**2.189 Policy.**

(1) Personal Information. It is the County's intent to balance the public's interests in access to public records information on the County Internet website (now available only in County offices) and to protect certain personal information from disclosure when required and when feasible. The County intends to not distribute to the public the following personal information on the County Internet website:

- (a) Social security number;
- (b) Driver license number;
- (c) Mother's maiden name;
- (d) Credit card information;
- (e) Bank account information;
- (f) Residential telephone numbers;
- (g) Health or medical records;
- (h) Place of birth.

It is the County's intent to comply with all applicable laws and regulations which prohibit disclosure of certain personal information about members of the public. This includes some of the information in the list above.

Placing public records information on the County website may increase the availability of that information, as well as increase the risk of disclosure of personal information that may not otherwise be prohibited from disclosure. This may include other information listed above. Due to budget constraints, it is not feasible for the County to review each specific record or type of data prior to such a potential disclosure through the County website. It is the County's intent to only distribute on the County website types of data or documents:

- (a) Where a majority of the data or documents would not contain personal information of the type listed above, and or,
  - (b) Where a majority of the data or documents may include such personal information in a common location which can be deleted by that common field.
- The purpose of this policy is to balance the competing objectives of making public documents and data from those documents more readily available on the County website, but limiting the occurrence of disclosure of personal information not otherwise prohibited from disclosure. The County shall determine, in its discretion, the types of data and documents which meet the criteria above. Nothing in this policy is intended to create a cause of action arising out of the County's implementation of this policy.

(2) Non-Disclosure for Personal Safety Reasons. Public records information distributed from the County Internet website will comply with ORS 192.445. In certain instances, this will require the County Internet website to not release or make available a specific public record indicating the home address or telephone number of an individual that has made a request and has demonstrated there is a danger to personal safety or to the safety of a family member residing with them if the public record is disclosed.

(3) Approval Process Distributing Public Records Information. Lane County Technology Management Team (TMT) is delegated the responsibility to review and approve the types of data and documents to be distributed on the County Internet website in accordance with this policy, including consideration of budgetary constraints. Departments will submit requests for Internet distribution approval per policy guidelines.

(4) Related Policies, Guidelines or Standards. The County Administrator is the delegated authority to adopt administrative procedures and guidelines to implement this policy. *(Revised by Order No. 02-3-12-4, Effective 3.12.02)*

## **PERSONNEL RULES FOR UNCLASSIFIED SERVICE**

### **2.190 General Statement of Policy.**

(1) Purpose. The Lane County Home Rule Charter, Section 28(2) described the offices and positions that provide the unclassified service of the County. The purpose of the provisions below is to augment the descriptions of those positions in the Charter, to identify appropriate use of the unclassified service, and to provide authority for the County Administrator to adopt appropriate administrative procedures in implementation.

(2) Delegation. The County Administrator is delegated authority to adopt procedures to implement and further regulate the use of the unclassified employment service.

(3) Relation to Classified Service. It is recognized that under the Charter, the classified service includes all offices and positions in the government of the County that are not included in the unclassified service. The Board interprets this to mean that the majority of County employment should fall within the classified service, and that the unclassified service is a means of implementing limited, specialized, or unique forms of assistance to the overall mission of County government. *(Revised by Order No. 03-6-4-8, Effective 6.4.03)*

### **2.191 Definitions and Policies.**

(1) Definitions. The descriptions of the unclassified service in Charter Section 28(2) are further enhanced below.

(a) Elective Officers of the County. These are the elected County Commissioners, the Sheriff, the Assessor, and the Justices of the Peace. Compensation shall be as set by the Board.

(b) Heads of County Departments. See Lane Manual 3.020, et al. Compensation shall be as set by the appointing authority.

(c) Members of County Boards and Commissions. Unless provided by the appointing authority, there shall be no compensation.

(d) Extra-help Employees. These are nonrepresented positions appointed for a special or temporary purpose, not to exceed 520 hours or three months in a fiscal year, whichever is longer. Compensation is an hourly rate determined at the time of appointment.

(e) Professional Employees. These are persons employed by the County for professional, scientific, technical or expert services. Compensation is negotiable, and may be on an hourly, daily or per job basis. Employment of persons in this category shall be either of an occasional character, i.e., sporadic or intermittent and not on a regular basis each week, or of an exceptional character, i.e., for a particular project or situation of a limited duration.

(i) Professional services are those provided by an employee who has extensive knowledge, training and experience of a subject that is practiced as a permanent career.

(ii) Scientific services are those provided by an employee who has extensive knowledge, training and experience in the methods or principles of a scientific discipline and is hired to apply those skills to a specific project.

(iii) Technical services are those provided by an employee who has extensive knowledge, training and experience in the techniques and practical application of those skills to a mechanical or scientific subject.

(iv) Expert services are those provided by an employee who has a special skill or knowledge representing mastery of a particular subject where the employee is hired to apply that mastery to a specific project.

(f) Joint Employees. These are persons employed jointly by the County and another governmental entity. Compensation is to be determined by the joint employers.

(g) Unskilled Workers. These are persons employed by the County for work that requires no prior training or skill and for which they are paid an hourly rate. Persons employed in this category will work for less than half time. This means they will work for less than 20 hours per week average over the duration of the time for which they are hired.

(h) Part-time Employees. These are persons employed by the County on a part-time basis and paid by the hour or day. Employment of persons in this category can be for the purpose of fulfilling the duties of a classified position for a period of time not to exceed 12 months in duration during which efforts are made to either fill the classified position or to evaluate the need or duties of the classified position or for the purpose of completing a specific identified project within an identified and limited period of time. "Part-time" is defined as less than a total of 2080 hours in a 12 month period, where the work is performed either on a regular basis at a rate of less than 40 hours per week or on a sporadic basis at a rate that may on occasion exceed 40 hours per week but where the total is less than 2080 hours in a 12 month period.

(i) Independent Contractors. These are persons employed by the County who meet all other legal requirements of being independent contractors and who perform work as independent contractors for the County for a temporary or part-time service.

(j) Uncompensated Volunteers.

(2) Compensation. Compensation shall be as provided in the definition above.

(3) Benefits. Unless specified elsewhere or above, there shall be no benefits paid or provided to members of the unclassified service. Statutory benefits shall be paid only as required as a function of compensation.

(4) Duration. Except for the elective officers, members of the unclassified service serve at will.

(5) Behavior. Persons employed in the unclassified service shall be expected to comply with personnel policies (and procedures implementing them) that are designed to encourage respectful behavior among employees and with members of the public or that are designed to reduce liability for the County. These include, but are not limited to, the policies described in LM 2.380 Drug Free Work Place Policy, LM 2.382 Sexual Harassment Policy, LM 2.384 Workplace Violence Policy and LM 2.390 through 2.395 Diversity Policy. *(Revised by Order No. 03-6-4-8, Effective 6.4.03)*

## PERSONNEL RULES FOR CLASSIFIED SERVICE

### 2.220 RULE I: General Statement of Policy.

(1) Purpose. The purpose of these rules is to implement and give effect to the provisions of the Lane Code, achieving for Lane County Classified Service the following objectives:

(a) To provide systematic, equitable and uniform principles governing matters pertaining to wages, hours, benefits and other employment relations matters.

(b) To assure appointments, terminations, promotions, demotions, layoffs, recalls, transfers, compensation and other matters affecting the status of employees are accomplished in accordance with the principles of merit, fitness and accepted personnel administrative procedures, to contribute to attracting and retaining qualified persons for County service.

(c) To establish and maintain a plan of classification and compensation which is both internally equitable and externally competitive.

(d) To provide a method of assuring that County management and employees are properly informed as to their respective mutual employment obligations.

(2) Amendment and Administration. The authority for administration, application and interpretation of these rules and regulations is delegated to the Human Resources Director, whose responsibilities shall include a periodic review and recommended revisions as applicable, to assure consistency with their purpose.

(3) Variations.

(a) The Human Resources Director shall have the authority to vary or modify the strict application of these rules and regulations where it is found consistent with their purpose and in the best interest of the County, subject to appeal pursuant to LM 2.280.

(b) Where any section, subsection, sentence, clause or phrase of these rules and regulations are found inconsistent with properly negotiated and ratified working agreements concluded through collective bargaining between Lane County and duly certified bargaining representatives, the terms of such agreements shall prevail.

(4) Application. These rules and regulations, including but not limited to LM 2.220 through 2.305, shall apply to all County employees in the Classified Service, except employees at the Lane County Fairgrounds, pursuant to LC 2.225(1) through (3). All reference herein to employees designate both sexes, and wherever either gender is used, it shall be construed as including both male and female employees. *(Revised by Order No. 98-9-9-9; Effective 9.9.98; 06-11-29-4, 11.29.06)*

## **2.225 RULE II: Definitions.**

The following terms as used in these rules shall unless the context requires otherwise, have the respective meanings herein set forth:

Assignment. The assignment of an individual job to an appropriate classification appropriate classification on the basis of the kind, difficulty and responsibility of the work actually performed in the job.

Appointing Authority. Any person or group vested with authority to employ a person for work in the County service.

Appointment. All means of selection and employment of Lane County employees.

Board. The Board of County Commissioners of Lane County.

Classification Plan. A group of jobs in the County service sufficiently alike in authority, duties and responsibilities that the same qualifications may reasonably be required for, and the same schedule of pay equitable applied to, all jobs in the group.

County Service. The County Classified Service as defined in the Lane County Charter.

Demotion. The transfer of an employee from a job description in one classification to a job description in another classification having a lower maximum salary range.

Employee Status. Employee status in the Classified Service shall be determined by the nature and classification of the job to which the employee is appointed, subject to applicable probationary periods as defined below.

Exempt Employee. A salaried executive, administrative or professional employee who meets the criterion for exemption from the provisions of the Fair Labor Standards Act.

Permanent. A position normally budgeted from year to year.

Seasonal. A job of a recurring or seasonal nature but for a period not more than 24 weeks in a calendar year, regardless of number of hours worked per day or month.

Temporary. A position normally budgeted or approved one time for not less than three months nor more than 12 months, except as modified by the Board.

In addition to the above categories, jobs may either be full or part time as defined below:

Full Time. A position which is expected to function a normal, continuing 40-hour week.

Part Time. A position which is expected to function less than full time.

Human Resources Director. The person designated by the Board who is responsible for the administration of the Lane County Personnel Rules and Regulations.

Job Description. The written description of a classification containing a title, statement of authority, duties and responsibilities, and the desired minimum qualifications for the classification.

Lane Code. All general ordinances included in the Lane Code.

Layoff. A separation from the County service because of a shortage of funds or materials, abolishment of the position, or other reasons not reflecting discredit on an employee and for reasons outside his control.

Merit Increase. An increase from one step to a higher step within a salary range for the same classification.

Nonexempt Employee. An employee who does not meet the criteria for an executive, administrative or professional exemption as defined by the Fair Labor Standards Act.

Payroll Officer. The Director of Management Services of Lane County.

Personnel Action. Any action taken with reference to appointment, compensation, tenure, promotion, demotion, transfer, layoff, dismissal or similar matters affecting the status of employment.

Position. The original location of employment with Lane County.

Probationary Period. A period of 12 months during which an employee is required to demonstrate by actual performance of the duties, his fitness for the position for which he has been appointed.

Promotion. The transfer of an employee from a position in one classification to a position in another classification having a higher salary range.

Reclassification. A change in job description of an individual job by raising it to a higher classification, reducing it to a lower classification, or moving it to another classification at the same level on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in such job.

Salaried Employee. An exempt executive, administrative, or professional employee who regularly receives a predetermined amount each pay period constituting all or part of the employee's compensation, which amount is not subject to reduction because of variations in the number of days or hours worked. Exceptions for certain absences are specified in the Fair Labor Standards Act.

Salary Range. The level of pay for a particular job classification. A salary range consists of several rates of pay with a minimum and maximum rate.

Transfer. The change of an employee from one job description to another job description in the same or a different classification having the same maximum salary rate.

Voluntary Demotion. A motion requested by an employee in order to retain employment when a layoff from said employee's position is imminent or for other reasons where the action is entirely voluntary on the part of the employee.

Volunteer. An individual who performs hours of service for civic, charitable or humanitarian reasons, without promise, expectation or receipt of compensations for services rendered, is considered to be a volunteer during such hours. An individual shall not be considered a volunteer if the individual is otherwise employed by Lane County to perform the same type of services as those for which the employee proposes to volunteer. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 86-9-10-1, 9.10.86; 06-11-29-4, 11.29.06)*

### **2.230 RULE III. Classification Plan.**

(1) Request for Amendment of Plan. Any Appointing Authority may initiate a request to the Human Resources Director to amend the classification plan. The Human Resources Director shall make or direct an investigation of any such request or make classification studies or surveys at other times on Human Resources Director's own initiative. If the Human Resources Director finds that substantial change in organization, creation or change of position or other pertinent conditions makes necessary the revision or abolition of an existing classification or the establishment of a new classification, the Human Resources Director may amend the Plan.

(2) Assignment of Job Classifications.

(a) New Job Classifications. When an Appointing Authority desires to establish a new job classification, a notice of such proposed action, together with a description of the duties of the new classification, shall be submitted to the Human Resources Director in such manner and in such form as the Human Resources Director shall request. The Human Resources Director shall place such new job descriptions in the appropriate classification and salary range on the basis of their authority, duties and responsibilities, and shall recommend to the Board of County Commissioners adoption of the allocation consistent with LC 2.260. The Human Resources Director shall notify appropriate staff of the action of the Board.

(b) Reclassification of Existing Positions. Whenever an Appointing Authority desires to make a permanent and substantial change in the authority, duties, or responsibilities of a budgeted and authorized position, written notification of the proposed change shall be submitted in accordance with Administrative Procedures adopted by the County Administrator.

The Human Resources Director may, upon his/her initiative or at the request of an Appointing Authority or employee, study the duties of any position to determine if the classification is proper. Whenever the Human Resources Director finds that the changes in duties are such that the current classification is no longer correct, he/she shall change the assignment to the appropriate classification upon approval of the County Administrator.

(3) Job Description.

(a) Content of Job Descriptions. Each job description shall include the title, a general description of the duties and responsibilities of the work, and a statement of the minimum qualifications a person should possess to perform the work with reasonable prospects of success.

(b) Interpretations of Job Description and Specifications. The definitions in job descriptions and specifications are descriptive and not restrictive. They are intended to describe the kinds of work performed in several classifications as determined by duties and responsibilities, and are not to be construed as declaring what the duties or responsibilities of any job description may be, or as limiting or modifying

the power of any appointing authority to assign, direct and control the work of employees under their supervision.

The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned that are of similar kind or quality, nor shall any specific omission mean that such factor is not included.

(c) Use of the Job Description. In determining where to place a job description within the classification plan, a description for each classification shall be given for the general duties, specific tasks, responsibilities, qualification requirements and relationship to other job descriptions, which shall be indicative of typical work being performed.

(d) Minimum Qualifications Statement. The minimum qualifications enumerated in a classification description shall relate to the reasonable standards of experience and training required at the time of original appointment of a new employee and shall not be construed as representing or measuring qualifications which employees already working in such a classification may actually possess.

(4) Use of Job Description Titles.

(a) The job description title shall be the official title of every position assigned to the job description for the purpose of personnel actions and shall be used on all payrolls, budget estimates and official records and reports relating to the position.

(b) Any other "working title" desired and authorized to be used by the appointing authority may be used as a designation of any position for purposes of internal administration or in contacts with the public. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 82-12-15-8; 12.15.82; 06-11-29-4, 11.29.06)*

## **2.235 RULE IV. Compensation Plan.**

(1) Administration of Compensation Plan.

(a) Rates of Pay. Each classified employee shall be paid at one of the rates in the salary range for the class in which he or she is employed.

(b) Entrance Salary. New employees may be appointed, reappointed or reinstated at a step consistent with existing County policy. When a diligent search reveals that it is impossible to obtain qualified persons at such rate, or when a new employee possesses exceptional qualifications, the County Administrator may authorize appointment at an appropriate step within the range.

(c) Merit Increases.

(i) Comparison. A "merit increase" is not the same as a "salary range increase," which is the increase to a higher salary range to compensate for the increase in the cost of living or to make a particular job classification more competitive on the job market. It is a "promotion to a new job classification." Merit increases shall not be used in lieu of range increases.

(ii) Nonautomatic. Merit increases are not automatic. They are part of the charter-based merit system and are additional compensation given to an employee because of meritorious performance on the job.

(iii) Eligibility Guidelines. The County Administrator is delegated the responsibility to develop and maintain an administrative procedure that establishes a uniform policy and procedure with respect to the administration of the performance evaluation program for classified employees of Lane County.

(iv) Exceptional Increases. In rare or unusual instances of an extraordinary nature, the County Administrator may approve or deny requests and grant increases to employees prior to the completion of the eligibility period, or increases above five percent.

(v) Movement to Another Classification. All policies and procedures pertaining to the movement of employees from one classification to another shall be in conformance with properly negotiated and ratified working agreements and shall, if possible, treat both represented and nonrepresented County staff in a fair and equitable manner. In order to implement this policy, the County Administrator is delegated the responsibility to develop and maintain administrative rules and procedures pertaining to the administration of promotions, demotions, transfers and the reclassification of Lane County employees.

(2) Cost of Merit Increases. Each Appointing Authority must certify that sufficient funds are available to cover the cost of merit increases as provided in this rule and that no deficiency will be created thereby.

(3) Salary Range Adjustments.

(a) Generally. The compensation plan for County personnel shall provide reasonably competitive ranges of pay for each classification of employment. The Board may make adjustments in a salary range or ranges as necessary to attract and hold competent personnel and to provide equity between the various classifications. Such salary range adjustments are to be distinguished from merit increases in that they are not intended to give recognition to length or quality of service but are to be based solely on prevailing rates of pay in private business and other public jurisdictions in our market area for positions comparable to the various classes of work in the County service.

(b) Effect of Salary Range Adjustments. Salary range adjustments shall not affect an employee's eligibility for merit increases.

(c) Cost of Salary Range Adjustments. Funds necessary to cover the cost of adjusting salary ranges shall be provided by the Board in a manner consistent with sound budget administration.

(4) Rates for Less than a Pay Period. In computing the salary for personnel working less than a full pay period, the amount paid shall be prorated to the full-time rate on the basis of the actual hours or days worked.

(5) Hourly Rates. Hourly rates of pay may be used for those classifications or positions where conditions of employment warrant.

(6) Compensated Overtime Policy.

(a) Compensated Overtime. Compensated overtime work shall not be permitted unless such work is essential for the successful operation of the Division or Department.

However, in those circumstances where overtime work is essential for the adequate operation of the Department, all compensated overtime work must be authorized by the Division or Department Head before being worked. All overtime work shall be compensated by either time off with pay or by a cash payment pursuant to the provisions of the Fair Labor Standards Act. The County Administrator is delegated the responsibility to develop and implement an administrative procedure pertaining to the eligibility, authorization and compensation of overtime work.

(b) Exemptions from Compensated Overtime. The County Administrator is designated the responsibility of determining those classifications exempt from the Fair Labor Standards Act. Exemptions will be based on the criteria specified by the Act for executive, administrative and professional employees. Such exempt classifications are to be designated in the compensations plan.

(7) Working Out of Class.

(a) Employees may be appointed temporarily to job classifications of a higher pay rate on a relief or fill-in basis during the absence of regularly appointed personnel. The County Administrator is delegated the responsibility to develop and

implement an administrative rule and procedure pertaining to the eligibility, authorization and compensation for working out of class. *(Revised by Order No. 93-3-31-7; Effective 3.31.93)*

#### **2.240 RULE V. Recruitment, Testing, Appointment and Probation.**

All policies and procedures pertaining to recruitment, testing, appointment and probation shall be in conformance with Lane Charter, Code and Manual, State and Federal laws, and properly negotiated and ratified working agreements. In order to implement this policy the County Administrator is delegated the responsibility to develop and maintain administrative rules and procedures pertaining to recruitment, testing, appointments and probation. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

#### **2.250 RULE VI. Physical Examinations.**

(1) Examination. Regardless of having otherwise qualified for employment with Lane County, each person, prior to actual employment, may be required to successfully pass a physical examination by a competent medical doctor of such person's choice. The physical examination shall be at the expense of the applicant.

(2) Nature of Examination. The Human Resources Director, with the assistance of the County Health Officer, shall determine the nature and extent of such physical examination, based upon the requirement of the position to be filled by the person taking such examination and other factors which may be specifically applicable to such person.

(3) Additional Physical Examinations. The Human Resources Director may require additional physical examinations of any applicant or employee when it is determined that such additional examinations are in the interest of the person examined or Lane County. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 06-11-29-4, 11.29.06)*

#### **2.265 RULE VII. Attendance.**

(1) Hours of Work. The hours of business for all County offices shall generally be from 8:00 a.m. to 5.00 p.m. on every workday. Flexible or variable employee work schedules may be established in accordance with adopted policy and procedure to fit particular operating requirements of certain Departments, Division or subdivisions thereof consistent with the legal requirements of the FLSA and state statutes.

(2) Holidays.

(a) Employees in permanent full-time positions, or temporary full-time positions budgeted or approved for a period in excess of six months, shall receive holiday pay for legal holidays as designated by the Board.

(b) Employees in permanent part-time positions, or temporary part-time positions budgeted or approved for a period in excess of six months, shall be compensated for such holidays on a pro rata basis.

(c) Other temporary employees, or seasonal employees, shall not receive compensated holidays. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

#### **2.270 Rule VIII. Leaves of Absence.**

It shall be the County's policy to provide for both paid and unpaid leaves of absence. All policies and procedures pertaining to leaves of absence shall be in conformance with Lane Charter, Code and Manual as well as state law and shall treat both represented and non-represented County staff in a fair and equitable manner. In order to implement this policy the County Administrator is delegated the responsibility to develop and implement administrative procedures and rules pertaining to the eligibility, authorization and compensation for leaves of absence. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

**2.275 RULE IX: Separation in Good Standing.**(1) Layoff, Recall, Reduction in Hours or Furlough.

(a) Layoff. Appointing authorities may recommend layoff of employees when necessary because of abolition of position, shortage of funds or work, a material change in duties, change in organization unit, or for other reasons which do not reflect discredit on the service of the employees. Layoffs shall become effective only after County Administrator approval. When possible, employees who are to be laid off in one department will be integrated into another department by transfer.

(b) Pay and Benefits During Layoff.

(i) An employee shall not accrue, accumulate nor receive pay or benefits during layoff.

(ii) Employees recalled during the layoff period effective prior to final separation shall begin accumulating applicable benefits in accordance with previous length of continuous service. Employees who are recalled shall be entitled to credit for service prior to layoff.

(c) Recall. All employees on layoff status shall be given preference for County employment in accordance with existing ratified Union agreements and rules and procedures adopted by the County Administrator under subsection (d) of this section.

(d) Reduction in Hours or Furlough. Appointing authorities may recommend reduced hours and pay or furloughs without pay for employees when necessary because of shortage of funds or work and such an action will not reflect discredit on the service of employees. Reduced hours and pay or furloughs without pay shall become effective only after Board approval.

(e) Bumping. The Board authorizes the County Administrator to adopt rules and procedures to implement a limited policy of bumping within the Department of Public Safety. The rules and procedures adopted by the County Administrator will be published in the Administrative Procedures Manual.

(f) Delegation of Authority. The County Administrator may adopt rules and procedures implementing LM 2.275, which if adopted will be published in the Administrative Procedures Manual.

(2) Resignations. A 30 calendar-day notice of separation is recommended when possible. In order to resign in good standing, an employee shall give the appointing authority at least 14 days written notice, unless the appointing authority, because of extenuating circumstances, accepts a shorter period of notice. As much notice as is possible is desired to facilitate recruitment and training.

(3) Unemployment Compensation. The County shall cover all classified employees under Oregon State Unemployment Compensation as an employer subject to the Oregon Employment Division law. *(Revised by Order No. 83-6-15-17, Effective 6.15.83)*

**2.280 RULE X: Appeal Procedures.**

(1) Scope. It is the intent of the Board of County Commissioners to provide a standardized appeal procedure for the resolution of complaints filed by permanent non-probationary employees relative to personnel action and for unsuccessful applicants for employment alleging violation of the County's hiring policies. The Administrative Procedures adopted pursuant to this rule are to be used to appeal disciplinary and non-disciplinary personnel actions, with the exception of matters that are grievable under the grievance procedures of existing labor agreements. Any matters which may be grieved under an existing labor agreement are not subject to appeal under this Rule. The County Administrator shall have the authority to adopt Administrative Procedures implementing this Rule. *(Revised by Order No. 87-4-8-3, Effective 4.8.87)*

**2.285 RULE XI: Records and Reports.**

(1) Division Attendance Record. Each Department shall maintain records of attendance, vacation and sick leave, compensatory time and overtime. This information shall then be transferred to the payroll report for the pay period, certified by the appointing authority, and submitted to the Department of Management Services. The Department of Management Services shall then record the information on the payroll and benefit accrual reports. These records shall be available for inspection by the Human Resources Director and Management Services Director and individual employees shall be permitted to inspect their records.

(2) Roster. The Human Resources Director shall establish and maintain a roster of all employees in the County service, showing for each employee the classification title, assignment, salary rate, date of employment and such other employment data deemed pertinent by the Director.

(3) Reports to the Human Resources Director. Every appointment, transfer, promotion, demotion, dismissal, change of salary rate, leave of absence without pay and other temporary or permanent change in the status of an employee shall be reported to the Human Resources Director in writing on such forms as the Director shall require. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 06-11-29-4, 11.29.06)*

**2.290 RULE XII: Payroll Certification.**

(1) Certification of Payroll Accuracy. Written certification of the appointing authority accompanying any payroll shall constitute official notice that services for which payment is to be made have been performed and that funds are available and allocated for the purpose. The Human Resources Director shall have previously certified approval and certification of the Personnel Action Forms, that the persons named therein have been appointed and are employed in accordance with the provisions of the Lane Code and these Rules and Regulations.

Exceptions taken to unauthorized payroll items shall be noted in writing and shall constitute the Human Resources Director's official notification to the Board that such items are in violation of the Lane Code and these Rules and Regulations.

(2) Effect of Payroll Checking. The Payroll Officer shall not make or approve, or take any part in making or approving, any payment for personal service to any person holding a position in the County service unless the payroll bears the signature of the Department Head or other authorized representative. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 06-11-29-4, 11.29.06)*

**2.295 RULE XIII: Retirement.**

(1) Retirement shall not be considered mandatory upon an employee reaching any specific age. *(Revised by Order No. 97-10-29-4, Effective 10.29.97)*

**2.300 RULE XIV: Health and Life Insurance.**

(1) Employees in permanent positions who regularly work 20 hours or more each week shall be eligible for County-paid life and health insurance beginning with the first of the month following completion of 30 calendar days of continuous service. Other temporary or seasonal employees are not eligible for County group health or life insurance.

(2) Retired Employees.

(a) Upon retirement, all employees employed in permanent positions on or before March 5, 1991, and who have worked 10 continuous years shall be eligible for County-paid retiree medical insurance and may transfer from the active group to the retired group.

(b) Upon retirement all employees hired on or after March 6, 1991, shall not be eligible for retiree medical insurance benefits on a County paid basis.

(c) The County Administrator may establish in the Administrative Procedures Manual a pre-retirement incentive program with respect to permitting eligible employees to self-pay premiums for health insurance for up to five (5) years in order to retain their County-paid retiree medical insurance benefit.

(3) Medicare Reimbursement. Medicare supplemental medical insurance premiums for Part B Medicare coverage paid to the Federal Social Security Administration by retired employees eligible for County-paid retiree medical insurance shall be considered as part of the cost of such insurance and eligible retired employees shall be reimbursed at least quarterly for any such Medicare premiums paid by them. *(Revised by Order No. 97-10-29-4, Effective 10.29.97; 06-7-19-3, 1.1.06)*

### **2.305 RULE XV: Outside Employment.**

(1) Employees shall not engage in compensated outside employment (moonlighting) without prior approval of the County. Employees desiring to engage in such activities shall submit a written request describing the particulars of the activity to the Department Head.

(2) In the event the request is for a single, short-term instance of less than 30 days in duration, the Department Head may approve the request. It shall be the responsibility of the Department Head to assure that employees refrain from engaging in such activities which may cause a potential conflict of interest or otherwise cause criticism or embarrassment to the County.

(3) In the event the request is for a longer period, or continuing nature, the Department Head shall submit the request with recommendation for approval or denial to the Human Resources Director. The Human Resources Director shall review and approve or deny the request, subject to appeal to the Board for final determination.

(4) In determining approval or denial of the request, the following shall be taken into consideration:

(a) Will the activity interfere with or adversely affect the performance of said employee;

(b) Will the activity subject the County to undue adverse criticism, or

(c) Does the activity constitute a real or apparent conflict of interest due to the nature, condition, competition or some other aspect of the activity.

(5) An employee who does not obtain approval prior to engaging in such activities will be subject to disciplinary action which may include discharge. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 97-10-29-4, 10.29.97; 06-11-29-4, 11.29.06)*

## **OTHER PERSONNEL POLICIES**

### **2.350 Reimbursement for Moving Expenses.**

It is the policy of Lane County, when individuals are recruited out of the area to fill certain key positions, such as the Director of a Department, a Division Head, or certain key professional positions, that Lane County will provide some measure of reimbursement for moving expenses incurred by those individuals. The amount of reimbursement shall be as follows:

(1) Fifty percent (50%) of the expenses of the move shall be reimbursed by Lane County when the move is accomplished by a professional mover; or

(2) One hundred percent (100%) of the expenses of the move shall be reimbursed by Lane County when the move is accomplished solely by the individual involved. The determination of what shall be construed as "key position" and an "out of

the area" recruitment shall be made by the County Administrator. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

### **2.355 Release of Employee Information.**

Because each employee personnel file contains personal information which it is both in the public's and individual employee's interest not to disclose, these files shall be treated as confidential. However, members of the public may be furnished nonpersonal information about County employees such as name, employing department, position, wage classification and length of time employed by the County. The release of any employee information, however, for commercial, political or other associated purposes is strictly prohibited.

Personnel files shall be available to appointing authorities and those persons expressly authorized in writing by such appointing authorities, to members of the Board, the County Administrator and the Human Resources Director and his or her staff. Individual employees may examine their own files. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 06-11-29-4, 11.29.06)*

### **2.360 "After Hours" Access.**

The County Administrator has full authority over access to the Courthouse/Public Service Building between 5:30 p.m. and 7:00 a.m. weekdays and all day Saturday, Sunday and holidays. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

### **2.365 Political Activities.**

This section provides a general summary of the law regarding the rights and limitations County employees concerning political activities.

(1) You may NOT:

(a) As a public employee during working hours, solicit any money, influence, service or other thing of value in any form or aid, promote or oppose any political committee, the nomination or election of any person to public office, or the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder.

(b) Attempt to, or actually coerce, command or require a public employee to contribute in any manner, including money or any service, to any political committee, to the nomination or election of any person to public office, or the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder.

(c) Use your own name to donate another person's money in connection with a nomination or election.

(d) Use undue influence on another person in connection with voter registration, candidacy for an office, contribution or assistance to a candidate, or challenging a voter.

(e) Accept any employment with agreement to contribute any part of your compensation to a candidate or political or political committee.

(2) DO.

(a) Make all your political contributions in your own name and pay to the political treasurer whose name is legally on file for the candidate or committee being contributed to.

(b) If your agency's primary activity is funded in whole or in part by federal grants or loans, inquire into the more restrictive federal law, mainly the Hatch Act, on political activity.

(3) You MAY.

- (a) Express your personal political views.
- (b) Participate in political activities in the same manner as any other person except as expressly limited by state or federal statute or local ordinance (generally summarized above).
- (4) If you have questions, consult an attorney of your choice.
- (5) Consult the Oregon Secretary of State's publication entitled Restrictions on Political Campaigning by Public Employees.
- (6) Each Department Head shall be required to post the following notice in a conspicuous place likely to be seen by all employees in that Department, in accordance with ORS 260.432 as amended by section 8, Chapter 589 Oregon Laws 2007:

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**ATTENTION ALL PUBLIC EMPLOYEES.**

The restrictions imposed by the law of the State of Oregon on your political activities are that "No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views."

It is therefore the policy of the state and of your public employer that you may engage in political activity except to the extent prohibited by state law when on the job during working hours. *(Revised by Order No. 73-11-13-2, Effective 11.28.73; 86-8-27-11, 8.27.86; 08-6-3-1, 6.3.08)*

**2.370 Accident/Disability Payments.**

This section delineates Lane County's policy and procedure regarding individual payment or reimbursements from State Industrial Accident or Disability Insurance for County employees, except as otherwise delegated to the Fair Board by LC 2.225(1).

(1) **Policy.**

(a) The County provides a number of benefit plans that pay some continuation of salary when an employee is unable to work because of sickness or injury. These are Paid Sick Leave, State Industrial Accident (when "on-the-job" incurred or related), and Disability Income Insurance. Social Security also has a long-term or "permanent" disability provision.

(b) In providing these benefits the intent is to continue as near to full salary as possible for as long as possible when legitimately needed. It is not the intent to furnish double benefits nor an amount greater than regular salary. Therefore, the policy is that whenever both sick leave and one of the insurance benefits are applicable, the amount of sick leave paid will be reduced or adjusted by the amount of the insurance claim payment received.

(c) In these cases the employee will receive the full benefit of the "nontaxable" insurance payments, and his/her accrued sick leave will be restored for any reduction in paid sick leave. The employee must apply for and accept any insurance benefits for which he is eligible. However, full sick leave, if due, will be paid while insurance claims are in process.

(d) Division and Department Heads are responsible to see that the above policy is observed and that the following procedure is utilized.

(2) **Procedure.**

(a) Paid sick leave is indicated and approved on the biweekly payroll authorization by the Division or Department Head. It is, of course, paid subject to the employee's unused sick leave balance. The Human Resources Director should be notified as soon as it is known that a case will involve insurance claims and benefits. Division and Department Heads should follow up on these situations to see that insurance claims have been filed by the employee when applicable.

(b) When the employee has received an insurance payment from a County-subsidized program, he should endorse the check payable to Lane County. Then the Division or Department Head is to send the check to the Management Services Director with a letter giving the particulars of the situation, including the time period covered by the benefit payment.

(3) The Department of Management Services will then issue a separate check payable to the employee in the same amount as the insurance check. Payroll and sick leave records will also be adjusted as follows:

On the very next payroll authorization sheet for that division, that employee's pay is to be reduced by the amount of the insurance payment. At the same time in the "exception" column, mark "restore days sick leave," which will equate with the dollar reduction in payroll. (This process may involve several pay periods and payroll authorizations when the benefit payment is larger than a biweekly pay or a series of insurance payments are involved.)

(4) In this process, the employee's cash pay has not been delayed, he will have received an amount equal to full regular pay, and he will have benefited with greater "take home" pay because of these insurance benefits being nontaxable. *(Revised by Order No. 98-9-9-9, Effective 9.9.98; 98-4-1-11, 4.1.98; 06-11-29-4, 11.29.06)*

### **2.372 Notaries Public.**

The various County Departments have varying requirements to have notaries public conveniently available. Each Department Head shall determine the requirements for notaries public within his own Department to best serve the public interest. For those notaries public positions authorized by Department Heads, Lane County shall pay in connection with applications for appointment:

- (1) The application fee.
- (2) Cost of seal (seal obtained through Purchasing).

No employee who is a notary public and whose application fee or seal was purchased by Lane County may, during the period of appointment, charge a fee for any notarial service, except as authorized by Lane County. Any employee who notarizes acts of the County or its officers, employees or agents shall keep and maintain a chronological journal of notarial acts as required by law, including ORS 194.152(2), OAR 164-100-200, and OAR 164-100-210. Application by an employee for, and County payment of the notary application fee or cost of seal, shall constitute an agreement between the employee and the County that the notarial journal shall be property of the County for retention or disposition by the County on termination of the notary's employment with Lane County. *(Revised by Order No. 95-11-28-1, Effective 11.28.95)*

### **2.374 Charitable Contributions Payroll Deductions Program.**

(1) Purpose. The Lane County Charitable Contributions Payroll Deduction Program has four primary purposes:

(a) Encourage private support of basic need health and welfare programs that would otherwise require County funds.

(b) Lessen the County's burden of meeting basic health and welfare needs by providing a convenient, non-disruptive channel for County employees to contribute to agencies that directly serve those needs.

(c) Provide an avenue for steady private support for basic needs health and welfare programs. This is important because the County's volatile revenue base has resulted in a history of its being unable to deliver a consistent level of support for basic need services.

(d) Minimize time, expense and workplace disruption of County employee's participation in the campaign.

(2) Findings. The Board finds:

(a) There is a general consensus that basic needs health and welfare programs are worthwhile.

(b) A determination of basic health and welfare needs was made in a long-term study of the Lane County Human Services Delivery System during 1986, 1987 and 1988. The study's determination of basic needs was made well before, and independent of, any proposed change in the County's charitable contributions program.

(c) In 1994, a community-wide needs assessment was conducted, thus updating the earlier study. The results of this study was compiled by United Way of Lane County, in "Reaching Out - Lane County Human Needs Assessment," September, 1994.

(d) Because these determinations were developed locally, they are likely to reflect values shared by County employees. A campaign centered around the current needs is therefore likely to be more successful than one which includes programs which do not have this general level of community support.

(e) A charitable contributions program directed at basic needs health and welfare programs avoids even the appearance of County government favoritism and/or entanglement with particular viewpoints.

(3) Management. The Office of County Administration shall manage one annual campaign for employees to make an annual contribution or authorize payroll deductions for eligible charities. The County Administrator may either manage the program or contract for campaign services, charity eligibility determinations, disbursements and public accounting of the funds. The fee for the service shall be a percentage of funds contributed or deducted through the campaign.

(4) Charity Eligibility Criteria.

(a) Any charity meeting all the following criteria are eligible for participation in the County charitable contributions program.

(i) The predominant services provided falls into one or more of six categories as defined by the Lane County Human Needs Assessment, dated September, 1994:

(aa) Employment and affordable housing: employment, affordable housing, lack of access to job training.

(bb) Economic hardship in meeting basic needs: poverty, food, housing, clothing, utilities.

(cc) Services for youth: organized programs for children and teens, teen pregnancy, child care and after-school child care.

(dd) Abuse, family violence and crime: child abuse & neglect, spousal abuse, crime and personal safety, juvenile crime.

(ee) Medical and Dental: affordable medical and dental care.

(ff) Substance abuse and mental health: drug abuse and alcoholism, mental illness and emotional problems.

If questions arise as to the eligibility of a charity, these criteria arise from the Lane County Human Needs Assessment, dated September, 1994. That document may be used as a source of legislative history and as an aid in interpretation.

(ii) Agencies must be registered with the IRS and exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(iii) Agencies must provide substantial services to Lane County residents.

(iv) Agencies must be in compliance with registration and filing requirements of Oregon's Charitable Trust and Corporations Act.

(b) Any charity denied participation may appeal that determination to the County Administrator, whose determination shall be final. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 95-11-28-1, 11.28.95)*

### **2.376 Travel Expense Reimbursement Policy.**

The Expense Reimbursement Policy is designed to allow for the reimbursement of expenses incurred by employees when traveling on official business for the County. It shall be the County's policy that no County Employee shall sustain personal monetary loss as a result of performing official County duties. The County Administrator is delegated the authority and responsibility to develop and maintain Administrative Procedures necessary to implement this policy. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

### **2.378 Lane County Employee Assistance Program.**

(1) Lane County, as an employer, is primarily concerned with an individual's job performance. However, the County recognizes that job performance can be affected by circumstances outside the work environment such as financial instability, drug or alcohol abuse and emotional and family problems. In order to serve all the needs of our employees and the citizens of the County, an Employee Assistance Program is provided to acquaint employees with appropriate community agencies to help them overcome their problems and restore them to full job efficiency.

(2) Strictest confidence shall be maintained between the Employee Assistance Program and the employee. No employee shall, by admitting that a problem exists, endanger his or her job. Such admission and the steps taken to correct deteriorating job performance shall be looked upon as evidence that the employee is concerned with improving his or her performance and with continuing employment with the County.

(3) This program is designed to:

- (a) Identify problems at their earliest stages,
- (b) Motivate the employee to seek help,
- (c) Direct him or her towards the best assistance available, and
- (d) Correct the problem before it necessitates the loss of the employee.

(4) The Employee Assistance Program shall be under the direction of the Human Resources Director who shall administer the program on behalf of the Board. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 06-11-29-4, 11.29.06)*

### **2.380 Drug Free Work Place Policy.**

It is the policy of Lane County to ensure a drug-free work environment. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace. Any unlawful manufacture, distribution, or dispensation of a controlled substance in the workplace shall be cause for immediate discharge. Unlawful possession or use of a controlled substance in the workplace shall be cause for immediate disciplinary action which could result in discharge. The County Administrator shall adopt administrative procedures implementing this policy including the sanctions

for policy violation. The Administrator shall also adopt policies necessary to keep Lane County government in compliance with Public Law 100-690 (the Anti-Drug Abuse Act). Pursuant to LC 2.225(1), the Fair Board shall likewise adopt policies and procedures to ensure a drug-free work environment at the fairgrounds. *(Revised by Order No. 98-9-9-9, Effective 9.9.98)*

### **2.382 Sexual Harassment Policy.**

It is the policy of Lane County that all employees should be able to work in an environment free from discrimination, including sexual harassment. Sexual harassment occurs when a person is subjected to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Conduct of this type is improper when submission to the conduct is either an explicit or implicit term or condition of employment; when submission to or rejection of the conduct is used as a basis for employment decisions affecting the person(s) involved; when the conduct has the purpose or effect of substantially interfering with work performance or work environment. Such conduct is specifically prohibited by Lane County. Appropriate management and supervisory personnel shall take prompt, corrective action when they become aware of sexual harassment. Any employee or applicant for employment who believes himself or herself subjected to sexual harassment or intimidation is encouraged to bring such incidents to the immediate attention of the Human Resources Director, or if the incident arises at the fairgrounds, to the attention of the Fairgrounds Director. *(Revised by Order No. 98-9-9-9, Effective 9.9.98; 06-11-29-4, 11.29.06)*

### **2.384 Workplace Violence Policy.**

It is the policy of Lane County to provide a workplace that is free from violent acts or threats of the same against another person's life, health, well-being, family or property. Such acts or threats of violence by words, gestures or symbols, are entirely unacceptable.

Violence in the workplace may occur between one co-worker and another or between any member of the public and a County employee. Violence in the workplace includes, but is not limited to: striking, stabbing, shooting or otherwise causing bodily harm; making an oral (including by telephone) or written threat to cause any such bodily harm; displaying weapons or devices, or accessories clearly associated with weapons or devices in such a manner as to imply a direct threat to cause any such bodily harm; any other harassment or intimidation between co-workers which implies the threat of or potential for bodily harm to a co-worker's life, health, well being, family or property.

Any employee who believes that he or she has been the target of violence or threats of violence, or has witnessed or otherwise learned of violent conduct by or directed at another employee should bring such incidents to the immediate attention of his or her supervisor, manager, department director, the Director of Human Resources or, if applicable, union representative. If the incident occurs at the fairgrounds, it should be brought to the attention of the Fairgrounds Director. Management and supervisory personnel shall take prompt, appropriate action when they become aware of any aspect of violence in the workplace. *(Revised by Order No. 98-9-9-9, Effective 9.9.98; 06-11-29-4, 11.29.06)*

### **2.386 Elected Officials' Transition Policy.**

The public need requires that newly elected County officials be adequately oriented and prepared in order to achieve an orderly assumption of office. Therefore, the following transition policy shall apply to each newly elected County Commissioner, Sheriff, Assessor and District Attorney:

(1) Orientation. After the election results have been certified, each Department of the County shall present to the newly elected official an overview of the

functions of and programs administered by the Department, if so desired by that official. The content of the presentations shall acquaint each newly elected official with the full scope of County operations in an organized fashion. The County Administrator shall coordinate the Department presentations.

(2) Staff Support. During the period between the election and taking office, there shall be provided staff support for each newly elected official as required during the transition period. Such support shall include office space, materials and supplies and clerical assistance as arranged by the County Administrator.

(3) Reimbursement for Expenses. There shall be provided reimbursement for expenses incurred in transition activities deemed necessary by each newly elected official an amount not to exceed \$100 per month, transportation from the Motor Pool as may be necessary for such activities and such liability and workers' compensation coverage as is needed to protect County liability for such transition activities.

(4) Outgoing Commissioners shall provide complete files and case histories on pending or unfinished business to incoming Commissioners, and generally provide for a smooth transition. *(Revised by Order No. 98-9-9-9, Effective 9.9.98)*

## **DIVERSITY POLICY**

### **2.390 Diversity is a key to the future success of Lane County.**

We are charged with providing effective government services in an increasingly competitive and diverse environment. The diversity policy contained in LM 2.390 is intended to be an expression of intent and aspiration on the part of the Lane County Board of Commissioners and is to be used to guide the County government in benefiting from and being responsive to the changing population that provides both the County's workforce and its customer base. The more successfully we are able to conduct our business in a diverse community the more diverse our presence must be in that community.

Diversity transcends race and gender, affirmative action and Equal Employment Opportunity. It means respecting and valuing differences, such as those based on age, disability, race, sex, religion, color, national origin, language, ethnicity, socio-economic status, sexual orientation, gender identity, veteran's status, and political beliefs. In order to collaborate successfully with the diverse communities we serve, the County must be cognizant and respectful of our differences both in the community and the worksite. Most importantly, all in the County must rethink our approach to diversity. No longer are such issues just matters of social policy or historical reciprocity. Diversity, and the respect and understanding of the integrity and worth of all cultures, peoples and lifestyles is today and will continue to be simply good business.

Policy. Lane County will demonstrate its commitment to diversity through the way in which it provides County services, through its employment practices, through its funding decisions, and through its appointments to County boards, commissions and committees by:

(1) ensuring that all County services, programs and activities are provided to its diverse communities in ways that are sensitive to and responsive to cultural differences, including accessibility for persons with disabilities;

(2) ensuring that all County-funded services are provided, and funding decisions are made, in a manner that recognizes, addresses and is reflective of the cultural diversity of the communities served;

(3) demonstrating a commitment to workplace diversity through implementation of affirmative action plans and development of cultural sensitivity and cultural competency among other employees; and,

(4) ensuring that all County boards, commissions, and committees are reflective of the diversity of the Lane County population. *(Revised by Order No. 94-6-1-; Effective 6.1.94; 95-11-28-1, 11.28.95; 04-11-10-11; 11.10.04; 07-10-31-11, 10.31.07)*

### **2.395 Definitions.**

The policy statement in LM 2.390 above should be interpreted according to these definitions:

Cultural Diversity. Differences in race, ethnicity, language, nationality, or religion among various groups within a community or organization.

Cultural Sensitivity. Demonstrating sensitivity to cultural differences and similarities, and effectiveness in using cultural symbols (e.g., language) to communicate a message.

Diversity. A broad definition that includes a wide range of individuals with unique needs and talent beyond the observable differences of race, gender, and age, but the additional characteristics of marital status, sexual orientation, family status, political affiliation, education or socioeconomic status, and disabilities.

Sexual Orientation. Heterosexuality, homosexuality, or bisexuality.

Workplace Diversity. Recognition of the variety of differences among workers across many different dimensions -- race, culture language, age, gender, etc. -- and the different perspectives and values that may be inherent in those differences. Valuing diversity implies a philosophy while managing diversity involves the translation of the philosophy of valuing diversity into organizational goals and objectives. *(Revised by Order No. 95-11-28-1, Effective 11.28.95)*

## **EMPLOYEE REPRESENTATION**

### **2.405 Authority.**

The following organizations and associations are certified to represent the employees of Lane County who are not employed in a confidential or supervisory capacity as described by the below-listed negotiating units, and as further described in the applicable collective bargaining agreements. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

### **2.410 American Federation of State, County and Municipal Employees, Local 2831.**

The American Federation of State, County and Municipal Employees, Local 2831, is certified to represent all temporary, probationary and non-probationary employees in permanent positions except those persons employed in the District Attorney's Office, or as extra help, or in classifications represented by other bargaining units, or those employed in certain classifications specified on the agreement, who do not voluntarily join AFSCME. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

### **2.412 Lane County Peace Officers' Association, Inc.**

The Lane County Peace Officers' Association, Inc. is certified to represent all probationary and non-probationary employees in permanent positions classified by and employed in the Department of Public Safety, exclusive of persons so employed and classified but in a confidential capacity as defined by ORS 243.650(6) or persons in a supervisory capacity as defined by ORS 243.650(14). *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

**2.414 Lane County Prosecuting Attorneys' Association.**

The Lane County Prosecuting Attorneys' Association is the exclusive bargaining representative of employees of the Office of the District Attorney in the classifications of Deputy District Attorney 1, 2, 3, 4, Senior Prosecutor 1, 2, 3, and Team Leader. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

**2.416 Oregon Nurses Association.**

The Oregon Nurses Association is the exclusive representative of State licensed nurses in the permanent employ of the County, excluding such nurses in supervisory or confidential capacities, for the purpose of collective bargaining with respect to wages, hours, benefits and other employment relations matters. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

**2.418 Lane County Public Works Association, Local 626.**

The Lane County Public Works Association, Local 626 is the exclusive representative of all employees classified as: Mechanic 1 & 2, Sr. Mechanic, Tire Specialist, Park Maintenance, Sr. Park Maintenance, Road Maintenance 1, 2 & 3, Welder/Fabricator and General Laborer, exclusive of persons so employed and classified in a supervisory or confidential capacity. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

**2.420 Teamster Local 57, Public Works Engineering Technical Staff.**

Teamster Local 57 is the exclusive representative of all Public Works Engineering Technical Staff exclusive of those persons so employed and classified within the Land Management Division, Surveyor's Section and those in a confidential or supervisory capacity. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

**2.422 Public Works Administrative, Professional & Technical Staff.**

The Public Works Administrative, Professional & Technical Staff is the exclusive representative of all employees employed in Public Works positions classified as administrative, professional and technical, exclusive of persons in a confidential or supervisory capacity. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

## SAFETY PROGRAM

**2.430 Lane County Safety Program.**

It is the policy of Lane County, to preserve and protect health and safety of employees and the public and reduce losses arising from occupational injuries and disease, to ensure that the County and employees comply with all applicable codes and administrative orders which pertain to health and safety, and, to encourage joint voluntary efforts to achieve safety standards.

In order to implement this policy, the County Administrator is delegated the responsibility to develop and maintain administrative rules and procedures that are to be followed by all County personnel in achieving a safe and healthy working environment. *(Revised by Order No. 83-8-10-2, Effective 8.10.83)*

## RECYCLED PAPER PROCUREMENT AND USE POLICY

**2.440 Purpose.**

The Recycled Paper Procurement and Use Policy reduces the impact of Lane County's operations on the environment, aids recycling by creating a market for the paper collected for recycling and furthers Lane County's leadership role in waste prevention and

recycling. Lane County hereby finds that the establishment of a policy to procure only recycled paper is in the public's best interest. *(Revised by Order No. 96-12-18-20, Effective 12.18.96)*

#### **2.441 Definitions.**

As used in this subchapter:

Post-Consumer means a recycled paper containing finished material which would normally be disposed of as solid waste, having completed its life cycle as a consumer item. This does not include manufacturing waste.

Recycled Paper means a paper product with not less than 25% of its total weight consisting of post-consumer waste.

Waste Reduction Coordinator means the person who fills that position in the Waste Management Division of the Lane County Public Works Department. *(Revised by Order No. 96-12-18-20, Effective 12.18.96)*

#### **2.442 Paper Procurement Policy.**

Unless otherwise exempted by LM 2.443 below, Lane County Departments shall purchase only recycled paper for use by its employees. Bleached and colored recycled paper purchases may exceed the 5% price preference established in ORS 279.570. *(Revised by Order No. 96-12-18-20, Effective 12.18.96)*

#### **2.443 Exemptions.**

(1) An exemption from the Recycled Paper Procurement and Use policy may be granted only if recycled paper is not readily available or does not meet printing specifications.

(2) To request an exemption from this policy, the Director of the department desiring an exemption shall submit a written request to the Waste Reduction Coordinator and provide documentation that recycled paper is not readily available or does not meet printing specifications. Within two working days of the request, the Waste Reduction Coordinator shall submit the request along with a written recommendation to grant or deny the request to the County Administrator. The County Administrator shall grant or deny the request in writing within three days of receiving the recommendation. *(Revised by Order No. 96-12-18-20, Effective 12.18.96)*

#### **2.444 Paper Use Policy.**

(1) All draft documents, internal correspondence, e-mail printings, memorandums, Board of Commissioners agenda packets, request for proposals, contract specifications, and all documents that need not be of the highest visual quality shall be printed on unbleached, 50% post-consumer recycled paper.

(2) A County department may choose to print letterhead, envelopes, professional reports and similar documents on unbleached or bleached recycled paper with at least 25% post-consumer content.

(3) Documents which are required to be on colored paper shall be on recycled paper with at least 25% post-consumer content when available.

(4) All paper specifications and contract provisions impeding the consideration of recycled paper shall be deleted in favor of performance standards. *(Revised by Order No. 96-12-18-20, Effective 12.18.96)*

#### **2.445 Reporting Requirement.**

(1) Lane County Purchasing Department shall complete a Paper Purchase Record form for all Lane County paper purchases in excess of one case. The completed form shall be submitted to the Waste Reduction Coordinator. The form shall state

whether the paper purchased was unbleached, bleached or colored; the post-consumer recycled content; and the prices of unbleached recycled, bleached recycled and virgin paper.

(2) The Waste Reduction Coordinator shall establish a baseline of copier maintenance and copier repair costs prior to implementation of the policy. The Waste Reduction Coordinator shall compile a quarterly report describing any changes in the copier service records attributable to recycled paper and general feedback on the policy, including, but not limited to, paper procurement information from the Paper Purchase Records, costs savings, environmental impact, any problems with implementation and employee comments. In one year after implementation, the Waste Reduction Coordinator shall meet with the Board of Commissioners to review the Recycled Paper Procurement and Use policy and assess whether there has been an increase in copier repairs or costs due to the unbleached, 50% post-consumer paper. If so, the policy may be revised to remedy this situation; if not, the policy shall continue as stated. *(Revised by Order No. 96-12-18-20, Effective 12.18.96)*

#### **2.446 Contractors.**

All contractors shall comply with the requirements of the Recycled Paper Procurement and Use policy. All prospective contractors shall be notified of this requirement in all bid documents and requests for proposal. If recycled paper does not meet printing specifications or is not readily available, the contractor may make a written request for an exemption to the Director of the Department requesting the contract. The Department Director shall grant or deny the request in writing as part of the award of the contract. All such requests and Department responses shall be submitted to the Waste Reduction Coordinator within ten days of Department Director's decision. *(Revised by Order No. 96-12-18-20, Effective 12.18.96)*


#### **2.447 Certification.**

(1) All suppliers of paper shall certify the minimum, if not the exact, percentage of post-consumer material contained in the products purchased by the County. If no recovered content has been used, then the supplier must so certify.

(2) If Lane County, upon a finding of the facts, determines that false certification was intentional or willful, then the supplier providing such false certification shall be disqualified from consideration for bid award for all paper products for two years from the date of such certification. Unintentional or inadvertent false certification shall result in disqualification from paper product bid consideration for six months from the date of such certification. *(Revised by Order No. 96-12-18-20, Effective 12.18.96)*

#### **2.448 Display of Recycled Symbol and Recycled Content.**

Whenever practicable, all documents shall visibly display the following:

“ Printed on unbleached, (if applicable) recycled paper with \_\_\_\_% post-consumer content.” Examples include, but are not limited to, letterhead, Board agenda items, requests for proposals, memorandums, pleadings, reports, studies, publications, pamphlets, booklets, and directories. *(Revised by Order No. 96-12-18-20, Effective 12.18.96)*

### **COST SAVINGS PROGRAM**

#### **2.450 Lane County Cost Savings Program.**

The program referred to as SAVE (Suggestions Are Valuable to Employees), shall be administered by a five member Committee composed of two management and three non-

management employees plus alternates. The Committee shall provide awards for cost saving proposals. *(Revised by Order No. 01-4-18-3, Effective 4.18.01)*

#### **2.451 Organization of SAVE Committee.**

The five Committee members are identified as follows:

- (1) The two managers shall include one commissioner and the Internal auditor.
- (2) The three non-management members shall be selected by the Administrator from a list of nominees from the various departments. Two of the three shall be from lists provided by the collective bargaining units, and the third shall be from a group of non-represented employees. The Administrator shall select individuals in a manner that shall provide balance in the Committee.
- (3) Each member shall appoint an alternate member to the Committee. Alternates shall attend meetings in the absence of the appointed Committee member. Alternates may attend any meeting with the appointed Committee member.
- (4) Members shall serve a two-year term (February 1 through January 31) and may serve up to three terms. *(Revised by Order No. 01-4-18-3, Effective 4.18.01; 06-4-12-2, 4.12.06; 07-4-4-4, 4.4.07)*

#### **2.453 Operating Procedures of the Committee.**

The following procedures shall provide for a general framework of operation:

- (1) The Committee shall meet during regular work hours. Compensation to any member or alternate who normally works a shift other than regular (i.e. 8:00 a.m. to 5:00 p.m.), shall be given according to provisions of the employee's Collective Bargaining Agreement or Administrative Procedures, whichever is appropriate. Absence from an employee's work station to attend Committee meetings must have supervisory approval.
- (2) The Committee shall not engage in collective bargaining with represented employees.
- (3) No member of the Committee shall be expected to vote on a proposal which would substantially affect their position with Lane County.
- (4) No member can vote who is not present at the Committee meeting where the voting takes place. Alternates may vote in the absence of a Committee member. When both the member and alternate are present, only one shall vote. *(Revised by Order No. 01-4-18-3, Effective 4.18.01)*

#### **2.455 SAVE Program Rules.**

The Committee referred to in LM 2.450 and 2.451 above shall implement the SAVE program in accordance with the following rules:

- (1) All employees of the County shall be eligible to make savings proposals and receive awards; a supervisor may submit a proposal on behalf of an employee. Department and program managers and supervisors, shall be eligible for awards and/or recognition.
- (2) To be eligible, a proposal must be written on a Savings Proposal Form, signed by the employee, and should suggest the accomplishment of one or more of the following:
  - (a) Eliminate useless operations, duplications, safety hazards.
  - (b) Improve: methods, procedures, product quality, service, working conditions, tools, material handling, security, departmental layouts or work flow.
  - (c) Increase: productivity, employee motivation, life and use of tools, equipment or supplies.
  - (d) Prevent: accidents, work errors.

- (e) Promote: cooperation, coordination, safety practices, or public relations.
  - (f) Recommend: new services, new methods.
  - (g) Reclaim: defective materials, scraps.
  - (h) Reduce: equipment, errors, working space, steps, or non-productive effort.
  - (i) Save: time, materials, labor, money, energy to the employee's job or others.
  - (j) Produce revenue.
  - (k) Innovation.
  - (l) Savings or convenience to the public.
- (3) Ineligible proposals include:
- (a) Proposals made by any member of the Committee.
  - (b) Proposals that duplicate one that is already under consideration by the Committee.
  - (c) Proposals that take the form of complaints or grievances, relating to personnel policies, or collective bargaining.
  - (d) Proposals that criticize other employees or their work performance.
  - (e) Proposals and recommendations that are already identified in a circulated document, e.g., internal or external audits, department work plans, and proposed or approved budgets.

(4) Timing of Proposals. Proposals must be formally received (date stamped) by the Committee prior to the implementation of an idea or change that has occurred completely apart from the SAVE program.

If identical or similar proposals are received, the proposal received first shall receive preference. If received the same day, any award shall be divided equally among the successful employees.

(5) Evaluation of Saving Proposals. The Committee shall notify the employee's department director of any proposal considered to have merit. The department director shall provide information and comment to the Committee so that the evaluation can continue. If the proposal affects other departments, those departments shall also become involved in the evaluation.

If additional information regarding a proposal is required, the Committee may request the employee's presence in an evaluation meeting. Any employee so called shall be excused from work without loss of pay. The author of any proposal will be kept informed of its status. If a proposal is rejected, the reasons will be explained. Full disclosure of Committee deliberations is considered essential for adequate communication between the Committee and the employees.

Proposals that are determined eligible by the Committee will be forwarded to the Board of County Commissioners for appropriate public recognition in an award ceremony.

(6) Non-Cash Awards. Proposals which result in improvements shall be eligible for recognition. Examples of intangible improvements include enhancements in health, welfare, morale and safety. Awards may include time management, gift certificates, or other non-cash items.

(7) Procedure for Non-Adopted Proposals. Should a proposal not be adopted within one year following the date of its non-adoption, it will receive no further consideration for an award, unless within 30 days following the one year period, the employee requests in writing that the proposal be held open for an additional one-year period. In this case, the proposal will remain eligible for award consideration if adopted during the additional one-year period.

(8) Preferential Hiring Status. If an implemented proposal does result in displacement of an employee that employee shall have preferential hiring status for other positions open within the organization, consistent with procedures outlined in the Administrative Procedures Manual, Chapter 3, Section 54.

(9) All Decisions Final. The Committee shall make the final decision as to whether an employee proposal award should be made and subject to the rules and regulations adopted pursuant to LM 2.450 through 2.455, and the nature and extent of the award. If at any time an employee wishes to reopen a denied proposal to present new or additional information, the Committee will review its decision. *(Revised by Order No. 01-4-18-3, Effective 4.18.01; 06-4-12-2, 4.12.06)*

#### **2.470 Taxpayer Cost Savings Program.**

The Savings Are Valuable to Individual Taxpayers (SAVIT) (pronounced SAVE-IT) program shall solicit from, and administer awards to, County residents for cost saving proposals. *(Revised by Order No. 09-5-13-1; Effective 5.13.09)*

#### **2.471 Organization of the SAVIT Committee.**

There shall be seven (7) members, identified as follows:

(1) Five (5) members, one selected by each member of the Board of Commissioners.

(2) Two (2) members from the SAVE Committee to be appointed by the Board following recommendations from the SAVIT Committee.

(3) Committee members shall serve two (2) year terms. *(Revised by Order No. 09-5-13-1; Effective 5.13.09)*

#### **2.472 Staffing.**

The County Administration shall provide Committee staffing. *(Revised by Order No. 09-5-13-1; Effective 5.13.09)*

#### **2.473 Operating Procedures of the Committee.**

Within the parameters set forth herein, the Committee shall recommend to the Board of Commissioners the procedure for administering this program, regarding issues such as:

(1) Annual reward budget.

(2) Maximum award amounts.

(3) Community outreach.

(4) Evaluation criteria. *(Revised by Order No. 09-5-13-1; Effective 5.13.09)*

#### **2.478 Sunsetting of the Committee.**

Unless extended by Order of the Board of Commissioners, the Committee shall sunset and expire two years following the date of its first meeting. *(Revised by Order No. 09-5-13-1; Effective 5.13.09)*

### **EMPLOYEE OPERATION OF AIRCRAFT**

#### **2.505 Policy Statement.**

Occasionally, employees will be required for County business purposes to fly fixed or rotary wing aircraft. The decision as to whether or not an employee needs to pilot an aircraft for County work, will be made by the Department Head of the employee requesting authorization. *(Revised by Order No. 73-13-2, Effective 11.28.73)*

#### **2.510 Requirements.**

Prior to flying, the employee must:

- (1) Obtain written authorization from his or her Department Head.
- (2) Fill out County insurance policy questionnaire, which may be obtained from the office of the County Counsel.
- (3) Present to the County Counsel a copy of the aircraft owner's insurance policy. *(Revised by Order No. 73-13-2, Effective 11.28.73)*

### **EMPLOYEES AND VOLUNTEERS OPERATION OF PERSONAL AUTOMOBILES ON COUNTY BUSINESS**

#### **2.550 Policy Statement.**

With Department Head approval, employees and volunteers may use their own personal automobiles on County business, provided they carry the following minimum amounts of insurance on their vehicles: \$25,000 each person and \$50,000 each accident or occurrence for bodily injury and \$10,000 for property damage. As a self-insured entity, Lane County has not and does not provide uninsured motorist coverage beyond the statutorily required minimum amount, if any. *(Revised by Order No. 83-11-30-2, Effective 1.1.84; 05-7-6-2, 7.6.05)*

### **COMMERCIALLY LEASED VEHICLES**

#### **2.552 Insurance.**

Departments using leased vehicles shall protect Lane County and the owner of the vehicle from liability or loss as follows:

- (1) Department requests for leased vehicles shall be initially presented to the Department of Public Works Support Services Manager for consideration.
- (2) The Department of Public Works Support Services Manager, or his/her designate, shall evaluate the lease request, investigate available alternatives (i.e., utilizing present fleet vehicles) and either approve or disapprove the leasing request. *(Revised by Order No. 89-5-31-3, Effective 5.31.89)*

### **FLEET SERVICES**

#### **2.605 Policy Statement.**

The Board of County Commissioners, by the rules set forth herein, authorizes the County Administrator to administer and enforce these rules inclusive of any further supplements or amendments hereto. The rules shall be applicable to all County vehicles or equipment used, owned or operated by all Lane County Departments or any other group, district or agency governed by the Board. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

#### **2.610 Purpose.**

The purposes of these rules are the following:

- (1) That every effort will be made to provide adequate transportation whenever and wherever the need is apparent and justified.
- (2) That the Fleet Services Fund (Fund 19) operates on a self-sustaining basis.
- (3) That modern, well-equipped vehicles and equipment will be maintained and fully utilized at the lowest possible cost. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

#### **2.615 Responsibility.**

In promulgating these rules, the Board directly and specifically charges each Department Director with the responsibility of ensuring that all employees of their individual Department who operate County vehicles are thoroughly aware of the contents hereof and

that they comply with these rules at all times, and that all vehicles assigned to their individual Department are maintained as directed herein. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

**2.620 General Description of Duties and Responsibilities.**

(1) Subject to the supervision of the Director of the Department of Public Works, the Support Services Manager is responsible for the following:

(a) Developing and maintaining an adequate cost control and recording system in conjunction with the Department of Management Services.

(b) Establishing an organizational structure and maximizing the utilization of such personnel.

(c) Determination of inventory levels for gas, oil, parts, tires and maintenance thereof.

(d) Providing recommendations for specifications of vehicles and equipment.

(e) Recommending whether needs for transportation require purchase of vehicles or equipment or some less costly alternative, e.g., private mileage, lease or rental.

(f) The determination of vehicle and equipment rotation between the various Departments, Divisions and Pools and the disposition of replaced vehicles.

(g) Providing recommendations concerning the retention period or turnover rate for vehicles and equipment.

(h) Signing fleet vehicle Certificates of Title and Fleet Services Bills of Sale whenever there is a transfer of ownership.

(2) A Fleet User Committee shall consist of persons appointed by the County Administrator. In addition, the Support Services Manager and Fleet Services Supervisor shall be nonvoting members of the Committee. The Chairperson of the Committee shall be elected by the Committee members. The Committee shall meet a minimum of twice a year, but a meeting can be called by the Chairperson or the County Administrator.

(3) The responsibilities of the Fleet User Committee include the review and recommendation to the County Administrator of the following:

(a) Criteria or guidelines for the assignment of vehicles.

(b) Policies regarding the use of Fleet Services Pool vehicles.

(c) The annual Fleet Services vehicle purchase plan.

(d) An annual Fleet Services rate structure.

(e) Policies regarding the replacement life utilization of vehicles. *(Revised by Order No. 89-5-31-3, Effective 5.31.89; 98-4-1-11, 4.1.98)*

**2.625 Use and Operation.**

(1) Provision of Vehicles. The County is not required to provide a County-owned vehicle to any County employee. However, every effort will be made to provide adequate transportation whenever and wherever the need is apparent and justified.

(2) Use of Vehicles.

(a) County vehicles and equipment will be used only for County official business. The usage of an official vehicle or piece of equipment as conveyance to and from work is not sanctioned, unless such use has been previously justified and approved under the procedures provided for in LM 2.635 below.

(b) County vehicles will be operated at all times in a reasonable and prudent manner in accordance with all State and local laws, ordinances and rules. The operator and occupants of all County vehicles shall utilize the seat belts provided in each vehicle at all times.

(c) Any misuse of County owned vehicles or equipment or negligence on the part of any employee in the use of the same may be cause for disciplinary action.

(d) The operator(s) and assigned Department shall be responsible for maintaining vehicles in accordance with procedures specified in the Administrative Procedures Manual.

(3) Operators. County vehicles will be operated by County officials, employees or other persons as designated by a Department Director. Such persons will use County vehicles only in connection with official County business. Operators of the County vehicles shall not pick up hitchhikers and will use discretion in transporting other persons.

(4) County Vehicle Pool. Fleet User Committee shall recommend to the County Administrator the number and type of vehicles required to maintain an efficient and economical pool. It shall also recommend the number and location of pools to be operated.

(5) Mileage Rates. The Support Services Manager shall recommend annual Fleet rental rates to the County Administrator at the beginning of each fiscal year. Rates shall be based on the previous fiscal year actual costs of ownership and operation. The Support Services Manager shall be responsible for Interdepartmental billings and shall submit to the Fleet User Committee, when requested, a monthly or quarterly report as to the actual vehicle cost.

(6) Accidents. In the event of an accident, the employee operating the vehicle should take the following steps:

(a) Stop.

(b) Ascertain if anyone is injured. If so, take action for obtaining ambulance and medical care.

(c) Request that the local police come to the scene.

(d) Follow reporting procedures as specified in the Administrative Procedures Manual.

(e) User Departments are financially responsible for all vehicle accidents involving employee or vehicles assigned to the Department.

(f) Accident expenses incurred shall be billed directly to Risk Management. Risk Management shall bill the user Department for any costs not collected from a third party.

(7) Uninsured Motorists. As a self-insured entity, Lane County has not and does not provide uninsured motorist coverage beyond the statutorily required minimum amount. Pursuant to ORS 30.282, Lane County has established a self insurance fund against liability of Lane County, its officers, employees and agents acting within the scope of their employment or duties. As a self-insurer pursuant to ORS 30.282, Lane County complies with the provisions of ORS 278.215 and ORS 742.500 through 742.504. Nothing in this chapter shall be construed as adopting procedure or limits to liability other than that required by ORS 742.500 through ORS 742.504.

(a) Definitions. As used in this section, the following words and phrases shall have the meaning indicated:

Bodily Injury means bodily injury, sickness or disease, including death resulting therefrom.

County Vehicle includes a bus, van, car, or other vehicle used to transport passengers and owned or operated by or on behalf of Lane County.

Passenger is any person, or their heirs, representatives or assigns, who is upon, entering onto, or alighting from, a Lane County vehicle, except that "passenger" does not include any Lane County employee acting within the scope of employment.

Uninsured Vehicle, except as provided below, means:

(i) A vehicle with respect to the ownership, maintenance or use of which there is no collectible automobile bodily injury liability insurance, in at least the amounts or limits prescribed for bodily injury or death under ORS 806.070 applicable at the time of the accident with respect to any person or organization legally responsible for the use of such vehicle, or with respect to which there is such collectible bodily injury liability insurance applicable at the time of the accident but the insurance company writing the same denies coverage thereunder or, within two years of the date of the accident, such company writing the same becomes voluntarily or involuntarily declared bankrupt or for which a receiver is appointed or becomes insolvent. It shall be disputable presumption that a vehicle is uninsured in the event the passenger and Lane County, after reasonable efforts, fail to discover within 90 days from the date of the accident, the existence of a valid and collectible automobile bodily injury liability insurance applicable at the time of the accident.

(ii) A “hit and run vehicle” as defined below.

(iii) A “phantom vehicle” as defined below.

Uninsured vehicle does not include:

(i) An insured vehicle;

(ii) A vehicle which is owned or operated by a self-insurer within the meaning of any motor vehicle financial responsibility law, motor carrier law, or any similar law;

(iii) A vehicle which is owned by the United States of America, Canada, a state, a political subdivision of any such government or an agency of any of the foregoing;

(iv) A land motor vehicle or trailer, if operated on rails or crawler-treads while located for use as a residence or premises and not as a vehicle.

Hit and Run Vehicle means a vehicle which causes bodily injury to a passenger arising out of physical contact of such vehicle with a County vehicle which the passenger is occupying at the time of the accident, provided:

(i) there cannot be ascertained the identity of either the operator or the owner or such hit and run vehicle; and

(ii) the passenger having an uninsured motorist claim or someone on behalf of the passenger having the uninsured motorist claim shall have reported the accident within 72 hours to a police, peace or judicial officer, to the Department of Transportation of the State of Oregon or to the equivalent department in the state where the accident occurred, and shall have filed with Lane County within 30 days thereafter a statement under oath that the passenger or the legal representative of the passenger has a cause or causes of action arising out of such accident for damages against a person or persons whose identity is unascertainable, and setting forth the facts in support thereof.

Phantom Vehicle means a vehicle which caused bodily injury to a passenger arising out of an accident which is caused by a motor vehicle that has no physical contact with the County vehicle, provided:

(i) there cannot be ascertained the identity of either the operator or the owner of such phantom vehicle;

(ii) the facts of such accident can be corroborated by competent evidence other than the testimony of the passenger having an uninsured motorist claim resulting from the accident; and

(iii) the passenger having an uninsured motorist claim or someone on behalf of the passenger having an uninsured motorist claim shall have reported the accident within 72 hours to police, peace or judicial officer, to the

Department of Transportation of the State of Oregon or to the equivalent department in the state where the accident occurred and shall have filed with Lane County within 30 days thereafter a statement under oath that the passenger or the legal representative of the passenger has a cause or causes of action arising out of such accident for damages against a person or persons whose identity is unascertainable, and setting forth the facts in support thereof.

(b) Coverage.

(i) A claim for bodily injury or death sustained while a passenger on a County vehicle arising out of the ownership, maintenance or use of an uninsured vehicle and caused by the fault of the uninsured motorist shall be limited to the benefits enumerated below:

- (1) \$25,000 because of bodily injury to or death of one passenger in any one accident;
- (2) Subject to that limit for one passenger, \$50,000 because of injury to or death of two or more passengers in any one accident;
- (3) Coverage that is provided only to extent of legal liability of the uninsured motorist and is subject to the limitations of subparagraphs (1) and (2), above.

(ii) The limit of liability stated as applicable to “each passenger” is the limit of Lane County’s uninsured motorist benefits for all damages because of bodily injury sustained by one passenger as the result of any one accident and, subject to the above provision respecting each passenger, the limit of liability stated as applicable to “each incident” is the total limit of Lane County’s liability for all damages because of bodily injury sustained by two or more passengers as the result of any one accident.

(iii) Any payment made under this coverage to or for a passenger shall be applied in reduction of any other amounts the passenger may be entitled to recover from Lane County as a result of any one accident. Nothing in this chapter is intended to expand Lane County’s liability for any one accident or claimant, beyond those limits imposed by ORS 30.270. Any amounts paid to any person pursuant to this uninsured motorist procedure shall be applied in reduction of Lane County’s maximum liability limits to any one person or for any one accident, as established by ORS 30.270.

(c) Claims Procedures. The following procedure shall be utilized in making claim for compensation under this Chapter.

(i) As soon as practicable, the passenger or other person making claim shall give to Lane County written proof of claim, under oath if required, including full particulars of the nature and extent of the injuries, treatment, and other details entering into the determination of the amount payable hereunder. The passenger and every other person making claim hereunder shall submit to examinations under oath by any person named by Lane County and subscribe the same, as often as may reasonably be required. Proof of claim shall be made upon forms furnished by Lane County.

(ii) Upon reasonable request of and at the expense of Lane County, the passenger shall submit to physical examinations by physicians selected by Lane County and shall upon request from Lane County, execute authorization to enable Lane County to obtain medical reports and copies of records necessary to evaluate the claim.

(iii) If, before Lane County makes payment of loss hereunder, the passenger or the passenger’s legal representative shall institute any legal action for bodily injury against any person or organization legally responsible for the use of a vehicle involved in an accident, a copy of the summons and complaint or other process served in connection with such legal action shall be forwarded immediately to Lane County by the passenger or the passenger’s legal representative.

(iv) Passenger must provide Lane County with a sworn statement that no other insurance is available, if requested.

(d) Reduction in Lane County's Payments.

(i) Any amount payable under the terms of this chapter shall be reduced by:

(1) All sums paid on account of bodily injury or death by or on behalf of the owner or operator of the uninsured vehicle and by or on behalf of any other person or organization, including Lane County, jointly or severally liable together with such owner or operator for such bodily injury or death; and

(2) The amount paid and the present value of all amounts payable on account of bodily injury under any workers' compensation law, disability benefits law or any similar law.

(ii) This coverage shall apply only as excess over any other collateral benefits to which the injured person is entitled, including but not limited to, other uninsured motorist coverage, insurance benefits, governmental benefits or gratuitous benefits available to the passenger and shall then apply only in the amount by which the applicable limit of liability of this coverage exceeds the sum of the applicable limits of liability and all such other insurance; stacking of coverage shall not be allowed.

(e) Rights Against Uninsured Motorist. In the event of payment to any person under this coverage:

(i) Lane County shall be entitled to the extent of such payment to the proceeds of any settlement or judgment that may result from the exercise of any rights of recovery of such person against any uninsured motorist legally responsible for the bodily injury because of which such payment is made.

(ii) Such person shall hold in trust for the benefit of Lane County all rights of recovery which he shall have against such other uninsured person or organization because of the damages which are the subject of claim made under this coverage, buy only to the extent that such claim is made or paid herein.

(iii) If the passenger is injured by the joint or concurrent act or acts of two or more persons, one or more of whom is uninsured, the passenger shall have the election to receive from Lane County any payment to which he would be entitled under this coverage by reason of the act or acts of the uninsured motorist, or the passenger may, with the written consent of Lane County, proceed with legal action against any or all persons claimed to be liable to the insured for such injuries. If the passenger elects to receive payment from Lane County under this coverage, then the passenger shall hold in trust for the benefit of Lane County all rights of recovery the passenger shall have against any other person, firm or organization because of the damages which are the subject of claim made under this coverage, but only to the extent of the actual payment made by Lane County.

(iv) Such person shall do whatever is proper to secure, and shall do nothing after loss to prejudice, such rights.

(v) If requested in writing by Lane County, such person shall take, through any representative not in conflict with such person, designated by Lane County, such action as may be necessary or appropriate to recover such payment as damages from such other uninsured person or organization, such action to be taken in the name of such person, but only to the extent of the payment made hereunder. In the event of a recovery, Lane County shall be reimbursed out of such recovery for expenses, costs and attorney fees incurred by it in connection therewith.

(vi) Such person shall execute and deliver to Lane County such instruments and papers as may be appropriate to secure the rights and obligations of such person and Lane County as established by this provision.

(f) **Time Limitation.** No cause of action shall accrue to the passenger under this coverage unless within two years of the date of the accident:

(i) Suit for bodily injury has been filed against the uninsured, in a court of competent jurisdiction and, within two years from the date of settlement or final judgment against the uninsured motorist, the passenger has formally instituted arbitration proceedings or filed an action against Lane County in a court of competent jurisdiction;

(ii) Agreement as to the amount due under the coverage has been concluded;

(iii) The passenger has filed an action against Lane County in a court of competent jurisdiction.

(g) **Condition Precedent.** No action shall lie against Lane County unless, as a condition precedent thereto, the passenger and legal representative of the passenger have fully complied with all the terms of this chapter.

(h) **Tort Claims Notice.** Nothing in this chapter shall be construed to relieve the passenger from the notice requirements of ORS 30.275 or to alter the limitations of liability found in ORS 30.270. *(Revised by Order No. 89-5-31-3, Effective 5.31.89; 05-7-6-2, 7.6.05; 07-12-12-3, 12.12.07)*

### **2.630 Vehicles and Equipment.**

(1) **New Vehicles.** All new vehicles will be received and accepted by Fleet Services regardless of which Department will use the vehicles. Each vehicle will be serviced, inspected and generally prepared for assignment to an individual, Department or Pool. The new vehicle will not be assigned until the vehicle it is replacing has been turned in to Fleet Services or unless that Department has authorization from the Support Services Manager to retain that vehicle.

(2) **Equipment and Identification.** Under no circumstances shall any person add to, or take from, any County vehicle any permanently installed equipment without consent from the Fleet Services Supervisor. County vehicles, not otherwise exempted by virtue of assignment or use, shall display a standard Lane County emblem decal on the right front windshield and right rear window, and a vehicle identification number decal on the center lower portion of the rear window, the size and colors of these decals to be as recommended by the Support Services Manager.

(3) **Special Equipment.** Where special equipment, such as roll bars, communications equipment, special lights, gun racks, etc. are required by legislation or as a result of intended use, such equipment shall be provided for by the user Department at their expense including the costs of installation. *(Revised by Order No. 89-5-31-2, Effective 5.31.89)*

### **2.635 Vehicle Assignment Criteria.**

#### (1) **Permanent Assignment.**

(a) Assigned County-owned vehicles to an individual shall be an exception to policy and must be authorized by the County Administrator. It is the intention and the desire of the Board that the County Administrator authorize the assignment of County vehicles to individuals based only upon the need for the particular vehicle and its equipment. (For example: a pickup that has emergency lighting and carries equipment such as road signs; or a marked police vehicle equipped with lights and sirens.)

(b) All Department Directors shall submit a list to the County Administrator of which employees are assigned which County vehicles annually on or before January 1. This list shall be revised by Department Directors and the County Administrator as changes are approved by the County Administrator.

(2) Departmental Pool Assignment Criteria.

(a) Departments shall operate all assigned vehicles as departmental pool vehicles, or draw out of a centralized Fleet vehicle pool. Exceptions must be authorized by the County Administrator.

(b) All vehicles, other than authorized special use vehicles, must meet minimum utilization standards, as established by the Support Services Manager and approved by the County Administrator on an annual basis.

(c) The Support Services Manager shall issue a report listing all under-utilized vehicles to the County Administrator and appropriate Department Directors by May 31 of each year. All under-utilized vehicles, other than authorized special use vehicles, shall be returned to Fleet Services by June 30.

(d) To maintain adequate Replacement Fund Reserves, all assigned vehicles, including special use, individually assigned, and departmental pool assigned, not meeting the minimal utilization standards shall incur an under-utilization surcharge in the vehicle rental rate. The surcharge rate will be recommended by the Support Services Manager and approved by the County Administrator as a part of the annual Fleet rental rate development process.

(3) Centralized Fleet Motor Pools. When the total annual vehicle mileage is less than the minimum utilization standard, Departments are to use Fleet pool vehicles, or Private Mileage Reimbursement.

(4) Temporary Individual Assignment. A temporary assignment is an occasional overnight checkout or retention of the vehicle when such is necessary when an employee completes a job task late in the evening, when return of the vehicle is impractical, when a vehicle is checked out overnight for the specific purpose of performing a required job-related, after-hours task, or when issued on a temporary basis during periodic or frequent and extended after-hours use. Such instances are subject to the authorization of the Department Director. *(Revised by Order No. 94-12-21-13, Effective 12.21.94; 89-5-31-2, 5.31.89)*

**2.636 Monthly Automobile Allowance.**

(1) Eligibility. Elected officials, individuals receiving a monthly allowance on May 31, 1989 and those employees who have individual employment contracts that provide for transportation, may choose a monthly allowance for the use of their personal vehicle, Private Mileage Reimbursement for County business mileage not including commuting mileage, or a permanently assigned vehicle. Individuals may make an election each December which shall be effective for the following year. The election of either receiving the Vehicle allowance or having a permanently assigned vehicle shall be reported as taxable in accordance with Internal Revenue Service regulations.

(2) Amounts Specified. The monthly allowance shall be equal to the current Private Mileage Reimbursement Rate x 1,000. (Example: 24 cents PMR x 1,000 equals \$240 monthly automobile allowance.) An individual who receives the monthly allowance will not be eligible for mileage reimbursement unless travel extends beyond the boundaries of Lane County.

(3) Limitations. Monthly allowance recipients must pay all expenses associated with the operation of their vehicles. The County will not provide fuel, lubricants, service, maintenance or repairs for personal vehicles.

(4) Fleet Vehicles. Individuals who receive a monthly allowance will be expected to use their personal vehicles for all of the transportation associated with the performance of regular duties and within the expected scope of their responsibilities. The use of a County fleet vehicle is permissible only in those instances when an individual is required to drive an unusual distance, beyond that which would be found in the

aforementioned "regular duties" or "expected scope of responsibilities." For purposes of this regulation, an unusual distance will include any distance beyond the boundaries of Lane County. *(Revised by Order No. 94-12-21-13, Effective 12.21.94; 89-5-31-3, 5.31.89)*

### **2.637 Private Mileage Reimbursement.**

When vehicle usage is occasional, or access to a departmental or Fleet Pool vehicle is limited or unavailable, an employee may choose to use his or her own vehicle and receive Private Mileage Reimbursement. The Private Mileage reimbursement rate shall be equal to the Federal Internal Revenue Service authorized rate. Rate changes shall become effective 30 days after IRS announcement. *(Revised by Order No. 89-5-31-3, Effective 5.31.89)*

### **2.640 Credit Cards.**

Gas and oil company credit cards may be issued to County employees for use in conjunction with County-owned vehicles assigned to them. Initiation of a request for issuance of a credit card must come from the Department Director of the Department to which the individual in need of such a credit card is assigned. The request must include a statement of necessity indicating the reason the employee may not be able to utilize the County service facilities. The request shall be forwarded by the Department Director to the Department of Public Works Support Services Manager, who authorizes the issuance of such credit cards. It is the responsibility of each Department Director, however, to ensure that credit cards are issued and used only by authorized employees when servicing by the County service station is impractical, such as on extended trips away from County service facilities. *(Revised by Order No. 89-5-31-3, Effective 5.31.89)*

## **USE OF THE COUNTY LOGO**

### **2.700 Policy.**

The County logo, as described in the following order, shall not be used for other than Lane County government identification. The logo is intended to provide a cohesive identity symbol for Lane County government that will facilitate effective public communication. No other logo shall be used by Lane County departments or divisions, with the exception of departments run by other elected officials, including the Sheriff's Office, District Attorney's Office, Tax Assessor's Office, and Justice Courts. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

### **2.701 Policy Exceptions.**

An exception to policy section 2.700 can be made at the discretion of the Office of County Administration for logos or identities for Lane County "enterprise" programs or projects. These are defined as programs or projects that require specific outreach or marketing to targeted markets and require the visibility or cachet of a non-governmental program. These may either be short or long-term programs or projects and may also include projects undertaken with non-county entities. In all cases the Lane County logo is to appear with the enterprise identity. *(Revised by Order No. 04-9-1-6, Effective 9.1.04)*

### **2.705 Restrictions on Use.**

At no time shall additional words or symbols be added to the open area of the logo. The logo shall not be placed within other shapes, unless required for production purposes. A department or division name may be added below the logo using designated logo colors and font. The department or division name should fit within the logo's width. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

### 2.710 Design Authorization.

In order to facilitate regularity and conformity of logo use, the Purchasing Division shall obtain design authorization from the Office of County Administration, who will be responsible for official interpretations of the guidelines established by the Board. This provision covers consideration of all materials normally exposed to public view, including electronic and Internet/Intranet versions, and not otherwise provided for in these guidelines. *(Revised by Order No. 93-3-31-7, Effective 3.31.93)*

### 2.715 Appearance.

The logo shall be used alone or with additional department or division names below it. When these names are added, lettering shall conform to the logo's width. Lettering may extend to two lines when name is long. A small trademark sign must be placed to the extreme lower right of the logo. Designated color is Pantone 634CVC or appropriate color when not available, or grayscale. An alternate black and white line-art version of the logo differs from the color and grayscale versions in that the waves and internal vertical lines are removed, and should only be used when the color or grayscale version does not produce a professional-looking and legible logo. The logo shall not be conjoined with other logos or altered.

Color version



Black and White Version



*(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02; 03-01-06-7, 1.6.03)*

### 2.720 Basic Design, Format, and Color.

The logo shall be used on all printed matter according to the following:

- (1) Letterheads, Envelopes and Business Cards.
  - (a) Design. A standard design shall be used by all Lane County Departments. Exceptions shall be approved only by the County Administrator.
  - (b) Lettering.
    - (i) The words "Lane County Oregon" within the logo shall be set in TW Cen MT all caps. Department or division lettering may be placed below the logo in TW Cen MT.
    - (ii) Copy and names of persons shall be set in Times New Roman.
    - (iii) Return addresses will be set in caps and lower case Times New Roman.
  - (c) Letterhead Stationery. Names and titles of Commissioners, the County Administrator and elected Department Heads may show in letterhead design under the logo, but other position names and titles will not be used unless approved by the County Administrator. The names should be in Times New Roman or TW Cen MT.

(d) Envelopes. Names of Departments, Divisions or Offices may be shown with appropriate return address. Fonts used should be TW Cen MT for Lane County and Department and Times New Roman for return address.

(e) Business Cards.

(i) Will not exceed 2-5/16 inches x 3-5/8 inches in size.

(ii) Will be made of vellum, plate or thinplate.

(iii) Logo will be printed in one color, Pantone 634CVC, or approximate color if not available, or black.

(iv) Person's name, title, phone and address will be type set in Times New Roman and printed in black or Pantone 634CVC. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02)*

### **2.725 Reports, Documents and Printed Forms.**

(1) All reports, documents and printed forms shall at least have the logo printed in the same color as the printed form. If a second color is used for logo, it shall be Pantone 634CVC, or approximate color if not available, or black.

(2) Guidelines for placement of such materials shall be established by the Office of County Administration.

(3) Material design authorization should be approved by the Office of County Administration. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02)*

### **2.730 Pamphlets and Brochures.**

The logo shall be used on all interpretive materials prepared by all branches of Lane County government:

(1) Placement. The logo and words shall be easily visible. The appropriate relationship of logo to words is defined in LM 2.715. Additional words or department names may be placed after or below the logo.

(2) Lettering. The words "Lane County Oregon" should be set in TW Cen MT regardless of style of lettering used within the brochure.

(3) Color. Color shall be specified as Pantone 634CVC, or approximate color if not available, or black.

(4) Size. Size of the logo shall be appropriate to the publication and lettering used within. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02)*

### **2.735 Decals.**

Two kinds of decals shall be used, one for exterior surfaces and one for interior type for use in windows.

(1) Design. Decals may be either logo shaped, or rectangular shaped with both logo and words "Lane County Oregon" included.

(2) Lettering. The words "Lane County Oregon" shall be set in TW Cen MT using capitals.

(3) Color. Color of logo shall be Pantone 634CVC, with lettering in white, and department or division names underneath in Pantone 634CVC. If 634CVC is not available a reasonable match should be used.

(4) Use of Decals.

(a) Motor Vehicles.

(i) Interior decals shall conform to the motor pool regulation in LM 2.630.

(ii) Size of decal shall be approximately 3 inches x 5 inches.

(b) Heavy Equipment--Trucks, Cats, Crawlers, Carryalls, Etc.

(i) Exterior type decal with words "Lane County Oregon" placed on door or body of equipment.

(ii) Size approximately 6 inches x 12 inches.

(c) Small Equipment--Bicycles, Hardhats, Etc.

(i) Exterior type decal of logo only in convenient, visible location on outer surface of equipment.

(ii) Size shall be approximately 3 inches in diameter. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02)*

#### **2.740 Uniform Patches.**

(1) Design. Patch shall include logo with any department or division lettering below and conforming to the width of logo. Shape of the total patch shall be rectangular.

(2) Color. The background color of the patch and the bound embroidered edge shall be white. Logo should be in Pantone 634CVC and the lettering "Lane County Oregon" shall be white, with any department or division lettering below the logo in Pantone 634CVC. If Pantone 634CVC is not available an approximate color match should be used.

(3) Lettering. The words "Lane County Oregon" shall be lettered in the same style as used on the letterhead, or as close as possible.

(4) Size. Approximately 2 inches x 4 inches.

(5) Use of the Patch.

(a) Shirts and Outer-garments. Patch shall be centered over the left breast pocket leaving ½ inches between the top of the pocket and the bottom of the patch, or, it may be centered on the left sleeve with the top of the patch 2 inches below the shoulder seam. Department or name patches should be on the left sleeve.

(b) Headgear. The patch shall be centered on the front of caps. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02)*

#### **2.745 Highway, Road, Building, Park.**

Logo shall be used on all County signs where practical and when not in violation of the Uniform Traffic Manual.

(1) Size. The logo shall be large enough so that it can be readily recognized when read with the sign contents.

(2) Color. The color of the logo shall be Pantone 634CVC, or if not available, an approximate color match.

(3) Placement. When the logo is used in conjunction with department or division names the two should be used in proper relationship as defined in LM 2.715. In addition, for signs that are horizontal, department or division names may be placed to the right of the logo. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02)*

#### **2.750 Miscellaneous Use.**

(1) Jewelry.

(a) Design. The die shall be of the logo only. The open area of the logo shall not be used as a background for any additional symbol or words.

(b) Color. Gold or sterling metal or two colors of enamel with one being Pantone 634CVC or approximate color match.

(c) Size. 3/4 inches in diameter.

(2) Design and Use on Miscellaneous Items. Design and use of the logo on miscellaneous items, including plaques, certificates, flags, banners, etc., shall be cleared through the Office of County Administration. Unless inappropriate, the colors of the

logo will be Pantone 634CVC or approximate color background with white lettering "Lane County Oregon." *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02)*

### **2.755 Transitional Period.**

The logo shall go into use immediately and existing supplies of materials with the older logo should be used within two years. All departments and divisions shall have replaced all previous identification as prescribed herein by October 2004. Two years shall be allowed for the replacement of signs. The transitional period shall be used to allow the depletion of outdated supplies and the introduction of new materials. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02)*

### **2.760 Updating.**

In order to update the symbol, the basic colors and lettering style used with the logo may be altered at some point in the future. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02; 02-10-16-1, 11.13.02)*

### **2.765 Alterations.**

No alternate shapes or relationship of design elements shall be used without prior approval of the County Administrator. When color Pantone 634CVC is not available, an approximate color or black shall be used. *(Revised by Order No. 93-3-31-7, Effective 3.31.93; 02-10-16-1, 11.13.02)*

## **COUNTY LANDS AND BUILDINGS**

### **2.805 Public Parking.**

Pursuant to the authority granted by LC 2.800(1) and within the administrative framework provided by LC 2.800(2), the public parking policy is designed to facilitate the use of County-owned parking facilities by the public and County employees, and to ensure that these facilities are made available in a uniform and equitable manner. It is recognized that providing parking for employees in proximity to County work locations contributes to their productivity and morale, and for that reason, rates for employee parking may be discounted from the public parking rates. For the limited purpose of compliance with the state ethics rules, any difference between public and employee rates is considered part of the compensation package for County officers and employees. The County Administrator is delegated the authority and responsibility to develop and maintain Administrative Procedures necessary to implement this policy. The County Administrator is further delegated the authority to implement and administer a qualified transportation fringe plan for employees under Sec. 132 of the Internal Revenue Code. *(Revised by Order No. 84-6-12-1, Effective 6.12.84; 08-5-14-3, 5.14.08)*

### **2.825 Demolition of Structures.**

The Real Property Supervisor of the Department of Management Services shall examine all buildings, structures, and improvements and County-owned property not required for use for County purposes, and at such time as it is determined that said buildings, structures, and improvements should be removed, he or she is authorized and directed to cause said buildings, structures, and improvements to be removed from County-owned property, including the recommending of the necessary implementing contracts to the County Administrator. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

### **2.840 County Vending Machine Operations.**

The County provides vending machine services of food, coffee, cigarettes, candy, gum, soft drinks and other products for use of employees and for the general public in areas where there is public access to them. The County has the exclusive right to control vending machine installations in order to provide efficient service and will determine the advisability and need for requested machines.

(1) Requests for Vending Machines. Requests for vending machine installations will be directed to the Department of Management Services. The request will be made in the form of a letter or memorandum and will contain the following information:

(a) The type of vending machine installation requested.  
 (b) The estimated usage of the vending machine installations. If both County employees and the general public have access, an estimate of the comparative use by the two groups will be given.

(c) The justification for the vending machine installations.  
 (d) The recommended location for the installation, with reasons for its selection.

(e) The recommended fund into which the revenue is to be deposited.

(2) Acceptability of Installations.

(a) The Department of Management Services will evaluate the advisability of the vending machine installations.

(b) The approved installation will be ordered by the Department of Management Services and installed at the earliest convenient date. The Department of Management Services will decide which company is to install and service the machine, with due consideration to the Oregon Commission for the Blind according to ORS 346.520 through 346.570 inclusive.

(3) Revenues.

(a) The Department of Management Services will receive the County's share of all revenues from County vending machine installations.

(b) These revenues will be deposited in the General Fund or, where appropriate, in a special County fund.

(c) In an installation to which the public generally does not have access, two-thirds of the County's share of such revenues may be deposited to an appropriate account to be used for the common benefit of the user groups. One-third will remain in the General or special fund in consideration of the space, utilities, and maintenance furnished by the County.

(d) Any employee groups receiving vending machine revenue will annually present an accounting report to the Department of Management Services.

(4) Vending Machine Contracts. The policy of the County is to award the majority of vending machine installations to one company in order to facilitate uniform high quality service with maximum returns to the fund involved. This is done by means of competitive bid through the Department of Management Services, giving due consideration to State Statutes governing vending activities in public buildings. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

### **2.850 Vendors and Solicitors.**

Vending activities (other than those supplied in the cafeteria, at newsstands or by vending machines) and solicitations interfere with the work of County employees and the public's conduct of business with the County. They are, therefore, not authorized. Department Heads are responsible for the orderly conduct of County business in areas under their jurisdictions and are expected to enforce this LM Section. The Director of the

Department of Management Services is responsible for its enforcement in areas not under the jurisdiction of a single Department such as corridors, halls, conference and meeting rooms, patios, walkways and parking lots. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

**2.860 Information Booth.**

The Information Booth is staffed by volunteers between 9:00 a.m. and noon and 1:00 p.m. and 4:00 p.m. each work day. The written material available to the public on the counter and shelf shall be limited exclusively to information authored by federal, state and local governments. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

**2.870 Free Speech Rack.**

Any legal publication may be placed for distribution by any person on the information rack located in the main entry to the Courthouse. For purposes of this paragraph, the term "legal publication" means any publication which it is not a crime to publish, or which is protected from prior governmental restraint or censorship under the state or federal constitutions. To ensure broad public access to the information rack, the County Administrator shall, at regular intervals not more frequent than weekly, remove all publications from the information rack. The County Administrator may, at any time, remove large single publications or some copies of multiple-copy publications to permit reasonable use of the information rack by other persons wishing to display or distribute other legal publications. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

## **BUDGET POLICIES AND PROCEDURES**

**2.900 General Policy.**

The budget of Lane County is the basis of the legal authorization for the expenditure of funds. As such, all policies and procedures pertaining to budget preparation, review and adoption shall be in conformance with state law.

In addition, the budget performs the important function of presenting the goals and objectives of the County in a manner that is understandable to all users including the citizenry. The budget should express in financial and verbal terms the priorities assigned to various County activities and the reasons why these activities will be performed.

In order to implement this policy, the County Administrator is delegated the responsibility to develop and maintain administrative rules and procedures pertaining to budget preparation, adoption and monitoring. *(Revised by Order No. 83-8-10-3, Effective 8.10.83)*