



LRAPA BOARD OF DIRECTORS AGENDA ITEM SUMMARY

Financial System Related Personnel Policy Review

Meeting Date: October 13, 2022

Agenda Item: 10

Department: Director's Office

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ISSUE STATEMENT AND SUMMARY

LRAPA is upgrading the financial system including implementing a new human resources/payroll module. This upgrade requires revision of several of the personnel policies in the Employee Handbook that was last reviewed and updated in 2013. The current policies do not reflect the proposed technology and processes offered in the new financial system.

BACKGROUND

Board Action History. The last major adoption to the LRAPA Employee Handbook was in 2013. The current policies are not consistent with the procedures being offered by the new financial system.

Analysis.

The personnel policy outlines the direction given to the Director regarding organization, staffing and management of the agency. As outlined in the policy, the Director is appointed by the LRAPA Board of Directors to implement the policies, rules, and regulations of the Board. The Director, in turn, employs a staff of technical and professional persons to operate the various programs of the Agency.

As part of the Director's goals, LRAPA is currently reviewing its policies and working through proposed updates due to legal and procedural needs. The process for this project includes splitting the current policies into three distinct categories, the working through each category based on priority. The three categories include: Legal, New Finance System, and Other.

1. Legal – Identify and update policies directly related to state and federal employment laws.
2. **New Finance System – Identify and update policies directly related to the implementation of the new finance system to align with set-up requirements specifically around personnel, leave, and payroll processing.**
3. Other – This category encompasses the remaining policies that will go through a review and, if needed, proposed revision. For example: Technology Policy, Drug Policy, Use of Company Vehicle Policy, etc.

Category 2 Review:

Financial System: The Agency's second priority related to updating the Agency's policies is to ensure current policies are aligned with the technology being implemented with the new financial system. For example, the new system recommends the use of an every 2 week payroll system to ensure compliance with the Federal Labor Standards Act (FLSA). Additionally, the accrual accounting for earned leave will move from a manual to an automated system. The proposed language (in red) for these policies aligns the policies with proposed procedural changes as we implement the new system.

BOARD ACTION WILL TAKE PLACE AT THE NOVEMBER 10TH MEETING

The Board has several options:

1. Adopt the updated personnel policies as recommended as part of the Consent Calendar;
2. Adopt the updated personnel policies with revisions;
3. Postpone adoption of the updated personnel policies until a later meeting; or
4. Combination of the above

STAFF RECOMMENDATION

Staff recommends adopting the updated language to these policies as presented.

SUGGESTED MOTION

I MOVE ADOPTION OF THE UPDATED PERSONNEL POLICIES.

ATTACHMENT

B. EMPLOYMENT CATEGORIES-CLASSIFICATIONS

LRAPA's categories of employment are:

LRAPA classifies employees as follows:

Regular Employees

Regular employees are those who are hired to work on a regular schedule and who are not probationary, temporary or limited duration employees.

Temporary Employees

Employees who are hired for a pre-established period usually not longer than one year, typically during peak periods, to assist with major projects, and/or for relief of LRAPA employees on vacation or on a leave of absence.

Limited Duration Employees

Employees who are hired for a particular project or assignment and whose employment is expected to end upon the completion of the project or assignment.

1. **Regular Full-time:** Employment in an established position requiring 40 hours or more of work per week. Generally, full-time employees are eligible to participate in LRAPA's benefit programs.
2. **Benefited Regular Part-time:** Employment requiring 20 hours per week but less than 40 hours of work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 20 hours will not constitute a change in status from part-time to full-time. Regular, part-time employees are eligible to participate in LRAPA's benefit programs. Benefits and costs will be adjusted based on average working hours.
3. **Non-benefited Part-time:** Employment requiring less than 20 hours of work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 20 hours will not constitute a change in benefit status. Non-benefited, part-time employees working 20 hours or less per week are not eligible for benefits except those mandated by applicable law, such as Oregon's Sick Leave Policy.
4. **Temporary:** Employment in a job established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments. Temporary employment can either be full-time or part-time. Temporary employees are not eligible for benefits other than those mandated by applicable law.

Exempt and Non-Exempt Employees

Under the Fair Labor Standards Act (FLSA), all employees are defined by federal as either "exempt" or "non-exempt," which determines whether the employee is eligible for overtime. Employees will be instructed as to whether they are exempt or non-exempt at the time of hire or when a promotion or demotion occurs.

❖ Exempt

Management, supervisory, professional, and administrative employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable

Oregon law and who are exempt from minimum wage and overtime pay requirements.

❖ **Non-Exempt**

Employees whose positions are not exempt from minimum wage overtime pay requirements because their positions do not meet the exemption criteria under the FLSA and Oregon law and who are paid one and one-half times their regular rate of pay for overtime hours worked, as required by federal and/or Oregon laws.

WORK HOURS AND BREAKS

C. Established Working Hours

Hours of Work

~~Regular office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. Each employee's supervisor will assign his/her individual work schedule. All employees are expected to be at work at the start of their shifts. Supervisors have the discretion to allow employees to work flexible schedules or adjusted work hours. Employees must obtain a supervisor's approval in advance before flexing a schedule or adjusting work hours. LRAPA reserves the right to change or modify work schedules or its operating hours to accommodate its business needs. For non-exempt employees, work schedules may be modified by management within a work week to avoid incurring overtime or, if necessary, for other business purposes.~~

LRAPA has established regular working hours to promote a productive work environment that best serves our citizens. Established office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m. Only the Executive Director has the right to limit public hours or close the office within this timeframe.

As defined by FLSA, the established work week begins on Sunday at 12:00 am and ends on Saturday at 11:59 pm of each week.

The supervisor schedules specific work hours for individual employees. Changes to work schedules may be made on an individual basis based on business necessity, at the discretion of the supervisor with approval from the Executive Director. Management reserves the right to modify schedules consistent with the needs of the Agency.

D. Meal Periods and Rest Breaks

Under FLSA, non-exempt employees are required to take a paid, uninterrupted 10-minute rest break for every four-hour segment or major portion thereof in the work period. The rest break should be taken in the middle of each segment, whenever possible. Whenever a segment exceeds two hours, the employee must take a rest break for that segment.

Additionally, non-exempt employees are required to take at least a 30-minute unpaid meal period when the work period is six hours or greater. The law requires an uninterrupted period in which the employee is relieved of all duties. No meal period is required if the work period is less than six hours.

If, because of the nature or circumstances of the work, a non-exempt employee is required to remain on duty or to perform any tasks during the meal period, the employee must inform his/her supervisor. This time is considered working time under FLSA and is compensable.

Meal periods and rest breaks are mandatory and are not optional. An employee's meal period and rest break(s) may not be taken together as one break. Meal periods and rest breaks may not be "skipped" in order to start work late or leave early. An employee who fails to abide by this policy and applicable laws may be subjected to discipline, up to and including termination.

See BOLI website for more information:

<https://www.oregon.gov/boli/workers/pages/meals-and-breaks.aspx>

E. Rest Breaks for Expression of Breast Milk

LRAPA will provide reasonable rest periods to accommodate an employee who needs to express milk for child(ren) eighteen (18) months of age or younger. If possible, the employee will take the rest periods to express milk at the same time as the rest breaks or meal periods that are otherwise provided to the employee. If not possible, or if the employee is exempt under FLSA, the employee is entitled to take a reasonable period each time the employee has a need to express milk.

LRAPA will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time LRAPA is required to provide as paid rest breaks and/or meal periods under applicable personnel rules. If an employee takes unpaid rest breaks, LRAPA may, at the discretion of the employee's supervisor, allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid rest periods. LRAPA will allow, but not require, an employee to substitute paid leave time for unpaid rest periods taken in accordance with this policy.

LRAPA will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

If a private location is not within close proximity to the employee's work area, LRAPA will identify a private location. The travel time to and from the private location will not be counted as a part of the employee's break period.

Notice to Express Milk

An employee who intends to express milk during work hours must give their supervisor or Human Resources reasonable written notice of the intention to do so in order to allow LRAPA time to make any preparations necessary for compliance with this rule.

Storage of Expressed Milk

Employees are responsible for storing expressed milk. Employees may bring a clearly labeled food container for storing the expressed milk.

Overtime

~~Non-exempt employees will be compensated for all hours worked by the employee in excess of 40 hours in a work week at the rate of one and one-half times the employee's regular rate of pay. The work week begins on Sunday at 12:00 a.m. and runs through Saturday at 11:59 p.m. "Hours worked" includes only actual hours worked and does not include holiday hours, vacation leave hours, sick leave hours or any leave without pay. All employees may be required to work overtime from time to time.~~

~~Employees may elect to be paid for overtime hours with compensatory time off at the rate of one and one-half hours for each overtime hour worked. Employees may accrue up to a maximum of 80 hours of compensatory time off.~~

~~Authorization to work overtime must be approved in advance by an employee's supervisor. Employees who work unauthorized overtime will be compensated for the time worked in accordance with federal and Oregon law, but are subject to disciplinary action, up to and including termination.~~

~~Exempt employees are not entitled to overtime compensation.~~

Time-and-a-Half

For non-exempt employees. LRAPA pays one and one-half times the employee's hourly rate for all hours worked in excess of 40 hours worked within the defined work week. Non-working paid or unpaid hours such as (but not limited to) sick, vacation, holidays, leave without pay, or office closures will not be counted toward the 40 hours required to receive overtime pay.

All overtime must be preapproved by the supervisor. No overtime may be worked by non-exempt employees unless specifically authorized in writing by a supervisor or manager. Employees who work unauthorized overtime may be subject to discipline up to and including termination.

Overtime hours can be paid or, at the employee's option, accumulated at time and one-half up to a maximum of 80 hours and taken as comp time off. Employees are encouraged to work with their supervisor to schedule and use comp time within 60 days of when it is accrued.

If funds are available at the end of each fiscal year, employees may request to cash out up to 40 hours of accrued comp time at the employee's current regular rate of pay. Requests will be accepted prior to the processing of the last payroll of the fiscal year. Requests will be considered on a first come, first serve basis. Available funds may be less than total requests. In this case, the LRAPA reserves the right to limit the number

of hours paid off per request. Upon termination of employment with LRAPA, any remaining comp time will be paid at the employee's current regular rate of pay.

PAID AND UNPAID LEAVES

D. Holidays and Floating Holidays

LRAPA recognizes eleven (11) holidays each year. All full-time employees will receive their current, regular rate of pay for each holiday. Benefitted part-time employees receive pay for each designated holiday in the proportion that their normally scheduled number of hours equals 40 hours per week.

Holidays

LRAPA observes the following paid holidays:

Paid Holidays:

- New Year's Day ~~(January 1)~~ January 1st
- Martin Luther King, Jr. Day ~~{3rd Monday in January}~~
- Presidents' Day ~~{3rd Monday in February}~~
- Memorial Day ~~{Last Monday in May}~~
- Juneteenth June 20th
- Independence Day ~~{July 4th}~~
- Labor Day ~~{First Monday in September}~~
- Veterans' Day ~~{November 11th}~~
- Thanksgiving & Day After ~~{4th Thursday and Friday in November}~~
- Christmas Day ~~{December 25}~~
- ~~Day before or after Christmas Day (December 24 or 26) OR day before or after New Year's Day (December 31 or January 2)~~

~~When a holiday falls on Sunday, the following Monday will be considered the holiday. If a holiday falls on Saturday, the preceding Friday will be considered the holiday. Employees will be paid holiday pay provided they are in a paid status the working day before and the working day after the holiday is observed.~~

If the holiday falls on a Saturday, the holiday will be observed on the preceding Friday. If the holiday that falls on Sunday, the holiday will be observed on the following Monday. To be eligible for holiday pay, an employee must have worked their regularly scheduled hours the workday before and the workday after the holiday or have been on an approved leave or any other excused absence under LRAPA policy.

Benefitted Part-time employees who work at least 20 hours per week will be paid for holidays that fall on their regularly scheduled workdays. Non-benefitted Part-time employees who work fewer than 20 hours per week, temporary employees and limited duration employees are not eligible for holiday pay.

~~Non-exempt employees will be paid their regular rate of pay (in addition to holiday pay) for all hours worked on a paid holiday.~~

Any non-exempt employee required to work on a holiday will receive time and one-half payment for hours worked.

Floating Holidays

Employees may select 3 (24 hrs.) floating holiday days off with pay during a fiscal year. Benefited Part-time employees are eligible for 1.5 (12 hrs.) annual floating holidays. Employees who begin employment after the beginning of the fiscal year will receive a pro-rated number of floating holidays. Floating holiday hours will be awarded on the first day of the pay period that includes July 1 of each fiscal year and must be used or forfeited by the end of the pay period that includes June 30 of the same fiscal year. Employees must coordinate requests to use floating holidays with their supervisor. Approval for use of floating holidays is dependent on staffing needs. Floating holidays can be used in 1-hour increments. Floating holidays are considered use it or lose it time. There is no allowance for cashout or payment of unused floating holiday hours.

Paid Time Off

B. Personal Time Off (PTO) Vacation and Sick Leave Combined

~~LRAPA provides paid time off to all regular full time employees, and to all part time employees who are regularly scheduled to work at least 20 hours per week.~~

LRAPA provides full-time employees with a combined Paid Time Off (PTO) accrual on a pay period basis. PTO consists of two parts, 8 hours monthly for sick leave and a vacation accrual based on the below table. Benefitted part-time employees accrue a pro-rated amount. Non-benefited, part-time employees accrue sick time based on Oregon's Sick Leave Law.

NOTE: Accruals cannot be used until earned. "Earned" means available hours are posted to the employee's account and shown on the pay advice.

Accrual Chart: For full-time employees, PTO accrues as follows:

~~Part time employees earn a pro rata share of the time off earned by full time employees based on the number of hours per week a part time employee is regularly scheduled to work. Employees do not earn paid time off while on probationary status. Upon achieving regular employment status, employees are credited with paid time off equal to the amount of time off they would have earned during the probationary period. Part time employees working less than 20 hours per week, temporary and limited duration employees do not earn paid time off.~~

~~Paid time off may be used for vacation (as limited below), sickness or other personal leave. Paid time off must be requested and scheduled at least one week in advance~~

with the employee's supervisor. Any paid time off taken in excess of the accrued balance is considered to be leave without pay.

Regular, full time employees earn paid time off on the

following schedule:

<u>Years of service</u>	<u>Hours/year</u>	<u>Days/year</u>
0-2 years	184 hours	23 days
3-5 years	200 hours	25 days
6-11 year	224 hours	28 days
12+ years	244 hours	30.5 days

<u>Years of Service</u>	<u>Accrual Rate</u>	<u>Max Payout</u>
1 st through 5 th year	17 hrs. monthly (8 Sick, 9 Vac)	150
6 th through 10 th year	19 hrs. monthly (8 Sick, 11 Vac)	200
11 th through 15 th year	21 hrs. monthly (8 Sick, 13 Vac)	250
16 th through 20 th year	22 hrs. monthly (8 Sick, 14 Vac)	280
21 st through 25 th year	24 hrs. monthly (8 Sick, 16 Vac)	280
26 th and beyond	26 hrs. monthly (8 Sick, 18 Vac)	280

The maximum number of paid time off hours an employee may accrue is based on years of service, and is described in Column A below. Only a portion of paid time off hours may be accrued as vacation time. The maximum number of paid hours that an employee may accrue for use as vacation per calendar year is described in Column B below. Upon termination of employment with LRAPA, an employee will be paid for accrued and unused leave up to the amounts listed in Column C below. Accrued leave in excess of the amounts listed in Column C will be forfeited.

<u>Years of service</u>	<u>Col. A: Maximum accrual</u>	<u>Col. B: Maximum vacation accrual</u>	<u>Col. C: Maximum leave payout upon termination</u>
1-3 years	552 hours	160 hours	160 hours
4-5 years	912 hours	192 hours	192 hours
6-11 years	960 hours	240 hours	240 hours
12-14 years	1000 hours	280 hours	280 hours
15-19 years	1000 hours	296 hours	280 hours
20-24 years	1000 hours	312 hours	280 hours
25-29 years	1000 hours	320 hours	280 hours
30+ years	1000 hours	328 hours	280 hours

PTO Maximum Accumulation

Full-time regular employees accrue PTO leave to a maximum of 1,000 hours. Benefited Part-time employees earn PTO based on percentage of hours worked as compared to the 40-hour work week. Upon separation of employment, employees who have completed 12 months of employment will be paid for unused PTO accrual up to the max payout listed on the accrual chart. There is no payout for hours associated with unused sick leave.

PTO (Vacation Buyout)

PTO is intended to provide time away from work for rest and recreation. However, the Agency understands that there may be times when an employee needs to receive a portion of the PTO, as a cash benefit in addition to their regular pay. At the end of the fiscal year, the LRAPA Director may approve a one-time cash payout request for up to 80 PTO hours related to vacation. LRAPA will only allow these cash payouts if: (1) the employee has a minimum of 600 hours of total PTO, at the time of the request; (2) the employee took a minimum of 80 hours of vacation time off in the previous year; and (3) the employee has a minimum of 80 vacation hours remaining after the cash out.

Religious Observances Leave and Accommodation Policy

LRAPA respects the sincerely held religious beliefs and observances of all employees. LRAPA will make, upon request, an accommodation for such beliefs and observances when a reasonable accommodation is available that does not create an undue hardship on LRAPA's business. Employees may use floating holidays, vacation, or unpaid time for religious holy days or to participate in a religious observance or practice; if accrued leave is not available, then an employee may request to take unpaid leave. Requests for religious leave or accommodation should be made to the supervisor, and may require the requesting employee to provide proof of the "sincerely held" religious belief.

VACATION LEAVE DONATION AND USE

~~Regular full time employees are eligible to request or donate paid vacation time off in cases deemed as "hardship" by the Director. All donations will be kept confidential and donors will remain anonymous. In order to qualify for a leave donation, an employee must meet the eligibility requirements of the Family Medical Leave Act and/or the Oregon Family Leave Act.~~

~~An employee who is receiving or is eligible to receive any type of retirement disability, short term or long term disability insurance, or other supplemental income is not eligible to receive donated leave.~~

~~Donated leave may be used to provide paid family and medical leave that would otherwise be unpaid, but may not be used to extend the length of an employee's family and medical leave entitlement, or to extend employment beyond the point that it would otherwise end by operation of law, rule, policy, or regulation. For example, if an employee would have otherwise been terminated due to layoff or other reasons,~~

~~donated leave may not be used to extend employment.~~

~~To request a vacation leave donation, an employee must:~~

- ~~▪ Provide documentation for a non-work related seriously disabling illness or injury, as certified by a physician;~~
- ~~▪ Have exhausted all vacation, sick, and compensatory accrued leave and not be on, or eligible for, disability leave or pay;~~
- ~~▪ Have worked one full year at LRAPA and have received satisfactory performance evaluations; and~~
- ~~▪ Submit a request for donated leave to their immediate manager indicating reason and anticipated amount of lost work time.~~

~~To donate vacation leave, an employee must obtain his/her manager's approval, and complete and submit a designated form indicating the desire to donate to the Director. An employee may donate up to a maximum of 40 hours of vacation time per calendar year, but must retain a minimum of 40 hours of accrued vacation leave.~~

~~The Director, in his/her discretion, will determine whether to allow a request for vacation leave donation, and the amount of leave donated by any employee or in total. The Director's decision regarding any vacation donation leave request has no bearing on the disposition of future requests.~~

Timesheets

~~All exempt and non-exempt employees must record time worked on their timesheet at the beginning and end of each work day. Timesheets for the preceding pay period are due to your supervisor at 5:00p.m. 5 work days before the end of the pay period. If the actual time is different from the timesheet presented then a new timesheet has to be completed and filed before the end of the pay period with the actual time recorded. Employees who fail to record time worked and/or to turn in timesheets as required are subject to discipline. Employees determined to have misrepresented the number of hours worked are subject to disciplinary action, up to and including termination.~~

G. Timekeeping Requirements

All employees must accurately record time worked and use of accruals on an agency approved timesheet for payroll purposes. Non-exempt employees are required to record detailed daily time records. Exempt employees are allowed to report summary level time worked and time off. However, the automated payroll system and/or agency need (long term or short term) may require exempt employees to provide additional details of time worked and time off. Exempt employees are required to discuss needs with the supervisor.

Other than the supervisor, director, or finance director, filling out another employee's timecard, allowing another employee to fill out your timecard, or altering any timecard will be grounds for discipline up to and including termination. An employee who fails to record time accurately may be subjected to discipline up to and including termination.

Pay Periods

~~Non-exempt employees are paid twice monthly, on the 15th and the last day of the month. Exempt employees are paid monthly, on the last day of the month. If a pay day falls on a weekend or holiday, employees will be paid the preceding work day. Exempt employees may receive up to 35% of gross monthly earnings on the 15th of the month and the remainder, less deductions, on the last day of the month. Non-exempt employees may be allowed to draw against earned wages in an emergency, as determined by the Director.~~

I. Payroll Policies

All full-time and benefited part-time employees are paid on a monthly basis, with payday being the last working day of the month. Full-time employees are eligible to draw 35% of gross earnings on the 15th or the Friday before the 15th of each month.

Non-benefited, part-time employees are paid on a monthly basis, with payday being the 15th or the Friday before the 15th of each month.

Net pay will be directly deposited into the employee's bank account.

NOTE: Due to a new financial system expected to go live in 2023, this payroll policy will be updated to align with the new system.

Military Leave

Employees who are called to active or training military duty with any of the Armed Forces of the United States may be entitled to leave **and restatement** for military service pursuant to the provisions of Uniformed Services Employment and Reemployment Act (USERRA) and Oregon law. Employees who are called to active or training military duty must provide written or verbal notice of orders activating the employee to duty. Employees who are activated to duty will be provided leave in accordance with the provisions of USERRA and Oregon law. Employee benefits during military leave and employee reinstatement rights will be determined in accordance with the provisions of USERRA and Oregon law. ~~Employees called to military duty should contact Finance/HR Manager.~~ **Employees are entitled to reinstatement upon completion of military service, provided the employee returns or applies for reinstatement within the time allowed by law.**

Further, eligible employees called for annual active duty for training as a member of the Armed Forces, National Guard, National Guard Reserve, or of any reserve component of the Armed Forces of the United States or of the United States Public Health Service, will be entitled to leave with pay for all regular workdays that fall within a period not to exceed 15 calendar days in any federal training year. The employee must provide a copy of the training orders to receive this benefit. Weekend drill obligations are not considered "federal active duty" for training under this policy; other requirements apply. Please contact your supervisor for more information and arrangements for this leave.

Jury and Witness Duty

An employee will receive ~~that employee's~~ regular wages when absent from work **due to** ~~because of~~ jury duty responsibilities or because the employee is subpoenaed to testify in court. Employees **are required to** ~~will~~ turn in to ~~accounting~~ any statutory per diem received by ~~the employee~~ for jury duty service.

Employees may keep any mileage reimbursement paid by the court. If dismissed from jury duty before the end of the scheduled workday, the employee **is required** ~~should~~ **to** report to the office for the remainder of the day.

Witness Duty

Time spent serving as a witness in a work-related, legal proceeding will be treated as time worked for pay purposes, provided the time served occurs during regularly scheduled hours, the employee is subpoenaed to testify, and the employee submits witness fees to LRAPA upon receipt.

Except for employee absences covered under LRAPA's "Crime Victim Leave Policy" or "Domestic Violence Leave and Accommodation Policy," employees who are subpoenaed to testify in non-work-related legal proceedings must use any available vacation time to cover their absence from work. Leave without pay will be granted if the employee does not have any available accrued time. Employees must present a copy of the subpoena served on them to their supervisor for scheduling and verification purposes no later than 24 hours after being served.

Leave Without Pay

A regular full time or part time employee may apply to the Director for a leave without pay. The request must be in writing and must explain the reason(s) for and duration of the **requested** leave. Except as otherwise required by law, the Director has sole discretion whether to grant or deny a request for leave without pay. ~~The fact that the Director grants or denies a particular request has no bearing on the Director's consideration of subsequent requests.~~

Employee Benefits

~~The Lane Regional Air Protection Agency (LRAPA) strives to provide excellent, equitable and cost-effective benefits for employees in recognition of the influence employment benefits have on the economic and personal welfare of its employees. Paid in various forms on employees behalf, the total cost to provide the benefit program described in this Handbook and other documents is a significant supplement to the employees pay and should be viewed as additional compensation.~~

~~Policies, provisions and procedures that govern LRAPA' benefit programs apply to all benefits- eligible employees, whether status is exempt or non-exempt, unless otherwise provided in a particular benefit plan.~~

~~Some benefits begin on the first of the month after 30 days of employment. Some benefits may accrue during the employees' introductory period, but eligibility to use the benefit will not occur in most cases until the employee obtains regular status, or meet other conditions of employment specified in the Handbook or contained in the benefit policy/plan booklets.~~

~~Generally, employees who work less than 20 hours/week are not eligible for any benefits or compensation beyond wages. The exception to the "No Benefits" policy is Bereavement Leave. Bereavement Leave will be pro-rated according to the number of hours regularly worked, for employees who work less than 40 hours per week.~~

~~Employee Fringe Benefits~~

~~The following are brief summaries of required and optional benefits available. Please note that actual plan documents and insurance policies govern provisions for benefits. This section is a brief overview of the benefits available. Copies of all insurance policies are kept in the office of the Financial/HR Manager.~~

~~LRAPA allows as much flexibility as possible, within the constraints of its group insurance, for employees to customize the benefits that they need for themselves and their family members. The benefits package consists of required benefits, optional benefits, and a retirement plan that is partially funded by the employee and may change from time to time, depending upon availability of funds and budget constraints.~~

~~**Social Security.** Employees are covered by Social Security benefits and contribute at the applicable rates. The Agency pays the required amounts into this fund.~~

~~**Workers Compensation.** LRAPA employees are covered for on-the-job accidents by a commercial insurance carrier. The Agency pays the premium for this policy.~~

~~**Unemployment Insurance.** Employees are covered by state unemployment insurance. The Agency pays the premium for this coverage.~~

~~**Health, vision and dental insurance.** Health insurance, including medical/vision and dental, is required and the employer will fund a certain percentage for these required benefits. The funding for this benefit is subject to change and is recommended by the Employee Benefits Committee, approved by the Director and appropriated by the LRAPA budget committee on an annual basis. The Employee Benefits Committee is composed of representatives from a cross-section of LRAPA staff and is chaired by the Financial/HR Manager.~~

~~The Health, vision, and dental insurance are available to regular salaried or hourly employees only. Regular full-time or regular part-time employees working 20 hours or more per week are eligible for the Insurance Plan on the first day of the month after date of Hire. Temporary employees or employees hired for six months or less to~~

fill a regular position do NOT qualify for these benefits.

- ~~Opt Out~~—Employee who are covered for medical insurance under their spouse's policy may elect to opt out of medical insurance. Employee must produce verification of other group coverage to be eligible for this option. Employees who elect this option will receive a monthly allowance as per terms of the Group Health Insurance Plan. Opt out is available for medical/vision insurance only. Dental coverage for the employee is required; dental coverage for family members is optional.

Group Life Insurance

Employees currently are covered by a group life insurance plan in an amount set by the Plan. Eligibility and benefits are as defined in the plan.

Long Term Disability Insurance

Probationary regular employees who are regularly scheduled to work at least 20 hours per week and who have completed 30 consecutive days of employment with LRAPA become eligible to participate in the Agency's long term disability insurance plan. Coverage begins on the first day of the month after an employee completes 30 days of consecutive employment. Insurance benefits cover qualifying illnesses and injuries and are based upon a percentage of the employee's monthly earnings up to a cap established by the plan. The plan requires a 90 day elimination period.

Section 125 Flexible Spending Account

When available, LRAPA provides employees with the ability to contribute to a flexible spending account under Section 125 of the Internal Revenue Code. Employees who contribute to the flexible spending account may use those funds to pay for qualifying medical and child care expenses on a pre-tax basis.

Deferred Compensation Plan

LRAPA maintains a deferred compensation plan. Eligible employees may defer earnings into the plan. Deferred amounts are considered compensation for federal FICA taxes, but are deferred for purposes of state and federal income taxes.

Retirement Plan

LRAPA provides retirement benefits for its employees through contributions to a 401(k) plan approved by the Board of Directors. This policy is a summary of the plan. LRAPA also provides employees with a plan summary, which contains information on investment fund options, the vesting schedule and benefits at retirement. The complete terms of the retirement plan are contained only in the plan document. To the extent that the policy or the plan summary is inconsistent with the plan document, the plan document controls. All employees are eligible to participate in the plan on the first day of the month after attaining 21 years of age and completing one full year of service with LRAPA and work 1000 hours, as defined in the plan.

~~LRAPA contributes a percentage of each employee's monthly salary to the plan. The percentage contribution is established by the LRAPA Board of Directors, and may be changed from time to time as provided in the plan. Employees contribute at least 6 percent of their gross monthly salary to the plan, and may make additional contributions as allowed by the plan. Vesting is determined by the plan's vesting schedule.~~

Benefits for Domestic Partners

~~The Oregon Family Fairness Act (OFFA) establishes a domestic partnership system that provides legal recognition to same-sex relationships. To qualify as a domestic partner for purposes of this Handbook, an employee must be joined in a domestic partnership for which a Declaration of Domestic Partnership has been filed and a Certificate of Registered Domestic Partnership has been issued in accordance with Oregon law by a County Clerk.~~

~~Exempt employees in a domestic partnership and the children of partners in a domestic partnership are entitled to benefits on the same terms and conditions as married employees and the children of married employees. The benefits that are provided are those controlled by state law only, and include: (1) bereavement leave; (2) OFLA leave; (3) sick leave; (4) leave to attend criminal proceedings; (5) leave of absence for victims of domestic violence; (6) health and dental insurance benefits; (7) wellness-sponsored programs open to the spouses and children of married employees; and (8) Oregon Military Family Leave Act.~~

~~Exempt employees in a domestic partnership may submit a separate W-4 for Oregon in order to adjust their state tax withholdings by claiming an additional exemption or by requesting a certain dollar amount of Oregon withholding. However, LRAPA will not report a different federal and state amount of wages on employees' W-2s.~~

~~Federal law does not recognize domestic partnerships. Therefore, LRAPA will not extend benefits to same-sex partners under any retirement, deferred compensation or other employee benefit plan if the plan administrator reasonably concludes that the extension of benefits would conflict with a condition for tax qualification of the plan, or for other favorable tax treatment of the plan under Federal law.~~

A. Benefits

LRAPA is a member of the Citycounty Insurances Services (CIS) for employee benefits. Employees who meet the definition of "benefit eligible" under both LRAPA policy and LRAPA's current health care insurance provider are entitled to the benefit options. LRAPA offers medical/dental/vision insurance for all of its regular, full-time employees unless otherwise established by law. Annually healthcare coverage is reviewed and based on available funds, LRAPA offers to pay a percentage of the employee's monthly premium. Those covering dependents are expected to pay part of the monthly premium. During the budgeting process, LRAPA reviews costs and available funds before making

co-payment decisions. LRAPA works hard to manage health costs. Monthly rates are published during open enrollment of each year.

In addition to health/dental/vision benefits, LRAPA, through CIS, offers several other benefits including LRAPA paid life insurance, LRAPA paid long-term disability, employee purchased employee and dependent life insurance (as of Jan. 1, 2023), employee purchased short-term disability (as of Jan. 1, 2023), employee paid identity protection, trauma, critical illness, hospitalization, and accident coverage, and employee paid flexible spending and dependent care contributions.

Through VOYA, LRAPA offers a deferred comp program. In conjunction with the State of Oregon, LRAPA is a member of the Public Employee Retirement System (PERS).

B. Employee Assistance Program (EAP)

This free, confidential service is provided by Cascade Centers and is available to all employees and dependents covered on a CIS Regence or Kaiser medical plan. EAP can be used to assist employees and eligible family members with any personal problems, large or small. Each covered employee and eligible family members can receive up to five (5) personal counseling sessions per situation per year. Sessions can be face to face, over the phone, or online for concerns such as marital conflict, conflict at work, depressions, stress management, family relationships, anxiety, alcohol or drug abuse, grieving a loss, and career development services.

Cascade Centers also provides educational tools as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, home ownership, and gym membership discounts.

More information regarding this service can be obtained by contacting Human Resources, or Cascade Centers directly at 1-800-433-2320, or at www.cacadecenters.com.

C. Workers' Compensation and Safety on the Job

Under Oregon law, employees are protected by workers' compensation insurance. This insurance covers occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Employees are expected to work safely and in a safe environment.

Steps to Take if You are Injured on the Job

Employees injured on the job are required to notify the supervisor no later than 24 hours after your injury.

Employees seeking treatment for a work-related injury and wanting to apply for workers' compensation benefits, the following must be completed:

1. Report any work-related injury to your supervisor no later than 24 hours after injury.
2. Seek medical treatment and follow-up care if required.

3. Promptly complete a written Employee's Claim Form (Form 801) and return it to Human Resources.

Failure to timely follow these steps may negatively affect the ability to receive benefits.

Return to Work

If you require workers' compensation leave, you will — under most circumstances — be reinstated to the same position that you held at the time your leave began, or to an equivalent position, if available. However, you must first submit documentation from a health care provider who is familiar with your condition certifying your ability to return to work and perform the essential functions of your position.

When returning from a workers' compensation leave you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not been on leave, or if your position is eliminated, and no equivalent or comparable positions are available, then you may not be entitled to reinstatement. These are only examples, and all reinstatement/reemployment decisions are subject to the terms of any applicable collective bargaining agreement. LRAPA does not discriminate against employees who suffer a workplace injury or illness.

Early Return-to-Work Program

Our Return-to-Work program provides guidelines for returning you to work at the earliest possible time after you have suffered an on-the-job injury or illness that results in time loss. This program is not intended as a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability. The Return-to-Work Program is intended to be transitional work, to enable you to return to your regular job in a reasonable period of time.

The Return-to-Work program for job-related injuries consists of a team effort by LRAPA, injured employees and their treating physicians, and our workers' compensation insurance carrier claims staff. The goal is to return our employees to full employment at the earliest possible date that is consistent with their medical condition and the advice of the treating physician.

If your doctor determines that you are able to perform modified work, LRAPA will attempt to provide you with a temporary job assignment for a reasonable period of time until you can resume your regular duties (except where provided as an accommodation for a disability). If, due to a work-related injury, you are offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect your compensation and employment with LRAPA. While you are on modified or transitional work, you are still subject to all other LRAPA rules and procedures.

Overlap with Other Laws

LRAPA will account for other leave and disability laws that might also apply to your situation, such as the Americans with Disabilities Act (ADA) and OFLA. If, after returning from a workers' compensation leave, it is determined that you are unable to perform the essential functions of your position because of a qualifying disability, you may be

entitled to a reasonable accommodation, as governed by the ADA and/or applicable Oregon laws covering disabilities in the workplace.

D. PERS (Public Employees' Retirement System) Benefits

LRAPA participates in the Public Employees Retirement System (PERS); therefore, your designation as a Tier I, Tier II, or Oregon Public Service Retirement Plan (OPSRP) member will depend on your prior PERS service and PERS rules. An employee's designation and eligibility for participation in PERS or the OPSRP are determined by law. For more information about these plans, please contact PERS at 1-888-320-7377 or visit their website at www.oregon.gov/PERS. For information about LRAPA's contributions to employee PERS or OPSRP plans, contact Human Resources.

LRAPA will consider allowing PERS-eligible employees to retire from his/her employment with LRAPA and then rehire them, as permitted under Oregon law. LRAPA will consider, among other factors, the uniqueness of the employee's skills or experience, the needs of LRAPA, and the ability of existing employees to perform the work of the retiring employee. Please contact your supervisor for more information.