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KAREN R. LEBRETON
COUNTY CLERK

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WASCO COUNTY

PERSONNEL ORDINANCE

Amended: March 4, 1998

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IN THE COUNTY COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF AN AMENDED WASCO) O R D I N A N C E
COUNTY PERSONNEL ORDINANCE.)

THE COUNTY COURT OF WASCO COUNTY, OREGON, DOES ORDAIN AS FOLLOWS:

CHAPTER 81 - INTRODUCTORY MATTER

- 81.010 - Short Title
- 81.020 - Purpose
- 81.030 - Interpretation
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- 81.700 - Reclassification
- 81.710 - Regularly Employed
- 81.720 - Salary Range
- 81.730 - Salary Range Adjustment
- 81.740 - Seasonal Employee
- 81.750 - Steps
- 81.760 - Transfer
- 81.770 - Unclassified Service
- 81.780 - Workday or Work Week

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81.010. **SHORT TITLE.** This Ordinance shall be known as the Wasco County Personnel Ordinance.

81.020. **PURPOSE.** This Ordinance is intended to implement and give effect to the Wasco County Civil Service Act, to regulate County personnel administration insofar as the same may not be controlled by the provisions of that Act or the statutes of this State, to set forth those personnel policies adopted by the County Court, and to establish an efficient and economical County service.

81.030. **INTERPRETATION.** This Ordinance shall be liberally construed to effect the purposes set forth above.

81.040. **REPEALER.** Any personnel action taken prior to the effective date of this Ordinance shall be governed by the rules in effect at the time of such action and shall not be affected by the adoption of this Ordinance. Except as herein provided, all prior Orders of this Court concerning employment conditions and compensation are hereby repealed. This repeal includes but is not limited to the Orders and Resolutions of this Court upon such subjects dated:

- (1) May 2, 1962; April 11, 1964; April 15, 1964; February 10, 1965; September 7, 1966; October 5, 1966; August 22, 1967; December 27, 1967; and September 11, 1968; relating to the Columbia Basin Nursing Home.
- (2) May 3, 1963; and August 18, 1968; relating to the Wasco County Road Department;
- (3) February 10, 1965; relating to the Wasco County Courthouse Employees;
- (4) October 11, 1967; relating to all Wasco County employees.

81.050. **SEVERABILITY.** The provisions of this Ordinance are severable. If any section, sentence, clause or phrase of this Ordinance

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1 is adjudged to be invalid by a Court of competent jurisdiction, that
2 decision shall not affect the validity of the remaining portions of
3 this Ordinance.

4 **81.060. EDITORIAL REVISION.** The District Attorney may at any
5 time direct such changes regarding currently maintained copies of this
6 Ordinance as the legislative counsel is authorized to perform regarding
7 acts of the legislature, pursuant to ORS 173.160, provided that such
8 editorial revision be directed by written memorandum filed with the
9 Clerk, but subject to disapproval by the County Court at its next
10 regular meeting thereof following such filing.

11 **81.070. DISTRIBUTION.** The Clerk shall file and retain the
12 original of this Ordinance, together with all amendments thereto and
13 memoranda of editorial revision. He shall maintain in loose leaf
14 form one or more copies of all provisions in effect at any time,
15 reflecting amendments and editorial revisions, and make the same
16 available for public inspection at his office during the regular
17 office hours thereof. In addition he shall distribute at least one
18 copy, together with all replacement pages necessary to keep the same
19 in current condition, to the following:

- 20 (1) the County Court, the District Attorney, the Law
Library, and each judicial officer within the County;
21 (2) each department head not enumerated above;
22 (3) each person or organization recognized by the County
Court as a bargaining agent for persons employed in the County
service;
23 (4) the Civil Service Commission; and
24 (5) any other person requesting the same, upon payment of
such fee therefore as may be set by the County Court from time
25 to time.

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81.090. EFFECTIVE DATE. This Ordinance shall become effective on March 4, 1998. Amendments thereto, unless otherwise specified, shall take effect when filed with the Clerk. Editorial revisions shall become effective, unless disapproved by the County Court, on the first judicial day following the first regular meeting of the County Court after the directing memorandum is filed with the Clerk.

81.100. ORDINANCE REVISIONS. The Wasco County Personnel Ordinance shall be reviewed by a Committee designated by the Wasco County Court at least once every three (3) years.

81.500. DEFINITIONS. The following definitions shall apply whenever the indicated term is used in this Ordinance. Words used in the present tense include the future. Words used in the singular include the plural and words used in the plural include the singular. Masculine words include the feminine. The word "Shall" is mandatory and not directory.

81.510. ANNIVERSARY DATE. Except as otherwise specifically provided in this Ordinance, a person shall be deemed employed in the County service upon the date he first reports for work therein if it is the first day of a monthly pay period, otherwise upon the first day of the next monthly pay period, and such date shall be used for all longevity computations.

81.520. APPOINTING AUTHORITY. That person authorized to appoint an employee to the County service within a department.

81.530. APPOINTMENT. Any means of selecting and employing a person in the County service.

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81.540. **CIVIL SERVICE COMMISSION.** That body designated to administer the Civil Service Act.

81.550. **CIVIL SERVICE RULES.** The rules duly adopted by the Wasco County Civil Service Commission pursuant to the requirements of the Civil Service Act.

81.560. **CLASS OR CLASSIFICATION.** A group of positions in the County classified service sufficiently alike in duties, authority and responsibilities that the same qualifications may reasonably be required for, and the same schedule of pay can be equitably applied to all positions in the group.

81.570. **CLASS PLAN.** The written description of a class, containing a title, statements of duties, authority and responsibilities and the desired minimum qualifications for the class.

81.580. **CLASSIFIED SERVICE.** See Section 82.013.

81.590. **COUNTY COURT.** The County Court of Wasco County, Oregon.

81.600. **THE COLUMBIA BASIN NURSING HOME.**

81.610. **DEPARTMENT.** See Sections 82.100-150.

81.620. **DISCRIMINATION.** See Section 84.310.

81.630. **EXCLUDED SERVICE.** See Section 82.011.

81.640. **FULL-TIME EMPLOYEES.** A person employed within a department of County service to work substantially that number of hours determined to constitute full-time employment within that department. For the purpose of determining whether an employee is within the classified service and within the purview of the Civil Service Commission

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1 Rules, part-time employees regularly employed to work not less than
2 one-half of the hours determined to constitute full-time employment
3 in the department shall be considered full-time employees.

4 81.650. HOLIDAYS. See Sections 86.110-130.

5 81.660. MONTHLY PAY PERIOD. See Section 85.410.

6 81.670. OVERTIME. See Sections 85.510 - 85.530.

7 81.680. PART-TIME EMPLOYEES. A person employed within the County
8 service who is not regularly employed to work within a department
9 substantially that number of hours determined to constitute full-time
10 employment within that department.

11 81.690. PERSONNEL ACTION. Any action taken with reference to
12 appointment, compensation, promotion, transfer, layoff, dismissal
13 or any other action affecting status of employment.

14 81.700. RECLASSIFICATION. A change in class allocation of an
15 individual position upon the basis of significant changes in the kinds,
16 difficulty or responsibility of the work performed in such position.

17 81.710. REGULARLY EMPLOYED. A substantially continuous, routinely
18 repeated or usual, course of scheduled employment in the County service.

19 81.720. SALARY RANGE. A series of increasing salary steps fixed
20 within the compensation plan of the County and applicable to one or
21 more positions within the County service.

22 81.730. SALARY RANGE ADJUSTMENT. See Section 85.310.

23 81.740. SEASONAL EMPLOYEE. A person employed within the County
24 service for a fixed term less than six (6) months.

25 81.750. STEPS. A particular salary level fixed within a salary
26 range provided by the compensation plan of the County.

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81.760. TRANSFER. See Section 84.810.

81.770. UNCLASSIFIED SERVICE. See Section 82.012.

81.780. WORKDAY OR WORK WEEK. A calendar day or calendar week.

Provided, that such day or week may commence or end at a time other than midnight when departmental shifts designated pursuant to Section 86.030 so specify.

CHAPTER 82 - GENERAL PROVISIONS

- 82.010 - Categories of Positions
- 82.011 - Excluded Service
- 82.012 - Unclassified Service
- 82.013 - Classified Service
- 82.100 - Departments of County Service
- 82.110 - Administered Departments
- 82.120 - Supervised Departments
- 82.130 - Elected Departments
- 82.140 - Supported Departments
- 82.145 - Multi-agency Departments
- 82.150 - Assisted Departments
- 82.200 - Civil Service Rules
- 82.300 - Local Budget Laws
- 82.510 - Part-time Employment Benefits
- 82.530 - Full-time Employment

82.010. CATEGORIES OF POSITIONS IN COUNTY SERVICE. Positions in the service of the County are divided into the following categories: the exempt service, the unclassified service; and the classified service.

82.011. THE EXCLUDED SERVICE. The Ordinance shall not apply to persons in the excluded service of the County. The excluded service shall include:

- (1) any officer chosen by popular election or appointed to fill a vacancy caused by the death, resignation or removal of any such officer;
- (2) any person appointed to a position to serve without compensation from the County other than reimbursement for his expense incurred in such position;

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- 1 (3) any person employed jointly by the County and by
- 2 another governmental unit or body for their mutual benefit;
- 3 (4) any person providing services to the County as an
- 4 independent contractor;
- 5 (5) any official reporter, bailiff or crier, subject to
- 6 appointment by any Court or Judge or Justice thereof;
- 7 (6) any deputy district attorney;
- 8 (7) any doctor or intern employed by, in or at the Columbia
- 9 Basin Nursing Home or any other home maintained by the County
- 10 for the detention or care of juveniles;
- 11 (8) any person holding a position subject to the juris-
- 12 diction of the Civil Service Commission created by ORS 242.706,
- 13 or any chief examiner appointed under ORS 242.716; and
- 14 (9) any temporary employee.

15 **82.012. THE UNCLASSIFIED SERVICE.** Except where specifically

16 provided otherwise, this Ordinance shall apply to persons in the

17 unclassified service of the County. The unclassified service shall

18 include:

- 19 (1) any person contracted with to perform manual labor,
- 20 skilled or unskilled, in the construction, maintenance and repair
- 21 of County property; provided, however, that electrical workers,
- 22 members of road and bridge crews and laborers permanently
- 23 employed shall be considered within the classified service
- 24 unless otherwise provided by the Civil Service Act or the
- 25 rules of the Civil Service Commission;
- 26 (2) any nurse, superintendent or other executive officer,
- employed by Columbia Basin Nursing Home, or any home maintained
- by the County for the detention or care of juveniles;
- (3) any assistant to the County Court;
- (4) any roadmaster of the County; and
- (5) any part-time or seasonal employee.

27 **82.013. THE CLASSIFIED SERVICE.** This Ordinance shall apply to

28 all persons within the classified service, except where such application

29 is specifically prohibited by the terms of the Civil Service Act. The

30 classified service shall include all offices and positions in the County

31 service which are not covered by Sections 82.011 or 82.012 of this

32 Ordinance.

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1 **82.100. DEPARTMENTS OF COUNTY SERVICE.** Persons within the County
2 service may within one or more of the following departments and
3 divisions of County government, described in Sections 82.110 - 82.140,
4 and persons employed therein shall act subject to the direction
5 of the indicated department head.

6 **82.110. ADMINISTERED DEPARTMENTS.** Employees serving within the
7 following departments administered directly by the County Court are
8 responsible to the County Judge who shall be considered the department
9 head and appointing authority of:

- 10 (1) the Parks and Cemeteries Department;
11 (2) the Planning and Development Department;
12 (3) the Veterans' Service Department;
13 (4) the County Buildings Maintenance Department;
14 (5) the Emergency Management Services Department;
15 (6) the Community Corrections Department.

16 **82.120. SUPERVISED DEPARTMENTS.** Employees serving within the
17 Columbia Basin Nursing Home and County Road Department, administered
18 indirectly by the County Court, are responsible to a supervisor who
19 shall be considered the department head and appointing authority. But,
20 the County Court shall be considered the appointing authority of the
21 Columbia Basin Nursing Home Administrator and the County Roadmaster.

22 **82.130. ELECTED DEPARTMENTS.** Employees serving within the fol-
23 lowing departments are responsible to an elected official who shall be
24 considered the department head and appointing authority of:

- 25 (1) the Assessor's Department (Assessor);
26 (2) the Clerk's Department (Clerk);
 (3) the Sheriff's Department (Sheriff);
 (4) the Surveyor's Department (Surveyor);
 (5) the Treasurer's Department (Treasurer); and
 (6) the County Court's Department (County Judge).

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1 **82.140. SUPPORTED DEPARTMENTS.** Employees serving with the fol-
2 lowing departments are responsible to an official of the State of
3 Oregon who shall be considered the department head and appointing
4 authority:

- 5 (1) the Juvenile's Department (Circuit Court Judge);
- 6 (2) the District Attorney's Department (District Attorney);
- 7 (3) the Watermaster's Department (Watermaster); and
- 8 (4) the Extension Service's Department (Agents).

9 **82.145. MULTI-AGENCY DEPARTMENTS.** Employees serving within the
10 following departments administered indirectly by joint agreement with
11 the County Court and other affected agencies are responsible to a
12 supervisor who shall be considered the Department Head and appointing
13 authority, but the County Judge and other responsible officials from
14 the affected agencies shall be considered the appointing authority of:

- 15 (1) Wasco-Sherman Public Health Department (Public Health
16 Administrator);
- 17 (2) Museum Department (Commission Chairman); and
- 18 (3) Mid-Columbia Center for Living (Center for Living
19 Administrator).

20 **82.150. ASSISTED DEPARTMENTS.** Employees may be assigned to
21 assist one or more agencies, authorities, boards, bureaus, commissions,
22 committees, divisions, or departments upon a loaned basis and in so
23 serving shall act under the direction thereof but remain responsible
24 to their regular department head. If such employee has no other
25 appointing authority the County Judge shall be deemed the appointing
26 authority.

27 **82.200. CIVIL SERVICE RULES.** All personnel actions relating to
28 employees within the classified service of the County shall conform to

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1 the rules of the Civil Service Commission insofar as the same may be
2 made binding by the Civil Service Act.

3 **82.300. LOCAL BUDGET LAW.** The County shall provide sufficient
4 funds for the operation of the compensation plan herein provided in
5 salary range adequate to attract competent employees to the County
6 service but at all times in compliance with the provisions of the
7 Local Budget Law. In preparation of departmental budgets, each
8 department head shall include sufficient funds to provide for rea-
9 sonably foreseeable salary increases and expenditures resulting from
10 appointments and promotions. NO SALARY INCREASE SHALL OCCUR UNLESS THE
11 APPOINTING AUTHORITY CERTIFIES THAT SUFFICIENT FUNDS ARE AVAILABLE TO
12 COVER THE COST OF THE INCREASE AND THAT NO DEFICIENCY WILL THEREBY BE
13 CREATED. The County Court shall provide funds required to cover the
14 costs of adjusting salary ranges in a manner consistent with sound
15 budgetary administration. All increases are subject to the
16 availability of budgeted funds.

17 **82.510. PART-TIME EMPLOYMENT BENEFITS.**

18 **Sick Leave:** At the conclusion of six (6) months of employment
19 within the County Service, a part-time employee shall receive the sick
20 leave benefit prorated on the basis of that employee's average monthly
21 hours expressed as a percentage of the regular full-time hours per
22 month of that department (162.5 hours for Courthouse and Annex
23 Departments, 173.33 hours for Sheriff's and Public Works). The average
24 monthly hours shall be calculated over the preceding six (6) month
25 period and recalculated each six (6) month period thereafter.

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1 **Vacation:** Regular part-time employees who have at least one (1)
2 year of continuous employment with the County and who work at least
3 21.75 hours per week will be awarded vacation on January 1st of each
4 calendar year (see 86.216). A Vacation week is defined as the normal
5 number of hours of work scheduled in a workweek for any given full-time
6 position or part-time position.

7 **Health, Dental and Life Insurance:** The County shall allocate and
8 apply an amount equal to the amount allocated for full-time employee
9 coverage for any part-time employee working a minimum of one-half the
10 hours (81.25 for Courthouse/Annex and 86.67 for Sheriff's Department
11 and Public Works) regarded as full-time employment (162.5 for
12 Courthouse/Annex and 173.33 for Sheriff's Department and Public
13 Works). Employees working less than the minimum required hours will
14 not be eligible to receive Health, Dental and Life Insurance benefits.
15 All the same rules apply regarding enrollments and changes.

16 **82.530. FULL-TIME EMPLOYMENT.** Each department head shall file
17 with the Clerk a statement of the number of hours worked per month
18 constituting regular full-time employment within his department, which
19 in no event shall be less than 162.5 hours per month. From time to time
20 he may amend such statement as conditions require.

21 **CHAPTER 83 - EMPLOYEE RESPONSIBILITIES**

- 22 83.010 - Assignment of Duties
23 83.020 - Confidentiality
24 83.030 - Acceptance of Gratuities
25 83.040 - Inconsistent Employment
26 83.050 - Appearance
 83.060 - Political Activities
 83.070 - Physical Examination
 83.080 - Conduct

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1 83.090 - Reporting Injury or Accident
2 83.100 - Attendance

3 83.010. ASSIGNMENT OF DUTIES. Each department head shall be
4 responsible for the assignment of tasks to employees within his
5 department. He may delegate authority and divide responsibility at
6 his discretion. Each employee shall perform the tasks assigned to him
7 and shall do so in an attentive, competent and efficient manner. Pro-
8 vided, however, that the department head in delegating authority and
9 assigning responsibility for tasks to persons within the classified
10 service shall comply with the rules of the Civil Service Commission
11 applicable thereto.

12 83.020. CONFIDENTIALITY. Each department head may fix reasonable
13 conditions for the release of information contained in the records of
14 his department. No person in the County service shall reveal any
15 information acquired in his capacity as a County employee otherwise
16 than in accordance with the directions of his department head or as
17 otherwise provided by law.

18 83.030. ACCEPTANCE OF GRATUITIES. No person in the County service
19 shall solicit or accept any gift or gratuity from any person or group
20 which is, has been, or foreseeably may be, the subject of such County
21 employee's official duty. Provided that this section shall not be
22 construed to prohibit accepting unsolicited donations to a department
23 or departmental fund when the gift is of a value less than \$50.00.

24 83.040. INCONSISTENT EMPLOYMENT. No person in the County service
25 shall accept employment or compensation outside the County service with-
26 out first disclosing the same to his department head or appointing

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1 authority. No person shall accept or agree to accept employment or
2 compensation outside the County service when the department head or
3 appointing authority has reasonably determined that such action is
4 inconsistent with the good of such service or may appear to bring the
5 department into disrepute.

6 **83.050. APPEARANCE.** Each person within the County service shall
7 endeavor to present a neat and clean appearance while on the job.

8 Persons serving within the following departments may be required to
9 Procure, wear and maintain uniforms prescribed by the department head:

- 10 (1) the Sheriff's Department; and
11 (2) the Columbia Basin Nursing Home's Department.

12 **83.060. POLITICAL ACTIVITY.** No person in the County service may
13 be coerced, commanded or required to influence or give money, service
14 or other valuable thing to aid or promote any political committee or to
15 aid or promote the nomination or election of any person to public
16 office. No person in the County service shall solicit money, influence,
17 service or other valuable thing to aid or promote any political
18 committee or the nomination or election of any person to public office
19 while on the job during working hours.

20 **83.070. PHYSICAL EXAMINATION.** As a condition of obtaining or
21 continuing employment in the County service, any person may be required
22 by the department head or appointing authority to obtain and undergo
23 a physical and/or psychological examination from a licensed physician
24 of the person's choice and to make the results thereof available to
25 said department head or appointing authority. Provided, however, that
26 no such person shall be required to do so at his own expense after he

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1 has been inducted into the classified service, except as a condition
2 connected with absence from employment.

3 **83.080. CONDUCT.** No person employed in the County service shall
4 engage in any willful failure of good conduct tending to injure the
5 County service, including but not limited to:

- 6 (1) incompetency;
- 7 (2) inefficiency;
- 8 (3) inattention to or dereliction of duty;
- 9 (4) dishonesty;
- 10 (5) intemperance;
- 11 (6) immoral conduct;
- 12 (7) insubordination; or
- 13 (8) discourteous treatment of the public or of fellow
14 employees.

15 **83.090. REPORTING INJURY OR ACCIDENT.** Each employee shall report
16 to his department head any incident resulting in injury or accident to
17 himself or another when such incident is duty-connected or occurs
18 during duty hours. The department head should immediately file the
19 claim with the Payroll Clerk. Whenever there is a question on a claim
20 the Department head shall notify the District Attorney and the employee
21 shall cooperate with the District Attorney in such investigation as he
22 shall undertake or cause to be made.

23 **83.100. ATTENDANCE.** Each person within the classified and
24 unclassified service shall report for work promptly at the time, and
25 remain working during the period, designated by his department head or
26 appointing authority. In the case of absence due to illness or injury,
the employee shall make all reasonable effort to notify the department
in advance of his absence. Except in case of absence due to illness or
injury, the department head may require the giving of advance notice
and obtaining of approval. Where the absence is claimed to be due to

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1 illness or injury, the department head may require the absent employee
2 to furnish satisfactory supporting evidence of cause.

3 **CHAPTER 84 - SELECTION**

- 4 84.010 - Appointment to Classified Service
5 84.020 - Interviews and Inspection of Examination Papers
6 84.030 - Additional Tests
7 84.110 - Filling Vacancies in Unclassified Service
8 84.210 - Applications to Law Enforcement Agencies
9 84.310 - Discrimination Prohibited
10 84.320 - Nepotism Prohibited
11 84.510 - Classification Plan
12 84.520 - Classified Service Classifications
13 84.525 - Unclassified Service Procedure
14 84.530 - Use of Class Titles
15 84.610 - Creation of New Positions
16 84.615 - New Positions in Classified Service
17 84.650 - Unfilled Positions
18 84.660 - Underfilled Positions
19 84.710 - Probationary Period
20 84.720 - Dismissal or Demotion During Probation
21 84.810 - Transfers
22 84.820 - Transfers Within Departments
23 84.830 - Transfers Between Departments
24 84.95584.840 - Transfers in the Classified Service
25 84.910 - Promotions
26 84.950 - Demotions
84.955 - Voluntary Demotions
84.960 - Demotions During Probation

17 **84.010. APPOINTMENT TO CLASSIFIED SERVICE.** All applications for,
18 appointments to, and promotions or transfers within the classified
19 service shall be made in accordance with the rules of the Civil Service
20 Commission as the same may be made binding by the Civil Service Act.

21 **84.020. INTERVIEWS AND INSPECTION OF EXAMINATION PAPERS.** Prior
22 to making any appointment or promotion within the classified service,
23 the appointing authority may require candidates to come before him and
24 may inspect their examination papers.

25 **84.030. ADDITIONAL TESTS.** In his discretion, the appointing
26 authority may prepare, administer and consider such additional tests

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1 as he deems necessary to supplement information received from the
2 Civil Service Commission in making appointments or promotions within
3 the classified service.

4 **84.110. FILLING VACANCIES IN THE UNCLASSIFIED SERVICE.** Prior
5 to making any appointment to, or promotion or transfer within, the
6 unclassified service, the appointing authority may administer such
7 tests, require the applicant to provide such information, conduct
8 such investigation, and conduct such interviews as the appointing
9 authority in his discretion may deem advisable.

10 **84.210. APPLICATIONS TO LAW ENFORCEMENT AGENCIES.** Any person
11 applying for appointment within the Sheriff's Department, the District
12 Attorney's Department, or the Community Correction's Department shall be
13 deemed to give continuing consent to the department head to investigate
14 police records concerning the applicant and members of his immediate
15 family and such applicant may be required to submit to fingerprinting
16 and photographing as a condition of such employment.

17 **84.310. DISCRIMINATION PROHIBITED.** The County is an equal
18 opportunity employer as the same is defined by Federal Law and will
19 permit no employment discrimination based upon race, creed, color,
20 sex, national origin, mental or physical handicap.

21 (1) No question in any form of application or in any test
22 shall be so framed as to elicit any information concerning the
23 political or religious opinions or affiliations of any applicant
24 for employment in the County service, nor shall any inquiry be
25 made concerning such opinions or affiliations and all disclosures
26 thereof shall be discounted.

(2) No discrimination shall be exercised, threatened or
promised by any person in the County service against or in favor
of any applicant, candidate, or employee because of his/her
race or religious or political opinions or affiliations.

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(3) No person applying for employment in the County service shall be rejected solely because of age. The provisions of this subsection shall not apply to those whose duties are classified as the regular duties of police officers or fire fighters.

(4) No person applying for employment in the County service shall be rejected solely because of the applicant's sex.

84.320. NEPOTISM PROHIBITED. No person shall be appointed to, promoted to, or transferred to a position in the County service in which his duties would be subject to or responsible for the supervision or review of a person related as closely as first cousin, whether the relationship is by blood or through marriage, and shall include the cases of sisters-in-law or brothers-in-law. This subsection shall not apply to occasional or part-time employees.

84.510. CLASSIFICATION PLANS. The Civil Service Commission shall classify all positions within the classified service and the County Court shall adopt a classification plan grouping all such positions into classes based upon the determinations of the Commission. In addition, the County Court may adopt and utilize such groupings within the unclassified service for similar positions and may adopt a classification plan for such service or parts thereof utilizing the classifications of the Civil Service Commission or other qualified persons for that purpose.

84.520. CLASSIFIED SERVICE CLASSIFICATIONS. Requests for amendment of the classification plan, for allocation of new positions, for reclassification of existing positions, for specifications and for minimum qualifications statements, shall be made and processed in accordance with Civil Service Rules as to all positions within the

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classified service. Such requests may be initiated by any appointing authority or by the County Court.

84.525. UNCLASSIFIED SERVICE PROCEDURE. As to any position in the unclassified service, requests listed in Section 84.520 shall be directed to the County Court. The County Court may adopt such procedure for the processing of such requests as appears most expedient in the particular case.

84.530. USE OF CLASS TITLES. The class title adopted by the Civil Service Commission shall be the official title of every position within the classified service for the purpose of personnel actions and shall be used on all payrolls, budget documents and official records and reports relating to the position. 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 contact with the public.

84.610. CREATION OF NEW POSITIONS. No new position in the County service shall be created without the specific approval of the County Court. When an appointing authority desires to establish a new position, he shall direct such request to the County Court accompanied by:

- (1) the appointing authority's certification that no expenditure of additional departmental funds will result; or
- (2) the appointing authority's certification that sufficient funds are available within the departmental budget to cover the cost of the increase without creating a deficiency, specifying the source of such funds; or
- (3) the appointing authority's statement of facts justifying such action and the consequent transfer of contingency funds.

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1 **84.615 NEW POSITIONS IN THE CLASSIFIED SERVICE.** Whenever an
2 appointing authority wishes to establish a new position in the
3 Classified Service, he/she shall request to do so, in writing, to the
4 County Court. The Personnel Department shall draw up a new job
5 description from information supplied by the requesting department,
6 submit it to the Wage and Classification Committee and to Civil Service
7 and return it to County Court for final approval.

8 **84.650. UNFILLED POSITIONS.** No appointing authority shall be
9 required to expend budgeted funds nor to fill any vacant position when,
10 in his judgment, such action is unnecessary to the performance of
11 County business.

12 **84.660. UNDERFILLED POSITIONS.** An appointing authority may
13 temporarily appoint to any vacant position in the County service a
14 person not then qualified for such position classification whenever:

- 15 (1) there are no available qualified candidates; or
16 (2) the position's duties can be temporarily adjusted to
 the persons qualifications; and if
17 (3) in the case of positions within the classified service,
 the Civil Service Commission has been previously consulted and
 authorizes such action; and
18 (4) the person temporarily appointed receives only that
19 pay rate for which the person is qualified.

20 **84.710. PROBATIONARY PERIOD.** Each person appointed or promoted
21 to a position in the County service shall serve a probationary period
22 of six (6) months, except that person appointed to a position in the
23 criminal division of the Sheriff's Department shall serve a probationary
24 period of one (1) year. Completion of a probationary period does not
25 mean an automatic pay increase.

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1 **84.720. DISMISSAL OR DEMOTION DURING PROBATION.** At any time
2 during the probationary period the appointing authority may remove or
3 demote an employee whose work does not meet required standards. No
4 prior approval is required for such action but if the employee is
5 serving within the classified service the appointing authority
6 shall provide to the employee and to the Civil Service Commission a
7 written report of the action and the reasons therefore, in accordance
8 with Civil Service Rules. In the case of an employee serving in a
9 position in the classified upon promotion from another such position
10 who is demoted to the former position, the action is subject
11 to review by the Commission; in all other cases, the appointing
12 authority's decision is nonreviewable except for absence of good
13 faith or violation of Section 84.310.

14 **84.810. TRANSFERS.** An employee may be transferred from one
15 position to another in the same service having the same salary range
16 within or without the department, whenever the transfer is for the
17 good of the County service. Such transfers are to be distinguished
18 from:

- 19 (1) transfer to a position in a class having a higher
20 salary range - this constitutes promotion;
21 (2) transfer to a position in a class having a lower
22 salary range - this constitutes demotion;
23 (3) transfer from a position in one service to a position
24 within a different service - this constitutes a new appointment.

25 **84.820. TRANSFERS WITHIN DEPARTMENT.** The appointing authority,
26 at any time, for the good of the service, may reassign an employee to
another position within the same department.

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84.830. **TRANSFERS BETWEEN DEPARTMENTS.** Transfers may occur between departments only with the consent of the employee and both appointing authorities.

84.840. **TRANSFERS IN THE CLASSIFIED SERVICE.** An employee within the classified service shall be the subject of transfer, as provided in Sections 84.820 and 84.830, only in accordance with the rules of the Civil Service Commission and shall be entitled to ten days notice of involuntary transfers.

84.910. **PROMOTIONS.** Promotions shall occur within the classified service only in accordance with the rules of the Civil Service Commission. Promotions shall occur within the unclassified service in the same manner in which new appointments are made within that service.

84.950. **DEMOTIONS.** An appointing power may involuntarily demote an employee who has fulfilled his probationary requirements only for a cause listed in Section 89.250 and after providing the employee with a written statement of particulars alleged to constitute the grounds for disciplinary action. If the demoted employee holds a position in the classified service, the appointing authority must comply with applicable Civil Service Rules and his action is subject to review in accordance with the Civil Service Act.

84.955. **VOLUNTARY DEMOTIONS.** Any employee in the County service may request demotion from a position in one class to a position in a class of lower rank. All such requests shall be in writing, and if the demotion is within the classified service are subject to Civil Service Commission approval. Such requests shall be granted whenever

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1 the applicant is qualified and the demotion would not result in the
2 layoff of another employee.

3 84.960. DEMOTIONS DURING PROBATION. An employee in the clas-
4 sified service who is demoted during a probationary period which he
5 is serving upon promotion from another position in the classified
6 service shall be reinstated in his former position unless misconduct
7 or delinquency is the reason for the failure to qualify in his pro-
8 bationary position.

9 **CHAPTER 85 - COMPENSATION**

- 10 85.010 - Maintenance of Compensation Plan
11 85.020 - Rates of Pay
12 85.030 - Entrance Salary
13 85.040 - Salary Increases
14 85.050 - Eligibility for Salary Increases
15 85.055 - Difference Between Steps
16 85.070 - Nursing Home Aides
17 85.075 - Limited-step Ranges
18 85.080 - Exceptional Increases
19 85.110 - Salary Rate Upon Promotion
20 85.120 - Salary Rate Upon Demotion
21 85.130 - Salary Rate Upon Transfer
22 85.210 - Computing Eligibility for Salary Increase
23 85.220 - Part-time Employees
24 85.225 - Seasonal Employees
25 85.310 - Salary Range Adjustments
26 85.320 - Effect of Salary Range Adjustments
85.330 - Costs of Salary Range Adjustments
85.410 - Monthly Pay Period
85.430 - Emergency Draw
85.435 - Monthly Pay Draw
85.450 - Anniversary Date
85.460 - Pay for Partial Month
85.470 - Hourly Rates
85.480 - Daily Rates
85.510 - Overtime
85.520 - Eligibility for Overtime
85.530 - Overtime Compensation

25 85.010. MAINTENANCE OF COMPENSATION PLAN. The County Court shall
26 maintain a plan for the compensation of all persons within the County

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1 service whose salaries are not set by statute. The plan shall include,
2 for each class, a minimum and a maximum rate and such intermediate rates
3 as are considered necessary or equitable. The ranges shall reflect:
4 the relative responsibilities of the class, availability of personnel
5 and prevailing rates of pay.

6 85.020. **RATES OF PAY.** Each employee shall be paid at one of the
7 rates in the salary range for the class in which he is employed.

8 85.030. **ENTRANCE SALARY.** Normally an employee shall be appointed
9 or reinstated at the entrance rate for the class in which he is
10 employed. Exceptions to this policy may be made by the County Court,
11 upon request of the appointing authority, when justified by the qual-
12 ifications and experience of the employee, the availability of qual-
13 ified candidates for the position, and the resulting salary relation-
14 ships with other similar positions.

15 85.040. **SALARY INCREASES.** Salary increases are not automatic but
16 shall be based upon satisfactory service (and recommendation of the
17 appointing authority). Such increases may be granted by the County
18 Court when the appointing authority has recommended increase based upon
19 high standard of work performance.

20 85.050. **ELIGIBILITY FOR SALARY INCREASE.** The employee shall
21 advance to the second step upon completing twelve (12) months of
22 satisfactory service in a class. Thereafter, advancement to the
23 third step of the salary range may occur after one (1) additional year
24 of satisfactory service within the classification. Thereafter,
25 advancement to the fourth step may occur after one (1) additional year
26 of satisfactory service within the classification. Thereafter,

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1 advancement to the fifth step may occur after two (2) additional years
2 of satisfactory service within the classification. Thereafter,
3 advancement to the sixth step may occur after two (2) additional years
4 of satisfactory service within the classification.

5 **85.055. DIFFERENCE BETWEEN STEPS.** There shall be a difference
6 of approximately five (5) percent between each salary step within the
7 normal six step range.

8 **85.070. NURSING HOME AIDES.** Persons employed within the County
9 service as Nursing Home Aides shall be considered to be within a
10 multi-step range regardless of the number of steps provided within
11 that range.

12 **85.075. LIMITED-STEP RANGES.** The compensation plan may provide
13 for less than six steps within a particular range. In positions to
14 which such ranges apply, the advancement to higher steps may occur after
15 such periods of satisfactory service within the step as may be fixed
16 for that particular range.

17 **85.080. EXCEPTIONAL INCREASES.** When exceptional circumstances
18 justify such action, and upon request of the appointing authority, the
19 County Court reserves the right to approve exceptions to the general
20 rules of eligibility for salary increases.

21 **85.110. SALARY RATE UPON PROMOTION.** When an employee is promoted
22 to or otherwise appointed to a position in a class having a higher
23 salary range, he shall not enter said range at the entrance level rate
24 if such rate would be lower than the salary rate he was receiving before
25 the promotion occurred. Such an employee shall enter at the rate he
26 was receiving in his former position or shall be placed at a rate step

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1 in the new range which would provide the rate equivalent to a one-
2 step increase. (The advancement to a higher step may occur after such
3 period of satisfactory service within the step as may be fixed for that
4 particular range.)

5 **85.120. SALARY RATE UPON DEMOTION.** If an employee is demoted or
6 reclassified to a position or class with a lower salary range for
7 reasons which do not reflect discredit upon his employment record, his
8 salary rate may remain the same if it is within the salary range of
9 the lower class or position. Demotion occurring during probation shall
10 normally result in a corresponding reduction of salary rate. Demotion
11 for cause shall normally result in a corresponding reduction in salary
12 rate.

13 **85.130. SALARY RATE UPON TRANSFER.** When an employee is trans-
14 ferred his rate of pay remains the same.

15 **85.210. COMPUTING ELIGIBILITY FOR SALARY INCREASE.** In computing
16 an employee's eligibility for salary increase and subject to Section
17 85.450, the period shall be measured from the date of his promotion,
18 reclassification or appointment to his position. Transfers shall not
19 affect such computation.

20 **85.220. PART-TIME EMPLOYEES.** Part-time employees who are not
21 regularly employed more than 81.25 hours a month within a department
22 shall receive such compensation for their service as may be
23 individually fixed by the appointing authority with the approval of the
24 County Court. Part-time employees who are regularly employed more than
25 81.25 hours a month within a department shall be eligible for salary

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rate increase but the eligibility periods between salary rate steps shall be pro-rated.

85.225. SEASONAL EMPLOYEES. Seasonal employees shall receive such compensation for their services as may be individually fixed by the appointing authority with the approval of the County Court.

85.310. SALARY RANGE ADJUSTMENTS. The compensation plan is intended to provide reasonably competitive ranges of pay for each classification of County service. The County Court may annually review the compensation plan's achievement of this goal. The County Court may make adjustments in a salary range or ranges as it deems necessary to attract and hold competent personnel and to provide equity between the various classifications. Such salary range adjustments are to be distinguished from salary increases for individual employees as they are not intended to give recognition to length or quality of service but are to be based upon prevailing rates of pay for the various classes of work within the County service.

85.320. EFFECT OF SALARY RANGE ADJUSTMENTS. The salary rate of an employee whose salary range is adjusted shall normally be adjusted the same number of steps that the revised range is adjusted and all employees so affected shall receive the adjustment uniformly. Such adjustments will not change an employee's eligibility for anniversary salary increases as provided in Sections 85.040-075, 85.210-225.

85.330. COSTS OF SALARY RANGE ADJUSTMENTS. Funds necessary to cover the costs of adjusting salary ranges shall be provided by the County Court in a manner consistent with sound budget administration.

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