

City Hall
206 N. Main St.
Toledo, Oregon 97391
6:00 p.m.



TOLEDO CITY COUNCIL
Regular Meeting – also via Zoom Meeting Platform
January 7, 2026

Virtual Meeting: The City Council will host the meeting in person in the City Hall Council Chambers for the City Council and staff as well as through video conferencing. The public is encouraged to attend the meeting electronically. Visit the [meetings](#) page on the city website for meeting information.

Public Comments: The City Council will take comments on topics not listed on the meeting agenda from members of the community during the "Public Comments" portion of the council meeting. There is a time limit of 3 minutes for each comment. If you wish to address the City Council during this portion of the meeting, please email paul.johnson@cityoftoledo.org by **3:00 p.m. on the day of the scheduled meeting. Please include your: Name, address, and phone number (optional) and the topic.** Public comment cards will also be available at the door and must be completed and given to the City Recorder prior to the start of the meeting.

- 1. Call to Order and Pledge of Allegiance**
- 2. Roll Call**
- 3. Public Comment**
- 4. Consent Agenda**
 - a. 11-17-2025 City Council Meeting Minutes
 - b. 05-21-2025 City Council Meetings Minutes (Amended)
 - c. 05-07-2025 City Council Meeting Minutes
 - d. 06-18-2025 City Council Executive Session Minutes
 - e. 06-25-2025 City Council Executive Session Minutes
 - f. 07-02-2025 City Council Meeting Minutes
 - g. 07-16-2025 City Council Executive Session Minutes
 - h. 07-16-2025 City Council Meeting Minutes
 - i. 07-23-2025 City Council Executive Session 1 Minutes (Amended)
 - j. 07-23-2025 City Council Executive Session 2 Minutes (Amended)
 - k. 07-23-2025 City Council Work Session Minutes (Amended)
 - l. 07-23-2025 City Council Executive Session 3 Minutes (Amended)
- 5. Community Service Reports and/or Presentations to the Council**
 - a. Georgia Pacific update on current activities
 - b. Toledo Food Pantry Annual Report
 - c. Toledo Summer Fest Annual Report

This notice satisfies the requirements of ORS 192.630 and ORS 192.640 regarding Public Meetings. This meeting is accessible to persons with disabilities. A request for an interpreter, for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting by calling the City Offices at (541)336-2247.

6. Discussion and Information Items

- a. None

7. Decision Items

- a. RCA -Mill Creek Pump Station Generator Replacement
 - i. Quote-Power Systems West-MILL CREEK GEN.
- b. RCA - 2026 City of Toledo Employee Handbook Update 1.7.26
 - i. 2026 City of Toledo Employee Handbook

8. Reports and Comments

- a. City Manager

9. City Council Issue Tracker/ Future Agenda Items**10. Council Comments****11. Mayor's Comments****12. Adjournment**

City Hall
206 N. Main St.
Toledo, Oregon 97391
6:00 p.m.



TOLEDO CITY COUNCIL
Regular City Council Meeting
December 17, 2025

1. Call to Order

- a. Mayor Cross called the meeting to order at 6:05 p.m.; also via Zoom in Toledo, Oregon and lead the Pledge of Allegiance. Mayor Cross noted that he was attending online and passed the jurisdictional gavel to Council President Mix to run the meeting.

2. Roll Call

- a. City Recorder Johnson took roll call and determined a quorum is present.

Council Member	Present	Absent	Via Zoom
Mayor Cross			X
Council President Mix	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		
Councilor Chambers	X		

- b. City Staff - City Manager Rich Huebner, City Recorder Paul Johnson, City Attorney Souvanny Miller, PW Director Lorimor, Fire Chief Robeson, Fire Chief Lapof, Acting Police Chief Sgt. Pitcher/AS-ESC Wendy Pickell, HR Director Shawna Gribskov.
- c. Library Director Harrison Baker and Police Chief Michael Pace are on leave.

3. Visitors/Public Comment

- a. Cynthia George addressed the council regarding a concerning situation on Pioneer Trail. She reported that trees are falling due to clear cutting, and a home may have been lost on the top of the road. Ms. George expressed that her previous warnings about this issue had now come to fruition, comparing it to similar problems seen on the Siletz River where "the mountain has come down." She urged the council to reevaluate how forests are being treated, particularly regarding monocrop hillsides and logging up to feeder creeks, which leads to landslides during winter. Ms. George also expressed disappointment that the mayor had not stepped aside and emphasized the need for trustworthy leadership.
- b. No other members of the public requested to speak, and the public comment period was closed.

4. Consent Agenda

- a. Motion to approve the consent agenda as presented. Moved by Councilor Silvia, seconded by Councilor Keating. Motion passed 6-0-1 with Councilor Chambers abstaining.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Mix			X			
Councilor Chambers					X	
Councilor Kauffman			X			
Councilor Silvia	X		X			
Councilor Keating		X	X			
Councilor Burns			X			

5. Community Service Reports and/or Presentations to the Council

- a. Amber Brown, Executive Director – Chamber of Commerce in 2026
 - i. Amber Brown introduced herself as the new director of the Chamber of Commerce and outlined her vision for 2026. She expressed her goal to revitalize Main Street, which has been experiencing vacant commercial spaces. She discussed upcoming events including the annual Hearts program in late January/early February, the Seafood and Wine fundraiser, the Waterfront Market, and the Car Show/Flea Market. Ms. Brown mentioned her interest in reviving past successful events like block parties and antique fairs to bring more activity to the town.
 - ii. Ms. Brown announced that the Chamber had launched a community calendar to help coordinate events and invited the city to share their events. She noted that the Chamber board has 11 members with capacity for 15 and invited interested individuals to attend their next meeting on January 8th at Whimsy at 5 PM.
 - iii. Council members raised concerns about scheduling conflicts between city council meetings and Chamber events, which had prevented council members from attending in the past. Ms. Brown acknowledged this issue and committed to using the new community calendar to avoid such conflicts in the future.
 - iv. Councilor Keating suggested the Chamber consider featuring Oregon wines instead of exclusively California wines at the Seafood and Wine Festival, as it would better represent the region. Ms. Brown was receptive to this suggestion and welcomed recommendations for local wineries.
- b. Scott Edwards Architecture – Civic Center Cost Estimate and Design Updates
 - i. Tim and Sander from Scott Edwards Architecture presented updates on the Civic Center design based on the council's previously selected floor plan. They provided site plans, floor plans, elevations, and renderings of the final design concept that includes the addition for council chambers and an elevator.

- ii. The presentation highlighted several key design elements:
 1. Public and police entrances on different sides of the building with secure access areas for police
 2. Two covered entry vestibules with wood features to create a welcoming appearance
 3. Council chambers designed to function as a "lantern" visible from the street
 4. A public plaza with planters and space for community gatherings
 5. Different siding treatments to visually distinguish the police and city hall/council portions
 6. A flexible design that could incorporate public art or Toledo signage
 7. Solar panels on the south side to meet Oregon's green energy technology requirements
- iii. The cost estimate for the project remained consistent with previous presentations, with the selected option estimated between approximately \$5-6 million including hard costs, soft costs, and contingencies.
- iv. Council members asked clarifying questions about maintaining existing siding versus replacing it, with architects confirming that keeping the existing siding was an option that could reduce costs. Councilor Kauffman inquired about the circular feature in the plaza design, which the architects explained was flexible and could be modified.

6. Discussion and Information Items

- a. Yaquina River Museum of Art – Final Report
 - i. City Manager Rich Huebner noted that the final report from the Yaquina River Museum of Art was included in the council packet for information. No questions were raised by the council.
- b. Proposed Updates to Council Rules
 - i. City Attorney Souvanny Miller presented proposed updates to the City Council rules. Key changes included:
 1. Clarifying that work sessions are for discussion only, with no formal or final actions permitted
 2. Updating public comment procedures to specify that comments are invited both for items not on the agenda at the beginning of meetings and for all decision items
 3. Modifying rules for stating personal information during public comment, removing the requirement for addresses for privacy reasons
 4. Clarifying procedures for substantive changes to ordinances versus resolutions
 5. Updating the appointment process for council committees
 6. Adding a process for councilors to waive their compensation if desired

- ii. The council had extensive discussion about public comment procedures, particularly regarding:
 - 1. The 30-minute maximum time limit for public comments
 - 2. How to ensure comments remain germane to the topic at hand
 - 3. Guidelines for council interaction during public comment periods
 - 4. Requirements for identifying speakers' city of residence versus specific addresses
 - iii. The council agreed to further refine the language to balance the desire for public input with meeting efficiency.
 - c. Proposed Updates to City Charter
 - i. Attorney Miller presented proposed updates to the City Charter, including:
 - 1. Clarifying that the offices of city manager, municipal judge, and city attorney may not be combined with other appointed offices
 - 2. Adding provisions for a city manager pro tem that would require council approval for appointing or removing employees and wouldn't need to reside in Lincoln County
 - 3. Updating the ordinance adoption process to remove the requirement to read ordinances in full, allowing approval at two meetings or at a single meeting with unanimous approval if available to the public a week in advance
 - d. Rescue Helicopter Relocation Litigation Update
 - i. Attorney Miller provided an update on the Coast Guard helicopter relocation litigation. She reported that the parties had fully briefed and argued for a preliminary injunction, with the court considering whether to extend the temporary restraining order throughout the course of litigation.
 - ii. Councilor Keating shared additional information, noting that while the Coast Guard had written to Senator Merkley claiming they always intended to keep the helicopter in Newport, their actions in vacating the building contradicted this claim. He explained that the fisherman's wives, the city of Newport, and Lincoln County as co-plaintiffs remain concerned because the Coast Guard continues to fight the preliminary injunction in court despite public statements suggesting otherwise.
 - iii. The council consensus was to monitor the situation and potentially discuss further action in executive session if warranted, particularly after the current court decisions are made.
 - e. Volunteer Appreciation
 - i. Councilor Burns raised the idea of creating a program to recognize community volunteers. She emphasized the importance of acknowledging those who contribute to Toledo's events and services.
 - ii. Mayor Cross suggested Labor Day weekend might be an appropriate time for a community potluck event at Waterfront Park to recognize volunteers from various organizations.
 - iii. Councilor Keating added that the council could consider establishing annual volunteer recognition awards similar to those he had observed in other communities.

- iv. The council agreed to add this topic to a future work session for further development.

7. Decision Items

- a. Motion to reappoint Cora Warfield to the Planning Commission. Moved by Mayor Cross, seconded by Councilor Keating. Motion passed unanimously.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross	X		X			
Council President Mix			X			
Councilor Chambers			X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating		X	X			
Councilor Burns			X			

- b. Motion to reappoint Anne Learned-Ellis to the Planning Commission. Moved by Councilor Kauffman, seconded by Councilor Keating. Motion passed unanimously.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Mix			X			
Councilor Chambers			X			
Councilor Kauffman	X		X			
Councilor Silvia			X			
Councilor Keating		X	X			
Councilor Burns			X			

- c. Motion to terminate the Disc Golf Course license agreement between the City of Toledo and the Central Oregon Coast Disc Golf Club. Moved by Councilor Keating, seconded by Councilor Silvia. Motion passed unanimously.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Mix			X			
Councilor Chambers			X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating	X		X			
Councilor Burns			X			

- d. Motion to approve hiring DSL Builders LLC to rebuild Memorial Field Bathrooms. Moved by Councilor Silvia, seconded by Councilor Keating. Motion passed unanimously.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Mix			X			
Councilor Chambers			X			
Councilor Kauffman			X			
Councilor Silvia	X		X			
Councilor Keating		X	X			
Councilor Burns			X			

- e. Motion to approve Resolution No. 1594 Adopting a Policy Pertaining to Community Requests of Strategic Reserve Funds. **TABLED**
- f. Motion to approve a waiver of the December code enforcement fee for the City of Siletz. Moved by Mayor Cross, seconded by Councilor Silvia. Motion passed unanimously.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross	X		X			
Council President Mix			X			
Councilor Chambers			X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating		X	X			
Councilor Burns			X			

8. Reports and Comments

- a. Toledo Police Department
 - i. No Additional information to submit
- b. Toledo Fire Department
 - i. No Additional information to submit
- c. Toledo Public Works
 - i. Noted they had found a contractor willing to provide an estimate to finish the striping of Business 20 that had been repaved in July, after being "ghosted" by the previous contractor. The work would also include replacing thermoplastic railroad crossing signage once weather permits.
 - ii. Mayor Cross highlighted concerns about infiltration and intrusion (I&I) in the water system, noting the discrepancy between water produced and water treated. He commended Public Works for their efforts to address the issue and emphasized the need to continue this work in future budgets.

- d. Toledo Planning Department
 - i. No Additional information to submit
- e. Toledo Library Report
 - i. No Additional information to submit
- f. Human Resources Report
 - i. Provided a verbal update on talent acquisition efforts, the employee handbook draft (scheduled for the January 7 meeting), and progress with the learning division of CIS to develop employee training programs. She also mentioned her work on systematizing employee performance evaluations.
- g. Finance Department Report
 - i. Emphasized the need for budget committee members, noting they needed at least two community members to fill vacant positions.
- h. City Manager Report
 - i. City Manager Rich Huebner reported that the franchise agreement with Lincoln PUD approved in late November had been fully executed. He also announced he would be on administrative leave from Friday through January 5, though he would remain available by email and phone. He informed the council that Sergeant Pitcher would be serving as Acting Police Chief while Chief Pace is on leave through January 12.

9. City Council Issue Tracker

- a. 2025-2026 Master Council Issue Tracker
 - i. Councilor Keating suggested reviewing the Issue Tracker at an upcoming work session, noting that many items appeared outdated or may have been completed without being updated. City Manager Huebner agreed to update the tracker before such a work session and seek council input on priorities.

10. Council Comments

- a. Council President Mix
 - i. Council President Mix requested adding to the January 28 work session a discussion of community ideas collected from a brainstorming session at the library.
- b. Councilor Burns
 - i. Councilor Kauffman suggested moving staff reports earlier in the meeting agenda so staff wouldn't need to stay for the entire meeting.
- c. Councilor Keating
 - i. Councilor Keating requested a future agenda item to discuss the city's intentions and plans for Art Toledo, particularly regarding the summer Art, Oysters, and Brews event. He noted the need to clarify whether Art Toledo is a city initiative or separate entity and to define staffing and resource needs before budget discussions.

11. Mayor's Comments

- a. Wished everyone well, noting he was dealing with a significant illness. He requested the city reach out to the nonprofit that had proposed work on a stray cat ordinance, mentioning he had received multiple calls about stray cat issues in some neighborhoods, with concerns that the situation was being used as a "weapon against renters."

12. Future Agenda Items

- a. The council agreed to add discussions of Art Toledo and volunteer appreciation to upcoming meetings in January, with specific dates to be determined based on other agenda items.

13. Adjournment

- a. The Council President adjourned the meeting at: 9:00 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
6:00 p.m.



TOLEDO CITY COUNCIL
Regular City Council Meeting Minutes (Amended)
May 21, 2025

1. Call to Order

- a. Council President Bush called the meeting to order at 6:00 p.m.; also via Zoom in Toledo, Oregon and lead the Pledge of Allegiance.

2. Roll Call

Council Member	Present	Absent	Via Zoom
Mayor Cross		X	
Council President Bush	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		
Councilor Mix	X		

- a. Staff Present: City Manager Pro Tem David Clyne, Interim Finance Director Judy Richter, Public Works Director Brian Lorimor, and City Recorder Lisa Figueroa

3. Visitors/Public Comment

- a. Denyse Marsh spoke about the upcoming Summerfest event scheduled for July 11-13, 2025. The theme this year is "Bright Lights Summer Nights." Marsh, who serves on the parade committee, invited the City Council to participate in the grand parade on Saturday, July 13 at 11 AM, noting that in pre-COVID times the council had a float in the parade. She mentioned that parade applications are available on the Toledo Summerfest Facebook page.

4. Consent Agenda

- a. Councilor Mix requested that the item "Authorize the City Manager to hire an interim City Recorder" be removed from the consent agenda and moved to discussion items.
- b. Motion to the remainder of the consent agenda with an amendment to the March 26, 2025 work session minutes to correct an error listing Stu Strong as present instead of Andrew Keating.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross						X
Council President Bush			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

- c. The approved consent agenda included:
 - i. Minutes from the work session and executive session held March 26, 2025 (as amended), the meeting held April 2, 2025, the executive session held May 7, 2025, and the special work session held May 14, 2025
 - ii. Resolution No. 1575, A Resolution approving transfer of funds between budget lines for Fiscal 2024-2025
 - iii. Resolution No. 1576, A Resolution approving transfer of funds between budget lines for Fiscal 2024-2025
 - iv. Authorize the City Manager Pro-Tem to hire Braedon Johnson for the position of Wastewater Treatment Plant Jr. Operator

5. Community Service Reports and/or Presentations to the Council

- a. Yaquina Pacific Railroad Historical Society and Toledo History Center
 - i. Lisa Watson from the Yaquina Pacific Railroad Historical Society presented on behalf of both the Railroad Museum and the Toledo History Center. She explained that both organizations are valuable community attractions that need funding support as their current funding situation is in a state of limbo with Lincoln County.
 - ii. Watson detailed that both museums are open five days a week year-round with free admission. The Railroad Museum promotes railroad safety education with the support of Operation Lifesaver and partners with other organizations like the public library and chamber of commerce. Together, the museums see over 2,000 visitors annually from across the United States and even international visitors.
 - iii. Watson expressed concern about increasing operational costs including insurance and rent, while their funding from Lincoln County remains uncertain. She noted that while grants are available for special projects, operational funding is difficult to secure. The Toledo History Center will be celebrating its twentieth anniversary this year, while the Railroad Museum has been in operation for 32 years.
 - iv. In response to questions from Council, Watson explained that Lincoln County funds the museums through transient room tax, but there is uncertainty about contract renewals. The museums' representatives have reached out to the county but have not received clear answers about future funding. Even with current county funding levels, they still fall short of covering operational costs. Last year, the City of Toledo provided \$12,000 to each museum, totaling \$24,000 in support.

- b. Transportation Options Presentation; Oregon Cascades West Council of Governments
 - i. Anna Duffy from Cascades West Council of Governments presented on their transportation options programs. She outlined five components: Get There Oregon, Emergency Ride Home, CW Ride, travel training, and Ride Line.
 - ii. Get There Oregon connects commuters and offers incentives for alternative transportation methods. The Emergency Ride Home component reimburses up to \$50 for emergency rides home (up to four times a year) for carpoolers who need to leave early.
 - iii. CW Ride is a website that links all public transit agencies in the region to help people navigate transportation options throughout Lincoln, Linn, and Benton Counties. Duffy offers travel training to help individuals learn how to use public transit systems.
 - iv. Ride Line provides non-emergency medical transportation for Oregon Health Plan, IHN, and Samaritan Advantage clients. A new member portal allows clients to schedule and cancel trips online. Samaritan Advantage clients can also receive transportation for additional services like grocery store visits and worship services.
 - v. Council members suggested improving awareness of these services through bus stop signage, the city website's community resources section, and other outreach methods. Duffy agreed to provide information for public display.
- c. Toledo Chamber of Commerce
 - i. Kathy Crane, Executive Director of the Toledo Chamber of Commerce, provided a comprehensive overview of the chamber's events and programs throughout the year. She emphasized that the organization is run exclusively by volunteers who make their events possible.
 - ii. Crane detailed their annual calendar, including the Valentine's Day heart program (a popular fundraiser with 62 large hearts displayed on lampposts), participation in the Newport Seafood and Wine Festival (their largest fundraiser), the summer Waterfront Market (attracting over 200 shoppers per market day), the Toledo Classic Car Expo and swap meet, the pancake breakfast at the wooden boat show, the Halloween trick-or-treat event on Main Street, and the holiday season events including Jingle and Mingle and the Christmas tree lighting and umbrella parade.
 - iii. Crane also mentioned that the Chamber maintains the yellow street signs on Highway 20, has created relocation packets with community information, and provides promotional support for member businesses through Facebook and other media channels.
 - iv. When questioned by Councilor Keating about what the Chamber is doing to address business closures on Main Street, Crane acknowledged the challenge of getting foot traffic to Main Street and suggested businesses need to offer merchandise that attracts customers. She noted that despite business closures, chamber membership remains stable at over 100 members.

6. Discussion and Information Items

- a. Discussion regarding parking restrictions along Main Street
 - i. City Manager Clyne explained that this issue has come up multiple times, and that after reviewing previous council discussions from August 2023, he wanted to address a few parking concerns. One specific issue was curb striping or painting for temporary loading and unloading in front of the Green Dragon Dispensary.
 - ii. Clyne indicated that Public Works could proceed with appropriate marking for the loading zone if there was consensus from the Council. He also noted that the Planning Commission would be looking at parking issues more comprehensively in the coming months. There was Council consensus to move forward with designating the temporary loading zone.

7. Decision Items

- a. Authorize the City Manager to hire an interim City Recorder.
 - i. Councilor Mix expressed concern about the hiring process, asking whether the interim position would be filled by an employee or through a services contract, and whether there are specific hiring processes that should be followed. City Manager Clyne explained that for an interim position, there's no requirement to go through a formal hiring process due to time constraints, as current City Recorder Lisa Figueroa will be leaving June 2nd.
 - ii. Clyne noted that he had hoped to present a specific candidate but that person had taken another position. He confirmed that while the permanent city recorder position is posted publicly, the interim position can be filled more flexibly due to the urgent need.
 - iii. **Motion** to authorize the City Manager Pro Tem to hire or contract an individual as interim City Recorder.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross						X
Council President Bush			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating		X	X			
Councilor Burns			X			

- b. Creation of Human Resources Program
 - i. City Manager Clyne introduced a proposal to establish a human resources program for the city. He introduced Shauna Gribskov, a human resources professional with over 13 years of experience, who would be contracted to develop the program. Gribskov briefly introduced herself, noting her expertise in compliance, protected leave, and policy writing. She mentioned she has a starter list of priorities to help the city establish proper human resources systems.

- ii. **Motion** to approve the May 16, 2025 proposal by Shauna Gribskov, SHRM-CP, PHR for the creation of the Toledo Human Resource Program and authorize the City Manager to execute the same.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross						X
Council President Bush			X			
Councilor Mix			X			
Councilor Kauffman		X	X			
Councilor Silvia	X		X			
Councilor Keating			X			
Councilor Burns			X			

- c. Authorize Mayor Cross to sign and execute a Safe Drinking Water and Forest Stewardship grant
 - i. Public Works Director Brian Lorimor explained that the City of Toledo has received a Safe Drinking Water and Source Protection Grant from Oregon Business Development Department for \$70,000. The grant will be applied to the city's Mill Creek Forest Stewardship Plan and the Siletz River Critical Area Protection Project, which are proactive efforts to ensure the sustainable longevity of Toledo's drinking water sources.
 - ii. **Motion** to approve and authorize Mayor Cross to sign and execute the Safe Drinking Water Revolving Loan Fund grant contract for source water protection from Business Oregon project number 2024373.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross						X
Council President Bush			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

- d. Amendment No. 1 to Employment Agreement between City of Toledo and David Clyne
 - i. City Manager Clyne requested an increase in his housing allowance from \$1,500 to \$3,000 per month, noting that lodging costs have increased during the tourist season. He explained that with the current allowance, he can only stay in Toledo two days per week with one overnight stay, whereas he would prefer to be present for three days with two overnight stays.
 - ii. Several council members expressed that while they believed the request was reasonable, they could not support it given the difficult budget decisions they had just made, including the elimination of a staff position the previous night. Clyne acknowledged the budget constraints and

indicated he would continue to manage with the current allowance, maintaining two days of in-person presence and working remotely the other days. He assured the Council he would continue to be accessible via phone, email, and video communications.

- iii. No formal action was taken on this item, with the consensus being to maintain the current housing allowance due to budget limitations.
- e. Councilor Silvia asked about the status of the fire department policies that were approved at a previous meeting. It was clarified that while the policies were adopted, they are to be reviewed both by the City Attorney for legal conformity and evaluated for effectiveness after six months of implementation.
 - i. **Motion** that the newly adopted fire department policies be reviewed at the 6-month mark from their adoption for effectiveness and necessary changes.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross						X
Council President Bush			X			
Councilor Mix		X	X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating	X		X			
Councilor Burns			X			

8. Reports and Comments

- a. See below.

9. City Council Issue Tracker

- a. See Councilor Keating's comments below.

10. Council Comments

- a. Councilor Silvia - raised the need to address the city charter amendment regarding where an City Manager Pro Tem can live, as the current charter language is unclear. City Manager Clyne suggested that he and the City Attorney could develop a process for charter review and bring it to a future study session.
- b. Councilor Keating – requested that the date on the issue tracker for the Council technology upgrades be corrected to February 5th when it was first requested, to accurately reflect how long the item has been pending.
- c. Councilor Mix - expressed concern about the future of the police department and suggested that the Council needs to discuss public safety funding options, possibly including a public safety charge on utility bills. There was agreement that this should be addressed in a future meeting with public input, possibly in a town hall format.

11. Mayor's Comments

- a. The Mayor was absent

12. Future Agenda Items

- a. None

13. Adjournment

- a. Council President Bush adjourned the meeting at 8:16 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
6:00 p.m.



TOLEDO CITY COUNCIL
Regular City Council Meeting
May 7, 2025

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 6:00p.m.; also via Zoom in Toledo, Oregon and lead the Pledge of Allegiance.

2. Roll Call

Council Member	Present	Absent	Via Zoom
Mayor Cross	X		
Council President Bush	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		
Councilor Mix	X		

- a. City Staff Present: Interim City Manager David Clyne. City Attorney Mike Adams, City Recorder Lisa Figueroa.

3. Presentations/Proclamations

- a. Police Officer Swear in Ceremony
- Sergeant Pitcher introduced Officer Christian Bailey, who was born and raised in Toledo and graduated from Toledo High School in 2016. Officer Bailey began his public service career as a volunteer firefighter for the City of Toledo in 2020-2021 and worked as a corrections deputy with the Lincoln County Sheriff's Office from 2022 until May 6, 2025, his last day before joining the Toledo Police Department.
 - Sergeant Pitcher noted that Officer Bailey expressed his desire to switch from corrections to patrol to have daily connections with the community and make positive, proactive contacts. Officer Bailey will attend the DPSST Public Safety Academy in Salem starting May 19 for 16 weeks, followed by 14-16 weeks of field training.
 - Officer Bailey was sworn in, with Mayor Cross expressing his pleasure at seeing Officer Bailey in the Toledo uniform.

- b. Police Week Proclamation
 - i. Mayor Cross read a proclamation declaring May 12-18, 2025, as National Police Week in the City of Toledo, with May 15 as Peace Officers Memorial Day. The proclamation honored the dedicated law enforcement officers who have made the ultimate sacrifice in the line of duty and recognized the Toledo Police Department's commitment to protecting the community.

4. Visitors/Public Comment/Public Hearing

- a. Mayor Cross opened a public hearing concerning four land use ordinances:
 - i. An ordinance amending Ordinance 1417 (Toledo Municipal Code Chapter 1.08) to update the 2023 Toledo Comprehensive Land Use Plan and Policies
 - ii. An ordinance repealing Toledo Municipal Code Title 16 (Subdivisions) and Ordinances 1301 and 1355, replacing with new Toledo Municipal Code Title 16 chapters for land divisions regulations
 - iii. An ordinance amending the Toledo Municipal Code, Title 17 (Zoning) to revise zoning standard and regulations
 - iv. An ordinance amending the Toledo Municipal Code, Title 19 (Land Use procedures) relating to the regulation of land use procedures
- b. Mayor Cross explained the hearing procedures, read the statement of rights and relevance, and the right to appeal.
- c. Justin Peterson provided a staff report, explaining that the ordinances stemmed from a grant from the Department of Land Conservation and Development (DLCD). The updates build on previous housing work done by the city, including accessory dwelling unit updates in 2019, additional housing updates in 2021, a housing capacity analysis in 2022, and a comprehensive plan update in 2023.
 - i. Key updates included:
 - 1. Allowing duplexes on any lot that allows single-unit homes (already complete)
 - 2. Updated land use timelines based on state law
 - 3. Adoption by reference of ORS 197.445 regarding affordable housing
 - 4. Allowing single-room occupancy developments
 - 5. Simplified density standards for subdivisions
 - 6. Joint use driveway options
 - 7. Moving partition reviews from type 3 to type 2 (staff level approval)
 - 8. Simplified subdivision phasing and increased timelines
- d. John Robinson provided public testimony in support of the changes, commending the planning commission and Justin Peterson for their excellent work. He expressed support for the new method and threshold for transportation impact analysis requirements.
- e. No other public testimony was given, and the hearing was closed.
- f. During council deliberation, Councilor Burns pointed out a spelling error on page 386 of the packet. Mayor Cross and other councilors praised the clarity of the new definitions and the work done to streamline the development process.

- g. **Motion** to approve the proposed amendment to the Toledo Municipal Code based on the testimony received, the findings within the staff report, recommendation of the planning commission, and the evidence and arguments for the city council at the public hearing on May 7, 2025. The motion included the adoption of four ordinances by title, covering comprehensive plan updates, land divisions regulations, zoning standards, and land use procedures.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross	X		X			
Council President Bush			X			
Councilor Mix			X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating			X			
Councilor Burns		X	X			

5. Visitor/Public Comment

- a. John Robinson spoke about the proposal on the agenda for hiring Jensen Strategies to perform an after-action review. He noted that most of the stakeholder interviews in the proposal were with city employees, with only an option for external stakeholder interviews. He volunteered to be interviewed to provide input on external communication from city management and suggested improvements for communications with external stakeholders.

6. Consent Agenda

- a. Motion to approve the consent agenda as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush	X		X			
Councilor Mix			X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

7. Discussion/Decision Items

- a. Toledo After-Action Review Proposal
- Interim City Manager David Clyne explained that the proposal was in response to discussions at the council retreat. The city reached out to Jensen Strategies, who partnered with Hatfield Fellow, a team familiar with local government work. Representatives from the consulting team were available online.

- ii. Ms. Kathleen Hatfield introduced herself and explained that she and Eric Jensen could bring valuable skills to help the city through this transition. She noted that their goal was to integrate the after-action review with the city council recruitment, laying a good foundation for the new city manager.
- iii. Council discussion focused on the need for transparency and public trust. Councilor Keating emphasized the importance of having the final report available for public consumption, which Ms. Hatfield confirmed was part of their design. Councilors also discussed the importance of including external stakeholders in the review process.
- iv. Mayor Cross requested that external stakeholders not be optional but mandatory in the process, noting the importance of understanding how communications were handled with the public.
- v. **Motion** to approve the proposal as presented and authorize the City Manager Pro Tem to execute a contract with Jensen Strategies for the attached proposal subject to legal review and approval of the form contract, with payment for this project to come from council strategic reserve.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix		X	X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating			X			
Councilor Burns	X		X			

- b. Consideration to approve Addendum No. 1 to "2021 Supplemental Intergovernmental Agreement" with the Greater Toledo Pool and Recreation District
 - i. Roy, representing the Pool District, explained that when the district was formed, they took over operations and maintenance of the existing pool structure and grounds, but the property itself still belongs to the city. The lease agreement states that if the district wants to make major renovations or complete replacement, they need city council approval.
 - ii. Roy clarified that the district is seeking approval to demolish the existing structure and rebuild, with the understanding that the facility would still belong to the city but be run by the district. He confirmed there would be no fiscal responsibility for the city regarding the building.

- iii. **Motion** to approve Addendum No. 1 to the 2021 supplemental intergovernmental agreement with the Greater Toledo Pool and Recreation District.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix			X			
Councilor Kauffman		X	X			
Councilor Silvia			X			
Councilor Keating			X			
Councilor Burns	X		X			

- c. Approving an Untreated Water Services Agreement with Georgia-Pacific Toledo, LLC
- i. Interim City Manager Clyne presented the agreement, noting that some details would be filled in upon finalization. Public Works Director Lorimor was present to address operational needs.
 - ii. Andrea Formo, Public Affairs Manager for Georgia Pacific, was in attendance. During discussion, Andrea from Georgia Pacific noted that the agreement included an increase in allowable purchases from 1 million gallons per day to 1.25 million gallons per day, though she clarified they hadn't purchased water for the past two years.
 - iii. Andrea also explained that Georgia Pacific reuses water multiple times, with water going through their system seven times before being discharged as wastewater. Only about 12% of the water they pull into their facility goes back out into the environment.
 - iv. She also mentioned that the Juno facility has been idled and is transitioning to a full-time research and development facility.
 - v. **Motion** to approve an untreated water services agreement with Georgia Pacific Toledo LLC.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix		X	X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating			X			
Councilor Burns	X		X			

- d. Resolution No. 1573, a resolution adjusting the rates and charges to be paid by the users of the water system of the City of Toledo and repealing resolution no. 1549.
- i. Finance Director Judy Richter explained that the water budget was extremely tight and required a substantial 7% rate increase. This follows a pattern from last year when sewer rates had a substantial increase.

- ii. During council discussion, several councilors expressed concern about the impact on residents, particularly those on fixed incomes. Councilor Bush suggested a 5% increase instead of 7%. Finance Director Richter cautioned that even with a 7% increase, the budget would be very tight, and they had to roll back some reserve funds to make the budget balance.
- iii. Mayor Cross noted that the Fir Street water line emergency cost \$750,000 to repair, emphasizing the need for adequate reserves. He also clarified that water funds stay in the water fund and cannot be used elsewhere, as water and sewer are enterprise funds that must be self-supporting.
- iv. Councilors discussed the need for a communications campaign to help residents understand the rate increase and what it means for their bills.
- v. **Motion** to approve Resolution No. 1573, a resolution adjusting rates and charges to be paid by the users of the water system of the City of Toledo and repealing Resolution No. 1549.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix		X	X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating	X		X			
Councilor Burns			X			

- e. Consideration to adopt Fire Department policies.
 - i. Interim City Manager Clyne explained that the policies had been prepared by the fire chiefs, shared with the Toledo Public Safety Association without any meaningful comments or requests for changes, and reviewed by the former city attorney Adams.
 - ii. During discussion, Councilor Mix raised concerns about a clause allowing the fire chief to approve personal use of department supplies, noting that as a city department (rather than a fire district), different ethics rules apply. She emphasized the need for ethics training for all fire department personnel.
 - iii. Councilor Keating also highlighted concerns about gift laws and how they apply to public officials, including volunteer firefighters.

- iv. **Motion** to approve the attached policies as policies of the Toledo Fire Department with a formal review with the city attorney of these policies after 6 months.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix		X	X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating	X		X			
Councilor Burns			X			

- f. Consideration to formally terminate the previous Intergovernmental Agreement with East Lincoln County Fire and Rescue District and enter into a Lease of Facilities for equipment and apparatus.
 - i. Interim City Manager Clyne presented a substitute agreement with specific language changes in section 4.4. Fire Chief Lapof explained that the agreement serves two purposes: to restore the relationship between East Lincoln Fire and Toledo Fire Department, and to ensure a more complete response to the City of Toledo.
 - ii. Jeff Doyle, East Lincoln County Fire Board member, addressed the council, stating that the Fire District had approved the termination agreement and was prepared to move forward. He noted that their attorneys advised them to have separate agreements for termination and the new IGA, rather than combining them.
 - iii. After considerable discussion, Mayor Cross suggested postponing the item for two weeks to allow the new city attorney to review the agreements, particularly in light of concerns about firefighters who might move between departments.
 - iv. The council agreed to delay action until the next meeting, with plans to hold an executive session and have the new city attorney review the agreements.
- g. Approve Job Description and Mutual of Agreement from the Toledo Public Safety Association for the new Firefighter position
 - i. Interim City Manager Clyne explained that the job description for this new position had been reviewed by the city and the Toledo Public Safety Association. The position is budgeted for fiscal year 2025-26, with hopes to recruit someone sooner.
 - ii. Fire Chief Lapof stated they were anxious to move the process forward to start the application process and have someone on board by July 1. He clarified that it would be an open application for an entry-level firefighter with certain requirements, and not all current volunteers meet those requirements. They would look for the best candidate available.

- iii. **Motion** to approve the new firefighter job description and wage scale as approved by the Toledo Public Safety Association and the Fire Chief.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix			X			
Councilor Kauffman		X	X			
Councilor Silvia			X			
Councilor Keating			X			
Councilor Burns	X		X			

- h. Seeking authorization to approve Pacific Ace LLC to resurface Arcadia Park tennis courts.
- Public Works Director Lorimor explained that the city received grant funding from Oregon State Parks to build bathrooms at Arcadia Park, install new fencing around the tennis courts, and resurface the tennis courts. Pacific Ace is the sole qualified responding vendor that would meet the requirements and budget restrictions.
 - The resurfacing would be scheduled upon approval, with work starting in June, Pacific Ace coming in by the end of July, and the courts reopening to the public in August.
 - Motion** to approve having Interim City Manager Pro Tem Clyne sign a contract with Pacific Ace LLC to resurface the tennis courts at Arcadia Park.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix		X	X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating	S		X			
Councilor Burns			X			

- i. Amendment No. 1 to Employment Agreement between City of Toledo and David Clyne
- Interim City Manager Clyne requested an increase to his lodging stipend for the months of June, July, and August due to significantly higher summer lodging rates. He explained that he stays three nights a week in the area, currently at a facility north of Agate Beach for \$149 per night plus lodging taxes, which will increase to over \$300 per night beginning in June.

- ii. Several councilors expressed concern about the timing of the request, noting that summer rate increases should have been anticipated. Others acknowledged the difficulty of the job and the sacrifice of living away from home.
- iii. After discussion, the council decided to postpone the decision for two weeks to allow time for exploration of other housing options.

8. Council Comments

- a. Council reviewed department reports in the packet. Councilor Burns asked about positions in dispatch, and Interim City Manager Clyne clarified that the budget will only fund one of two former dispatch positions.
- b. Finance Director Richter discussed the upcoming budget process, with meetings scheduled for May 13, 15, and 20. After discussion about giving council members and budget committee members adequate time to review materials, the council agreed to explore options for adjusting the meeting schedule.
- c. Council members who attended the League of Oregon Cities conference shared their experiences. Several noted that they heard both positive and negative comments about Toledo, but were pleased that the city was well-regarded overall.

9. Mayor's Comments

- a. Mayor Cross reported on his discussions about property tax reform during a visit to Salem, noting that many Oregonians don't understand how the current system works. He concluded by saying that despite the difficult times the council had gone through recently, they had come through better than many people expected.

10. Adjournment

- a. The mayor adjourned the meeting at approximately 9:00 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
7:00 p.m.



**TOLEDO CITY COUNCIL
EXECUTIVE SESSION
June 18, 2025**

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 7:35 p.m.
- b. The Toledo City Council will meet in Executive Session, pursuant to ORS 192.660(2) d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.
- c. Representatives of the news media and designated individuals may be allowed to attend the executive session. All other members of the audience are prohibited. Representatives of the news media are specifically directed not to report on any of the deliberations except to state the general subject of the session as previously announced. No decision may be made in executive session.

2. Adjournment

- a. The mayor adjourned the meeting at 8:09 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
7:00 p.m.



**TOLEDO CITY COUNCIL
EXECUTIVE SESSION
June 25, 2025**

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 7:04 p.m.
- b. The Toledo City Council will meet in Executive Session, pursuant to ORS 192.660(2) (h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
- c. Representatives of the news media and designated individuals may be allowed to attend the executive session. All other members of the audience are prohibited. Representatives of the news media are specifically directed not to report on any of the deliberations except to state the general subject of the session as previously announced. No decision may be made in executive session.

2. Adjournment

- a. The mayor adjourned the meeting at 8:09 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
6:00 p.m.



TOLEDO CITY COUNCIL
Regular City Council Meeting
July 2, 2025

1. Call to Order

- a. Council President Bush called the meeting to order at 6:00 p.m.; also via Zoom in Toledo, Oregon and lead the Pledge of Allegiance.

2. Roll Call

- a. President Bush took roll call and determined a quorum is present.

Council Member	Present	Absent	Via Zoom
Mayor Cross		X	
Council President Burns	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		
Councilor Mix	X		

- b. Staff Present: City Manager Pro Tem David Clyne, Interim Finance Director Judy Richter, City Attorney Souvanny Miller, Toledo Police Chief Michael Pace, Toledo Police Detective Dalynn Shinholster, Library Director Harrison Baker, Interim HR Director Shawna Gribskov, Toledo Fire Chief Dave Lapof, Public Works Director Brian Lorimor, and Interim City Recorder Amber Mathiesen.

3. Visitors/Public Comment

- a. None

4. Consent Agenda

- a. Motion to approve the consent agenda as presented

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

5. Community Service Reports and/or Presentations to the Council

- a. Police recognition of a citizen – Owen Archer
 - i. Toledo Police Chief Michael Pace presented a meritorious conduct award to Owen Archer. Detective Dalynn Shinholster explained that on May 16, Owen courageously recorded video of a male damaging property in the city and endangering a community member while driving. Without Owen's actions, prosecution of the offender would likely not have been possible.
 - ii. The Police Department presented Owen with a special Toledo Police pendant inscribed with "Do the right thing when no one is watching," along with other tokens of appreciation including swag for his siblings and a police patch. A local business owner, Amanda, who could not be present due to illness, also sent a gift. Photos were taken to commemorate the recognition.

6. Decision Items

- a. Outdoor Event Application – Toledo Summer Festival
 - i. City Manager Pro Tem Clyne presented the application for the Toledo Summer Festival. The application was clear and well-defined, with the organizers having automatically included the required insurance information.
 - ii. **Motion** to approve the application as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix		X	X			
Councilor Kauffman			X			
Councilor Silvia	X		X			
Councilor Keating			X			
Councilor Burns			X			

- b. Outdoor Event Application – Toledo Summer Festival Grand Parade
 - i. The council reviewed the application for the Toledo Summer Festival Grand Parade.
 - ii. **Motion** to approve the application as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

- c. Application to consume alcohol in public places – Toledo Summer Festival
 - i. The council reviewed the application to consume alcohol in public places for the Toledo Summer Festival.
 - ii. **Motion** to approve the application as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

- d. Outdoor Event Application – Toledo Waterfront Market
 - i. The council discussed this application which was dated February 12, 2025, but was only now coming before the council. Interim City Manager Clyne explained that this was likely an application that former City Recorder Figueroa had set aside to handle administratively as she had done in the past with long-running events. It was being brought before the council now as part of cleaning up and formalizing the process.
 - ii. **Motion** to approve the application as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

- e. Outdoor Event Application – Barrel to Keg Relay Race
 - i. Police Chief Pace reported that the police department and Ron, representing the Toledo Summer Festival, had worked with the organizers of the Barrel to Keg relay race. They expected the race participants to be in Toledo around 1:30 PM, which should not conflict with the parade that starts at 10:00 AM. Concerns about congested areas had been raised, and plans had been adjusted to have runners use the waterfront path rather than roads where possible, with vehicles taking Highway 20 to avoid conflicts.

- ii. **Motion** to approve the application as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix		X	X			
Councilor Kauffman			X			
Councilor Silvia	X		X			
Councilor Keating			X			
Councilor Burns			X			

- f. Outdoor Event Application – Rigs and Reggae
- The council reviewed the application for the Rigs and Reggae event, noting that it was a "van life" event. It was clarified that the application specified no alcohol would be served at the event.
 - Motion** to approve the application as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix			X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating	X		X			
Councilor Burns		X	X			

- g. Application to consume alcohol in public places – Rigs and Reggae
- The council reviewed the application to consume alcohol in public places for the Rigs and Reggae event.
 - Motion** to approve the application as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix			X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating	X		X			
Councilor Burns		X	X			

- h. Outdoor Event Application – LCSO Garlicplooza Garlic Festival
- The council expressed enthusiasm about the Lincoln County School District's Garlic Festival, which would feature garlic harvested from school gardens. The event would include vendors, food, kid's activities, face painting, poem contests, art projects, cook-offs, building contests, live music, garlic braiding, a fall photo booth, and cider pressing. Councilor Jackie Burns mentioned that the dog parade was also scheduled for the second Saturday in October but noted that the events were at different locations and could complement each other through cross-promotion.
 - Motion** to approve the application as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix			X			
Councilor Kauffman			X			
Councilor Silvia	X		X			
Councilor Keating			X			
Councilor Burns		X	X			

- Application to consume alcohol in public places - Art, Oysters, and Beer Fest
 - The council reviewed the application to consume alcohol in public places for the Art, Oysters, and Beer Fest.
 - Motion** to approve the application as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

- Seeking approval to have City Manager Pro Tem Clyne sign contract with Road & Driveway Co, to repave portion of Business HWY 20 from NW Dundon Road to short of HWY 229 intersection
 - The council reviewed a request prepared by Director Lorimor for the City Manager Pro Tem to sign a contract with Road & Driveway Company as the low qualified bidder for the repaving project. Public Works Director Lorimorexplained that there was a separate portion of Dundon Road included in the Knife River bid that accounted for the price difference between the two bids. The project was part of the budgeted Business Highway 20 improvements.

- ii. **Motion** to authorize interim city manager to sign the contract with Road & Driveway Newport to repave a portion of business highway 20 from Northwest Dundon to short of Highway 229 intersection.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

- k. Authorize City Manager Pro Tem to sign Engagement letter for Hanford & Associates to perform Audit for Fiscal 2025 and Fiscal 2026
 - i. City Manager Pro Tem Clyne explained that the request was to engage Hanford & Associates for two years to provide consistency during the transition to new city leadership. He noted that auditing firms typically work with cities for cycles of 8-10 years, with the first 2-3 years being a learning period. Hanford & Associates had been with Toledo for 4-5 years, so they were in a good place in the cycle.
 - ii. **Motion** to authorize City Manager Pro Tem to sign engagement letter for Hanford and Associates to provide audit services for fiscal year 2024-25 and fiscal year 2025-26.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix			X			
Councilor Kauffman			X			
Councilor Silvia	X		X			
Councilor Keating		X	X			
Councilor Burns			X			

- l. Discuss and recommend community panel members for City Manager selection
 - i. City Manager Pro Tem Clyne reported that the city had received 29 complete applications for the City Manager position by the June 29th deadline. The council would be meeting in executive session on July 16th to help narrow the field of candidates. The finalists would then go through an interview process during the last week of July.
 - ii. The interviews would include three panels: a staff panel of department heads, a panel of other city managers from the region, and a community stakeholder panel. For the community panel, the council discussed how to select 6-8 participants.
 - iii. Councilor Keating proposed that instead of council members selecting individuals, the city should invite applications from the community to

avoid bias and ensure diverse perspectives. Councilor Mix suggested creating flyers to post at local businesses to attract participants. The council reached consensus to have City Manager Pro Tem Clyne create a simple application process and promote it throughout the community, with participants selected from the pool of applicants. If insufficient applications were received, the Mayor or Council President would have authority to appoint additional members.

- m. Authorize City Manager Pro Tem to hire non-specified Interim City Recorder, as required by City Charter, City Charter, Chapter IV, Section 4.2(g)
 - i. City Manager Pro Tem Clyne explained that with Amber Mathiesen's departure, the city needed an interim City Recorder. He had identified Krista Miller as a qualified candidate who would serve in a contract capacity while a search for a permanent replacement continued.
 - ii. **Motion** to approve the City Manager Pro Tem's decision of hiring a contract employee for the position of interim city recorder.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Burns			X			
Councilor Mix			X			
Councilor Kauffman			X			
Councilor Silvia	X		X			
Councilor Keating		X	X			
Councilor Burns			X			

- iii. The council expressed appreciation for Amber Mathiesen's service to the city.

7. Reports and Comments

- a. The council reviewed the various department reports without specific questions.
- b. City Manager Pro Tem Clyne provided updates on several ongoing projects:
 - i. The city was developing a timeline for recruiting a Finance Director, targeting October for a final selection
 - ii. Interim Finance Director Richter had agreed to continue serving until a replacement was appointed
 - iii. Clyne had met with an architect regarding the safety building project, which would focus on community engagement to determine what services would be appropriate at that location
 - iv. A study of City Hall was still in progress with results expected in August

8. City Council Issue Tracker

- a. Councilor Keating suggested that the review of council rules scheduled for their work session be postponed to September to align with charter review and budget committee process discussions, which the council agreed to.

9. Council Comments

- a. Councilor Silvia - inquired about the status of painting loading/unloading zones in front of Green Dragon. Public Works Director Lorimor explained they were at

"negative three" staffing levels and would complete the striping when they could divert resources from other urgent projects.

- b. Councilor Kauffman - asked about the light installation at the library. The Library Director explained that artist Peter, as part of his 100 Libraries Project in Oregon, had installed prismatic plexi panels in library windows that create rainbow effects when sunlight passes through them.
- c. Councilor Mix - raised concerns about water and sewer billing, noting community discussion on social media about bill increases. She asked if the city could test the billing system to ensure calculations were correct. Finance Director Judy offered to review specific accounts and explained that citizens with billing concerns should start by contacting Cindy at City Hall, who could involve other staff as needed. Public Works staff noted they can check meters for accuracy and investigate potential leaks when requested.

10. Adjournment

- a. The Council President adjourned the meeting at 7:06 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
5:00 p.m.



TOLEDO CITY COUNCIL
Executive Session
July 16, 2025

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 5:07 p.m.; also via Zoom in Toledo, Oregon.
- b. Executive Session under the provisions of ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent and ORS 192.660(7)(d) the employment of the chief executive officer.
- c. Representatives of the news media and designated staff were allowed to attend the Executive Session. All other members of the audience were prohibited. Representatives of the news media were specifically directed not to report on any of the deliberations except to state the general subject of the session as previously announced.

2. Roll Call

Council Member	Present	Absent	Via Zoom
Mayor Cross	X		
Council President Bush	X		
Councilor Kauffman		X	
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		
Councilor Mix	X		

- a. Staff Present: City Manager Pro Tem David Clyne and Interim City Recorder Amber Mathiesen.
- b. Erik Jensen, Dave Waffle, and Bill Pedersen from Jensen Strategies.

3. Decision Items

- a. No decisions were made in Executive Session

4. Adjournment

- a. The mayor adjourned the meeting at 5:50 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
7:28 p.m.



TOLEDO CITY COUNCIL
Regular City Council Meeting (NO AUDIO)
July 16, 2025

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 7:28 p.m.; also via Zoom in Toledo, Oregon and lead the Pledge of Allegiance.

2. Roll Call

Council Member	Present	Absent	Via Zoom
Mayor Cross	X		
Council President Bush	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		
Councilor Mix	X		

- a. Staff Present: City Manager Pro Tem David Clyne and Interim City Recorder Amber Mathiesen

3. Visitors/Public Comment

- a. None

4. Consent Agenda

- a. Motion to approve the consent agenda as presented.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix	X		X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

5. Community Service Reports and/or Presentations to the Council

- a. None

6. Discussion and Information Items

- a. None

7. Decision Items

- a. None

8. Reports and Comments

- a. City Manager Pro-Tem David Clyne offered on July 23, 2025 there will be an executive sessions starting at 5:00 p.m.
- b. He noted due to the drought the City is asking for voluntary water conservation.

9. City Council Issue Tracker

- a.

10. Council Comments

- a. Council President Bush shared that Art Toledo needs volunteers and expressed her concern for needing to support tourism and support businesses.
- b. Councilor Burns asked if a permit is needed for the pet parade and asked if she can ask for contributions. The Mayor described the process.
- c. Councilor Mix is grateful for emergency services. They acted with care and respect during an incident on 4th of July.

11. Adjournment

- a. The mayor adjourned the meeting at 7:54 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
5:25 p.m.



TOLEDO CITY COUNCIL
Executive Session 1
July 23, 2025

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 5:25 p.m.
 - i. The Toledo City Council will meet in Executive Session, pursuant to ORS 192.660(2) (d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.
 - ii. Representatives of the news media and designated individuals may be allowed to attend the executive session. All other members of the audience are prohibited. Representatives of the news media are specifically directed not to report on any of the deliberations except to state the general subject of the session as previously announced. No decision may be made in executive session.

2. Roll Call

Council Member	Present	Absent	Via Zoom
Mayor Cross	X		
Council President Bush	X		
Councilor Mix	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		

- a. City Staff in attendance - City Manager Pro Tem David Clyne, Interim City Records Amber Mathiesen and Krista Miller, Toledo Police Chief Michael Pace, Interim HR Director Shawna Gribskov and Labor Attorney Pierre Robert.

3. Recusals

- a. Mayor Cross and Council President Bush recused themselves due to an actual conflict of interest and left the room.

4. Appointment of Meeting Facilitator

- a. Councilor Mix nominated Councilor Keating to facilitate the meeting in the absence of Mayor Cross.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross						X
Council President Bush			X			
Councilor Mix	X		X			
Councilor Kauffman		X	X			
Councilor Silvia			X			
Councilor Keating			X			
Councilor Burns			X			

5. Decision Items

- a. No decisions were made in Executive Session

6. Adjournment

- a. The meeting was adjourned at: 6:15 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
6:21 p.m.



TOLEDO CITY COUNCIL
Executive Session 2
July 23, 2025

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 6:21 p.m.
 - i. The Toledo City Council will meet in Executive Session, pursuant to ORS 192.660(2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
 - ii. Representatives of the news media and designated individuals may be allowed to attend the executive session. All other members of the audience are prohibited. Representatives of the news media are specifically directed not to report on any of the deliberations except to state the general subject of the session as previously announced. No decision may be made in executive session.

2. Roll Call

Council Member	Present	Absent	Via Zoom
Mayor Cross	X		
Council President Bush	X		
Councilor Mix	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		

- a. City Staff in attendance - City Manager Pro Tem David Clyne, Interim City Records Amber Mathiesen and Krista Miller, and Interim HR Director Shawna Gribskov.
- b. Andrew Campbell, CIS

3. Decision Items

- a. No decisions were made in Executive Session

4. Adjournment

- a. The meeting was adjourned at: 6:48 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
6:58 p.m.



TOLEDO CITY COUNCIL
Regular City Council Meeting - Amended
July 23, 2025

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 6:58 p.m.; also via Zoom in Toledo, Oregon and led the Pledge of Allegiance.

2. Roll Call

Council Member	Present	Absent	Via Zoom
Mayor Cross	X		
Council President Bush	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		
Councilor Mix	X		

- a. Staff Present: City Manager Pro Tem David Clyne, Interim City Records Amber Mathiesen and Krista Miller, Contract Planner Justin Petersen and Interim HR Director Shawna Gribskov.

3. Visitors/Public Comment

- a. None

4. Consent Agenda

- a. None

5. Community Service Reports and/or Presentations to the Council

- a. None

6. Discussion and Information Items

- a. None

7. Decision Items

- a. Collective Bargaining Agreement
 - i. Consider approving collective bargaining agreement
 - ii. Nothing to discuss or vote on this matter.

- b. Seeking approval for the City of Toledo to move forward in efforts to acquire the former Department of Forestry property at 763 NW Forestry Drive / 733 NW Forestry Road in Toledo
 - i. Mayor Cross presented a letter he had submitted to the City Manager, Contract Planner Justin Petersen, and Brian for review. He explained that two years ago, in March, he became aware that the Oregon Department of Forestry property would be declared surplus as the Department was relocating. Given Governor Kotak's emphasis on housing as the state's top priority, Mayor Cross had been in discussions with state officials about acquiring the property for the city.
 - ii. Mayor Cross stated that the property, currently appraised at over \$700,000, would be ideal for middle housing development. He explained that affordable housing is desperately needed in Toledo, especially for employees of Georgia Pacific, Confederated Tribes of the Siletz Indians, Samaritan Health, Lincoln County School District, and the city itself. Currently, homes in Toledo cost around \$400,000 or more, which is unaffordable for most working people.
 - iii. Planner Peterson confirmed that the letter was appropriate as a first step in the official process, noting there had been significant background work already completed.
 - iv. Mayor Cross described the property as being out of the floodplain, flat, and with existing infrastructure. His vision for the property involves creating a public-private partnership with the entities he mentioned. As an example, he suggested that if 10 townhomes were built on the property, Georgia Pacific might fund 4 units and would have rights to those units for their employees. The city would own the land, but individual entities would build and manage their own units.
 - v. Council members asked several questions:
 - 1. Council President Bush asked if the state would donate the property rather than requiring purchase at market value. Mayor Cross explained that while the official notice requires expressing interest in purchasing at market value, he has been working with state officials, including Governor Kotak, to have the property donated with the stipulation it must be used for housing.
 - 2. Councilor Silvia asked about potential revenue sources for the city, suggesting some form of revenue sharing or property tax arrangement.
 - 3. Mayor Cross mentioned that if successful in acquiring the property, he would like to add it to the Urban Renewal District, which would allow the city to potentially build 2-3 units of its own.
 - vi. **Motion** to approve the City of Toledo to move forward in efforts to acquire the former Department of Forestry property at 763 NW Forestry Drive / 733 NW Forestry Road in Toledo, in efforts to provide affordable housing.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush	X		X			
Councilor Mix			X			
Councilor Kauffman			X			
Councilor Silvia		X	X			
Councilor Keating			X			
Councilor Burns			X			

- vii. Mayor Cross requested that Planner Peterson prepare the letter on city letterhead.
- c. Resolution authorizing staff to apply for a Housing grant from DLCD for a System Development Charge Ordinance and methodology update.
 - i. Contract Planner Peterson presented the resolution, explaining that the Department of Land Conservation and Development (DLCD) offers a grant program every two years focused on housing updates. The city previously received funds for code updates related to partition subdivision and other housing code updates.
 - ii. Contract Planner Petersen explained that one recommendation from the Housing Capacity Analysis was to update the system development charge (SDC) methodology, which is currently about 15 years old. SDCs are one-time charges for new development that fund water, sewer, storm water, transportation, and sometimes parks infrastructure. Toledo has four of these charges but currently no parks SDC.
 - iii. The update would modernize how these charges are calculated, with a focus on housing components. Justin gave an example of how other cities like Newport have moved to a model where smaller houses are charged lower SDCs than larger houses. The work would likely occur in late 2025 or 2026, depending on the grant application.
 - iv. **Motion** –to approve Resolution No. 1582, A Resolution authorizing Staff to apply for the Housing grant from the Department of Land Conservation and Development (DLCD) for a System Development Charge Ordinance and methodology update.

Council member	M	S	Yay	Nay	Abstained	Absent
Mayor Cross			X			
Council President Bush			X			
Councilor Mix		X	X			
Councilor Kauffman			X			
Councilor Silvia			X			
Councilor Keating	X		X			
Councilor Burns			X			

8. Reports and Comments

- a. City Manager Pro-Tem (CM) David Clyne reviewed the Issue Tracker with the Council.
 - i. The budget committee process review and council rules/charter review items have been combined, with plans to present at the August council session.
 - ii. Noted that the council should be prepared to discuss what they would like the budget committee to work on.
 - iii. He also mentioned that the city attorney and he are reviewing the council rules and charter to better align the documents.
 - iv. Based on the discussion about the forestry property, David added exploring URA expansion to the tracker.
 - v. He reported progress on the East Lincoln County fire agreements, noting that the termination agreement is fully executed, and they are working on the occupancy use of existing buildings agreement.

9. Council Comments

- a. Council President Bush gave updates on upcoming events, Arts, Oysters, and Brews, and National Night Out.
- b. Councilor Keating reported that he met with Justin from IT to discuss technology upgrades for the council, following the consensus given in February to act as a liaison with city staff. They are focusing on three main improvements:
 - i. Improving Wi-Fi in the council chambers, including exploring a council-specific network
 - ii. Addressing the visibility of presentations during meetings
 - iii. Upgrading the council's devices from the current low-quality Chromebooks to possibly Microsoft Surface tablets that would allow for better connectivity and functionality
 - iv. Councilor Keating noted that Justin is already taking steps to improve the Wi-Fi access point and is looking at software solutions so presentations would be visible on councilors' devices during meetings. He plans to bring a formal proposal to council within the next meeting or two.
- c. Councilor Burns asked who supplies water for the refrigerator. Krista will take care of this task.

10. Mayor's Comments

- a. Mayor Cross reminded everyone that Art, Oysters and Brews is coming up on August 2-3, and encouraged council members to attend. He mentioned that it provides a good opportunity to talk with citizens in a relaxed atmosphere. The event runs from noon to 5 PM both days, with live music, art vendor booths, food carts, oysters, and local breweries.
- b. He also noted that the port offers free boating every Thursday and Sunday, and that the Heart Walk and Choco Block activities would be part of the event this year instead of on Labor Day weekend. There will also be a kid's mural activity at Rock Park, which Councilor Kim Bush helps coordinate.

11. City Recorder's Comments

- a. Interim City recorder Amber Mathiesen announced this was her last planned meeting to attend, though she will continue to help Krista behind the scenes.
 - i. Council members thanked her for her service.

12. Adjournment

- a. The mayor adjourned the meeting at 7:41 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson

City Hall
206 N. Main St.
Toledo, Oregon 97391
6:00 p.m.



TOLEDO CITY COUNCIL
Executive Session – also via the Zoom Meeting Platform
July 23, 2025

1. Call to Order

- a. Mayor Rod Cross called the meeting to order at 7:47 p.m.; also via Zoom in Toledo, Oregon.
- b. The Toledo City Council will meet in Executive Session, pursuant to ORS 192.660 (2) (f) To consider information or records that are exempt by law from public inspection.
- c. Representatives of the news media and designated staff were allowed to attend the Executive Session. All other members of the audience were prohibited. Representatives of the news media were specifically directed not to report on any of the deliberations except to state the general subject of the session as previously announced

2. Roll Call

Council Member	Present	Absent	Via Zoom
Mayor Cross	X		
Council President Bush	X		
Councilor Kauffman	X		
Councilor Silvia	X		
Councilor Burns	X		
Councilor Keating	X		
Councilor Mix	X		

- a. Staff Present: City Manager David Clyne, Interim City Recorders Amber Mathiesen and Krista Miller, and City Attorney Souvanny Miller

3. Decision Items

- a. No decisions made in Executive Session

4. Adjournment

- a. The mayor adjourned the meeting at 8:25 p.m.

APPROVE:

ATTEST:

Mayor Rod Cross

City Recorder Paul Johnson



City of Toledo
City Enhancement & In-Kind Services

Award Recipient Final Report Form
Deadline: December 31, 2025

Please submit the final report to:

Attention: City Recorder
City of Toledo
Po Box 220
Toledo, OR 97391

ORGANIZATION INFORMATION

Organization

Name:

Toledo Food Share Pantry

Contact Person:

Brenda Polendey

Mailing Address:

PO Box 447

Toledo

City

OR

State

97391

Zip

Phone Number:

541-270-6296

E-mail address:

bpolendey@actionnet.net

FINAL REPORT

Amount Received:

\$6,000.00

Describe how the contribution funds were used (e.g. supplies purchased, applied to overall administration, use additional pages if needed):

The grant money was used to purchase food supplies, fresh fruits and vegetables, dairy products, lower sodium and fat products, and other special dietary needs such as gluten free - purchases were made at the local grocery store, keeping the money local while stimulating Toledo's economy.

Did the expenditures match the application request?

☒ Yes ☐ No

If not, please explain:

--

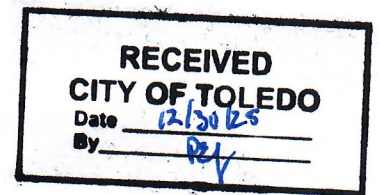
OFFICE USE ONLY:

Date received: _____

Staff review: _____



City of Toledo
City Enhancement & In-Kind Services



Award Recipient Final Report Form
Deadline: December 31, 2025

Please submit the final report to:

Attention: City Recorder
City of Toledo
Po Box 220
Toledo, OR 97391

ORGANIZATION INFORMATION

Organization

Name:

Toledo Summer Festival Inc.

Contact Person:

Jennifer Mack

Mailing Address:

Po Box 326

Toledo

City

OR

State

97391

Zip

Phone Number:

503-930-5756

E-mail address:

toledosummerfest@gmail.com

FINAL REPORT

Amount Received:

~~\$12,000~~ \$1,005

Describe how the contribution funds were used (e.g. supplies purchased, applied to overall administration, use additional pages if needed):

Applied to cost of the fireworks show. \$40,000

RECEIVED
CITY OF LOS ANGELES
JUN 10 2010

Did the expenditures match the application request?

☐ Yes ☒ No

If not, please explain:

requested \$4000 normally have gotten \$2,000 in the past.

OFFICE USE ONLY:

Date received: _____

Staff review: _____



**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

Council Goal:	Meeting Date:	Agenda Topic:
1.To enhance and sustain public infrastructure and facilities by implementing plans...	1/7/2026	Approve replacement of Mill Creek pump station generator.
	Agenda Type:	
	Decision Items	
Prepared by:	Reviewed by:	Approved by:
Public Works Director Brian Lorimor	City Manager Rich Huebner	City Manager Rich Huebner

Recommendation:

Motion to approve replacing the generator at the City of Toledo's Mill Creek pumping station, and authorizing the City Manager to execute an agreement for that purpose with a qualified firm at a cost not to exceed \$34,810.

Background:

The Mill Creek pump station generator failed the City during our last power outage and needs to be replaced immediately. Public Works attempted to repair the generator and brought in resources to assist, ultimately determining that replacement is needed. The generator is the backup power source for our Mill Creek pump station while we are pulling water from the Mill Creek Reservoir for treatment. We currently have a rental generator in-place until the City replaces our inoperable one.

The City has received the attached quote from Power Systems West at a cost of \$34,810. We are awaiting other quotes, but will proceed with the one received if no further quotes are received in a timely manner. Staff is requesting Council approval to proceed at a cost not to exceed the price of the quote in hand.

Fiscal Impact:	Fiscal Year:	GL Number:
\$34,810	2025-2026	041-410-620500

Attachment:

1. Generator replacement quote from Power Systems West
2. *Awaiting other quotes

**PROPOSAL # 12242025CV**

Date: 12/24/2025

Customer: TOLEDO PUBLIC WORKS

Site: Mill Creek Pump Station

Model: 135ROZJ

S/N: 0654654

Part #	Description	Qty	Price	Extension
B-276684	ALTERNATOR ASSY.(4S13,SAE#3	1	\$23,538.00	\$23,538.00
	THIS PROPOSAL IS TO REMOVE THE EXISTING			\$0.00
	GENERATOR END THAT IS ON THE 135KW			\$0.00
	GENERATOR AT THE AT MILL CREEK PUMP			\$0.00
	INSTALL NEW GENERATOR END AND			\$0.00
	TEST RUN THE GENERATOR TO MAKE SURE			\$0.00
	THERE ARE NO ISSUES WITH THE GENERATOR			\$0.00
				\$0.00
				\$0.00
	TWO TECHNICIANS AND A TELEHANDLER ARE			\$0.00
	REQUIRED TO PERFORM THIS WORK.			\$0.00
				\$0.00
				\$0.00
Telehandler	Telehandler Rental	1	\$3,200.00	\$3,200.00
				\$0.00
Oil Surcharge			\$1.60	\$0.00
Shop Surcharge		1	\$22.00	\$22.00
Fuel Surcharge		1	\$20.00	\$20.00
Surcharge Cook			\$1.60	\$0.00
				\$0.00
Miscellaneous				

Travel	5		\$230.00	\$1,150.00
Miles	520		\$3.50	\$1,820.00
Labor	16		\$230.00	\$3,680.00
Labor OT (Hrs)	4		\$345.00	\$1,380.00
Sub-Total				\$34,810.00
Sales Tax				
Total				\$34,810.00

Power Systems West (PSW) - Terms & Conditions

1. WARRANTIES. To the extent that the Goods may be covered by manufacturers' warranty, PSW hereby assigns all rights and benefits under such to Buyer, if assignable, and undertakes to assist Buyer in the coordination of any claims under such warranties. Seller makes no further warranty of any kind with respect to the Goods. PSW DISCLAIMS ANY AND ALL WARRANTIES. THERE ARE NO EXPRESS WARRANTIES AND THERE ARE NO IMPLIED WARRANTIES INCLUDING THOSE OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND THERE ARE NO IMPLIED OR EXPRESS WARRANTIES OF ANY NATURE WHATSOEVER.

PORTLAND
6110 N Cutter Circle,
Portland, OR 97217
503.224.3623

SEATTLE
2004 48th Ave. Ct. E
Fife, WA 98424
253.517.1701

BOISE
4499 Market St.
Boise, ID 83705
208.342.6541

SALT LAKE CITY
3738 West 2340 S, Suite E
Salt Lake City, UT 84120
801.886.1424

DENVER
3233 Oakland St.
Aurora, CO 80010
303.360.7110



2. LIMITATION OF PSW'S LIABILITY. Other than the remedy set forth in this paragraph, Customer agrees that no damages, direct, consequential, liquidated, incidental, or other damages or remedy of any kind arising by reason of or related to this Equipment whether arising out of contract, warranty, late or non-delivery, negligence, strict liability or tort shall now or at any time in the future be recoverable from PSW or any of its agents. Customer assumes all risks inherent in the possession or operation of the equipment. Customer's right, now existing or arising at any time in the future, to recover such damages is hereby fully, finally, irrevocably and unconditionally waived, released and discharged. **Notice of any defect in the Work or Equipment shall be made within 24 hours of the act or omission giving rise to the defect.** The sole and exclusive remedy is replacement of the nonconforming goods or refund of that portion of Customer's payment attributable to such goods at PSW's sole option.

3. PAYMENT TERMS. Full payment is due 30 days from invoice date, unless otherwise agreed to by both parties in writing. **There shall be NO retainage.** Payments not made on there due date shall accrue interest at the rate of 18% annum. A cancellation charge of 20% of the price will be imposed if Customer cancels order without prior written consent of PSW. **PSW must receive 100% payment before start-up services will be performed** (failure to complete proper, authorized start up procedures may void any manufacturer warranty). Terms may not be changed except by written agreement of the parties.

4. SHIPPING AND DELIVERY. All equipment shall be shipped F.O.B. manufacturer's factory unless otherwise agreed in writing by PSW and Customer. PSW is not responsible for goods lost or damaged in transit. In the event PSW agrees to delay shipment at Customer's request, Customer is responsible for payment of any storage costs. PSW does not agree, will not agree to and is not obligated to provide any specific goods or any delivery dates or times for any goods. All orders are subject to availability to PSW and its then existing locations, sources, suppliers, and costs. All delivery dates and times which may be provided, if any, are estimates only and do not establish agreed delivery date(s).

5. INDEMNITY AND HOLD HARMLESS. To the fullest extent permitted by law, Customer shall fully and forever indemnify, defend (with counsel reasonably acceptable to PSW) and hold PSW, its employees, directors, successors, and assigns harmless from any damage, claim loss, expense and attorney fees, (including those prior to any action, in an action and on any appeal) related to the performance or non-performance of Customer's obligations under this Agreement; the ownership, performance or operation of the Equipment; or PSW's liability, if any, under CERCLA, RCRA, or any other federal or state statute related to toxic, hazardous or other dangerous substance.

OFFER ACCEPTANCE OF PROPOSAL

I hereby authorize POWER SYSTEMS WEST to use this form as a bona fide purchase order for the Proposal on page 1, which clearly establishes price of repairs. The person signing this quotation is doing so according to Power Systems West Terms and Conditions.

Accepted by:

Purchase Order # _____

Company: _____

Name: _____

Title: _____

Signature: _____

Date: _____

PORTLAND
6110 N Cutter Circle,
Portland, OR 97217
503.224.3623

SEATTLE
2004 48th Ave. Cl. E
Fife, WA 98424
253.517.1701

BOISE
4499 Market St.
Boise, ID 83705
208.342.6541

SALT LAKE CITY
3738 West 2340 S, Suite E
Salt Lake City, UT 84120
801.886.1424

DENVER
3233 Oakland St.
Aurora, CO 80010
303.360.7110



**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

Council Goal:	Meeting Date:	Agenda Topic:
3. To sustain and expand an inclusive and welcoming work environment, with a focus on enhancing retention rates.	January 7, 2026	Adopt the revised 2026 City of Toledo Employee Handbook, superseding prior versions and authorize the City Manager to implement upon adoption.
	Agenda Type:	
	Decision Items	
Prepared by:	Reviewed by:	Approved by:
HR Director Shawna Gribskov	City Recorder Paul Johnson	City Manager Rich Huebner

Recommendation:

Motion to Adopt the revised 2026 City of Toledo Employee Handbook, superseding prior versions and authorize the City Manager to implement upon adoption.

Background:

The Employee Handbook presented for adoption replaces a version last updated in 2010. Since that time, there have been significant changes to federal and Oregon employment laws, regulations and compliance requirements. This updated handbook modernizes City policies, aligns them with current legal standards and best practices, improves clarity and consistency and provides clearer guidance for employees and management. The update also supports consistent application of policies across the organization while preserving applicable collective bargaining obligations.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2025-2026	N/A

Attachment:

1. 2026 City of Toledo Employee Handbook

The Mission of the Toledo City Government is to provide efficient, economical and necessary public services that protect and enhance the quality of life in Toledo, now and in the future, as determined by our citizens, the law and available resources.



CITY OF TOLEDO Employee Handbook

JANUARY 2026

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INTRODUCTION & WELCOME

ABOUT THIS HANDBOOK

Welcome to the City of Toledo. As a member of our team, you play an important role in delivering reliable, responsive and respectful service to our community. Every employee contributes to our mission and helps ensure that the City remains a safe, supportive and well-run organization. This Handbook provides an overview of the policies, values and expectations that guide our work and is intended to support you throughout your employment. We're glad you're here, and we look forward to working together.

Please remember this Handbook contains only general information and guidelines. It is not intended to address all the possible applications of, or exceptions to, general policies, procedures or a collective bargaining agreement. Our policies are based on the belief that sound judgment and consideration for the rights of others are paramount to our ability to serve our citizens and ourselves. These policies are not intended to provide contractual or property rights. While we have tried to anticipate many questions, keep in mind that this document will not provide every answer. For questions concerning eligibility for a particular benefit or how a policy or practice applies, employees should speak to their immediate supervisor or Human Resources.

We know that employees have varied skills, goals, perceptions and values and that such diversity may create situations not fully addressed within this Handbook. In that event, we'll try to make fair and equitable decisions while making sure that the best interests of the City are served.

The procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We recognize our responsibility to keep employees informed of changes that may affect them and will provide updates as needed. This Handbook is not intended to confer any property right in continued employment, to constitute a contract, or to contradict any binding past practice under any collective bargaining agreement.

Some subjects described in this Handbook, such as benefit plan information, are covered in detail in official policy documents. Please refer to these documents for specific information since this Handbook provides summaries only. Note that when discrepancies occur between benefit language in this Handbook and in the official policy documents, the terms of the written insurance policies are controlling.

Employees are encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions. Please read through the Handbook carefully. For additional questions or further details, employees should speak to their immediate supervisor who can advise or refer to the appropriate resource.

Please note that the policies and procedures in this Handbook are not intended to contradict any provision of a current labor agreement. In the event of a conflict between the provisions of this Handbook and the provisions of an in-force collective bargaining agreement, the provisions of the bargaining agreement will prevail.

EMPLOYMENT POLICIES

EMPLOYMENT RELATIONSHIP

With the exception of employees who are subject to a collective bargaining agreement or a contract of employment, all employment at the City is “at will”. Employees and the City reserve the right to end the employment relationship, with or without cause, at any time. No supervisor, manager or representative of the City has the authority to enter into any agreement contrary to this at-will relationship, or deviate from the provisions in this handbook, unless it is put in writing and signed by the City Manager, or included in a collective bargaining agreement/contract of employment.

Although the employment relationship is at-will, it is the intent of the City of Toledo to follow the employment practices outlined in this Handbook, unless application of a policy or practice is impractical or would result in hardship or subject to a collective bargaining agreement.

EQUAL EMPLOYMENT OPPORTUNITY

The City of Toledo is an equal opportunity employer and, as such, considers individuals for employment according to their abilities and performance. Employment decisions are made without regard to race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, or any other classification protected by law. All employment requirements mandated by state and federal regulations will be observed.

The City employs affirmative personnel measures to ensure the achievement of equal employment opportunities in all aspects of employment and the work environment. These policies of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff, recall, termination and dispute resolution.

No-Discrimination, No-Retaliation Policy

The City provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, sex, gender identity, pregnancy (including childbirth and related medical conditions), sexual orientation, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other status protected by applicable federal, Oregon, or local law. The City also recognizes an employee’s right to engage in protected activity under Oregon and federal law, as discussed in various policies below, and will not retaliate against an employee for engaging in protected activity.

For purposes of this and all other City policies, “race” is defined to include physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hair styles. Further, “protective hairstyles” is defined as “hairstyle, hair color or manner of wearing hair, including braids (regardless of whether the braids are created with extensions or styled with adornments, locs and twists).”

The City's commitment to equal opportunity applies to all aspects of the employment relationship — including but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall and termination of employment.

Statement Regarding Pay Equity

The City supports Oregon's Pay Equity Law and federal and Oregon laws prohibiting discrimination between employees on the basis of a protected class (as defined by Oregon or federal law) in the payment of wages or other compensation for work of comparable character. Employees who believe they are receiving wages or other compensation at a rate less than that at which the City pays wages or other compensation to other employees for work of comparable character are encouraged to discuss the issue with Human Resources.

No-Harassment Policy

The City prohibits harassment and sexual assault in the workplace, or harassment and sexual assault outside of the workplace that violates its employees, volunteers and interns' right to work in a harassment-free workplace. Specifically, the City prohibits harassment or conduct related to an individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal or local law.

Each member of management is responsible for creating an atmosphere free of discrimination, harassment and sexual assault. Further, all employees are responsible for respecting the rights of other employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances and regardless of whether others participate in the conduct or did not appear to be offended. All employees are encouraged to discuss this policy with their immediate supervisor, any member of the management team, or with Human Resources at any time if they have questions relating to the issues of discrimination or harassment.

This policy applies to and prohibits sexual or other forms of harassment that occur during working hours, during City-related or City-sponsored trips (such as conferences or work-related travel) and during non-working hours when that off-duty conduct creates an unlawful hostile work environment for any of City's employees. ***Such harassment is prohibited whether committed by City employees or by non-employees (including elected officials, members of the community, volunteers, interns and vendors).***

Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is "welcome"), when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Some examples of conduct that could give rise to sexual harassment are unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess, or deficiency; talking about one's personal sex life or asking others questions about theirs; leering or whistling; unwelcome touching or assault; sexually suggestive, insulting, or obscene comments or gestures; displays of sexually suggestive objects or pictures; making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex.

This is not a complete list.

Other Forms of Prohibited Harassment

City policy also prohibits harassment against an individual based on the individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal or local law.

City policy also prohibits harassment such as verbal, written or physical conduct that denigrates, makes fun of, or shows hostility towards an individual because of that individual's protected class or protected activity, and can include:

- Jokes, pictures (including drawings), epithets, or slurs;
- Negative stereotyping;
- Displaying racist symbols anywhere on City property;
- "Teasing" or mimicking the characteristics of someone with a physical or mental impairment or disability;
- Criticizing or making fun of another person's religious beliefs, or "pushing" religious beliefs on someone who doesn't have them;
- Threatening, intimidating, or hostile acts that relate to a protected class or protected activity; or
- Written or graphic material that speaks badly of or shows hatred toward an individual or group because of one or more protected statuses;
- Negative comments or teasing a person about their natural hair, hair texture and hair type or hair style (see definition of "race" on page 1). Employees may not touch another employee's hair without permission to do so, even if the touch is extended out of curiosity or as a compliment.
- Any form of hazing, including any act—whether physical, verbal, or psychological—intended to intimidate, harass, humiliate, or pressure an employee as a condition of inclusion, acceptance, or participation in any work-related activity.

This is not a complete list. All employees are expected to exercise sound judgment and demonstrate professional conduct in the workplace at all times.

Complaint Procedure

Employees, volunteers, or interns who have experienced a sexual assault, any harassment or discrimination in violation of this policy, who have witnessed such behavior, or who have information about such behavior occurring, are expected and should bring the matter to the attention of Human Resources, the City Manager or a supervisor or member of management as soon as possible. Employees are strongly encouraged to document the

information or incident in any written or electronic form, or with a voice mail message (or phone call). An employee who experiences or witnesses harassment is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted, and that they want it to stop.

Investigation and Confidentiality

All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with City's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, City will take prompt, appropriate corrective action and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the City's complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation. Employees may, however, seek redress from the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or in a court under any other applicable law, whether criminal or civil. Although the City cannot provide employees with legal advice, employees should be aware of the statute of limitations applicable to harassment or discrimination claims under ORS 659A.030, 659A.082 or 659A.121 (five years). Further, before an employee can take any legal action against the City, they must provide written notice of the claim to City within 180 days of the act or omission the employee claims caused them harm. When an employee can prove harm as a result of unlawful harassment or discrimination in an administrative proceeding or in a court, remedies available to the employee include enforcement of a right, imposition of a penalty, or issuance of an order to the employee's employer (in limited circumstances).

Protection Against Retaliation

City prohibits retaliation in any way against an employee because the employee has made a good-faith complaint pursuant to this policy or the law, has reported (in good faith) sexual assault, harassing or discriminatory conduct, or has participated in an investigation of such conduct.

Employees who believe they have been retaliated against in violation of this policy should immediately report it to Human Resources, the City Manager, or any supervisor or member of management. Any employee who is found to have retaliated against another employee in violation of this policy will be subject to disciplinary action up to and including termination of employment.

See *also* the No-Discrimination, No-Retaliation Policy, above, and the Reporting Improper and Unlawful Activity Policy, below.

Other Resources Available to Employees

The City provides an Employee Assistance Program (EAP) through Canopy to employees and dependents who are enrolled in City's medical coverage. For access to confidential help 24 hours a day, seven days a week, call toll-free: 1-800-433-2320, or go online to canopywell.com. (Use the organization code 'CIS' – not 'City of Toledo' - to gain access.) The EAP provides confidential counseling services and educational tools such as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, and others.

The City cannot provide legal resources to its employees or provide referrals to specific attorneys. Employees may contact the Oregon State Bar for more information: <https://www.osbar.org/public/>.

Other Employee Rights

Nothing in this policy is intended to diminish or discourage an employee who has experienced workplace harassment or discrimination, or sexual assault, from talking about or disclosing their experience.

The City is committed to creating and maintaining a workplace free of sexual assault, harassment, discrimination and retaliation and it has confidence in the process it has developed for addressing good-faith complaints. However, Oregon law requires the City to inform employees that if they have been aggrieved by workplace harassment, discrimination or sexual assault and want to enter into an agreement with the City regarding their experience and/or employment status, the employee should contact Human Resources or the City Manager. The employee's request to enter into such an agreement must be in writing (email or text is acceptable). Requests of this nature will be considered on a case-by-case basis; such agreements are not appropriate for every situation. If the City and employee do reach an agreement, the City will not require an employee to enter into a nondisclosure agreement (which would prohibit the employee from discussing or communicating about their experiences in the workplace or the terms of the agreement) or a non-disparagement agreement (which would prohibit the employee from speaking slightly about the City or making comments that would lower the City in rank or reputation). If, however, the employee makes a request for an agreement under this paragraph, nondisclosure and non-disparagement are terms that the City and the employee may agree to. The employee will have seven days to revoke the agreement after signing it.

Mutual respect between and among managers, employees, temporary employees, contractors and volunteers is an integral value of the City of Toledo. Only when all individuals work together can we create and maintain a work environment that is respectful, professional, and free from inappropriate workplace behavior.

Inappropriate Workplace Behavior includes unwelcome or unwanted conduct or behavior that causes a negative impact or disruption to the workplace or results in the erosion of employee morale. Inappropriate workplace behavior may also rise to the level of unlawful harassment or discrimination when in conjunction with an employee's protected class status such as race, gender, or disability.

Examples of inappropriate workplace behavior include, but are not limited to, comments, actions or behaviors of an individual or group, that are wholly disconnected from concerted or other protected activity, that purposefully humiliate, intimidate, disparage, demean, or show disrespect for another employee, a manager, a subordinate, a volunteer, a customer, a contractor, or a visitor in the workplace.

Inappropriate workplace behavior does not include actions taken to form, join, or assist labor organizations, to bargain collectively through representatives, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

Inappropriate workplace behavior generally does not include actions of performance management such as giving supervisory instructions, setting expectations, giving feedback, administering disciplinary actions, or conducting investigatory meetings.

Inappropriate workplace behavior generally does not include assigned, requested, or unsolicited constructive peer feedback on projects or work.

Respectful Workplace Policy

Employees of all types as well as temporary employees and volunteers at every level of the organization must foster an environment that encourages professionalism and discourages disrespectful behavior. All employees, temporary employees and volunteers must behave respectfully and professionally and refrain from engaging in inappropriate workplace behavior.

Addressing Inappropriate Workplace Behavior

Supervisors must address inappropriate behavior they observe or experience and should do so as close to the time of the occurrence as possible and appropriate.

If an employee, temporary employee, or volunteer observes or experiences inappropriate workplace behavior, they may:

- Redirect inappropriate conversations or behavior to workplace business.
- Tell the offending person their behavior is offensive and ask them to stop.
- Report the observation or experience to a supervisor, Human Resources, or other department leader.

Reporting Inappropriate Workplace Behavior

Any employee aware of or experiencing inappropriate behavior in the workplace should report that information immediately to a supervisor, Human Resources, or other department leader. Employees may report to any of the persons listed above, regardless of any particular chain of command. All employees are encouraged to document any incidents involving inappropriate workplace behavior as soon as possible.

Retaliation Protections

The City of Toledo prohibits retaliation against any employee for filing a complaint regarding conduct in violation of this policy. The City will not tolerate retaliation against any employee for raising a good faith concern, for providing information related to a concern, or for otherwise cooperating in an investigation of a reported violation of this policy. Any employee who retaliates against anyone involved in an investigation is subject to disciplinary action, up to and including termination.

Penalties

The City will not tolerate inappropriate workplace behavior. Any individual found to have engaged in such conduct may face disciplinary action up to, and including, termination. The City may also subject managers and supervisors who fail to report known harassment or fail to take prompt, appropriate corrective action to disciplinary action, up to and including termination.

No-Bullying Policy

City strives to promote a positive, professional work environment free of physical or verbal harassment, “bullying,” or discriminatory conduct of any kind. The City, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate, or that creates a hostile work environment for another employee for any reason. For purposes of this policy, “bullying” refers to repeated, unreasonable actions of individuals (or a group) directed towards an individual or a group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee(s). Examples of bullying include:

1. Verbal Bullying: Slandering, ridiculing, or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
2. Physical Bullying: Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person’s work area or property.
3. Gesture Bullying: Non-verbal threatening gestures, glances that can convey threatening messages.
4. Exclusion Bullying: Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with coworkers may be viewed as bullying.
5. Cyber Bullying: Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics including highly realistically altered or AI generated images known as ‘deepfake’, rumors sent by email or posted on social networking sites, or creating fake profiles on websites for coworkers, managers or supervisors or elected officials.

This is not a complete list.

Employees who have experienced bullying in violation of this policy, who have witnessed an incident of bullying, or who have credible information about an incident, are expected and should bring the matter to the attention of Human Resources, the City Manager or their supervisor or another member of management as soon as possible. If conduct in violation of this policy is found to have occurred, the City will take prompt, appropriate action and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment

Americans with Disabilities Act

The City is committed to complying fully with the Americans with Disabilities Act (ADA) and Oregon’s disability accommodation and anti-discrimination laws. We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

Accommodations

The City will make reasonable efforts to accommodate a qualified applicant or employee with a known disability unless such accommodation creates an undue hardship on the operations of the City.

Requesting an Accommodation

A reasonable accommodation is any change or adjustment to a job or work environment that does not cause an undue hardship on the department or unit (or, in some cases, the City) and that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, a reasonable accommodation may include providing or modifying equipment or devices, job restructuring, allowing part-time or modified work schedules, reassigning an individual, adjusting or modifying examinations or training materials provided by the City, providing readers and interpreters, or making the workplace readily accessible to and functional for people with disabilities.

Employees should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to perform the essential duties of a position. All accommodation requests should be made to Human Resources and should specify which essential functions of the employee's job cannot be performed without reasonable accommodation. In most cases, an employee will need to secure medical verification of their need for a reasonable accommodation, which will be at the direction of Human Resources. Both the City and employee must monitor the employee's accommodation situation and make adjustments as needed.

All accommodation requests, including medical-related information, will be kept confidential and shared only with individuals who need to know in order to facilitate the accommodation process. The City prohibits discrimination or retaliation against any employee or applicant who requests an accommodation under this policy.

Pregnancy Accommodation Policy

Employees who are concerned that their pregnancy, childbirth, or a related medical condition (including lactation) will impact their ability to work should contact Human Resources to discuss their options for continuing to work and if necessary, leave of absence options. The City will provide one or more reasonable accommodations for employees with known limitations unless such accommodations impose an undue hardship on the City's operations.

Although this policy refers to "employees," the City will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.

Requesting a Pregnancy-Related Accommodation

Employees who are concerned that their pregnancy, childbirth or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with Human Resources and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's healthcare provider may be needed to assist the City and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both the City and employee must monitor the employee's accommodation situation and make adjustments as needed.

No Discrimination, No Retaliation

The City prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by the City; or (3) needed an accommodation.

Employees who ask about, request or use accommodations under this policy and applicable law have the right to refuse an accommodation that is unnecessary for the employee to perform the essential functions of the job or when the employee doesn't have a known limitation.

Leave of Absence Options for Pregnant Employees

Employees who are pregnant or experiencing pregnancy-related medical conditions should also be aware of their leave of absence options under Paid Leave Oregon, Oregon's sick leave law, and the Oregon Family Leave Act (OFLA). See policies on page seventy (70) or speak with Human Resources.

Reporting Improper or Unlawful Conduct - No Retaliation

Employees may report concerns about the City's compliance with any law, regulation or policy, using one of the methods identified in this policy. The City will not retaliate against employees who disclose information that the employee reasonably believes is evidence of:

- A violation of any federal, Oregon, or local law, rules or regulations by the City;
- A violation of law, regulation, or standard pertaining to safety and health in the place of employment;
- Mismanagement, gross waste of funds, abuse of authority;
- A substantial and specific danger to public health and safety resulting from actions of the City or one of its employees; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, the City will not prohibit an employee from discussing the activities of a public body or a person authorized to act on behalf of a public body with a member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision, or an elected auditor of a city, county or metropolitan service district.

Employee Reporting Options

In addition to the City's Open Door Policy (page 22), employees who wish to report improper or unlawful conduct should first talk to their supervisor. If an employee is not comfortable speaking with their supervisor, or is not satisfied with their supervisor's response, employees are encouraged to speak with Human Resources. Supervisors and managers are required to inform Human Resources about reports of improper or unlawful conduct they receive from employees.

City will not disclose the identity of any employee who reports any of the information described in this policy during an investigation without the written consent of the employee. Reports of unlawful or improper conduct will be kept confidential to the extent allowed by law and consistent with the need to conduct an impartial and efficient investigation.

If the City were to prohibit, discipline, or threaten to discipline an employee for engaging in an activity described above, the employee may file a complaint with the Oregon Bureau of Labor and Industries or bring a civil action in court to secure all remedies provided for under Oregon law.

Additional Protection for Reporting Employees

Oregon law provides that, in some circumstances, an employee who discloses a good faith and objectively reasonable belief of the City's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the employee's disclosure must relate to the conduct of their coworker or supervisor acting within the course and scope of their employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) a manager with the City; or (4) an Oregon-licensed attorney who represents the employee making the report/disclosure. The defense also only applies in situations where the information disclosed was lawfully accessed by the reporting employee.

Policy Against Retaliation

The City will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes they are disclosing information about conduct that is improper or unlawful, and who lawfully accessed information related to the violation (including information that is exempt from disclosure as provided in Oregon law or by City policy).

In addition, the City prohibits retaliation against an employee for participating in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no City employee will be adversely affected because they refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. The City may take disciplinary action (up to and including termination of employment) against an employee who has engaged in retaliatory conduct in violation of this policy.

This policy is not intended to protect an employee from the consequences of their own misconduct or inadequate performance simply by reporting the misconduct or inadequate performance. Furthermore, an employee is not entitled to protections under this policy if the City determines that the report was known to be false, or information was disclosed with reckless disregard for its truth or falsity. If such a determination is made, an employee may be subject to discipline up to and including termination of employment.

EMPLOYMENT

New Employee Orientation

New employees are expected to attend a portion of their first day in orientation with Human Resources and to continue engaging in orientation, onboarding and training within their respective departments. This helps ensure positive integration into our operations and helps new employees start a productive and satisfying employment relationship. At the orientation, employees will receive detailed information about general policies, procedures, benefits and basic information on pay and leave policies. Orientation sessions are documented using the New Employee Orientation Checklist, which is signed and dated by the person conducting the session and kept in the employee's personnel file.

Introductory/Probationary Period

Employees in positions represented by a collective bargaining agreement (CBA) are subject to the introductory or probationary period outlined in their respective union contract. The terms, length, and conditions of probation are governed exclusively by the applicable CBA. Employees should refer to their contract for specific requirements and expectations.

Non-represented positions are not subject to a contractual probationary period unless otherwise specified in their offer letter details.

Attendance and Dependability

Employees are expected to be dependable, report to work on time for all scheduled shifts, and follow established procedures for notifying their supervisor when an absence or late arrival is necessary. Failure to provide proper notice may result in corrective action. Two or more consecutive days of no-call/no-show may be considered a voluntary resignation from employment.

Reporting Absences and Tardiness

Call-in procedures are as follows: Employees are required to notify their supervisor **as soon as possible** if they are unable to report to work or expect to be late. Notification should be made **directly to the supervisor** (or designated contact) via phone call, text message, or email. It is the employee's responsibility to know what method their supervisor prefers them to use.

Employees are expected to provide notice **at least 30 minutes before the start of their scheduled shift**, whenever feasible. For unforeseeable emergencies, notice should be given **as soon as possible**. Prompt and proper notification helps the department manage workloads and maintain efficient operations. Continued failure to follow proper call-in procedures can result in discipline up to and including termination.

New Hire Performance Evaluations

New employees will receive performance evaluations to help ensure they are progressing successfully in their roles and receiving timely feedback. For employees covered by a collective bargaining agreement (CBA), evaluation requirements and timelines will follow the provisions outlined in the applicable contract.

For non-represented employees, performance evaluations will generally be conducted at 3, 6, and 9 months of employment. After the first year, evaluations will occur on an annual basis.

Performance evaluations are intended to support communication, development and clarification of expectations. They do not constitute a contract, guarantee continued employment, or alter the at-will employment relationship between the employee and the City. The City retains the right to modify evaluation schedules or processes as needed.

Employment Classifications

Employee status is categorized to make distinctions in benefits and other employment conditions and to aid in a better understanding of employment relationships within the City of Toledo. Employees may be considered as regular full-time, regular part-time, temporary, or casual (on-call). The following definitions apply:

Regular Full-time: An employee who has successfully passed the introductory/probationary period and is regularly scheduled to work 40 hours or more per week. Classification normally is eligible for benefits.

Regular Part-time: An employee who is regularly scheduled to work at least 20 but less than 40 hours per week. Classification normally is eligible for benefits, though they may be on pro-rata basis.

Temporary: An employee who is hired for a specified period of time, usually no more than six months. This classification is not eligible for benefits.

Casual An employee who is regularly scheduled to work less than 20 hours per week, or who does not have a set schedule and works only when called upon. This classification is not eligible for benefits.

Employees are further classified according to federal and state wage and hour laws as exempt or non-exempt, as described below. The City Manager and Human Resources will make the appropriate designation regarding the status for each position. If an employee is uncertain as to employment status, employees should speak to their immediate supervisor/manager. For questions regarding the classification of positions as exempt or non-exempt, please discuss the matter with Human Resources.

Exempt: An employee who is exempt from the overtime pay requirements under federal and state wage and hour laws. Exempt employees typically include managers, executives, supervisors, professional staff and others who are paid on a salaried basis and whose duties and responsibilities allow them to be exempt under federal and state law. In order to be classified as exempt, a position must meet very strict guidelines as defined by the Fair Labor Standards Act (FLSA) and Oregon wage and hour laws.

Non-exempt: An employee whose job calls for overtime payment as appropriate under state and federal regulations. Non-exempt employees may be paid on an hourly or salary basis and are assigned a regular work shift of not more than 40 hours per week. Non-exempt employees may be eligible for overtime pay or entitled to accrue compensatory time or are eligible to get additional overtime payment at a rate of one and one half times their regular rate for all hours worked as defined in the Overtime section of this document.

Personal Attire Policy

The City is committed to maintaining a professional, safe and welcoming workplace. Employee attire should reflect the professional standards of the City, support the work being performed and avoid distractions or disruption. This policy is intended to be gender-neutral and applied consistently across all employees.

General Guidelines

- Clothing must be neat, clean, in good repair and appropriate to the employee's duties.
- Attire may include City-issued or City-logo apparel, provided it is in good condition and consistent with professional standards.
- Attire must not display slogans, symbols, or graphics that are offensive, harassing, or strongly associated with political, religious, or social movements.
- Attire must not create safety hazards or interfere with job performance.
- Clothing must provide adequate coverage and support.

Office/Administrative Employees (Business Casual)

Business Casual attire is neat, professional clothing that is less formal than traditional business wear, but still appropriate for an office setting. Examples include:

- Slacks, khakis, dress pants, skirts, or dresses of an appropriate length.
- Denim is permitted if neat, professional and free of tears or distressing.
- Collared shirts, blouses, sweaters, or polo shirts.
- Closed-toe or dress shoes; clean, neat sandals may be acceptable.

Not considered Business Casual

- T-shirts, sweatshirts, or tank tops.
- Ripped, frayed, or overly casual denim.
- Athletic wear, leggings (unless worn with a professional-length tunic or dress), flip-flops, or beachwear.

Tattoos and Piercings

- Tattoos and body piercings are generally permitted.
- All appearance must comply with City policies prohibiting inappropriate, offensive, or discriminatory content; tattoos that conflict with these standards must be covered while on duty.
- Jewelry that presents a safety hazard—including but not limited to, large gauges, hoops, or dangling piercings—may be restricted.
- Facial tattoos may be restricted when they do not meet the professional appearance expectations required for the position or the public-facing nature of City services.
- Employees should consult Human Resources **before** obtaining any permanent body alteration if there is uncertainty about its compatibility with job requirements or public-facing expectations.

Public Safety and Fire Department Employees

- Employees in sworn public safety roles or fire service positions must wear the designated uniform during duty hours, as established by their department.
- Uniforms should be maintained in good condition, clean and worn in accordance with departmental standards.

Special Exceptions

- Hot Weather: Supervisors may approve lighter-weight attire while ensuring standards of professionalism are maintained.
- Casual Days: The City may designate certain days for more relaxed attire. If approved, attire must still be neat, clean and free of inappropriate graphics or slogans.
- Holiday, Themed or Sports Team Wear: Permitted with Supervisor approval, provided it is workplace appropriate and does not interfere with work duties.

Supervisor Discretion

Supervisors are responsible for ensuring compliance with this policy. If an employee's attire is deemed inappropriate, the Supervisor may:

- Request the employee change immediately.
- Direct the employee to go home to change (time away may be unpaid).
- Provide additional guidance to prevent future issues.
- Involve Human Resources if the employee does not comply.

EMPLOYMENT RECORD KEEPING

Access to Personnel Files

The City of Toledo maintains a personnel record for each employee and access to those records is restricted to authorized persons only. The records contain applications, written evaluations, performance and counseling notices, correspondence and other information pertinent to employment. Authorized persons are individuals in a direct line of supervision over the employee or designated as a confidential/Human Resources employee.

Individual personnel files are available for review by making advance arrangements with Human Resources. HR will provide copies of personnel records or files as required by law, but employees may be charged for the reasonable cost of providing copies and/or shipping/mailing fees, if requested.

Employees also may review their medical records, which are kept in a separate locked file from personnel records. Although all medical information is confidential, the City of Toledo complies with the Health Insurance Portability Administration Act (HIPAA) when allowing access to employee medical records. All requests must be made in writing, signed and dated by the employee wishing to review their personal medical file.

Change in Personal Data

Keeping personnel records current is important with regard to pay, payroll deductions, benefits and other matters. If there are changes in any of the following items of information, **it is each employee's responsibility** to notify Human Resources:

- Name
- Relationship status
- Address
- Telephone number
- Dependents
- Person to be notified in case of emergency
- Job related physical or other limitations that impact employment
- Changes in status of driver's license or CDL if required to drive for the City of Toledo
- Changes in job related professional licenses
- Other information having a bearing on employment

All changes in personal information must be made in writing and signed/dated by the employee who the changes affect.

EMPLOYMENT RELATIONS AND CONDUCT

Ethics

The City believes in treating all people with respect and adhering to ethical and fair business practices. Employees must avoid situations that may compromise their reputation, integrity, or that might cause their personal interests to conflict with the interests of the City or the City's residents.

City employees are public employees, and as such, are also subject to the State of Oregon's City laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts and strict definitions of conflict of interest. Information on Oregon's City laws is available at the Oregon Government City Commission website: <http://www.oregon.gov/OGEC>.

For questions about whether an activity meets the City's or Oregon's ethical standards, please talk with the City Manager. Employees who violate the City policy, or who violate Oregon City laws, may be subject to disciplinary action up to and including termination.

City Conflict of Interest

Employees may not solicit, obtain, accept, or retain any personal benefit from any supplier, vendor, citizen, or any individual or organization doing or seeking business with the City of Toledo. This means employees may not maintain an outside business or financial interest or engage in any outside business or financial activity that conflicts with the interests of the City of Toledo or interferes with one's ability to fully perform job responsibilities. For example, if job responsibilities include purchasing or being in a position to influence purchasing, the individual responsible should have no proprietary or financial interest in any business that furnishes products, materials, or services to the City of Toledo or in any related transaction, nor may that employee benefit directly or indirectly from a third party who furnishes products, materials, or services to the City of Toledo.

Misrepresentation

Public employees need to be aware that they represent the City of Toledo in all work interactions. Employees need to maintain a professional manner at all times and fully consider all communications with the public and other employees. Employees should be mindful to not misrepresent the City's policies, practices, procedures, or misrepresent their status or authority to enter into agreements. Refer to the Government Standards and Practices Commission (GSPC) standards for conduct of "public officials" and employees of public entities, ORS Chapter 244. Employees have no authority to enter into any verbal or written contracts without the express approval of the City Manager.

Gifts, Prizes and Promotional Items

No City of Toledo employee shall accept any gift, service or favor, which would lead toward favoritism or the appearance of favoritism in any way.

Employees may not keep for themselves or give away any city materials, lost and found items, surplus equipment, or services. This includes items designated as surplus to be sold at government auction, or any other items stored for future removal. Employees are not authorized to give away or allow connection or continued service to any buildings within the city infrastructure, to include water, wastewater, electricity, gas, etc., without written agreement and approval from the City Manager office.

Outside Employment

Generally, employees may obtain employment with an employer other than the City or engage in private income-producing activity of their own so long as that activity is not otherwise prohibited by these rules. Employees are responsible for assuring that their outside employment does not conflict with these rules.

An employee is prohibited from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the employee's official action.

Employees may not accept outside employment that involves:

- The use of City time (including the employee's work time), City facilities, equipment and supplies, or the prestige or influence of the employee's position with the City. In other words, the employee may not engage in private business interests or other employment activities on the City's time or using the City's property;
- The performance of an act that may later be subject to control, inspection, review or audit by the department for whom the employee works (or by a State agency); or
- Receipt of money or anything of value for performance of duties that the employee is required to perform for the City.

The City requires employees to report outside employment to Human Resources before the outside employment begins. Thereafter, an employee must provide an update to Human Resources on an annual basis, or sooner if any changes in outside employment occur. Employees who accept outside employment in violation of this policy may be subject to discipline, up to and including termination.

Off Duty Conduct

Generally, the City regards off-duty activities of employees to be their own personal matter. However, certain types of off-duty activities may be concerning because of the potential negative impact on the City of Toledo's reputation within the communities we serve. Therefore, employees who engage in or are associated with illegal or otherwise harmful conduct that adversely affects the City of Toledo or their own ability or credibility to carry out employment responsibilities, may be subject to disciplinary action, up to and including termination.

Solicitation and Bulletin Boards

To protect employees from being disturbed or interrupted while on work duty, the City has established the following no-solicitation policy:

Non-employees are not allowed to solicit City employees or distribute literature, including signature-gathering, on City property at any time. This applies to all City buildings, grounds, and vehicles.

Employees may not distribute non-work-related materials during work hours unless approved by management.

If employees wish to solicit or distribute literature to other employees by or on behalf of any individual, organization, club, or society, they may do so only during times when on a rest or lunch break. Employees may solicit or distribute literature only to those employees who are also on a rest or lunch break. The distribution of literature in work areas is prohibited at all times, but employees may place information in established break areas or lunchrooms.

Obscene, profane, or inflammatory items and political advertisements or solicitations are strictly prohibited.

Employees may not solicit, expect, or accept contributions from vendors, citizens, or anyone doing business with the City of Toledo.

Employees may not sell merchandise or collect funds of any kind without prior approval from the City Manager.

The City uses our bulletin boards to post job postings, relevant notices, safety committee minutes and safety information, health promotion program news and other City of Toledo or local health related events as well as information required by law. We also use them to announce activities and other items of interest to employees. We ask that employees check the bulletin boards regularly to obtain information that may be important. Bulletin boards are to be used only for posting or distributing notices or announcements of a business nature that apply equally and are of interest to all employees, or are directly concerned with City business.

Open-Door Policy

The City's Open Door Policy is based on our belief that open, honest communication between managers and employees should be a common business practice. The City's managers and supervisors are responsible for creating a work environment where employee input is welcomed and where issues are identified early and shared without the fear of retaliation (when the employee provides the input in good faith). If employees have a complaint, suggestion, or question about their job, working conditions, or the treatment received from anyone in the City, please raise them first with one's immediate supervisor. If that response is not satisfactory, or if the issue involves one's immediate supervisor, please request to have the facts/situation reviewed by Human Resources.

Political Activity

Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours. This means that employees cannot:

- Be required to give money or services to aid any political committee or any political campaign;
- Solicit money or services (including signatures) to aid or oppose any political committee, nomination or election of a candidate, ballot measure or referendum, or political campaign while on the job during working hours (this is not intended to restrict the right of City employees to express their personal political views); or
- Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

Criminal Arrests and Convictions

Employees must promptly and fully disclose to their supervisor on the next working day:

1. All drug- or alcohol-related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on City property, or in a City vehicle (see “Alcohol/Drug Use, Abuse and Testing” policy above);
2. All arrests, citations, convictions, guilty pleas or no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
3. If an employee is arrested, cited, or convicted of a violation of any law that will prevent them from performing the essential functions of their position.

Reporting an arrest or conviction will not automatically result in termination of employment. Situations will be evaluated on a case-by-case basis.

Employees who are unable to report to work due to incarceration (e.g., jail or prison) are not eligible to use sick leave for that absence. Accrued vacation or other paid time off may be used at the employee’s discretion, subject to departmental and Human Resource approval. Extended or unapproved absences more than 5 working days may result in disciplinary action, up to and including termination. If the reason for incarceration conflicts with job duties or violates any City policy, the employee may be subject to immediate termination. Employees must continue to comply with all attendance and proper call-in procedures.

Workplace Relationships and Conflicts of Interest

The City values fairness in all employment decisions. Because personal relationships can create real or perceived conflicts of interest, The City has guidelines to make sure work decisions stay objective and professional.

Employees must inform Human Resources if they are related to, live with, or are in a romantic or close personal relationship with another City employee. This helps prevent situations that could look like favoritism or put either person in a difficult position.

Employees may not be in a direct supervisory relationship with a family member, household member, or someone with whom they have a romantic or close personal relationship. This includes situations where one person could influence the other’s hiring, pay, assignments, evaluations, discipline, or work schedule.

If a relationship develops during employment—or if an organizational change creates a conflict—employees must notify HR as soon as possible. HR will work with the employees and the department to remove the conflict. Solutions may include changing reporting lines, adjusting duties, or transferring one of the employees. Which option is used will depend on operational needs, available positions, and any applicable collective-bargaining rules.

If no reassignment is feasible, the City may remove supervisory or decision-making authority from the higher-level employee and assign it to an uninvolved manager.

All employees involved in the relationship must recuse themselves from any employment decisions affecting the other person. Supervisors and managers must not take personnel actions involving someone with whom they have a personal relationship.

Failure to disclose a covered relationship or to follow this policy may result in discipline, up to and including termination.

The City will document the steps taken to resolve any conflict and will not tolerate retaliation for making a disclosure.

Prohibition on Secret Recordings

Employees may not obtain or attempt to obtain the whole or any part of a conversation by means of any device without first obtaining permission from all of the people in the conversation. This rule applies to the recording of conversations made during work hours, while at work-related functions, or in connection with work between or among employees, supervisors/managers, elected officials, or members of the public. It does not apply to conversations where there is no expectation of privacy, such as City Council meetings, a Board of Commissioners work session, or related events.

This policy does not apply to law enforcement employees who record conversations in connection with their official public safety duties. Nothing in this policy prohibits or restricts an employee's right under the federal or Oregon constitutions to make recordings outside of working hours or while not representing or working on behalf of City. If anything in this policy contradicts existing CBA provisions on the recordings of personnel meetings, or Oregon or federal law that provide for lawful secret recordings, the CBA provision or law will apply.

Employees who secretly record meetings with supervisors, coworkers, elected officials, members of the public or any others while on duty will be subject to discipline, up to and including termination of employment.

Social Media

For purposes of this policy, "social media" includes all means of communicating or posting information or content of any sort on the Internet, including personal or someone else's web log or blog, journal, or diary, personal or commercial website, social networking website, web bulletin board or a chat room, whether or not associated or affiliated with City, as well as any other form of electronic communication.

Ultimately, employees are solely responsible for what they post online. Before creating online content, consider some of the risks that are involved. Keep in mind that any conduct that adversely affects job performance, the performance of coworkers, or that otherwise adversely affects our residents or people who work on behalf of City or City's legitimate business interests may result in disciplinary action up to and including termination.

Prohibited Postings

Employees will be subject to discipline, up to and including termination, if they create and post any text, images, videos or graphics, including highly realistically altered or AI generated images known as 'deepfake', or other media that violate any City policies. Similarly, postings that include threats of violence, that are physically threatening or intimidating, bullying or harassing, will not be tolerated and may subject an employee to discipline, up to and including termination.

Do not create a link from a personal blog, website or other social networking site to a City-owned or maintained website without identifying as a City employee.

Express only personal opinions. Never represent one's self as a spokesperson for the City unless authorized by the City Manager to do so. If the City is a subject of the content the employee is creating, disclose one's self as a City employee and make it clear that personal views do not represent those of City or its employees or elected officials.

Encouraged Conduct

Be consistently fair and courteous to coworkers, the residents we serve, City employees and elected officials as well as suppliers or other third parties who do business with City.

Employees are more likely to resolve work-related complaints by speaking directly with their coworkers, or by utilizing our management Open-Door Policy, than by posting complaints to a social media outlet. If an employee decides to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage citizens, coworkers, City employees or elected officials, that might constitute harassment or bullying, and/or that violate City policies. Examples of such conduct might include offensive posts that a reasonable person would perceive as calculated to intentionally harm an individual's personal or professional reputation, posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

Maintain the confidentiality of City's confidential information. Do not post internal reports, policies, procedures or other internal, City-related confidential communications or information.

Nothing in this policy is meant to prevent an employee from exercising their right to make a complaint of discrimination or other workplace misconduct, engage in lawful collective bargaining activity, or to express an opinion on a matter of public concern that does not unduly disrupt City operations. Employees are free to express themselves as private citizens on social media sites, but an employee's exercise of expression is balanced against the City's interest in the effective and efficient fulfillment of its responsibilities to the public.

Request for Employee Social Media Passwords

City's supervisors and managers are prohibited by law from requiring or requesting an employee or an applicant to disclose or to provide access through the employee's or applicant's username and password or other means of authentication that provides access to a personal social media account. This includes, without limitation, a username and password that would otherwise allow a supervisor/manager to access a private email account not provided by City.

Nothing in this policy prohibits City from requiring an employee to produce content from their social media or internet account in connection with a City-sponsored investigation into potential misconduct, unlawful or unethical behavior, or policy or rule violations.

WORKPLACE RULES AND PROHIBITED CONDUCT

Any violation of the rules or prohibited conduct in this policy may result in discipline, up to and including termination. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and City's operations, some of which are described elsewhere in this Handbook, may also be grounds for discipline, up to and including termination.

- Falsification of employment, worked hours or other City records.
- Recording time worked for anyone other than one's self or allowing another employee to record another individual's work time.
- Theft or the deliberate or careless damage or destruction of any City property, or the property of any other employee, member of the public, vendor or third party.
- Unauthorized use of City equipment, materials, or facilities.
- Provoking a fight or fighting during work hours or on City property.
- Carrying firearms or any other dangerous weapon on City premises at any time, except as allowed by Public Safety personnel. (See separate Weapons in the Workplace Policy, page 27.)
- Engaging in criminal conduct while at work.
- Causing, creating, or participating in a significant or substantial disruption of work during working hours on City property.
- Insubordination, including but not limited to failure or refusal to follow the lawful orders or instructions of a supervisor or member of management.
- Failure to notify a supervisor when unable to report to work, or when leaving work during normal working hours without permission from a supervisor to do so.
- Failure to observe work schedules, including rest breaks and meal periods. Employees are expected to be at work on time, remain until the workday ends, take all legally required breaks and perform the work assigned to or requested.
- Sleeping on the job; faking illness or injury to avoid working.
- Excessive personal telephone calls or texting during working hours.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by the City.
- Misrepresentation of City policies, practices, procedures, or status or authority to enter into agreements on behalf of the City. Employees may not use the City's name, logo, likeness, facilities, assets, or other resources of the City for personal gain or private interests.
- Violation of any safety, health, security or City policy, rule, or procedure. Employees are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by City or outside regulatory or legislative bodies.
- Failing to timely pay water/sewer/tax accounts with City on time, and/or who's City - provided services are disconnected. This includes, without limitation, situations where the employee writes a check to City that is refused for payment due to non-sufficient funds.

This statement of prohibited conduct does not alter City's policy of at-will employment. Except for employees subject to a collective bargaining agreement or contract of employment, City remains free to terminate the employment relationship at any time, with or without cause or notice.

Weapons in the Workplace Policy

The City of Toledo is committed to providing a safe and secure work environment for all employees, elected officials, volunteers and visitors. The purpose of this policy is to reduce the risk of violence, injury, or accidents by restricting weapons in the workplace, while recognizing the operational needs of the City's Public Safety Department.

Except as provided in this policy, employees, volunteers, elected officials, contractors and visitors are prohibited from carrying firearms or any other dangerous weapons on City premises, in City vehicles, or while conducting City business at any location.

Definitions

- City Premises: All buildings, grounds, vehicles, and property owned, leased, or operated by the City of Toledo.
- Dangerous Weapon: Any firearm (loaded or unloaded), explosive, knife with a blade over 4 inches, club, or other instrument designed or readily capable of causing death or serious physical injury, as defined under Oregon law.
- Public Safety Department: The City's Police Department, Fire Department, or other designated department whose employees are authorized by law and City policy to carry weapons in the performance of official duties.

Exceptions

This policy does not apply to:

1. Sworn Public Safety Officers and other designated personnel authorized by the City to carry firearms or other weapons in the course of their official duties.
2. Legally mandated circumstances, such as evidence storage or lawful handling of weapons by Public Safety personnel.

Employee Responsibilities

- Employees are expected to comply fully with this policy.
- Employees who become aware of a violation must promptly report the matter to their supervisor, Department Director, or Human Resources.

Enforcement

- Any violation of this policy by employees may result in disciplinary action, up to and including termination of employment.
- Unauthorized individuals found in possession of a weapon on City premises will be asked to remove it immediately. Failure to comply may result in removal from City property and referral to law enforcement.

Use of City Email, Electronic Equipment and Services

The City uses multiple types of electronic equipment and services for producing documents, research and communication including, but not limited to, computers, software, email, copiers, telephones, voicemail, fax machines, online services, the Internet and any new technologies used in the future. This policy governs the use of such City property.

Ownership

All information and communications in any format, stored by any means on or received or transmitted via City's electronic equipment or services is the sole property of City.

Use

City-provided network services, email, and electronic equipment are intended for City business purposes only. Limited incidental personal use may be allowed where explicitly permitted, provided it does not interfere with work duties, violate law or City policy, or compromise network security.

Employees may **not** use City IT resources to:

- Display or store sexually explicit or offensive content, or material that violates the City's anti-harassment, anti-discrimination, or bullying policies.
- Play games, use personal apps, or conduct personal business unrelated to City duties.
- Violate intellectual property laws, confidentiality agreements, or privacy regulations, including HIPAA or other protected data.
- Introduce malware or any software that could harm City systems.
- Stream video for personal entertainment. Streaming audio is allowed only if it is appropriate and does not disrupt network performance.

Email and Account Use:

- City email addresses may **not** be used to create or manage personal accounts (e.g., social media, banking, shopping).
- Supervisor-approved professional accounts (e.g., LinkedIn) are permitted for work purposes.

Public Wi-Fi and Personal Devices:

- Public or guest Wi-Fi may be used for limited personal activities, provided work efficiency is not affected.
- Sensitive City work should **never** be conducted over unsecured networks.
- Employees using personal devices to access City systems must comply with City security and access requirements.

Security, Access and Reporting:

- Employees must follow all password, access control, and security procedures.

- Any suspected security incidents, malware infections, or policy violations must be reported immediately to IT.

Monitoring and Privacy:

- City IT resources may be monitored to ensure compliance and security. Employees should have **no expectation of privacy** when using City-provided devices, email, or networks.

Consequences:

- Violations of this policy may result in disciplinary action, up to and including termination.

Inspection and Monitoring – No Right to Privacy

Employee communications, both business and personal, made using City electronic equipment and services are not private. Any data created, received, or transmitted using City equipment services are the property of City and usually can be recovered even though deleted by the user.

All information and communications in any format, stored by any means on City's electronic equipment or services, are subject to inspection at any time without notice. Personal passwords may be used for purposes of security, but the use of a personal password does not affect City's ownership of the electronic information, electronic equipment, or services, or City's right to inspect such information. City reserves the right to access and review electronic files, documents, archived material, messages, email, voicemail, and other such material to monitor the use of all City's electronic equipment and services, including all communications and internet usage and resources/sites visited. City will override all personal passwords if it becomes necessary to do so for any reason.

Personal Hardware and Software

Employees may not install personal hardware or software on City's computer systems or mobile devices without approval from the Information Systems Manager. All software installed on City's computer systems must be licensed. Copying or transferring of City-owned software to a personal device/equipment may be done only for personal devices/equipment used for City business and with the written authorization of the Information Systems Manager.

Unauthorized Access

Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by City management. No employee can examine, change, or use another person's files, output, username or password unless they have explicit authorization from the Information Systems Manager to do so.

Security

Many forms of electronic communication are not secure. Employees who use cell phones, cordless phones, fax communications or email sent over the Internet should be aware that such forms of communication are subject to interception. These methods of communicating should not be used for privileged, confidential, or sensitive information unless appropriate encryption measures are implemented.

Inappropriate Web Sites

City's electronic equipment, facilities or services must not be used to visit Internet sites that contain obscene, hateful, or other objectionable materials, or that would otherwise violate City's policies.

Cell Phone Use

The acquisition and use of cell phones shall be coordinated through the department head, the IT Department and approved through the budget process. Designated employees will use cell phones for City business only - personal use of a City cell phone is prohibited.

- The City will ensure that contracts are in place allowing for cost-effective purchases of cell phones and service plans.
- Cell phones are to be used for official City business only.
- The employee's direct supervisor will determine if an employee's assignment is such that regular use or access to a cell phone is appropriate.
- If the phone is damaged, lost, or fails to work properly, the employee will notify their supervisor immediately. Their department head will then arrange for repair or replacement of the phone, as appropriate. In case of theft, the employee will notify their supervisor or manager immediately to allow for the issuance of a stop service order to the cell vendor.
- Each employee who is issued a cell phone is responsible for its maintenance, care and security.
- Abuse of cell phone privileges are subject to discipline up to and including termination.

Charges for service on all City cell equipment are consolidated onto one account. Department heads shall obtain copies of their monthly statements from the Finance Department for review and approval. Accounts Payable is responsible for processing payments to the vendor.

Alternatively, a stipend for using a personal cell phone may be approved. Employees are advised that work-related communications conducted on a personal device may be subject to legal disclosure, including but not limited to public records requests, subpoenas, litigation holds, or court orders, to the extent permitted by law. This may require the employee to preserve, produce, or allow access to work-related information stored on their personal device.

Employees with questions about this policy or concerns about legal disclosure obligations should contact Human Resources before using a personal device for work-related activities.

PERFORMANCE MANAGEMENT AND REVIEW

To establish a meaningful performance evaluation system upon which City of Toledo can continuously monitor the effectiveness of the City operations, all employees will receive regularly scheduled performance evaluations at least annually.

The objectives of our performance management and formal appraisal process are:

- To ensure that each employee knows how they are performing against established performance standards;
- To determine how well the City of Toledo is doing in assisting with work performance and objectives;
- To ensure communication and two-way feedback;
- To provide a tool for career planning; and,
- To provide a permanent record of employee performance and City of Toledo contributions.

The City's performance appraisal program is intended to be participatory and equally involves both individual input and the supervisor's input. This allows employees to contribute to the growth and improvement of the City of Toledo. Employees are encouraged to:

- Inquire about personal performance periodically;
- Accept additional responsibilities and show initiative;
- Review opportunities for advancement within the City of Toledo;
- Ask for assistance in developing a goal-oriented path for advancement within the department or City; and,
- Learn about training available to assist in improving personal skills or qualifying for a promotion or lateral transfer.

Performance evaluations serve as one factor in decisions related to employment such as training, merit pay increases, job assignments, employee development, promotions and retention. Evaluations are to identify specific performance levels as compared to established standards, to acknowledge the merit of outstanding performance and to prescribe the means and methods of improving performance deficiencies to the required level of performance.

Performance evaluations are conducted based on an employee's current position and begin from the effective date of that position. An employee's original hire date continues to be used for purposes such as seniority, benefits and leave accruals.

CORRECTIVE ACTION/DISCIPLINE POLICY

Employees are expected to consistently perform to the best of their abilities. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet City standards, the City will determine whether it will terminate the employee's employment or provide the employee a reasonable opportunity to correct the deficiency through progressive discipline (such as, in no particular order, verbal warnings, written warnings, suspensions without pay, and demotions). The corrective action process will not always commence with verbal counseling or include a sequence or steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including termination) on the first or subsequent offense.

In lieu of terminating the employment of an employee for serious violations of City policies, procedures, and rules and for other inappropriate behavior or conduct, the City may choose to provide the employee a final opportunity to continue employment in the form of a 'Last-Chance Agreement'. The City may also choose to send the employee to a training or an education opportunity.

In all cases, City will determine the nature and extent of any discipline based upon the circumstances of each individual case and, where applicable, collective bargaining agreement provisions. The City may proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps when City deems such action appropriate. City retains the right to terminate any employee's employment at any time and for any reason, with or without advance notice or other prior disciplinary action (other than those employees who are subject to a collective bargaining agreement or contract of employment).

COMPENSATION

PAYROLL POLICIES

Paydays

Employees will be paid monthly. Paydays are generally on the last day of every month. If the payday falls on either a Saturday or Sunday, payments will be distributed on the Friday prior to the established payday. If a City holiday falls on payday, employees will receive payment on the last workday prior to the holiday.

Payroll Deductions

Certain mandatory and elective deductions are made from employee pay and are noted on the pay statement. The only deductions made are those mandated by law or authorized by the individual in writing, provided such deductions are not otherwise prohibited by state regulations.

Salary Advances

A monthly advance of up to one-third (1/3) the employee's gross monthly salary is allowed on the 15th of each month, starting after the employee's first full month of employment. Contact Human Resources or the Finance Department for the proper form to complete.

Additional draws may be granted for emergency situations only, up to 2 times per calendar year and must be approved by the employee's immediate supervisor and the City Manager. Emergency draws must not exceed an amount equal to the hours accumulated at the time of the request, less any funds required for voluntary and involuntary deductions. Draws may never exceed the net salary for the pay period. The amount of any pay advance will be withheld from the employee's paycheck covering the pay period the wages were drawn against. Employees are expected to conduct personal financial affairs in a responsible manner and advances will normally be approved only in cases of emergencies beyond one's control.

Delivery of Wages

Direct deposit is the City's default method of wage payment. Employees are encouraged to participate in direct deposit for timely and secure receipt of wages. Employees who wish to opt out may do so in accordance with Oregon law by submitting a written request to the Finance Department.

Method of Payment

Each payment of wages will be accompanied by an itemized statement showing gross earnings, net pay and a plain-language breakdown of all deductions, as required under Oregon law.

Time Records for Employees

The time card/time sheet is a record of hours worked and must be completed when time cards are due. A notice of dates listing when time cards are due will be issued annually at the beginning of each calendar year. The time card provides a permanent record of the time spent on the job, indicating the exact time worked. Time cards are available through immediate supervisors or from the Finance staff at City Hall.

Supervisors will review and initial time cards each pay period. If an error needs to be corrected or time clarified, the time card should be taken to the manager/supervisor, who will take the appropriate action. All manual entries or corrections must be made, reviewed and initialed by the supervisor or other appropriate management member. Time cards should be reviewed, signed, and turned in by the date specified, prior to the end of the pay period. Employee signatures on the time sheet each pay period verify that the times and dates are true and accurate.

Employees must never allow a co-worker or anyone besides a supervisor or manager to make entries on their time card.

All hours worked must be accurately recorded and will be paid in accordance with applicable wage and hour laws. Willfully falsifying a time card will be grounds for corrective action, up to and including termination.

Employees may not work off the clock. This includes performing job duties before or after scheduled work hours, during unpaid meal periods, or outside of normal work schedules without authorization.

Final Paycheck

The City requests employees give at least ten working days advance notice prior to departure when resigning or retiring from the City.

If the employee provides at least 48 hours' notice (excluding holidays and weekends), they will receive their final payment of wages on the last day worked, unless that day is a weekend or a holiday. In that case, the final paycheck is due on the next business day.

If less than 48 hours' notice is given, the final paycheck will be provided within five business days **or** on the next regularly scheduled payday, whichever occurs first.

If employment is separated by the City, the final paycheck is due by the end of the next business day.

Final paychecks will include all wages earned through the last workday, plus payment for any accrued and vested benefits that are due and payable at separation. Final paychecks will only be mailed upon written request of the employee/former employee - address verification must be provided.

Employee-Incurred Expenses and Reimbursement

The City of Toledo will pay reasonable business-related expenses incurred while performing all job responsibilities. All such expenses must be pre-approved by an employee's supervisor before payment will be made. Supervisors or the Accounting Supervisor at City Hall can provide travel expense vouchers. Expenses in excess of \$300 and out of State travel must be pre-approved by the City Manager. Expenses shall be paid for city employees only.

Every effort shall be made to prepay by City purchase order for registration fees or tuition to minimize cash requirements. A cash advance for travel expenses for City personnel requiring advance funding of sufficient funds to cover lodging expenses and meals for each day may be allowed by the employee's supervisor.

Expense Reimbursement Forms must be supported by proofs of purchase, e.g., itemized receipts and/or lodging invoices and approved by each Department Director. **Non-itemized receipts will not be accepted.** Reimbursement Forms are due within 30 days of transaction and must be submitted to the Finance Department on the Wednesday prior to the regular City Council meetings (City Council meets on the 1st, 3rd and 4th Wednesdays of each month). No reimbursement is allowed for alcohol.

Employees must use a City vehicle, if one is available, for a one-day trip for City business. If a City vehicle is available and an employee chooses not to use the City vehicle for a one-day trip, the employee shall not be reimbursed for mileage. An employee may use a privately owned vehicle for an approved overnight trip for City business and be reimbursed at the applicable IRS mileage rate. City employees are encouraged to use a City vehicle for overnight trips, if at all possible.

Employees assume liability for their own vehicle when it is used for business purposes.

Employees are encouraged to share rides, especially where State conventions or association meetings are involved.

HOURS OF WORK AND WORK SCHEDULES

City of Toledo Hours

The City has established regular working hours to promote a productive work environment that will serve our residents. General working hours are Monday through Friday, 8 a.m. to 5 p.m., with City Hall open Monday through Thursday, 8 a.m. to 4 p.m., and Fridays, 8 a.m. to 12 p.m.

Specific workday and workweek schedules for each employee will be determined by the appropriate manager based on the City of Toledo's needs. The City will attempt to notify employees of any changes in workdays or workweek schedules two weeks prior to the effective date of change. Management reserves the right to modify schedules consistent with the needs of the City. Collective bargaining agreements may also specify or limit schedules for represented employees.

Overtime & Work Hours

The City complies with the federal Fair Labor Standards Act (FLSA), applicable Oregon wage and hour laws and all collective bargaining agreements regarding work hours and overtime.

For payroll and overtime purposes, the City's workweek runs from 12:00 a.m. Sunday to 11:59 p.m. Saturday. This is used to calculate hours worked, overtime and other time-based pay. For employees covered by a collective bargaining agreement, the agreement governs the workweek if it differs from this policy.

Unless otherwise provided by law or a collective bargaining agreement, non-exempt employees are paid overtime at one and one-half (1½) times their regular rate of pay for all hours worked over forty (40) hours in a designated workweek, as defined by the City.

Overtime should be approved in advance by a supervisor whenever possible. However, **all hours actually worked must be accurately recorded and will be paid**, even if overtime was not approved in advance. Working unauthorized overtime may result in corrective action.

The City may provide compensatory time off in lieu of overtime pay at a rate of **one and one-half (1½) hours for each overtime hour worked**, in accordance with FLSA requirements and City policy. However, the City cannot require that non-exempt employees take compensatory time off in lieu of overtime pay. Use of compensatory time off is governed by the applicable CBA and must be arranged by mutual agreement between the employee and supervisor. When an employee is separated from employment with the City, any remaining compensatory time will be paid to the employee.

The City reserves the right to **schedule, assign, limit, or require overtime** based on operational needs.

For represented employees, overtime eligibility, pay rates, work periods, compensatory time and related rules are governed by the union contract. If this policy differs, the union contract applies. Employees should refer to their CBA for specific overtime provisions.

Meal and Rest Periods

Oregon law establishes minimum meal and rest period requirements. For union-represented employees, these requirements may be modified **only when a collective bargaining agreement (CBA) specifically addresses meal and/or rest periods**. When a CBA clearly provides alternative rules, the CBA applies. If the CBA does not specifically address meal or rest periods, Oregon law applies.

Non-exempt employees are required to take a paid, uninterrupted 15-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.

Unless an applicable CBA specifies otherwise, 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, an employee is required to remain on duty or to perform any tasks during the meal period, the employee must inform their supervisor before the end of the shift so that the City may pay the employee for that work.

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.

Employees with questions about rest breaks or meal periods should contact Human Resources.

Rest Breaks for Expression of Breast Milk

The City will provide reasonable rest periods to accommodate an employee who needs to express milk for their child 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 from overtime laws, the employee is entitled to take a reasonable period each time the employee has a need to express milk.

The City will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time the City is required to provide as paid rest breaks and/or meal periods under applicable personnel rules or collective bargaining agreements. Additional time needed beyond the paid rest breaks and/or meal periods may be taken as unpaid time.

If an employee takes unpaid rest breaks, the City may, at the discretion of the employee's supervisor, allow the employee to work before or after their normal shift to make up the amount of time used during the unpaid rest periods. The City will allow, but not require, an

employee to substitute paid leave time for unpaid rest periods taken in accordance with this policy.

The City 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, the City will identify a private location the employee can travel to. The travel time to and from the private location will not be counted as a part of the employee's break period.

Notice

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

Storage

Employees are responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration.

Social and Recreational Activities

Participation in off-duty social or recreational activities such as City of Toledo picnics and holiday parties is entirely voluntary. Participation or nonparticipation will not affect wages, hours, working conditions or present or future employment opportunities.

Extreme Weather/Emergency Closing

Except for regularly scheduled holidays identified by the City (see "Paid Holiday Benefit" section, page 47), the City is open for business on Mondays through Fridays during normal business hours. If there are circumstances beyond our control, such as inclement weather, a national crisis, or other emergencies that make one or more of our office locations inaccessible for all or part of a regularly scheduled workday, the City Manager (or their designee) will decide whether to and to what extent the City will close. Department directors will notify their departments as soon as a decision is made.

Possible Closure Options:

- **Full Closure.** Non-essential personnel do not report to work. Leave time banks will not be charged. Employees required to work will receive "like time" off for hours worked during Full Closure.
- **Delay or Early Release.** Start time may be delayed to allow conditions to improve or employees may be sent home early to avoid travel as conditions worsen. Leave

time banks will not be charged and employees required to work will receive "like time" off for hours worked during this time.

- Discretionary Attendance. Conditions do not require full closure, but individual conditions may impact an employee's ability to report to work. Attendance is discretionary, but absences will be charged against an appropriate leave bank (vacation, compensatory time, holiday accrual.) Employees must notify their supervisor, in advance of their shift, of their intended absence from work.
- No Closure. Employees are expected to report to work on their regular work schedules. This is the default determination on non-hazardous days when no city wide safety concerns are present.

BENEFITS

HEALTHCARE INSURANCE BENEFITS

The City of Toledo offers health insurance coverage (medical, dental and vision) for all regular, full-time employees and their dependents, if they are eligible to participate in the plan, unless otherwise established by law.

Employees who meet the definition of “benefit eligible” under both the City’s policy and that of its health insurance providers are eligible starting the first of the month following 30 days of employment. Percentage of employer/employee cost coverage varies by position.

Employees will be provided information about available plans at time of eligibility. Employees are asked to review the summary plan description for answers to questions they may have. Any need for further information should be referred to Human Resources or the CIS Benefits website.

The group insurance policy and the summary plan description issued to employees set out the terms and conditions of the health insurance plan offered by the City. These documents govern all issues relating to employee health insurance. As other employee benefits are offered by the City, employees will be advised and provided with copies of relevant plan documents. Copies are available from Human Resources or on the CIS Benefits website.

OTHER INSURANCE BENEFITS

Group Life Insurance

The City of Toledo provides group life insurance coverage for eligible employees. The City pays the full premium.

Long Term Disability

The City of Toledo provides a Group Long-term Disability plan. Employees who are regularly scheduled to work 20 hours or more per week become eligible for this plan after six months on the job. The City pays the full premium.

Premium Only 125 Plan

City of Toledo provides a Premium Only 125 Plan that allows employees to have any group medical or dental premium contributions deducted from their checks on a pre-tax basis. Details will be provided to employees at the time of eligibility.

Employee Paid Benefits

City of Toledo offers several employee paid benefits. Please see Human Resources or the CIS Benefits website for more information.

VACATION BENEFITS

The City of Toledo values the well-being of its employees and recognizes that regular rest and time away from work contribute to a healthy, productive and engaged workforce. Our vacation policy and personal leave time is designed to provide employees with the opportunity to recharge, attend to personal needs and maintain a positive work–life balance.

All full-time and regularly scheduled part-time employees are eligible for vacation based on the schedule below. Part-time employees earn vacation time on a pro-rated basis. Vacation time must be accrued before the employee is able to use it.

Employees will earn vacation benefits according to the following schedule: *

<u>Number of continuous years of service</u>	<u>Benefit per month</u>
Earned during 1 st year through 4 th year	8 hours/month
Earned during 5 th through 9 th year	10 hours/month
Earned during 10 th through 14 th year	12 hours/month
Earned during 15 th through 19 th year	14 hours/month
Earned 20 th year or more	15 hours/month

*Vacation accrual for union employees is provided for in the respective labor union agreements. Management employees should refer to the Management Compensation Plan (MCP) schedule.

Vacation accrual will be paid out at termination of employment in accordance with applicable laws.

For non-represented employees, vacation benefits will stop accruing when the maximum of 285 hours has been reached. Employees subject to union representation may have different accrual caps and should consult their applicable bargaining agreement for specifics.

Vacation benefit will begin accruing again when the balance is reduced to less than the allowed maximum. In the event the City of Toledo determines budgeted funds are available, employees may “buy back” a portion of their accumulated vacation leave each year. Employees may request a lump sum payment for up to 40 hours of accumulated vacation leave, as long as the employee retains a balance of at least 80 hours and has used at least 40 vacation hours in that calendar year. Such payment shall be made to the employee by the following regular pay day. Such payments are subject to approval by the City Manager, based on the availability of budgeted funds. Refer to applicable CBA or the Management Compensation Plan (MCP) for allowed frequency of buy-backs.

Employees who want to use vacation time should request time off as early as possible so arrangements for coverage can be made. Requests for vacation time are to be made in writing and submitted to the employee’s direct supervisor. Requests are not guaranteed to be approved, however each supervisor does their best to accommodate. The supervisor may have to grant approval based on the order in which the requests were received. Best practice is to have another vacation option in mind, just in case.

SICK LEAVE BENEFIT

The City provides eligible employees with paid sick leave in accordance with Oregon's Sick Leave Law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law.

Employees with questions about this policy should contact Human Resources. Please also refer to the Oregon Sick Leave Law notice that is posted in a central location in each respective worksite.

Eligibility and Accrual of Sick Leave

Under Oregon's Sick Leave Law and this policy, "employee" includes part-time, full-time, hourly, salaried, exempt and non-exempt employees.

Employees begin to accrue paid sick leave on the first day of employment and may use paid sick leave as it is accrued.

Employees accrue and may use up to 720 hours of sick leave per calendar year. Sick leave shall accrue at the rate of 8 hours each calendar month worked until the 720-hour accrual cap is reached. Sick leave shall be taken in hourly increments. Applicable CBA may have different maximum accrual and usage rates. Part-time employees accrue sick leave on a pro-rated basis.

Exempt employees are presumed to work 40 hours in each workweek for purposes of their sick leave accrual unless their normal workweek is less than 40 hours, in which case sick leave is accrued based on the employee's normal workweek.

Carryover

Sick leave is meant to be used or carried over; any unused sick leave has no monetary value and will not be cashed out upon separation of employment. If an employee leaves the City and is rehired within 180 days, the employee's sick leave balance at the time of separation will be restored.

Use of Sick Leave

Up to 720 hours of unpaid sick leave may be used each calendar year for any of the following reasons:

1. For the diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care. This is available for the employee or their covered family member.
 - a. "Family member" means the employee's:
 - Spouse or registered domestic partner;
 - Child or the child's spouse or registered domestic partner;
 - Parent or parent's spouse or registered domestic partner;
 - Sibling or stepsibling or the sibling's or stepsibling's spouse or registered domestic partner;

- Grandparent or the grandparent's spouse or registered domestic partner;
 - Grandchild or the grandchild's spouse or registered domestic partner; or
 - An individual related by blood or affinity whose close association with a covered employee is the equivalent of a family relationship.
2. To care for an infant or newly adopted child under 18 years of age, or for a newly placed foster child under 18 years of age, or an adopted or foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability, completed within 12 months after birth or placement of the child.
 3. To recover from or seek treatment for a health condition that renders the employee unable to perform at least one essential function of the position.
 4. Absence associated with the death of a family member, including but not limited to, attending a memorial service, making service arrangements or grieving the death. (This use of sick leave is *in addition* to any paid bereavement offered by the City and/or applicable CBAs.)
 5. If the employee, or the employee's minor child or dependent, is a victim of domestic violence, harassment, sexual assault, stalking or bias crime as defined by Oregon law and requires leave for any of the purposes under Oregon's domestic violence leave law (ORS 659A.272).
 6. In the event of certain public health emergencies or other reasons specified under Oregon's sick leave law.
 7. Evacuation, air quality index and other heat index orders.
 8. Up to four (4) hours of sick leave each calendar year to donate blood. Blood donations must be made through a program accredited by the American Association of Blood Banks or the American Red Cross. (*effective 1/1/2026*)

Employees absent from work for one or more of the qualifying reasons above must use accrued sick time hours for that reason and on each subsequent day of absence.

Employee Notice of Need for Sick Leave

Foreseeable Sick Leave

If the need for sick leave is foreseeable, an employee must notify their immediate supervisor as soon as practicable before the leave begins. Generally, an employee must provide at least 10 days' notice for foreseeable sick leave. The request shall include the anticipated duration of the sick leave, if possible. Employees must make a reasonable effort to schedule foreseeable sick time in a manner that minimally disrupts the operations of City. Employees must notify their immediate supervisor of any change in the expected duration of sick leave as soon as is practicable.

Unforeseeable Sick Leave

If the need for sick leave is unforeseeable, the employee must notify their immediate supervisor as soon as practicable and comply generally with City's call-in procedures.

Call-In Reminder: Employees must notify their supervisor (or designated contact) as soon as possible if they will be absent or late, using the supervisor's preferred method of communication. When feasible, notice should be given at least 30 minutes before the start of the scheduled shift. Failure to follow call-in procedures may result in discipline, up to and including termination.

An employee must contact their supervisor daily while on sick leave, unless an extended period of sick leave has been prearranged with the supervisor or when off work on protected leave. The employee shall inform their supervisor of any change in the duration of sick leave as soon as practicable.

If an employee fails to provide proper notice or make a reasonable effort to schedule leave in a manner that is only minimally disruptive to organizational operations, the City may deny the use and legal protections of sick leave.

Sick Leave Documentation

If an employee takes **more than** three consecutive scheduled workdays as sick leave, the City may require reasonable documentation showing that the employee was absent for an approved reason and for future absences. Reasonable documentation includes documentation signed by a healthcare provider or documentation for victims of domestic violence, harassment, sexual assault, bias crimes, or stalking.

Sick Leave Abuse

If the City suspects sick leave abuse, including but not limited to repeated use of unscheduled sick leave or repeated use of sick leave adjacent to weekends, holidays, vacations and paydays, the City may require documentation from a healthcare provider of the need for the employee's use sick time, regardless of whether the employee has used sick time for more than three consecutive days. Employees found to have abused sick leave as described here may also be subject to discipline, up to and including termination.

PAID HOLIDAY BENEFIT

City of Toledo observes the following holidays each year, and our offices are officially closed on these days:

New Year's Day
Presidents Day
Juneteenth (June 19)
Labor Day
Thanksgiving Day
Christmas Day

Martin Luther King Jr. Day
Memorial Day
Independence Day (July 4)
Veterans' Day
Day after Thanksgiving

One (1) Floating Holiday

Employees will receive a schedule each year showing the date each of these holidays will be observed. These holidays or any additional time observed, such as Christmas Eve or New Years' Eve, will be determined each year at management's discretion. Floating holidays shall be scheduled in advance with supervisory approval and may not be taken in less than ½-day portions.

Eligibility

Regular employees scheduled to work 20 hours or more per week will be paid for the above holidays. Part-time employees will receive a pro-rated amount of paid time based on their regularly scheduled time. For instance, a part-time employee working 20 hours per week would receive 4 hours of holiday pay because they are working 50% of full-time.

Exception

Full-time employees represented by the Toledo Public Safety Association Collective Bargaining Agreement shall be entitled to ten (10) hours of paid time off per full calendar month of employment, **in lieu of holidays**. See specific CBA for details.

OTHER BENEFITS

Employee Assistance Program

This free, confidential service is provided by Canopy and is available to all employees and dependents covered on a CIS Regence medical plan. The 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 relationship conflict, conflict at work, depressions, stress management, family relationships, anxiety, alcohol or drug abuse, grieving a loss and career development services.

Canopy 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 by contacting Canopy directly at 1-800-433-2320, or at www.canopywell.com. (Be sure to enter the company name as 'CIS' when registering, not 'City of Toledo.')

Retirement

The City participates in the Public Employees Retirement System (PERS); therefore, individual designation as a Tier I, Tier II, or Oregon Public Service Retirement Plan (OPSRP) member will depend on 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 City's contributions to employee PERS or OPSRP plans, please see Human Resources.

LEAVES OF ABSENCE

LEAVE OF ABSENCE OVERVIEW

The City offers a variety of paid and unpaid leave options to support employees' health, family responsibilities, military service and other personal needs, in accordance with applicable laws and City policy. Eligibility requirements and approval processes vary by leave type.

Employees must submit a **Leave Request Form** for all leave of absence requests to ensure proper review, documentation, and compliance. Employees with questions about leave options or legally protected leave should contact Human Resources.

PAID LEAVE OREGON

Paid Leave Oregon (PLO) is a state-run program, administered by the Oregon Employment Department (OED) that allows eligible employees to take up to 12-weeks of paid time off per benefit year, for the following reasons:

- **Family leave** – for an employee to care for an eligible family member with a serious illness or injury, to bond with a new child after birth, adoption, or foster care placement, or to effectuate the legal process required for placement of a foster child or the adoption of a child.
- **Medical leave** – for an employee experiencing their own serious health condition or disability due to pregnancy.
- **Safe leave** – for an employee or eligible child dependent experiencing issues related to sexual assault, domestic violence, harassment, bias, or stalking.

The PLO program also allows employees to take an additional two (2) weeks of paid leave for pregnancy, childbirth, or related medical conditions.

Notification Requirements

Although the PLO program is administered by the Oregon Employment Department (OED), employees are required to notify the City when they have applied for leave.

Foreseeable Leave:

If the need for PLO leave is foreseeable or planned, the employee is required to provide Human Resources with at least 30 days' written notice before paid leave begins.

Unforeseeable Leave:

If the need for PLO leave is unforeseeable or unplanned, an employee is required to provide oral notice to Human Resources within 24 hours of the start of the leave, and the employee must also provide written notice within three (3) days after the start of the leave.

Written notice must include the employee's first and last name, type of leave, explanation of the need for leave and anticipated timing and duration of leave. Timing and duration of leave should include the employee's plan for taking leave on an intermittent basis (and the proposed schedule) or in one block of time. A Leave Request Form is available for this process.

If the employee's dates of scheduled leave change, are extended by the PLO program, or if the reason for leave becomes known and/or, if circumstances change during the leave and the leave period differs from the employee's original notice, the employee must notify Human Resources within three business days, or as soon as possible.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees are expected to comply with City's normal call-in procedures.

Under Oregon law, an employee who fails to follow these notification requirements may receive reduced PLO benefits; specifically, the first weekly benefit amount will be reduced by 25 percent (the penalty calculated for leaves that are taken in increments of less than a full work week differs). See OAR 471-070-1310(9) and (10).

Accrued Leave and Holiday Pay While on Paid Leave Oregon

PLO benefits may not provide employees with 100% of their gross regular wages. Employees receiving PLO benefits may choose to use accrued paid leave (sick, vacation, paid time off, etc.), and/or comp time in addition to receiving PLO benefits. **Accrued paid leave must be used in the following order: Sick leave, vacation leave, comp time, selected holiday, etc.**

An employee may not use any form of accrued paid leave to supplement their Paid Leave Oregon benefits in a way that results in receiving more than 100% of their gross regular wages.

For employees covered by a collective bargaining agreement, leave accrual and holiday pay while on Paid Leave Oregon are governed by the applicable collective bargaining agreement, which prevails if different from this policy.

Benefits While on Leave

If an employee is receiving PLO leave benefits, the City will continue the employee's healthcare, life, disability, and all eligible voluntary coverage, on the same terms as if the employee had continued to work. An employee wishing to maintain coverage when on PLO leave is responsible for paying their share of premiums, the same as when premiums were paid by the employee, prior to receiving PLO leave benefits.

If the City chooses to pay the employee's portion of the insurance coverage during the period of PLO leave, employees are expected to repay the City for those premiums. Upon return to work, the City will deduct those premiums from an employee's pay, up to 10% of an employee's gross pay, each period, until the City has been paid back.

If an employee cannot or will not pay their share of premiums, the City may discontinue coverage until the employee returns from leave. Additionally, if an employee fails to return to work from leave under PLO, then the City may use any legal means available to collect any amount the employee owes to the City for covering the employee's share of the premiums while the employee was on leave under PLO.

Medical Certification Prior to Returning to Work

If an employee uses more than three consecutive scheduled workdays for their own serious health condition, prior to returning to work the employee must furnish medical certification from their healthcare provider stating that the employee is able to resume work.

Job Protection

Employees who worked for the City for more than 90 consecutive calendar days prior to taking PLO leave will be reinstated to their former position if the position still exists. If the position has been eliminated, the employee will be restored to a similar position with similar job duties with the same employment benefits and pay.

Reinstatement is not guaranteed if the position has been eliminated under circumstances where the law does not require reinstatement.

Employees are expected to promptly return to work when the circumstances requiring PLO leave have been resolved. If an employee does not return to work at the end of their PLO leave, reinstatement may not be available.

Complaint Procedure

The City prohibits retaliation against an employee with respect to hiring or any other term or condition of employment because the employee asked about, requested, or used PLO leave.

Who to Contact for More Information

For more information and questions about the Paid Leave Oregon policy, contact Human Resources.

For more information about the PLO program, including steps for applying for PLO benefits and contact information, go to <https://paidleave.oregon.gov/>

A poster with Paid Leave Oregon information, including information about how to apply for benefits is posted in a central location in each respective worksite.

OREGON FAMILY LEAVE ACT

The following is a summary of Oregon Family Leave Act (OFLA) policy and procedures. Generally, eligible employees are entitled to 12 weeks of unpaid leave for the reasons identified below. Oregon law prohibits retaliation against an employee with respect to hiring or any other term or condition of employment because the employee asked about, requested or used OFLA Leave. In all cases, applicable Oregon laws, rules, policies and collective bargaining agreements govern the employee's and the City's rights and obligations, not this policy.

Employees seeking further information should contact Human Resources. Please also refer to the "Oregon Family Leave Act" notice that is posted in a central location in each respective worksite.

Definitions

Family Member - Is defined as a spouse or domestic partner, a child of a covered individual or the child's spouse or domestic partner, a parent of a covered individual or the parent's spouse or domestic partner, a sibling or stepsibling of a covered individual or the sibling's or stepsibling's spouse or domestic partner, a grandparent of a covered individual or the grandparent's spouse or domestic partner, a grandchild of a covered individual or the grandchild's spouse or domestic partner, any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

Child - Includes a biological, adopted, foster or stepchild, the child of a registered domestic partner, or a child with whom the employee is in a relationship of in loco parentis, under the age of 18 or over 18 if incapable of self-care because of a mental or physical disability.

Eligible Employee

OFLA - To qualify for OFLA leave an employee must have been employed for at least 180 days and worked an average of at least 25 hours per week.

OMFLA - For purposes of Oregon Military Family Leave Act leave, the employee need have only worked 20 hours per week (no minimum length of employment required). A different calculation method applies for reemployed service members under USERRA who seek OMFLA leave; see Human Resources for more information.

Public Health Emergency Leave - Employees are eligible to take any OFLA leave during a Public Health Emergency if they have worked: (a) more than 30 days immediately before the date on which the leave would begin; or (b) an average of 25 hours per week in the 30 days immediately before the date on which the leave would begin. See definition of “public health emergency” definition below.

Public Health Emergency

A “public health emergency” is a public health emergency declared under ORS 433.441 or an emergency declaration declared under ORS 401.165. An example of this is when the State of Oregon declared a COVID-19 state of emergency in March 2020 and the wildfire state of emergency in June 2021.

Reasons for Taking Leave

OFLA leave may be taken for any of the following purposes:

1. Pregnancy Disability Leave: For incapacity due to pregnancy, prenatal medical care or birth.
2. Sick Child Leave: To care for a child under the age of 18, or for a child who is substantially limited by a physical or mental impairment, who is experiencing an illness or injury that requires home care or has a serious health condition, or to care for a child whose school or place of care has been closed due to a public health emergency. Employees are required to provide advanced notice of their intent to take leave if the public health emergency is issued at least 30 days in advance. This type of leave does not provide for routine medical and dental appointments or issues surrounding the availability of childcare when the child is not ill or injured.
3. Bereavement Leave: To cope with the death of a Family Member by attending the funeral of the Family Member, making arrangements necessitated by the death of the Family Member, or grieving the Family Member’s death. Employees are eligible for two (2) weeks per family member, up to a maximum of four (4) weeks per leave year.
4. Oregon Military Family Leave Act Leave (“OMFLA”): During a period of military conflict, as defined by the statute, eligible employees with a spouse or registered domestic partner who is a member of the Armed Forces, National Guard, or military reserve forces (“Military Spouse”), and who has been notified of an impending call or order to active duty (or who has been deployed) is entitled to a total of 14 days of unpaid leave per deployment after the Military Spouse has been notified of an impending call or order to active duty and before deployment and when the Military Spouse is on leave from deployment.

5. Public Health Emergency Leave: Employees are eligible to take any OFLA leave during a Public Health Emergency if they have worked: (a) more than 30 days immediately before the date on which the leave would begin; or (b) an average of 25 hours per week in the 30 days immediately before the date on which the leave would begin. This is available to employees who are eligible for OFLA only. See the definition of “public health emergency” below.

Length of Leave

In any one-Year Period, eligible employees may take up to 12 weeks of unpaid protected time off per leave year. Employees are eligible to take up to two (2) weeks of unpaid Bereavement leave, up to a maximum of four (4) weeks per leave year.

One-Year Period

For purposes of determining the amount of OFLA leave that an eligible employee may take, “One-Year Period” means a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which the employee’s OFLA leave begins.

Intermittent Leave

Intermittent or reduced-schedule leave may be taken when medically necessary. Employees must make reasonable efforts to schedule planned medical treatments to minimize disruption of City operations, including consulting management prior to the scheduling of treatment to work out a treatment schedule which best suits the needs of both City and the employee.

Employee’s Responsibilities - Notice

Employees must provide at least 30 days’ notice before OFLA leave is to begin. If 30 days’ notice is not practicable, because of a lack of knowledge of approximately when leave will be required to begin or a change in circumstances, notice must be given as soon as practicable. If the situation giving rise to a Sick Child Leave is unforeseeable, an employee must give verbal or written notice to City within 24 hours of commencement of the leave.

Whether leave is to be continuous or is to be taken intermittently or on a reduced schedule basis, notice need only be given one time, but the employee shall advise Human Resources as soon as practicable if dates of scheduled leave change or are extended or were initially unknown.

If circumstances change during the leave and the leave period differs from the original request, the employee must notify Human Resources within three business days, or as soon as possible.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees will be expected to comply with City’s normal call-in procedures. Employees who fail to comply with City’s call-in procedures may be disciplined or may have their period of OFLA leave reduced.

Certification

Generally speaking, employees may be required to provide sufficient information for City to determine if the leave may qualify for OFLA protection and the anticipated timing and duration of the leave. An employee will be required to provide a note from a doctor or healthcare provider if the employee has used more than three days (i.e., one, three-day occurrence or three separate instances) of sick child leave within a One-Year Period,

Employees must furnish City's requested medical certification information within 15 calendar days after such information is requested by City.

Employees requesting leave to care for their dependent child(ren) due to a public health emergency will be required to notify the City of their intent to take leave if the Governor declares an emergency at least 30 days prior to the start of the emergency. Notice is not required if the emergency is effective in less than 30 days.

Substitution of Paid Leave

Employees are required to use accrued paid leave, including sick leave, floating holidays, vacation and compensatory time prior to a period of unpaid leave of absence on OFLA leave.

Holiday Pay While On Leave

Employees using vacation pay or sick leave during a portion of approved OFLA leave in which a holiday occurs will qualify to receive holiday pay.

Benefits While On Leave

City will continue the employee's health coverage under any group health plan during a period of approved OFLA leave on the same terms as if the employee had continued to work. The employee must continue to make any regular contributions to the cost of the health insurance premiums during the period of approved OFLA leave. Employees will not accrue vacation, sick leave or other benefits (other than health insurance) while the employee is on an unpaid OFLA leave. The leave period, however, will be treated as continuous service (i.e., no break in service) for purposes of vesting and eligibility to participate in City benefit plans.

Job Protection

Employees returning to work from OFLA Leave will be reinstated to their former position. If the position has been eliminated, the employee may be reassigned to an available equivalent position. Reinstatement is not guaranteed if the position has been eliminated under circumstances where the law does not require reinstatement.

Employees are expected to promptly return to work when the circumstances requiring OFLA Leave have been resolved, even if leave was originally approved for a longer period. If an employee does not return to work at the end of a designated OFLA Leave period, reinstatement may not be available unless the law requires otherwise.

The use of OFLA Leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Restoration of Leave Bank at Time of Re-Employment

An employee who leaves employment with City for any reason may be eligible for OFLA leave if they are re-employed by City within 180 days of the separation and if the employee was eligible for OFLA leave at the time of the separation. Special rules apply to employees who temporarily stop working for City for 180 days or less; please speak with Human Resources for more information.

Jury Duty

The City supports employees in fulfilling their civic responsibility to serve on jury duty. In accordance with Oregon law, the City will not discharge or retaliate against employees for serving. Employees must provide their supervisor with a copy of the jury summons as soon as it is received and keep them informed of the expected duration of service. The supervisor will forward all summons received to Human Resources.

If court service ends with sufficient time remaining in the employee's scheduled work shift, the employee must notify their supervisor and, if requested, return to work.

Employees will have their regular wages continued during their period of service. In accordance with City policy, any stipends or attendance fees issued by the court for jury service must be paid over to the City. Courts typically issue these stipends as paper checks mailed to the employee following completion of service. Employees are responsible for promptly submitting the amount of any stipend received, minus travel/mileage reimbursements, to the Finance Department.

In situations of extended time in jury service, the employee's medical and other benefits will continue during their period of service, assuming they had coverage at the time of summons.

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 the Accounting Supervisor upon receipt.

Except for employee absences covered under City's "Crime Victim Leave Policy" or "Domestic Violence Leave and Accommodation Policy," or PLO Safe Leave, employees who are subpoenaed to testify in non-work-related legal proceedings must use any available vacation time to cover their absence from work. If the employee does not have any available vacation time, the employee's absences may be unexcused and may subject the employee to discipline, up to and including termination. 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.

Crime Victim Leave Policy

Any employee who has worked an average of at least 25 hours per week for 180 days immediately before the date the employee takes leave is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or their immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson and assault.

"Immediate family member" includes a spouse, registered domestic partner, father, mother, sibling, child, stepchild, or grandparent of the employee.

Employees who are eligible for crime victim leave may use any accrued vacation leave during the leave period, must provide as much advance notice as is practicable of their intention to take leave (unless giving advance notice is not feasible); and submit a request for the leave in writing to Human Resources as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

In all circumstances, the City may require certification of the need for leave, such as copies of any notices of scheduled criminal proceedings that the employee receives from a law enforcement agency or district attorney's office, police report, a protective order issued by a court, or similarly reliable sources.

Domestic Violence Leave and Accommodation Policy

All employees are eligible for reasonable unpaid leave to address domestic violence or the crimes of harassment, sexual assault, bias or stalking (either the employee or the employee's minor dependents).

Reasons for taking leave include the employee's (or the employee's dependent's) need to: seek legal or law enforcement assistance or remedies; secure medical treatment for or time off to recover from injuries; seek counseling from a licensed mental health professional; obtain services from a victim services provider; or relocate or secure an existing home.

Leave is generally unpaid, but the employee may use any accrued vacation or sick leave while on this type of leave. Employees should also determine whether Paid Leave Oregon may provide pay during this type of leave. See the "Paid Leave Oregon" policy for more information.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of their intention to take leave, unless giving advance notice is not feasible.

Notice of need to take leave should be provided in writing to Human Resources as far in advance as possible, indicating the time needed, when the time will be needed and the reason for the leave. The City will then generally require certification of the need for the leave, such as a police report, protective order or other evidence of a court proceeding, or documentation from a law enforcement officer, attorney, healthcare professional, member of the clergy, or victim services provider.

If more leave than originally authorized needs to be taken, the employee should give City notice as soon as is practicable prior to the end of the authorized leave. When taking leave in an unanticipated or emergency situation, the employee must give verbal or written notice as soon as is practicable. When leave is unanticipated, this notice may be given by any person on the employee's behalf.

Finally, employees who are victims of domestic violence, harassment, sexual assault, bias crimes or stalking are entitled to a "reasonable safety accommodation" that will allow the employee to more safely continue to work, unless such an accommodation would impose an "undue hardship" on City. Please contact Human Resources immediately with requests for reasonable safety accommodations.

Military Leave

Employees who wish to serve in the military and take military leave should contact Human Resources for information about their rights before and after such leave. Employees are entitled to reinstatement upon completion of military service, provided they return or apply for reinstatement within the time allowed by law.

All employees who are members of the 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 are entitled to a paid leave of absence from duties for a period not exceeding 21 work days in any federal fiscal year (October 1st through September 30th) for training, provided the employee is employed at least six months prior to the leave. Employees who

have not worked for the City for six months will also receive up to 21 work days in any federal fiscal year for the same purposes, but such leave will not be paid. Employees are not required to take their leave in one block of time but may use the paid leave allowed under this rule over the course of the federal fiscal year. The actual number of paid work hours allowed is dependent on the employee's standard work schedule but must be consistent with the intent of this rule. Employees may use military leave for active duty or inactive duty for training, state active duty and duty under Title 10 or 32 of the United States Code.

The total number of paid days for both training and active duty shall not exceed the total amount allowed above in any federal fiscal year.

Absences incurred for additional active duty or inactive duty for training, state active duty and duty under Title 10 or 32 of the United States Code may be charged to accrued paid time off such as vacation or compensatory time or taken as unpaid leave.

CITY OF TOLEDO PAID BEREAVEMENT LEAVE

In the event of the death of an employee's family member, regular full-time and part-time employees are eligible for up to five (5) days of paid Bereavement Leave. Bereavement Leave will be paid according to the employee's regular wage and scheduled work hours. The number of deceased family members is not limited under this policy.

This policy gives *additional* leave to what also may be available under OFLA (see below).

Applicable union CBAs may have additional Bereavement Leave options or restrictions.

For purposes of paid bereavement leave, a family member is defined as:

- Spouse
- Domestic Partner
- Grandchild
- Father-in-law
- Any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship
- Any other person living in the employee's household
- Child/Stepchild
- Brother
- Grandparent
- Parent
- Sister
- Mother-in-law

Request Procedure

Employees are expected to give as much notice as possible of the need for time off so supervisors can make arrangements to cover absences. Supervisors must contact Human Resources regarding any bereavement leave requests so HR can counsel the employee on their full range of options. Employees may be asked to verify family relationship and death. If the family member meets the definition of a family member under OFLA/Oregon Sick Leave, additional options may be available.

UNPAID PERSONAL LEAVE OF ABSENCE

Full-time, regular employees may be granted unpaid personal leave. An unpaid personal leave of absence is an approved period of time away from work for personal reasons that does not fall under the guidelines of the Oregon Family Medical Leave Act, Paid Leave Oregon, or any other applicable leave reason. An unpaid personal leave of absence is granted at the City's discretion and is normally granted to protect the length of service and benefit rights for an employee whose service might otherwise be terminated. Personal leaves of absence shall not be granted for the purposes of outside employment.

Eligibility

Employees become eligible for an unpaid personal leave of absence after twelve months of continuous service. For unpaid personal leaves of absence, employees must make arrangements with their immediate supervisor. The supervisor will then forward the request (with their recommendation) to Human Resources and the City Manager. The City Manager's decision will be final.

All accrued paid leave must be exhausted to be eligible for an unpaid leave of absence.

Length of Leave

The leave may be requested for any time over 30 days. A personal leave of absence starts on the first regular workday following the last day worked. The maximum leave allowed under this policy is 180 days.

Request Procedure

A written request, using the *Leave of Absence Request Form*, should be submitted at least one week (five working days) before time off that exceeds ten days, except in emergencies. **Leave requests must include an expected date of return.** If employees do not return within three days of that date and no extension has been requested, the City will assume the employee has resigned and will proceed with the termination process.

Status of Benefits

Insurance coverage will **not** be maintained while on an unpaid personal leave of absence. Employees may continue insurance coverage by paying the full premium by the first of each month. Leave accruals (sick, vacation) will not accrue during an unpaid leave of absence but are retained at the same level. Employees will not receive holiday pay while on an unpaid personal leave of absence.

Reinstatement

The City of Toledo will attempt to arrange employment for individuals returning from an unpaid personal leave of absence, but the City is not obligated to restore employment and no guarantees are made. While the employee is on an unpaid personal leave of absence, they are required to check in with their supervisor on a regular basis to inform the City of their status and to notify of any change in personal data.

HEALTH AND SAFETY

ALCOHOL/DRUG USE, ABUSE AND TESTING

The City of Toledo works to maintain a safe and efficient work environment. An employee's off-the-job as well as on-the-job involvement with drugs and alcohol can have a significant impact on the workplace and can present a substantial risk to the employee who is using alcohol and drugs, to coworkers and others.

The City expects employees to report to work free of drugs and alcohol and in a condition that is conducive to performing their duties in a safe, effective and efficient manner.

This policy applies to all employees (except where noted in this policy or where it is inconsistent with applicable law and/or collective bargaining agreement provisions.) This policy revises and supersedes all previous drug and alcohol testing policies and practices.

Prohibited Conduct

The following examples of prohibited conduct do not apply to law enforcement employees who possess drugs, alcohol or other items identified in this policy in connection with law enforcement work.

- Possession, transfer, use or being under the influence of any alcohol while on City property, on City time, while driving City vehicles (or personal vehicles while on City business), or in other circumstances which adversely affect City operations or safety of City employees or others.
 - The conduct prohibited by this rule includes consumption of any intoxicating liquor within four hours of reporting to work or during rest breaks or meal periods. If use of alcoholic liquor or an alcohol "hangover" adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee's blood alcohol content exceeds .02 percent, the employee will be deemed "under the influence" for purposes of this rule.
- Possession, distribution, dispensing, sale, attempted sale, use, manufacture or being under the influence of any narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance while on City property, on City time, while driving City vehicles (or personal vehicles while on City business), or in other circumstances which adversely affect City operations or safety of City employees. Employees may not have any detectable amount of narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance in system while on City property or on City time.
 - The conduct prohibited by this rule includes consumption of any such substance prior to reporting to work or during rest breaks or meal periods. If use of such substances or withdrawal symptoms adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee tests "positive" for any such substances by screening and confirmation tests, the employee will be deemed "under the influence" for purposes of this rule.
 - As used in this policy, "controlled substance" includes, but is not limited to, any controlled substance listed in Schedules I through V of the Federal Controlled Substance Act, including marijuana that is otherwise lawful to use under Oregon, or any other state's law.

- Bringing to City property, or possessing items or objects on City property that contain any “controlled substance,” including, for example, “pot brownies,” “edibles,” and candy containing marijuana. No employee, regardless of position held, may knowingly serve items containing marijuana or any other “controlled substance” to coworkers, members of the public, or elected officials while on work time or on/in City property.
- Bringing equipment or any devices marketed for use or designed specifically for use in ingesting, inhaling or otherwise introducing marijuana (or controlled substances), such as pipes, bongs, “vape” pens, smoking masks, roach clips, and or other drug paraphernalia.
- Bringing equipment, products or materials that are marketed for use or designed for use in planting, propagating, cultivating, growing, or manufacturing marijuana, including live or dried marijuana plants to City property. This prohibition does not apply to employees who possess such items in connection with law enforcement work.

Prescription Drugs and Medical Marijuana

With the exception of medical marijuana, nothing in this rule is intended to prohibit the use of a drug taken under supervision by a licensed healthcare professional, where its use does not present a safety hazard or otherwise adversely impact an employee's performance or City operations.

Employees must inform their supervisor about their use of any prescription or over-the-counter drugs that could affect their ability to safely perform the duties of their position. If an employee's use of such prescription drugs could adversely affect City operations or safety of City employees or other persons, the City, with Human Resource guidance, may reassign the employee using the prescription drugs to other work or take other appropriate action to accommodate the physical or mental effects of the medication. Failure to report use of prescription drugs covered by this rule will subject an employee to disciplinary action, up to and including termination. (Although an employee is not required to provide City with the name(s) of the prescription medication(s) taken, medical verification of the prescription may be required.)

The use of marijuana, which is a Schedule 1 controlled substance under federal law, is expressly prohibited under this policy, even if its medical use is authorized under state law. Employees who use medical marijuana in connection with a disability should discuss with their supervisor and Human Resources other means of accommodating the disability in the workplace, as City will not agree to allow an employee to use medical marijuana as an accommodation.

Testing

The City reserves the right to:

- a. Subject applicants who are given a conditional offer of employment in a safety-sensitive position to a drug and alcohol test;
- b. Test employees reasonably suspected of using drugs or alcohol in violation of this policy;
- c. Discipline or discharge employees who test positive or otherwise violate this policy; and

- d. Test employees when they: (1) cause or contribute to accidents that seriously damage a City vehicle, machinery, equipment or property; (2) result in an injury to themselves or another employee requiring offsite medical attention; and (3) when the City reasonably suspects that the accident or injury may have been caused by drug or alcohol use.

Reasonable Cause Testing

If there is reasonable cause to suspect that an employee is under the influence of controlled substances or alcohol during work hours or has used drugs or alcohol in violation of this policy, the City may require the employee to undergo testing for controlled substances or alcohol.

As used in this policy, unless the context indicates otherwise:

- The terms "test" and "testing" shall be construed to mean job impairment field tests, laboratory tests, breathalyzer tests and other tests of saliva, blood and urine. No testing shall be performed under this rule without the approval of the supervisor or Human Resources or the City Manager.
- "Reasonable cause" as used in this policy means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is more likely than not under the influence of controlled substances or alcohol or has used drugs or alcohol in violation of this policy. Circumstances which can constitute a basis for determining "reasonable cause" may include, but are not limited to:
 - a pattern of abnormal or erratic behavior;
 - information provided by a reliable and credible source;
 - direct observation of drug or alcohol use;
 - presence of the physical symptoms of drug or alcohol use (*i.e.*, glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
 - unexplained significant deterioration in individual job performance;
 - unexplained or suspicious absenteeism or tardiness;
 - employee admissions regarding drug or alcohol use; and
 - unexplained absences from normal work areas where there is reason to suspect drug or alcohol related activity.

Supervisors should detail **in writing** the specific facts, symptoms or observations that form the basis for their determination that reasonable cause exists to warrant alcohol or controlled substance testing of an employee or a search. This documentation shall be forwarded to Human Resources and the City Manager. Whenever possible, supervisors should locate a second supervisor, manager or other person within the organization that is not a peer of the employee in question, to witness/corroborate their "reasonable cause" findings.

An employee whose initial laboratory screening test for controlled substances yields a positive result shall be given a second test. The second test shall use a portion of the same test sample withdrawn from the employee for use in the initial screening test. If the second test confirms the initial positive test result, the employee shall be notified of the results in writing by Human Resources. The letter of notification shall state the particular substance identified by the laboratory tests. The employee may request a third test of the sample within 24 hours of receiving the letter of notification, but such testing will be paid for by the employee.

Search of Property

When reasonable cause exists to believe an employee possesses alcohol or a controlled substance on City property or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, the City may search furniture, equipment or other property provided to the employee by the City, including but not limited to, vehicles, clothes (uniforms), lockers, toolboxes, and desks. Employees should have no expectation of privacy in any property, equipment or supplies provided by the City to the employee.

Employee Refusal to Test/Search

An employee who refuses to consent to a test or a search when there is reasonable cause to suspect that the employee has violated this policy is subject to disciplinary action up to and including termination. The reasons for the refusal shall be considered in determining the appropriate disciplinary action.

An employee who refuses to cooperate with any tests required by this policy is also subject to discipline, up to and including termination. This includes, but is not limited to, tampering with, or attempting to tamper with, a specimen sample, using chemicals or other ingredients to mask or otherwise cover up the presence of metabolites, drugs or alcohol in a specimen, or providing a blood or urine specimen that was produced by anyone or anything other than the employee being tested.

Crimes Involving Drugs and/or Alcohol

Employees shall report the following within one business day of the event:

- Any criminal arrest or conviction for drug- or alcohol-related activity;
- Entry into a drug court or diversion program; or
- Loss or limitation of driving privileges when the employee's job is identified as requiring a valid driver's license (regular or CDL).

Failure to report as required will result in disciplinary action up to and including termination.

CDL Driver Random Testing

Employees who hold a Commercial Driver License (CDL) and perform safety-sensitive work (such as driving City vehicles that require a CDL) must follow federal DOT testing rules.

Unlike the City's policy for drug and alcohol testing specified above, CDL drivers will be selected for testing completely at random, even when there is no reason to suspect impairment. Random selections are generated through a scientifically valid, unbiased third-party and can happen anytime the employee is on duty or about to perform CDL-related work.

The City maintains a zero-tolerance policy for drug and alcohol use that violates federal DOT standards. A positive test, a refusal to test, or any DOT-defined violation will result in immediate removal from safety-sensitive duties and may lead to disciplinary action up to and including termination, as allowed by law and City policy.

All CDL drivers must participate in random testing as a condition of performing CDL-required duties.

Drug and Alcohol Treatment

City recognizes that alcohol and drug use may be a sign of chemical dependency and that employees with alcohol and drug problems can be successfully treated. The City is willing to help such employees obtain appropriate treatment.

Employees who are concerned about their use of alcohol or drugs are encouraged to speak with their supervisor or Human Resources for confidential assistance.

Human Resources will work with each employee to identify all benefit programs that may be available to help address chemical dependency. Attendance at any rehabilitation or treatment program will be a shared financial responsibility of the employee and the City to the extent that existing benefits packages cover some or all program costs.

Although the City recognizes that alcohol and drug abuse can be successfully treated and is willing to work with employees who may suffer from such conditions, it is the employee's responsibility to seek assistance *before* drug or alcohol problems lead to disciplinary action. Once a violation of City policy is discovered, the employee's willingness to seek City or outside assistance will not "excuse" the violation and generally will have no bearing on the determination of appropriate disciplinary action.

Discipline and Consequences of Prohibited Conduct

An employee who violates this policy will be subject to either termination or a last-chance agreement. As noted above, subject to any applicable CBA provisions, an employer has the right to decide whether the employee should be terminated or given a last-chance agreement for violations of this policy.

A last-chance agreement is an agreement whereby an employee who would otherwise be terminated is provided an opportunity to address their substance abuse issue and/or performance or safety issues. The last-chance agreement will inform the employee of the problems noted with their performance and specify the performance required for the employee to achieve in order to continue to be employed by the City. Violation of the provisions of a last-chance agreement shall result in immediate termination, notwithstanding provisions of any other personnel rule.

Confidentiality

All information from an employee's drug and alcohol evaluation is confidential and only those with a need to know are to be informed of test results. Disclosure of such information to any other person, agency, or City is prohibited unless written authorization is obtained from the employee.

PROHIBITION OF WORKPLACE VIOLENCE

Threats and acts of violence made by an employee against another employee, volunteer, elected official, or member of the public with respect to that person's life, health, well-being, family, or property will be dealt with in a zero-tolerance manner by the City.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with the City or that threaten the safety, security or financial interests of the City. Employees are also strongly encouraged to report threats or acts of violence by non-employees, such as vendors or citizens, against any employee, volunteer or elected official. Employees should make such reports directly to Human Resources.

The City also may conduct an investigation of a current employee where the employee's behavior raises concern about work performance, reliability, honesty, or potentially threatens the safety of coworkers or others.

Some examples of workplace violence include but are not limited to:

- Hitting or slapping
- Verbal threats to person or property
- Threatening phone calls or e-mails
- Intentional destruction of personal or public property
- Stalking
- Suggestions of violence
- Verbal outbursts
- Firearms at work or on public property (exclusions may apply for law enforcement)

All information related to the reports, including the name of the reporting employees, will be kept as confidential as possible under the circumstances. Human Resources will notify the reporting employee of any action being taken in response to the report.

If a worker feels threatened or in danger of imminent bodily harm they should take the following steps:

1. Leave the scene, if it can be done safely. Do not attempt to control a violent person.
2. Call law enforcement (911) if the situation warrants this action.
3. The incident needs to be reported to the employee's direct supervisor immediately, or as soon as reasonably possible.

If the threatening individual poses no immediately physical threat, but is making verbal or is otherwise intimidating workers or others in the area, then the employee should:

1. Keep back and move away from the individual, if possible in a way as not to provoke violence.
2. Notify a supervisor as soon as possible.

EMPLOYEE HEALTH AND SAFETY

Employees are protected by Workers' Compensation insurance under Oregon law. This insurance covers employees in cases of occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Employees have a right to a safe workplace and are expected to work safely.

Steps to Take If Injured on the Job

If an employee is injured on the job, the City wants to know about it and expects to learn about it no later than 24 hours after the injury (report all work-related injuries to one's direct supervisor).

If the employee seeks treatment for a work-related injury, all of the following **must** happen:

1. Report any work-related injury to one's direct supervisor. Employees must report the injury no later than 24 hours after the injury.
2. Seek medical treatment and follow-up care if required.
3. Promptly complete a written *Accident/Incident Report* with supervisor's guidance and deliver to Human Resources.

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

Accident Investigation and Reporting

If an injury occurs:

1. Take immediate actions and/or render remedial first aid.
2. Seek emergency medical care if necessary – call 9-1-1.
3. Report the injury to one's direct (or another) supervisor as soon as possible.

Employee responsibilities:

1. Complete the *Accident/Incident Report* form.
2. Cooperate in an accident investigation.
3. Complete the 801 Form (provided by Human Resources) if medical attention is sought.
4. Provide supervisor with a medical release from doctor/medical provider.
5. Review the incident with the supervisor/manager.
6. Continue to communicate and cooperate with Workers' Comp claims manager and Human Resources.

Supervisor/Manager responsibilities:

1. Conduct an investigation into the cause of the injury or illness
2. Send the completed 801 Form (for medical treatment) investigation (and current job description, if available) to Human Resources.
3. Discuss the employee's ability to return to a temporary modified job (if possible) and job restrictions.

4. Locate temporary light duty for the injured worker as soon as they are released. Coordinate any light duty work with Human Resources.
5. Monitor light duty to assure that worker stays within the restrictions and co-workers support injured worker on completing job tasks.

Return to Work

If an employee requires Workers' Compensation leave, the employee will, under most circumstances, be reinstated to the same position that was held at the time of injury, or to an equivalent position, if available. However, the employee must first submit documentation from a healthcare provider who is familiar with the condition, certifying the employee's ability to return to work and perform the essential functions of the position.

When returning from a Workers' Compensation leave, an employee has no greater right to reinstatement than if they had been continuously employed rather than on leave. For example, if the employee would have been laid off had they not been on leave, or if the position was eliminated and no equivalent or comparable positions are available, then the employee 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. The City 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 to work at the earliest possible time after suffering 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 the employee to return to their regular job in a reasonable period of time.

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

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

Overlap with Other Laws

The City will account for other leave and disability laws that might also apply to an individual's situation, such as the Americans with Disabilities Act (ADA) or Paid Leave Oregon. If, after returning from a Workers' Compensation medical leave, it is determined that the employee is unable to perform the essential functions of the position because of a qualifying disability, the employee may be entitled to a reasonable accommodation, as governed by the ADA and/or applicable Oregon laws covering disabilities in the workplace.

Smoke-Free Workplace

The City provides a tobacco-free environment for all employees, volunteers and visitors. For this policy, “tobacco” includes all smoked products (such as cigarettes, cigars, pipes, and e-cigarettes/vaping devices) as well as oral tobacco or “chew/spit” products. Marijuana use is also prohibited. This policy applies to all City property, buildings, facilities, vehicles, and equipment.

Tobacco use is allowed only in designated smoking areas and only during recognized breaks or meal periods. Smoking or tobacco use is not permitted in City buildings, vehicles, equipment, or machinery.

Employees who choose to smoke must do so only in designated smoking areas, outside City facilities, and out of public or visitor view, if possible. Smoking is not permitted within 10 feet of building entrances, exits, windows that open, or air-intake vents, in accordance with Oregon law. For the location of designated employee smoking areas, contact Human Resources.

RETIREMENT OR RESIGNATION FROM EMPLOYMENT

Employees choosing to resign or retire are asked to give the City as much notice as possible — preferably a minimum of two weeks. When giving a two-week notice, vacation, personal, or sick days should not be used in lieu of notice. Employees who do not give a two-week notice of their intent to leave the City may not be eligible for re-employment at a later date.

Employees who miss two or more consecutive workdays without contacting their immediate supervisor are typically considered to have resigned their employment and their termination will be processed.

If the employee’s decision to resign is based on a situation that could be corrected, the employee is encouraged to discuss it with Human Resources before making a final decision.

Employees must return all City property, including phones, computers, identification cards, credit cards, keys, entry fobs and Handbooks to Human Resources on or before their last day of work.

References

All requests for references or recommendations **must** be directed to Human Resources. No manager, supervisor or employee is authorized to give references for current or former employees. Managers and supervisors are expressly prohibited from providing LinkedIn “recommendations” or using internet platforms to discuss a current or former employee’s performance or termination of employment.

By policy, the City discloses only the dates of employment and the position(s) held for former employees when responding to reference requests. A former employee who wishes to have additional personnel information released must submit a written request to

Human Resources at hr@cityoftoledo.org, identifying the specific documents or information being requested and clearly authorizing the release of said information.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

I acknowledge that I have received a copy of the current City of Toledo Employee Handbook. I understand that it is my responsibility to read, understand and comply with the policies, rules and procedures contained in the Handbook.

I also understand that a copy of this Employee Handbook is available to me at any time to review on the City's 'T-Drive': <T:\Employee Handbook & Personnel Forms> and on the City of Toledo website.

I understand that the policies in this Handbook apply to all employees, whether at-will or represented by a union. I further understand that nothing in the Handbook creates a contract of employment or alters my at-will status, except where specifically governed by a collective bargaining agreement.

During my employment with the City of Toledo, I understand that it is my responsibility to remain informed about these policies as revisions, updates and new policies are issued, and to ask questions about any interpretation of any of the policies.

By signing this acknowledgement, I confirm that:

- I have received and read the Handbook.
- I understand the policies and procedures described.
- I agree to abide by the policies and expectations set forth in the Handbook.

Employee Name (Print): _____

Employee Signature: _____

Date: _____

Department: _____