

#### **North Central Public Health District**

# North Central Public Health District Full Board of Health Meeting

Date: Tuesday, December 14th, 2021

<u>Time:</u> 4:00 p.m. to 6:00 p.m. <u>To Be Held Electronically:</u>

To Join Zoom Meeting please use link below:

https://wascocounty-org.zoom.us/j/87925563279

Meeting ID: 879 2556 3279

### **AGENDA**

## 1. Call to Order

- Introductions
- Establish a Quorum
- Requests to add items to the Agenda
- Requests for Public Comments

## 2. Action Items

- 11/9/2021 Board of Health Meeting Minutes approval.
- A/P Check Reports November, 2021 approval.
- Public Records Request Policy documents approval.
- Employee Handbook approval.

#### 3. Non-Action Items

- COVID-19 Update: Dr. McDonell
- Fiscal and COVID Funding Update: Brita Meyer
- Tobacco Retail Licensing presentation: Neita Cecil
- Gilliam County Update: Commissioner Pat Shannon
- Contracts Summary
- Administrator Report
  - o December 2021

Note: This agenda is subject to last minute changes.

Meetings are ADA accessible. If special accommodations are needed please contact NCPHD in advance at (541) 506-2626. TDD 1-800-735-2900. NCPHD does not discriminate against individuals with disabilities.

\*\*If necessary, an Executive Session may be held in accordance with: ORS 192.660(2) (a) to consider the employment of a public officer, employee, staff member or individual agent; ORS 192.660 (2) (d) Labor Negotiations; ORS 192.660 (2) (h) Legal Rights; ORS 192.660 (2) (e) Property; ORS 192.660 (2) (i) Personnel\*\*



#### NORTH CENTRAL PUBLIC HEALTH DISTRICT

419 East Seventh Street The Dalles, OR 97058-2676 541-506-2600 www.ncphd.org

# North Central Public Health District Board of Health Meeting Minutes November 9<sup>th</sup>, 2021

**Board Members In Attendance:** Commissioner Joan Bird – Sherman County; Roger Whitley – Sherman County; Commissioner Pat Shannon – Gilliam County; Dani Sperry – Gilliam County; Commissioner Kathy Schwartz – Wasco County, Bill Lennox – Wasco County

**Board Members Absent:** David Anderson – Gilliam County

Staff Present: Shellie Campbell – Interim Director NCPHD; Dr. Miriam McDonell – Medical Officer NCPHD; Gloria Perry – Office Manager NCPHD; Nicole Bailey – EH Supervisor NCPHD; Brita Meyer – Fiscal Manager NCPHD; Kristen Slatt – Health Promotion Supervisor NCPHD; Beth Wentz – Accounting Clerk NCPHD; Janelle Sandoz – Public Health Nurse NCPHD; Alex Ziontz – AmeriCorps Vista NCPHD; Lori Treichel – Home Visiting Nurse NCPHD; Kathi Hall NCPHD

**Guests Present:** Commissioner Steve Kramer – Wasco County; Julie Whetzel – Board of Health Applicant for Wasco County

Minutes by: Laurie Jupe

## **SUMMARY OF ACTIONS TAKEN**

MOTION by Bill Lennox, and seconded by Roger Whitley, to accept the October 12, 2021 Board of Health meeting minutes as presented.

Vote: 6-0

Yes: Commissioner Joan Bird – Sherman County; Roger Whitley – Sherman County;

Commissioner Pat Shannon - Gilliam County; Dani Sperry - Gilliam County; Commissioner

Kathy Schwartz – Wasco County, Bill Lennox – Wasco County

No: 0 Abstain: 0

Motion: Carried

MOTION by Roger Whitley, and seconded by, Commissioner Joan Bird to accept the October 2021 A/P Checks Issued reports as presented.

Vote: 6-0

Yes: Commissioner Joan Bird – Sherman County; Roger Whitley – Sherman County;

Commissioner Pat Shannon – Gilliam County; Dani Sperry – Gilliam County; Commissioner

Kathy Schwartz – Wasco County, Bill Lennox – Wasco County

No: 0 Abstain: 0

Motion: Carried

<u>CALL TO ORDER:</u> Commissioner Kathy Schwartz called the Public Board of Health meeting to order at 4:03 p.m.

#### **Introductions:**

1. Commissioner Schwarz introduced the new applicant for the second Wasco County public board member position Julie Whetzel to the group.

### **Establish a Quorum**

1. A guorum of the board members present was established.

## **Requests for Additions to the Agenda**

1. None

# **Request for Public Comment**

1. None

#### **ACTION ITEMS**

- 1. Approval of past meeting minutes.
  - 1 A motion was made and carried to approve the meeting minutes from 10/12/2021 as presented.
- 2. Approval of A/P Check reports.
  - 1. A motion was made and carried to approve the October 2021 A/P Check reports as presented.

#### **NON-ACTION ITEMS**

- 1. COVID-19 Update
  - 1. Dr. Miriam McDonell updated the board on the current COVID-19 status.
  - 2. Wasco, Sherman, and Gilliam cases appear to be trending downward slightly.
  - 3. Total case count by County:
    - a) Wasco Co.: Total Cases: 3047
    - b) Sherman Co.: Total Cases: 175
    - c) Gilliam Co.: Total Cases: 168
    - d) Hood River Co: Total Cases: 2019
  - 4. Vaccination Percentage rates by County:
    - a) Wasco 77.1%
    - b) Sherman 67.2%
    - c) Gilliam 51.1%
    - d) Hood River 84.4%
  - 5. NCPHD Response:
    - a) NCPHD continues vaccine clinics at the Readiness Center: All 3 vaccine types are offered.
    - b) Vaccine Clinics will continue at schools and other sites in all three counties.
      - Online booking is available at: call: (541) 506-2600 or go to https://www.ncphd.org/book-vaccine.
    - c) Testing, case investigation, contact tracing, and school support continues.
  - 6. Other Topics:
    - a) Merck Antiviral Molnupiravir:
      - 50% effective at reducing hospitalizations or death.
      - Being reviewed by FDA November 30<sup>th</sup>.
    - b) Pfizer Antiviral Paxlovid.
      - Completed Phase 2.

- Phase 3 trial ended early because it was so effective.
- Almost 90% effective at preventing severe disease when given to high risk patients.
- Data has been submitted to FDA.
- 7. Discussion, questions, and feedback were requested.
- 2. Fiscal Report FY 2020-2021
  - 1. Brita Meyer reviewed the 20211101 Fiscal Report with the board and
  - 2. Brita also reviewed the COVID funding amounts for October Nov 2021.
    - 2022 and beyond Covid Funding Total: \$2,789,191
      - COVID Expenditures July November 3, 2021
      - a) YTD Personal Services expenses: \$292,891.
      - b) YTD Materials and supplies expenses: \$211,046.
      - c) Total expenditure: \$503,937.
      - d) Balance: \$2,285,244.
  - 3. Discussion, questions, and feedback were requested.
- 3. Wasco County board member application review.
  - 1. Board members reviewed the application of Julie Whetzel for Wasco County public member at large for the NCPHD board of health.
  - 2. It was the general consensus of the board to recommend Julie Whetzel to the Wasco County Commissioners for the Wasco County public member at large for the NCPHD board of health.
- 4. Gilliam County update by Commissioner Pat Shannon
  - 1. Gilliam County has decided to move ahead with the dissolution of the Gilliam, Sherman, and Wasco County Intergovernmental Agreement (IGA) and to create their own Public Health District.
  - 2. Next steps for Gilliam County will be to finalize the exact date for notification of the dissolution.
  - 3. At the earliest, Gilliam County will need to notify NCPHD by December 31, 2021 of their intent to dissolve the IGA contract.
  - 4. Gilliam County would then have 180 days to ensure the transfer of public health services from NCPHD to Gilliam County effective as of July 1, 2022, the beginning of the new fiscal year.
  - 5. Shellie Campbell, Director of NCPHD informed the board members that NCPHD supports Gilliam County in their plan to remove themselves from the IGA effective as of July 1, 2022. NCPHD will work within each program area, wherever possible, to support and ensure as smooth a transition as possible.
  - 6. The board requested Gilliam County provide NCPHD, and the Board of Health, with the exact date they expect to terminate their involvement in the current IGA as soon as possible so that the remaining board members can move forward with planning on creating a new IGA for the remaining counties.
  - 7. Discussion, questions, and feedback were requested.
- 8. Contracts Summary
  - 1. **OHA 169526-1 exe** First Amendment to Oregon Health Authority 2021-2023 Intergovernmental Agreement for the financing of Public Health Services.
    - a. Fiscal Impact: Ongoing funding
  - 2. **AGREEMENT** between Jeremy Hawkins and North Central Public Health District. This agreement is for contracted services to provide in-person epidemiology training to staff.
    - a. Fiscal Impact: Not to exceed \$5,000.

- 3. **TOBACCO LICENSING AND FEE COLLECTION AGREEMENT** between the State of Oregon acting through the Department of Revenue and North Central Public Health District (NCPHD).
  - a. Fiscal Impact: None at this time.
- 4. **OEM 18-241\_2\_NCPHD AMENDMENT #2 to Grant Agreement #18-241** between the State of Oregon acting through the Oregon Military Department Office of Emergency Management (OEM) and North Central Public Health District (NCPHD).
  - a. Fiscal Impact: \$7,080.00
- 6. Directors Report
  - 1. Shellie Campbell presented the Directors report to the Board.
  - 2. Discussion, questions, and feedback were requested.

Being no further business to be conducted a Board of Health meeting at 5:15 p.m.	at this time, Commissioner Kathy Schwartz adjourned the
Signature	 Date
Printed Name	

# **Accounts Payable Checks Issued November 2021**

Check Date	Check Number	Vendor Name	Amount	
Held in Que	896	IRS	\$88.38	
Held in Que	897	PERS	\$140.29	
Held in Que	898	OREGON STATE, DEPT OF REVENUE	\$23.10	
11/10/2021	899	IRS	\$17,517.62	
11/10/2021	900	ASIFLEX	\$185.00	
Held in Que	901	PERS	\$18,954.33	PAYROLL A/P (ACH)
11/10/2021	902	OREGON STATE, DEPT OF REVENUE	\$4,665.71	
11/24/2021	903	IRS	\$18,047.44	
11/24/2021	904	ASIFLEX	\$185.00	
Held in Que	905	PERS	\$19,668.00	
11/24/2021	906	OREGON STATE, DEPT OF REVENUE	\$4,827.29	
11/2/2021	14540	BANKMAN, JUDY	\$162.50	
11/2/2021	14541	FRANSEN, TIMOTHY	\$336.00	
11/2/2021	14542	HENRY SCHEIN	\$690.42	
11/2/2021	14543	IMMENSE IMAGERY	\$451.47	
11/2/2021	14544	JUPE, LAURIE	\$367.99	
11/2/2021	14545	KOHLTFARBER, REBEKAH	\$322.50	
11/2/2021	14546	NEXT DOOR, INC.	\$5,952.00	
11/2/2021	14547	OFFICE DEPOT	\$56.74	
11/2/2021	14548	U.S. CELLULAR	\$973.41	
11/2/2021	14549	US BANK	\$2,148.64	
11/2/2021	14550	VIDENI CONCEPTS, LLC, SHILO INN & SUITES	\$1,051.20	
11/2/2021	14551	WASCO COUNTY	\$377.04	
11/10/2021	14554	AHLERS & ASSOCIATES	\$860.00	
11/10/2021	14555	BICOASTAL MEDIA LLC, BICOASTAL COLUMBIA RIVER	\$200.00	
11/10/2021	14556	FRANKLIN, SARAH	\$3,978.42	
11/10/2021	14557	FRANSEN, TIMOTHY	\$288.00	
11/10/2021	14558	GERAS LLC, DBA HELPING HANDS HOME	\$440.00	
11/10/2021	14559	H2OREGON BOTTLED WATER INC.	\$96.93	
11/10/2021	14560	HENRY SCHEIN	\$218.23	
11/10/2021	14561	KOHLTFARBER, REBEKAH	\$127.50	
11/10/2021	14562	OFFICE DEPOT	\$194.86	
11/10/2021	14563	OPTIMIST PRINTERS	\$2,126.00	
11/10/2021	14564	OR STATE PUBLIC, HEALTH LABORATORY	\$52.65	
11/10/2021	14565	OREGON STATE, DEPT OF ENVIRONMENTAL QUA	\$700.00	
11/10/2021	14566	RICOH USA INC.	\$6.58	
11/10/2021	14567	SAIF CORPORATION	\$828.28	
11/10/2021	14568	SATCOM GLOBAL INC.	\$62.92	
11/10/2021	14569	SOLUTIONS YES	\$148.27	
11/17/2021	14570	ASD SPECIALITY HEALTHCARE LLC, ASD HEALTHCARE	\$1,454.57	
11/17/2021	14571	BOXX, KATHLEEN	\$462.50	
11/17/2021	14572	CLARK, GLENDA	\$925.00	
11/17/2021	14573	CYTOCHECK LABORATORY LLC	\$95.00	
11/17/2021	14574	DIXON-SHANE LLC, R&S NORTHEAST LLC	\$1,004.95	
11/17/2021	14575	HAWKINS, JEREMY	\$125.00	

		TOTAL:	\$155,555.80	
11/29/2021	14594	NATIONWIDE RETIREMENT SOLUTION	\$1,425.00	PATROLL A/P
11/29/2021	14593	CA STATE DISPURSEMENT UNIT	\$231.50	PAYROLL A/P
11/22/2021	14592	OREGON STATE, DEPT HUMAN SERVICES- OFS	\$500.00	
11/22/2021	14591	OPTIMIST PRINTERS	\$116.00	
11/22/2021	14590	OFFICE DEPOT	\$108.76	
11/22/2021	14589	KOHLTFARBER, REBEKAH	\$138.75	
11/22/2021	14588	BEERY ELSNER & HAMMOND LLP	\$1,543.50	
11/18/2021	14587	AMERICAN FAMILY LIFE ASSURANCE	\$331.92	
11/17/2021	14586	NATIONWIDE RETIREMENT SOLUTION	\$1,425.00	PAYROLL A/P
11/17/2021	14585	CA STATE DISPURSEMENT UNIT	\$231.50	
11/17/2021	14584	WASCO SCHOOL EVENTS CENTER	\$100.00	
11/17/2021	14583	STRATUS AUDIO, INC.	\$50.88	
11/17/2021	14582	STERICYCLE INC.	\$211.13	
11/17/2021	14581	OREGON STATE, DEPT OF HUMAN SERVICES	\$32,631.53	
11/17/2021	14580	OPTIMIST PRINTERS	\$2,437.00	
11/17/2021	14579	OFFICE DEPOT	\$1,380.60	
11/17/2021	14578	NACCHO	\$250.00	
11/17/2021	14577	MID-COLUMBIA MEDICAL CENTER	\$603.75	
11/17/2021	14576	KOHLTFARBER, REBEKAH	\$251.25	

NCPHD Board of Health authorizes check numbers 14540 - 14594 and payroll EFT numbers 896 - 906 totalling \$155,555.80.

Signature		Date	
Printed Name			
	Commissioner Kathy Schwartz Chair, NCPHD Board of Health		

# North Central Public Health District (NCPHD)

#### **Policies and Procedures**

TOPIC: Public Records Request	Regulation Referenced:
Effective Date: 12-14-21	
Revised:	
Reviewed:	
AREA OF SERVICE: AD	Program Responsible:
Approved By: NCPHD Board of Health	Approval Level Required:
•	X Board Director
Title: Kathy Schwartz, Chair	Legal Counsel Health Officer Supervisor Department

# **AD\_Public Records Request 12-14-21**

#### **POLICY**

It is the policy of NCPHD to ensure that all requests for public records are handled consistent with applicable public records laws. This policy shall be implemented in a manner that minimizes the impact on NCPHD workload and resources.

#### **SUMMARY AND PURPOSE**

Oregon Public Records Law (ORS 192.410-192.505) grants the public the right to inspect and copy most public records maintained by NCPHD. The law gives NCPHD the option of not disclosing certain documents. Additionally, Federal and State laws require that certain records be kept confidential. This policy establishes an orderly and consistent process for responding to public records requests and calculating the fees for responding to requests for public records.

#### **PROCEDURE**

#### A. General approach:

Public records, except those confidential or that NCPHD chooses to exempt from disclosure, shall be made available on request for inspection or copying, without unreasonable delay. Requestors should be encouraged, but not required, to use NCPHD's Records Request Form. Unless taken care of immediately, the request shall be acknowledged by sending the Requestor a completed Public Records Request Acknowledgement Form. (Exhibit "B"). At NCPHD the person who shall be responsible for coordinating and assisting staff implementation of this policy is the NCPHD Director.

# B. Processing the request:

Absent unusual circumstances, the request shall be processed as follows:

- Initial Assessment. The staff person receiving or processing the request shall learn as much as necessary about what records are being requested. Simple, routine requests for readily available documents may be handled as soon as possible based on staff availability.
  - In some cases, the requestor may be referred to the NCPHD website or other places where records are readily available. Requests from journalist or media representatives shall be handled by a person authorized to speak with the media.
- 2. Records Review. Except for routine requests that have been addressed as soon as possible, based on staff availability, the NCPHD Director shall make a preliminary determination as to whether the records exist, and whether all or a portion of the contents may be subject to exemption or are confidential. This shall include contacting other departments that may have relevant records. The Director shall contact NCPHD Legal Counsel before responding if the records relate to pending claims or litigation, or the Director wants to treat them as confidential or exempt from disclosure.
  - The NCPHD Director shall also estimate the cost in staff time and any other expenses required to locate the documents, perform redactions, ensure security during inspection, and otherwise respond to the request. These estimates shall be based upon the applicable rates found in the most current NCPHD Public Records Request Fee Schedule.
- 3. Response. The NCPHD Director shall communicate the results of the preliminary records review to the requestor, using the Public Records Acknowledgement & Denial form. Absent unusual circumstances, no further work should be performed until the requestor responds and pays the appropriate fee or deposit. The fees listed in the NCPHD Public Records Request Fee Schedule apply to requests not governed by a specific departmental fee or otherwise provided for by law. If the requestor requests to inspect original files or records rather than obtain copies reasonable steps will be taken to ensure that the records are protected from being altered, taken or destroyed.

# C. Miscellaneous

1. Disclosure format: Reasonable requests for a particular format or type of copy will be granted, if possible, such as providing a CD-ROM of electronic documents rather than a hard copy. Reasonable steps will be taken to accommodate persons with disabilities and no fee may be charged for such

an accommodation.

- 2. Waiver or Reduction of Fees: NCPHD may furnish copies at a reduced fee (or at no charge) if the NCPHD Director determines that making the record available primarily benefits the general public. The law prohibits waiving fees if the records were created through use of certain constitutionally dedicated funds, such as fuel taxes or motor vehicle fees, unless the cost of charging the fee would exceed the cost of providing the record.
- 3. Destruction of Records: No employee shall alter or destroy a record that the employee reasonably thinks is subject to a current or reasonably anticipated public records request or is relevant to current or reasonably anticipated litigation. This includes records otherwise eligible for destruction.
- 4. Special Considerations: The NCPHD Director or NCPHD Legal Counsel shall be consulted whenever the request raises unusual or special concerns. Examples may include: copyrighted materials, records relating to current tort claims or litigation, records held by county contractors and requests made directly to elected officials.

#### D. Resources:

- NCPHD Records Request Form Attached as Appendix A.
- NCPHD Records Request Acknowledgement/Denial Form Attached as Appendix B.
- NCPHD Records Request Fee Schedule Attached as Appendix C.
- Access to the Oregon Attorney General's Public Record and Meetings Manual can be found through the link below: (2019) <a href="https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/">https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/</a>

APPROVED BY:	DATE:
Commissioner Kathy Schwartz Board of Health Chair	



#### NORTH CENTRAL PUBLIC HEALTH DISTRICT

"Caring For Our Communities" 419 East Seventh Street The Dalles, OR 97058-2676 541-506-2600

# **Records Request Form Appendix A**

# In order to complete your request, please read the following instructions:

- Please complete all the form fields below.
- You will be notified of all applicable fees based on the NCPHD Public Records Fee Schedule. Do not send money prior to receiving notification of applicable fees and the exact amount due.
- You will receive a copy of the NCPHD Public Records Request Policy with the notification of the applicable fees amount due.

Required fields are note		*)				
1. *Requesters Name	(Please Print):					
*Mailing Address:						
Street Address (if diffe	erent to mailing):					
*City:		*Sta	ite:	*	ZIP:	
*Telephone No.:	1	Email:		F	ax No.:	
2. *Please give a detailed Description of the Records Requested. (Please be very specific) Example:  What specific record/s required; Specific time frame of the records required (start and end dates)						
3. *Is this Request:	☐ Personal		☐ Public Interest		☐ Media/Reporter	
4. *Do you want to:	☐ Examine the	records	☐ Receive copies	of the rec	ords	
5. *How do you wish to receive the copies of the records?						
☐ Mail	☐ ZIP File		□ Fax		☐ Pick Up	
□ USB	☐ CD-RON	1				
5. Requesters Name:			D	ate Reque	ested:	

Please Send Completed Form via Mail or Email to publichealth@ncphd.org
Director, North Central Public Health District
419 East 7<sup>th</sup> Street, The Dalles, OR 97058



#### NORTH CENTRAL PUBLIC HEALTH DISTRICT

"Caring For Our Communities"
419 East Seventh Street
The Dalles, OR 97058-2676
541-506-2600

# Records Request Acknowledgement Appendix B

# Please see below the response to your recent request for public records:

Name: NCPHD Director

☐ The records are available for pick up or inspection. Please call to schedule a time or make other arrangements.
□ NCPHD is uncertain about what records you are requesting, please contact the person identified below so the necessary information may be obtained to process your request.
□ NCPHD is uncertain whether it has the requested records. We will continue to search and respond appropriately as soon as practicable.
□ NCPHD does not have the records or is not the custodian of the records.
<ul> <li>□ NCPHD is asserting an exemption from disclosure pursuant to Oregon law for all or some of the records.</li> <li>(See attached explanation).</li> </ul>
Unless a fee waiver has been granted:
☐ You must first pay all applicable copying and other charges, which are estimated at \$
☐ You must first pay a deposit of \$ which is the estimated cost of preparing the records. (If the actual cost is less, you will receive a refund. If the actual cost is more, you must pay the full amount due prior to accessing the documents).
☐ The following state or federal law prohibits the County from acknowledging whether the requested records exist, or acknowledging the existence of the records would result in the loss of federal benefits or imposition of some other sanction:
☐ The NCPHD Public Records Policy and fee schedule is attached.
Please contact the person identified below if you have any questions regarding your request.

Phone: (541) 506 - 2600

# Public Records Request Denial Appendix B

☐ Your request is denied in its entirety.
$\ \square$ Your request is denied in part. Please call to schedule a time to pick up or inspect the records available.
Unless a fee waiver has been granted:
☐ You must first pay all applicable copying and other charges, which are estimated at \$
☐ Your request is denied in its entirety or in part based on the following exemption from disclosure provided for by Oregon law. NCPHD reserves the right to assert other applicable basis for non-disclosure at any time.
This denial is based on the information available to NCPHD at this time. You are encouraged to contact the person listed below if you think that this denial is in error or have any questions.

Phone: <u>(541)</u> 506-2600

Name: NCPHD Director



#### NORTH CENTRAL PUBLIC HEALTH DISTRICT

"Caring For Our Communities" 419 East Seventh Street The Dalles, OR 97058-2676 541-506-2600

#### **RECORDS REQUEST FEE SCHEDULE Appendix C**

These fees are for general requests not covered by specific departmental fees or otherwise specified by law. See the NCPHD Fee schedule below for a complete listing. For large requests, NCPHD reserves the right to obtain an estimate from a commercial information management firm and charge NCPHD's cost.

Miscellaneous Copies/Printing/Transmission	FEES:
Black and white copies 8.5" x 11" or 8.5" x 14"	\$0.25 per page
Black and white copies 11" x 17" or larger	\$1.00 per page
Color Copies (any size listed above)	\$1.00 per page
Mailing and/or shipping cost (printing labels, packaging, etc)	\$40.00
Electronic transmission of documents (Email, Fax, FTP, or similar	\$5.00 per transmission
transmission	Plus costs of services and appropriate per
	page cost
Medical Records Copies: (Clients and/or other authorized persons)	FEES:
File and records search/Segregation	\$60.00 per hour (one-hour minimum)
With Photocopies	Plus appropriate per page cost
Research and Professional Service Fees	FEES:
Basic research for all public information inquiries (Only upon availability of staff)	\$120.00 per hour (one hour minimum)
Legal Review/Redaction/Segregation Attorney Paralegal	Current hourly rate charged to NCPHD for services by: Attorney and/or Paralegal
Providing content on Media (USB Zip disk, jump drive, CD, etc)	FEES:
Per media item request - Plus the actual costs of service	\$15.00 per item Plus appropriate per page cost

## Fees must be paid in advance.

A deposit is required if the final cost is uncertain. Any excess will be refunded. You are entitled to a no-charge estimate if the cost is anticipated to exceed \$25.00.

#### Fee reduction or waiver:

Requests for fee waivers or reductions must be made in writing. In most cases, state law permits NCPHD to reduce or waive the fee only if the cost of charging the fee exceeds the fee or if the reduction or waiver is in the public interest because making the record available primarily benefits the general public. State law prohibits waiving or reducing the fee for documents paid for by certain constitutionally or statutorily dedicated funds. Fee reduction or waiver decisions are at the sole discretion of NCPHD.

PERSONS WITH DISABILITIES MAY BE ENTITLED TO HAVE RECORDS TRANSFERRED TO AN ACCESSIBLE FORMAT AT NO EXTRA CHARGE.

These fees are subject to change without notice



# NORTH CENTRAL PUBLIC HEALTH DISTRICT

# **EMPLOYEE HANDBOOK**

Updated December 1, 2021

#### Welcome!

Welcome to North Central Public Health District – we're glad to have you on our team. We believe that our employees are our most valuable assets. In fact, we attribute our success as an organization in significant part to our ability to recruit, hire, and maintain a motivated and productive workforce. We hope that during your employment with North Central Public Health District you will become a productive and successful member of North Central Public Health District's team.

This employee handbook describes, in summary, the personnel policies and procedures that govern the employment relationship between North Central Public Health District and its employees. The policies stated in this handbook are subject to change at any time at the sole discretion of North Central Public Health District with or without prior notice. This handbook supersedes any prior handbooks or written policies of North Central Public Health District that are inconsistent with its provisions.

This handbook does not create a contract of employment between North Central Public Health District and its employees. All employment at North Central Public Health District is "at will." That means that either you or North Central Public Health District may terminate this relationship at any time, for any reason, with or without cause or notice (unless you are subject to a written contract of employment). No supervisor, manager, or representative of North Central Public Health District, other than the Director, has the authority to enter into any agreement with you regarding the terms of your employment that changes our at-will relationship or deviates from the provisions in this handbook, unless the change or deviation is put in writing and signed by the Director.

You may receive updated information concerning changes in policy from time to time, and those updates should be kept with your copy of the handbook. If you have any questions about any of the provisions in the handbook, or any policies that are issued after the handbook, please contact your supervisor.

Sincerely.

Shellie Campbell

eller Compbell

Director NCPHD

# **Table of Contents**

١.		Equal Employment Opportunity (EEO) Policies	. 1
	Α.	No-Discrimination, No Retaliation Policy	. 1
	В.	Statement Regarding Pay Equity	. 1
	C.	No-Harassment Policy	. 1
		Sexual Harassment	. 2
		Other Forms of Prohibited Harassment	. 2
		Complaint Procedure	. 3
		Investigation and Confidentiality	. 3
		Protection Against Retaliation	. 3
		Other Resources Available to Employees	. 4
		Other Employee Rights	. 4
	D.	No-Bullying Policy	. 4
	Ε.	Disability Accommodation Policy	. 5
		Accommodations	. 5
		Requesting an Accommodation	. 5
	F.	Pregnancy Accommodation Policy	. 6
		Requesting a Pregnancy-Related Accommodation	. 6
		No Discrimination, No Retaliation	. 6
		Leave of Absence Options for Pregnant Employees	. 6
	G.	Bilingual Stipend	. 7
	Н.	Reporting Improper or Unlawful Conduct – No Retaliation	. 7
		Employee Reporting Options	. 7
		Additional Protection for Reporting Employees	. 8
		Policy Against Retaliation	. 8
II.		Employment Status: Classification and Compensation	. 9
	A.	Introductory Period of Employment	. 9
	В.	Employee Classification	. 9
	C.	The Workweek	10
	D.	Meal Periods and Rest Breaks	10
	Ε.	Rest Breaks for Expression of Breast Milk	10
		Notice	11

		Storage	. 11
١	F.	Overtime	.11
	-	Time-and-a-half	.11
	ľ	Limitation on Overtime Pay	.11
	1	Assignment of Overtime Work	.11
	:	Supervisor Authorization	.12
	(	Compensatory (Comp) Time	. 12
	1	Flex Time	.12
(	G.	Timekeeping Requirements	. 12
I	Н.	Employee-Incurred Expenses and Reimbursements	. 13
ı	l P	Payroll Policies	. 14
J	J. :	Statement Regarding Pay Practices	.14
ı	Κ.	Reporting Changes to an Employee's Personal Data	. 15
ı	L.	Performance Reviews	. 15
III.		Time Off and Leaves of Absence	. 17
,	۹.	Attendance, Punctuality and Reporting Absences Policy	. 17
ı	В.	Annual Leave	. 17
		Eligible New Employees	. 17
	ĺ	For Regular, Full-Time employees, vacation is awarded as follows:	. 18
	ĺ	For Part-Time employees, vacation is awarded as follows:	. 18
(	С.	Sick Leave	. 18
		Eligibility and Accrual of Paid Sick Leave	. 19
ı	D.	Holidays and Floating Holidays	. 19
	ĺ	Floating Holiday	. 20
١	Ε.	Family Medical Leave	. 20
	(	OFLA Leave Policy	. 20
	ĺ	Definitions	. 20
	ĺ	Reasons for Taking Leave	.21
	[	Length of Leave	. 22
	(	One-Year Calculation Period	. 22
		Intermittent Leave	. 22
		Employee Responsibilities – Notice	.22

	Certification	23
	Medical Certification Prior to Returning to Work	23
	Substitution of Paid Leave for Unpaid Leave	23
	Holiday Pay While on Leave	23
	On-the-Job Injury or Illness	23
	Benefits While on Leave	24
	Job Protection	24
F.	Bereavement Leave	24
G	. Jury and Witness Duty	25
	Jury Duty	25
	Witness Duty	25
Н	. Religious Observances Leave and Accommodation Policy	25
I.	Crime Victim Leave Policy	25
J.	Domestic Violence Leave and Accommodation Policy	26
K.	Military Leave	27
V.	Employee Benefits	28
Α	. Healthcare Benefits	28
В.	. Employee Assistance Program (EAP)	28
C.	. Workers' Compensation and Safety On the Job	28
	Steps to Take if You are Injured on the Job	28
	Return to Work	29
	Early Return-to-Work Program	29
	Overlap With Other Laws	29
D	. PERS (Public Employees' Retirement System) Benefits	30
<b>/</b> .	Miscellaneous Policies	31
Α	. Alcohol/Drug Use, Abuse and Testing	31
	Prescription Drugs and Medical Marijuana	32
	Testing	32
	Reasonable Cause Testing	33
	Search of Property	33
	Employee Refusal to Test/Search	34
	Crimes Involving Drugs and/or Alcohol	34

	Drug and Alcohol Treatment	34
	Discipline and Consequences of Prohibited Conduct	34
	Confidentiality	35
В	. Mobile Devices Policy	35
	Cell Phones and Mobile Devices in General (both NCPHD-provided and personal cell phones)	35
	Employee Use of NCPHD-Provided or Paid For Mobile Devices	35
	Mobile Devices and Public Records	36
	Employee Use of Mobile Devices with Cameras	36
	Mobile Device Use While Driving	36
С	. Use of NCPHD Email and Electronic Equipment and Services	36
	Ownership	37
	Use	37
	Inspection and Monitoring – No Right to Privacy	37
	Personal Hardware and Software	38
	Unauthorized Access	38
	Security	38
	Inappropriate Web Sites	39
D	Social Media	39
	Prohibited Postings	39
	Encouraged Conduct	39
	Request for Employee Social Media Passwords	40
E	Workplace Privacy and Confidentiality	40
F	Ethics	40
G	. Open-Door Policy	41
Н	Outside Employment	41
I.	Criminal Arrests and Convictions	41
J.	Political Activity	42
K	. Bad Weather/Emergency Closing	42
L.	Driving While on Business	42
Ν	1. Workplace Violence	43
N	. Workplace Inspections – No Right to Privacy or Confidentiality	43
0	. Smoke-Free Workplace	44

Ρ.	Hiring of Family Members	.44
Q.	Vaccinations	.44
	Employee Immunization Requirements	.44
VI.	Termination of Employment	.47
A.	Workplace Rules and Prohibited Conduct	.47
В.	Corrective Action/Discipline Policy	.48
C.	Retirement or Resignation From Employment	.48
D.	References	.48
VII.	Employee Acknowledgement	. 49

# I. Equal Employment Opportunity (EEO) Policies

The following EEO Policies apply to all employees. Members of management, elected officials and employees alike are expected to adhere to and enforce the following EEO Policies. Any employee's failure to do so may result in discipline, up to and including termination.

All employees are encouraged to discuss these EEO Policies with their supervisor, or the Director, at any time if they have questions relating to the issues of harassment, discrimination or bullying, or what it means to work in a respectful workplace.

# A. No-Discrimination, No Retaliation Policy

The North Central Public Health District 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 North Central Public Health District 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.

The North Central Public Health District'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.

# **B. Statement Regarding Pay Equity**

The North Central Public Health District 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 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 North Central Public Health District pays wages or other compensation to other employees for work of comparable character are encouraged to discuss the issue with their supervisor.

# **C.** No-Harassment Policy

The North Central Public Health District prohibits harassment of any kind and sexual assault in the workplace, or harassment of any kind and sexual assault outside of the workplace that violates its employees, volunteers and interns' right to work in a harassment-free workplace. Specifically, North Central Public Health District 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 or any

member of Leadership Team, 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 North Central Public Health District related or 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 North Central Public Health District's employees. Such harassment is prohibited whether committed by North Central Public Health District 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 affect such individual; or
- 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating 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 your 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

North Central Public Health District 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.

Such harassment may include 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 North Central Public Health District property;
- "Teasing" or mimicking the characteristics of someone with a physical or mental disability;
- Criticizing or making fun of another person's religious beliefs, or "pushing" your 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 denigrates or shows hostility or aversion toward an individual or group because of the protected status.

This is not a complete list. All employees are expected to exercise common sense and refrain from other similar kinds of conduct.

#### **Complaint Procedure**

Employees, volunteers or interns who have experienced a sexual assault, any harassment, discrimination in violation of this policy, who have witnessed such behavior, or who have credible information about such behavior occurring, are expected and should bring the matter to the attention of the Director or Office Manager, or any member of Leadership Team 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 he/she wants 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 North Central Public Health District's needs to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, North Central Public Health District 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 North Central Public Health District'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 available law, whether criminal or civil. Although NCPHD 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 NCPHD, the employee must provide written notice of the claim within 180 days of the act or omission the employee claims has caused him/her 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**

North Central Public Health District 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 the Director or Office Manager or any Leadership Team member. 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

North Central Public Health District provides an Employee Assistance Program (EAP) through Canopy (as of January 2022. Was previously Cascade Centers) to employees and dependents who are enrolled in NCPHD'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 <a href="https://www.cascadecenters.com">www.cascadecenters.com</a>. The EAP program provides confidential counseling services and educational tools such as resources relating to eldercare, legal consultation, financial coaching, identify theft and others.

North Central Public Health District cannot provide legal resources to its employees or 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 his/her experience.

North Central Public Health District 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 North Central Public Health District to inform employees that if they have been aggrieved by workplace harassment, discrimination or sexual assault and want to enter into an agreement with North Central Public Health District regarding his/her experience and/or employment status, the employee should contact the Director. 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 North Central Public Health District and the employee do reach an agreement, North Central Public Health District will not require an employee to enter into a nondisclosure agreement (which would prohibit the employee from discussing or communicating about his/her experiences in the workplace or the terms of the agreement) or a non-disparagement agreement (which would prohibit the employee from speaking slightingly about North Central Public Health District or making comments that would lower NCPHD in rank or reputation). If however, the employee makes a request for an agreement under this paragraph, nondisclosure and non-disparagement are terms that North Central Public Health District and the employee may agree to. The employee will have seven days to revoke the agreement after signing it.

# **D. No-Bullying Policy**

North Central Public Health District strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. North Central Public Health District, 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:

- Verbal Bullying: Slandering, ridiculing or maligning a person or his/her 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: Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with co-workers 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 website. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on websites for co-workers, managers or supervisors or elected officials.
  This is not a complete list.

Employees who have experienced bullying in violation of this policy, who has witnessed an incident of bullying, or who have credible information about an incident, are expected and should bring the matter to the attention of their supervisor or any member of Leadership Team as soon as possible. If conduct in violation of this policy is found to have occurred North Central Public Health District 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.

# E. Disability Accommodation Policy

North Central Public Health District is committed to complying fully with the Americans with Disabilities Act (ADA) and Oregon's disability accommodation and discrimination laws. We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

#### **Accommodations**

North Central Public Health District will make reasonable efforts to accommodate a qualified applicant or employee with a known disability, unless such accommodation creates an undue hardship on the operation of NCPHD.

### **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 North Central Public Health District 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 North Central Public Health District, providing readers and interpreters or making the workplace readily accessible to and usable by 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 requests for accommodation should be made with the Director and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, an employee will need to secure medical verification of his/her need for a reasonable

accommodation. Both North Central Public Health District and the employee must monitor the employee's accommodation situation and make adjustments as needed.

# F. 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 their supervisor to discuss their options for continuing to work and, if necessary, leave of absence options. North Central Public Health District will provide one or more reasonable accommodations pursuant to this policy for employees with known limitations unless such accommodations impose an undue hardship on North Central Public Health District's operations. Although this policy refers to "employees", North Central Public Health District 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 the Director 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 doctor may be needed to assist North Central Public Health District and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both North Central Public Health District and the employee must monitor the employee's accommodation situation and make adjustments as needed.

#### No Discrimination, No Retaliation

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

Employees who ask about, request or use accommodations under this policy and applicable Oregon 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. Under Oregon law, an employer can't require an employee to use OFLA if a reasonable accommodation can be made that doesn't impose an undue hardship on the operations of the North Central Public Health District. Also, no employee will be denied employment opportunities if the denial is based on the need of the North Central Public Health District to make reasonable accommodations under this policy.

#### **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 the Oregon Family Leave Act. See policies on E page 20, or speak with the Office Manager.

# G. Bilingual Stipend

NCPHD provides services to any clients with limited English in a language that they understand well enough to know what they need to do. Interpreter services assistance is provided either by an NCPHD bilingual employee or through the telephone language line Stratus Audio: 1-877-746-4674. Written language professional translation services are also available for NCPHD forms and other communication. An NCPHD employee who provides verbal translation interpreting assistance or written translation interpreting assistance will receive a bilingual stipend on a monthly basis on their paycheck.

The following stipend is available for bilingual employees providing interpreting/translation services as follows:

Certified: \$250.00 /monthQualified: \$150.00 /month

• Non-Qualified/Cert: \$125.00 /month

# H. Reporting Improper or Unlawful Conduct - No Retaliation

Employees may report reasonable concerns about North Central Public Health District's compliance with any law, regulation or policy, using one of the methods identified in this policy. North Central Public Health District 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 North Central Public Health District:
- Mismanagement, gross waste of funds, abuse of authority;
- A substantial and specific danger to public health and safety resulting from actions of North Central Public Health District; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, North Central Public Health District 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 North Central Public Health District's Open Door Policy see section G page 41, employees who wish to report improper or unlawful conduct should first talk to his/her supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, you are encouraged to speak with any member of Leadership Team. Supervisors and managers are required to inform the Director about reports of improper or unlawful conduct they receive from employees.

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 North Central Public Health District 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 by 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 North Central Public Health District'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 his/her coworker or supervisor acting within the course and scope of his/her employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) a manager with North Central Public Health District; 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**

North Central Public Health District will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes he/she is 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 North Central Public Health District policy.

In addition, North Central Public Health District 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 North Central Public Health District employee will be adversely affected because he/she refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. North Central Public Health District 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 his/her 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 North Central Public Health District 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.

# II. Employment Status: Classification and Compensation

# A. Introductory Period of Employment

All new employees, including current employees who are promoted or transferred within North Central Public Health District, are hired into an introductory training period that generally lasts no less than 90 days. The introductory period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your supervisor. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance and job responsibilities will be considered during the introductory period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge, skills and abilities and the requirements of the position match. It is also an opportunity for you to decide if North Central Public Health District meets your expectations as an employer.

At or before the end of the introductory period, a decision about your employment status will be made. North Central Public Health District will decide whether to: (1) Extend your introductory period; (2) Move you to regular, full-time or regular, part-time status; or (3) Terminate your employment.

Employees are not guaranteed any length of employment upon hire or transfer/promotion; both you and North Central Public Health District may terminate the employment relationship during the introductory period for any lawful reason. Further, completion of the introductory period or continuation of employment after the introductory period does not entitle you to remain employed by North Central Public Health District for any definite period of time. Both you and North Central Public Health District are free to terminate the employment relationship, at any time, with or without notice for any reason not prohibited by law.

# **B.** Employee Classification

North Central Public Health District classifies employees as follows:

North Central Public Health District operates on a full-time work week of 37.5 hours.

- Regular Full-time: Employment in an established position requiring 37.5 hours or more of work per week. Generally, full-time employees are eligible to participate in North Central Public Health District's benefit programs.
- Regular Part-time: Employment requiring less than 37.5 hours work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 37.5 hours will not constitute a change in status from part-time to full-time. Regular, part-time employees are eligible for benefits including paid time off, leaves or medical insurance when their FTE. Is 0.6 (21.75) or greater.
- 3. <u>Temporary</u>: Employment in a job established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments. Temporary employment can either be full-time or part-time. Temporary employees may be eligible for benefits other than those mandated by applicable law.

Additionally, all employees are defined by federal and Oregon law as either "exempt" or "non-exempt", which determines whether the employee is eligible for overtime. Employees will be instructed as to whether they are exempt or non-exempt at the time of hire or when a promotion or demotion occurs. All employees, regardless of employment classification, are subject to all North Central Public Health District rules and procedures.

#### C. The Workweek

The workweek is a seven-day work period beginning Sunday at 12:00 a.m. through Saturday at 11:59 p.m. Typically, business hours are from Monday through Friday 8:30 a.m. through 5:00 p.m.

#### D. Meal Periods and Rest Breaks

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

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 his/her supervisor before the end of the shift so that North Central Public Health District 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 come in 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.

Sample rest and meal break schedules are listed below. Employees with questions about the rest or meal breaks available should contact their supervisor.

Length of	Number of Rest Breaks	Number of Meal Periods
Work Period	Required	Required
2 hours or less	0	0
2 hrs., 1 min. – 5 hrs., 59 min.	1	0
6 hrs.	1	1
6 hrs., 1 min. – 10 hrs.	2	1
10 hrs., 1 min. – 13 hrs., 59 min.	3	1

# E. Rest Breaks for Expression of Breast Milk

North Central Public Health District will provide reasonable rest periods to accommodate an employee who needs to express milk for her 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.

North Central Public Health District will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time North Central Public Health District is required to provide as paid rest breaks and/or meal periods under applicable personnel rules. Additional time need beyond the paid rest breaks and/or meal periods may be taken as unpaid time.

If an employee takes unpaid rest breaks, North Central Public Health District may, at the discretion of the employee's supervisor, allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid rest periods. North Central Public Health District will allow, but not

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

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

#### **Notice**

An employee who intends to express milk during work hours must give their supervisor reasonable oral or written notice of her intention to do so in order to allow North Central Public Health District 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.

#### F. Overtime

#### Time-and-a-half

North Central Public Health District pays one and one-half times a non-exempt employee's hourly rate for all hours worked over 40 hours in any workweek. See "Employee Classification," above.

#### **Limitation on Overtime Pay**

Paid hours not actually worked (for example, sick, vacation, holidays, and family leave) will not be counted toward the 40 per workweek required to receive overtime pay.

#### **Assignment of Overtime Work**

You may be required to work overtime. When overtime work is required by North Central Public Health District on a particular job on a shift commencing on a day other than Saturday, Sunday, or a holiday, the non-exempt employee performing that job at the conclusion of his/her straight-time hours will normally be expected to continue to perform the job on an overtime basis. When overtime work is assigned by North Central Public Health District on a Saturday, Sunday, or holiday, it generally will be assigned in order of seniority to the employees who regularly perform the particular work involved.

When overtime is required by North Central Public Health District on a Sunday or on a holiday, North Central Public Health District will endeavor to give the employees required to work notice of their assignment during their last shift worked prior to such Sunday or Holiday.

#### **Supervisor Authorization**

No overtime may be worked by non-exempt employees unless specifically authorized in writing by a supervisor or a member of Leadership Team. Supervisors record their approval on blue slips when the overtime occurs. Employees who work unauthorized overtime may be subject to discipline up to and including termination.

### **Compensatory (Comp) Time**

In lieu of paid overtime, Comp Time (hours worked over 40 hours) will be computed at 1.5 times the overtime hours, with prior supervisor/manager approval. Employees are encouraged to work with their supervisor/manager to schedule and use comp time within sixty (60) days of when it is accrued. Comp time earned, but not used, up through the end of May of the fiscal year will be cashed out at the end of the current fiscal year. However, in the event that a Public Health Emergency hinders staff from using comp. hours, exceptions may be granted at the Public Health Administrator's discretion to extend the timeframe for using comp. hours.

#### **Flex Time**

Flex time are hours worked over your scheduled hours up to forty (40) hours. Flex time will be computed at straight time. Employees are encouraged to work with their supervisor/manager to schedule and use flex time within sixty (60) days of when it is accrued. Flex time hours earned, but not used, up through the end of May of the fiscal year will be cashed out at the end of the current fiscal year. However, in the event that a Public Health Emergency hinders staff from using flex time hours, exceptions may be granted at the Public Health Administrator's discretion to extend the timeframe for using flex time hours.

# **G.** Timekeeping Requirements

All non-exempt employees must accurately record time worked on a timesheet for payroll purposes. Employees are required to record their own time at the beginning and end of each work period. Filling out another employee's timesheet, allowing another employee to fill out your timesheet, or altering any timesheet will be grounds for discipline up to and including termination. An employee who fails to record his/her timesheet may be subjected to discipline as well. Employees must also fill out a blue slip if any deviations from their normal work schedule occur. **Deviations from work schedule need to be preapproved by the supervisor or by the end of the next business day.** Blue slips should explain what you did and if it should be posted to your sick time, vacation time, flex time or comp time.

Salaried exempt employees are only required to record leave hours on a time sheet. These employees will be instructed separately on this process.

# H. Employee-Incurred Expenses and Reimbursements

North Central Public Health District will pay actual and reasonable business-related expenses you incur in the performance of your job responsibilities if they are: (1) listed below or elsewhere in this handbook; and (2) pre-approved by your supervisor/manager before they are incurred. North Central Public Health District will not pay for or reimburse the costs incurred by a spouse, registered same-sex domestic partner or travel companion who accompanies the employee on North Central Public Health District-approved travel.

Employees must provide a completed and signed expense report and evidence of proof of purchase (receipts) within one week of the expense being incurred or the employee risks forfeiting his/her payment or reimbursement.

Non-Overnight Meals: Meal expenses incurred while traveling within Oregon or outside of Oregon for only one day, without staying overnight, are taxable if reimbursed. These expenses should be recorded with other travel expenses on the same voucher and reimbursed through Payroll. Meal expenses for same day travel are not normally appropriate unless the reason for travel does not allow time for the employee to get a meal. Generally speaking, coffee on the way to a business meeting or snacks would not be appropriate expenditures of NCPHD funds.

Some examples of actual and reasonable business-related expenses that North Central Public Health District will reimburse/pay for are:

- Conferences or Workshops
  - Conferences/Workshops must be beneficial to North Central Public Health District and be within the scope of employee's field of work.
  - Must have prior approval of supervisor and Director.

#### Education

- Must be beneficial to North Central Public Health District and be within the scope of employee's field of work.
- Must have prior approval of supervisor and Director.

#### Lodging

Lodging shall be allowed at the appropriate GSA rate for the location in which you are spending the night. The applicable rates for lodging for the area can be found on the General Services Administration website: <a href="www.gsa.gov">www.gsa.gov</a>. Incidentals that are available at the place of lodging are not allowed and would include services such as in room movies/mini-bar, or recreational activities such as tours.

#### Meals

The allowable expense under the GSA regulations will apply for meals consumed while traveling overnight. If inappropriate charges incurred (i.e. alcohol), the employee may be required to reimburse NCPHD for such expenses that are determined to be inappropriate. Meals that are provided as part of the registration to a conference or similar event will reduce the daily allowance for that meal type from the total allowable meal expense for the day.

# Mileage and Parking

o For most in-District travel, North Central Public Health District employees are encouraged to use vehicles owned by the District. If a District owned vehicle is not available or desirable, using the criteria below, supervisors may authorize the use of a private vehicle and reimburse for mileage. Reasonable parking costs are also reimbursed upon submission of receipts on an expense report. Any traffic citations or court-ordered fees

relating to driving or parking offenses (including parking tickets) are the responsibility of the employee and will not be reimbursed by North Central Public Health District.

- North Central Public Health District management may determine that no suitable North Central Public Health District owned vehicle is available for use based on the duration, distance, required route, or work to be performed; and may authorize use of an employee's private vehicle for official business travel;
- Prior to authorizing official business travel in a private vehicle, the employee and supervisor must complete a *Travel Authorization* form;
- Travel by privately-owned vehicle to and from another mode of travel (air, other ground/vehicle, rail, marine, transit) is subject to this policy.

Rates will be adjusted annual with the Federal Rate				
Modes of Transportation	Effective/Applicability Date	Rates per Mile		
If use of privately owned automobile is authorized due to no NCPHD-furnished automobile is available	July 1, 2021	\$ .56 per mile		
If NCPHD-furnished automobile is available, but not desirable	July 1, 2021	\$.20		
If a privately owned automobile is used and NCPHD is reimbursed for travel by another agency	July 1, 2021	Actual reimbursement NCPHD receives		

# I Payroll Policies

You will be paid semi-monthly. Hours worked the 1<sup>st</sup> through the 15<sup>th</sup> of the month are paid on the 25<sup>th</sup> of the month and hours worked the 16<sup>th</sup> through the last day of the month are paid on the 10<sup>th</sup> of the following month. If a pay date falls on a week-end or holiday, you will be paid on the last working day prior to these dates. North Central Public Health District does not provide advance payments of salary, or loans from salary to be earned.

Net pay will be directly deposited into the employee's bank account, unless an employee requests otherwise. If an employee requests to pick up his/her paycheck from North Central Public Health District, only the employee named on the paycheck will be allowed to do so unless the employee provides written permission to North Central Public Health District for someone else to receive the check.

Qualifying employees will receive longevity pay according to the following schedule:

At 5 years employee will receive up to \$25.00/month based on their FTE; At 10 years employee will receive up to \$50.00/month based on their FTE; At 15 years employee will receive up to \$75.00/month based on their FTE; At 20 years employee will receive up to \$100.00/month based on their FTE; At 25 years employee will receive up to \$125.00/month based on their FTE; and at 30 years employee will receive up to \$150.00/month based on their FTE.

# J. Statement Regarding Pay Practices

North Central Public Health District makes all efforts to comply with applicable Oregon and federal wage and hour laws. In the event you believe that the North Central Public Health District has made any

improper deductions, has failed to pay you for all hours worked or for overtime, has failed to pay you in accordance with the law, or has failed to properly calculate your wages in any way, you must immediately report the error to the Finance Manager. North Central Public Health District will investigate all reports of improper pay practices and will reimburse employees for any improper deductions or omissions. No employee will suffer retaliation or discrimination for reporting an error or complaint regarding North Central Public Health District's pay practices.

See also "Statement Regarding Pay Equity" policy, above.

# K. Reporting Changes to an Employee's Personal Data

Because personnel records are used to administer pay and benefits, and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiary, etc. Keeping your personnel records current with regard to pay, deductions, benefits and other matters is important.

If you have changes in any of the following items, please notify the Office Manager to ensure that the proper updates are completed as quickly as possible:

- Name;
- Marital status/Domestic Partnership (for purposes of benefit eligibility determination only);
- Address or telephone number;
- Dependents;
- Person to be notified in case of emergency;
- Other information having a bearing on your employment; and
- Tax withholding

## L. Performance Reviews

All North Central Public Health District employees will receive regular performance reviews in January. Performance reviews serve as one factor in decisions related to employment, such as training, step pay increases, job assignments, employee development, promotions, retention and discipline/termination. Any employee who fails to satisfactorily perform the duties of his/her position is subject to disciplinary action (including termination).

North Central Public Health District's goal is to provide an employee with his/her first formal performance evaluation within six months after hire or promotion. After the initial evaluation, North Central Public Health District will strive to provide a formal performance review on an annual basis.

Reviews will generally include the following:

- A self-evaluation
- An evaluation of the employee's quality and quantity of work
- A review of exceptional employee accomplishments
- Establishment of goals for career development and job enrichment
- A review of areas needing improvement
- Setting of performance goals for the employee for the following year

Employees who disagree with a performance evaluation may submit a written response with reasons for disagreement. The employee's response shall be filed with the employee's performance evaluation in the

employee's personnel file. Such response must be filed not later than 30 days following the date the performance evaluation was received.

Supervisors are encouraged to provide employees with informal evaluations of their employees' work on an as-needed basis utilizing the *Frequent Check-in* form.

## III. Time Off and Leaves of Absence

# A. Attendance, Punctuality and Reporting Absences Policy

Employees are expected to report to work as scheduled, on time and be prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for unpaid break periods or when required to leave on authorized North Central Public Health District business, and perform the work assigned to or requested of them. Late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided.

Unless specified otherwise in a policy below, employees who will be unexpectedly absent from work for any reason or who will not show up for work on time must inform their supervisor via a telephone call or text no later than 7:30 a.m. on the employee's work day. Employees should also call the main North Central Public Health District number and leave a message. Not reporting to work or not texting or calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three days may be considered job abandonment and may result in termination of employment.

### **B.** Annual Leave

It is the policy of North Central Public Health District to provide each full-time employee with annual leave time on a periodic basis. The amount of annual leave to which an employee becomes entitled is determined by the employee's length of service as of his/her employment anniversary date.

## **Eligible New Employees**

Full-time new employees in their first year will receive their initial awarded vacation on the first of the month following two full months of employment. The amount of the award is pro-rated to reflect the employees hire date and the months remaining in the calendar year.

#### Prorated by start date for new hires in the first year:

	After 2 Months		Full Award		
Hire Date	Award Date	Awarded Amount	90 Hours (12 Days)		
January 2021	April 2021	67.5 hrs. (9 days)	January 2022		
February 2021	May 2021	60 hrs. (8 days)	January 2022		
March 2021	June 2021	52.5 hrs. (7 days)	January 2022		
April 2021	July 2021	45 hrs. (6 days)	January 2022		
May 2021	August 2021	37.5 hrs. (5 days)	January 2022		
June 2021	September 2021	30 hrs. (4 days)	January 2022		
July 2021	October 2021	22.5 hrs. (3 days)	January 2022		
August 2021	November 2021	15 hrs. (2 days)	January 2022		
September 2021	December 2021	7.5 hrs. (1 day)	January 2022		
October 2021	January 2022	90 hrs. (12 days)	January 2023		
November 2021	February 2022	82.5 hrs. (11 days)	January 2023		
December 2021	March 2022	75 hrs. (10 days)	January 2023		

Thereafter, vacation days will be awarded to all employees in the month of January of the New Year.

## For Regular, Full-Time employees, vacation is awarded as follows:

Hire to 1 <sup>st</sup> year	See above prorated chart
1 <sup>st</sup> to 2 <sup>nd</sup> year	97.5 hours (13 days)
2 <sup>nd</sup> to 3 <sup>rd</sup> year	105 hours (14 days
3 <sup>rd</sup> to 4 <sup>th</sup> year	112.5 hours (15 days)
4 <sup>th</sup> to 5 <sup>th</sup> year	112.5 hours (15 days)
5 <sup>th</sup> to 6 <sup>th</sup> year	120 hours (16 days)
6 <sup>th</sup> to 7 <sup>th</sup> year	127.5 hours (17 days)
7 <sup>th</sup> to 8 <sup>th</sup> year	135 hours (18 days)
8 <sup>th</sup> to 9 <sup>th</sup> year	142.5 hours (19 days)
9 <sup>th</sup> to 10 <sup>th</sup> year	150 hours (20 days)
10 <sup>th</sup> to 11 <sup>th</sup> year	150 hours (20 days)
11 <sup>th</sup> to 12 <sup>th</sup> year	157.5 hours (21 days)
12 <sup>th</sup> to 13 <sup>th</sup> year	165 hours (22 days)
13 <sup>th</sup> to 14 <sup>th</sup> year	172.5 hours (23 days)
14 <sup>th</sup> to 15 <sup>th</sup> year	180 hours (24 days)
15 <sup>th</sup> + Years	187.5 hours (25 days)

## For Part-Time employees, vacation is awarded as follows:

For part-time employees the amount of vacation awarded is determined by their employment hire date and pro-rated by their FTE.

Employees who are scheduled for less than 21.75 hours per week shall not be entitled to paid vacation time.

Vacation awarded in January must be used by March 31<sup>st</sup> of the following year. Earned vacation must be taken. Employees are not entitled to pay in lieu of taking time off for vacation, and will not be paid for awarded, but unused vacation at the time of termination (regardless of the reason). Vacation must be scheduled with one's supervisor at least two weeks in advance of the date(s) the employee wishes to take as vacation. In the event that a public health emergency hinders staff from using vacation hours exceptions to the use/lose dates and vacation payouts may be granted at the Public Health Administrator's discretion.

## C. Sick Leave

North Central Public Health District provides eligible employees with sick leave in accordance with Oregon's Paid 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 may contact the Office Manager. Please also refer to the Oregon Sick Leave Law poster that is posted in the east hallway of Annex A.

#### **Eligibility and Accrual of Paid Sick Leave**

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

The first month, following two (2) completed full months of employment, a full-time employee shall be credited with fifteen (15) hours of accrued sick leave or prorated by FTE. Thereafter, full time employee shall continue to accrue sick leave at the rate of seven and one-half (7.5) hours for each full calendar month of active employment. Part time employees will accrue sick time per their FTE. Sick leave is provided by North Central Public Health District to cover "sickness" and is not to be used as a supplement for vacation.

Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Sick leave must also be used whenever an employee needs time off to attend a routine medical appointment. Absences due to illnesses or injuries that qualify under the Oregon Family Leave Act (OFLA) will not be counted against an employee's attendance record.

Sick leave is not accumulated while an employee is on a leave of absence without pay. In the case of a work-related accident or injury, you may use sick time to offset any hours not paid through Workers' Compensation, or to offset the reduction in regular pay until accumulated sick time is used. At no time, however, can the combination of these exceed normal earnings, nor can you use more sick time than what you have accumulated.

Employees are not entitled to be paid for earned but unused sick days, either before or when their employment is terminated for any reason.

Employees who abuse sick leave or violate this policy will be subject to discipline, up to and including termination.

# D. Holidays and Floating Holidays

NCPHD recognizes ten holidays each year. All full-time employees will receive their regular straight-time compensation for each holiday. Regular part-time employees receive pay for each designated holiday in the proportion that their normally scheduled number of hours equals 37.5 hours per week.

The holidays celebrated are:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

A holiday that falls on a weekend will be observed on either the preceding Friday or the following Monday to coincide with local custom.

To be eligible for holiday pay, an employee must have worked his/her regularly scheduled hours the workday before and the workday after the holiday, or have been on an approved vacation day or any other excused absence under NCPHD policy. If an employee is on vacation when a holiday is observed, the employee will be paid for the holiday and will be granted an alternate day of vacation at a later date. Any hourly, non-exempt employee required to work on a holiday will receive time and a half payment for the hours worked.

### **Floating Holiday**

Employees may select 1 (one) additional day off with pay (known as a "floating holiday") during a calendar year.

Floating holidays are awarded on the employee's anniversary date. Floating holidays may not be accrued.

Employees must coordinate requests for floating holidays with their supervisor. Part-time employees, who are eligible for benefits will receive a proportional amount of time off.

## E. Family Medical Leave

#### **OFLA Leave Policy**

The following is a summary of Family and Medical Leave policy and procedures under the Oregon Family Leave Act (OFLA). Generally, and as will be discussed, 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 NCPHD's rights and obligations, not this policy.

NCPHD does not have any "eligible employees" for purposes of the federal Family Medical Leave Act. Employees seeking further information should contact the Office Manager or your supervisor. Please also refer to the "Oregon Family Leave Act" notice posted in the east end hall on the employee bulletin board which is incorporated here by reference.

### **Definitions**

#### Family Member

 "Family member" is defined as a spouse (including registered, same-sex domestic partners), parent (biological, adoptive, step, foster, or *in loco parentis*), parent of a registered, same-sex domestic partner, parent-in-law, grandparent, grandchild, or "child" (see definition below).

### Child

"Child" includes a biological, adopted, foster or stepchild, the child of a registered, same-sex domestic partner, or a child with whom the employee is in a relationship of in loco parentis. For purposes of Serious Health Condition Leave, the "child" can be any age; for all other types of leave under OFLA, the "child" must be under the age of 18 or over 18 if incapable of self-care because of a mental or physical disability.

#### Eligible Employee

To qualify for OFLA Leave for a Serious Health Condition or Sick Child Leave, an employee must have been employed for at least 180 days and worked an average of at least 25 hours per week.

To qualify for Parental Leave, an employee must have been employed for at least 180 days (no per-week hourly minimum is required). For purposes of Oregon Military Family Leave Act leave, an employee becomes eligible after having worked only 20 hours per week (no minimum length of employment required).

#### Serious Health Condition

"Serious health condition" is defined under OFLA as an illness, injury, impairment, or physical or mental condition that, for example: requires inpatient care in a medical care facility such as a hospital, hospice or residential facility such as a nursing home; requires constant or continuing care such as home care administered by a health care professional; or involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. "Serious health condition" also includes any period of absence for the donation of a body part, organ or tissue, including preoperative or diagnostic services, surgery, post-operative treatment and recovery.

Other conditions may qualify as "serious health conditions"; please see your supervisor for more information. The common cold, flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, and cosmetic treatments (without complications), are examples of conditions that are not generally defined as serious health conditions.

#### **Reasons for Taking Leave**

Family Medical Leave is defined to include and may be taken under any of the following circumstances:

- 1. <u>Employee's Serious Health Condition Leave</u>: To recover from or seek treatment for an employee's serious health condition, including pregnancy-related conditions and prenatal care.
- 2. <u>Family Member's Serious Health Condition Leave</u>: To care for a Family Member with a serious health condition.
- 3. 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 same-sex 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.
- 4. <u>Parental Leave</u>: For the birth of a child or for the placement of a child under 18 years of age for adoption or foster care. Parental leave must be completed within 12 months of the birth of a newborn or placement of an adopted or foster child.
- 5. Pregnancy Disability Leave: For incapacity due to pregnancy, prenatal medical care or birth.
- 6. <u>Sick Child Leave</u>: To care for a child who suffers from an illness or injury that does not qualify as a Serious Health Condition but that requires home care. 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. Sick Child Leave is not available if another family member is able and willing to care for the child.
- 7. Bereavement Leave. See the Bereavement Leave Policy on (F page 24) of this handbook.

## **Length of Leave**

In any One-Year Calculation Period, eligible employees may take:

- Up to twelve (12) weeks of Parental Leave, Serious Health Condition Leave (employee's own or family member), or Sick Child Leave;
- An additional twelve (12) weeks of leave may be available to an eligible employee for an illness, injury or condition related to pregnancy or childbirth that disables the employee ("Pregnancy Disability Leave"); and
- Employees who take the entire twelve (12) weeks of Parental Leave may be entitled to an additional twelve (12) weeks of Sick Child Leave.

#### **One-Year Calculation Period**

The "twelve month period" during which leave is available (also referred to as the "One-Year Calculation Period") will be determined by a rolling twelve-month period measured backward from the date an employee uses any family medical leave. Each time an employee takes Family Medical Leave, the remaining leave entitlement would be any balance of the twelve weeks which has not been used during the immediately preceding 12 months.

#### **Intermittent Leave**

Intermittent or reduced schedule leave may be taken when medically necessary due to the serious health condition of a covered family member or the employee. Employees must make reasonable efforts to schedule planned medical treatments so as to minimize disruption of NCPHD operations, including consulting management prior to the scheduling of treatment in order to work out a treatment schedule which best suits the needs of both NCPHD and the employee. Intermittent leave for Parental Leave is not available.

## **Employee Responsibilities - Notice**

Employees must provide at least 30 days' notice before Family Medical Leave is to begin if the reason for leave is foreseeable based on an expected birth, placement for adoption or foster care, or for planned medical treatment for a serious health condition of the employee or of a family member. If 30 days' notice is not practicable, because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, 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 NCPHD 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 their supervisor 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 their supervisor 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 NCPHD's normal call-in procedures. Employees who fail to comply with NCPHD's call-in procedures may be disciplined, or may have their period of OFLA leave reduced.

#### Certification

Generally speaking, employees must provide sufficient information for NCPHD to determine if the leave may qualify for OFLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, or the need for hospitalization or continuing treatment by a health care provider.

#### Additionally:

- Employees requesting Serious Health Condition leave for themselves or to care for a family member will be required to provide certification from the health care provider of the employee or the covered family member to support the request.
- Employees requesting Sick Child Leave may be required to submit, at a minimum, a note from a
  doctor or health care provider if the employee has requested to use more than three days (i.e.,
  one, three-day occurrence or three separate instances) of sick child leave within a One-Year
  Calculation Period.

Employees must furnish NCPHD's requested medical certification information within 15 calendar days after such information is requested by NCPHD. In some cases (except for leave to care for a sick child), NCPHD may require a second or third opinion, at NCPHD's expense. Employees also may be required to submit subsequent medical verification.

Employees will not be asked for, and they should not provide, any genetic information about themselves or a family member in connection with a medical certification.

### **Medical Certification Prior to Returning to Work**

If family medical leave is for the employee's own serious health condition, the employee must furnish, prior to returning to work, medical certification from his/her health care provider stating that the employee is able to resume work.

### **Substitution of Paid Leave for Unpaid Leave**

Employees are required to use accrued paid leave, including floating holidays, vacation, compensatory time, and sick leave prior to a period of unpaid leave of absence on OFLA leave. Use of accrued paid leaves will run concurrently with OFLA leave. If the employee has no accrued paid leave, floating holidays, vacation, compensatory time or sick leave available to use during a OFLA leave, the leave will be unpaid.

#### Holiday Pay While on Leave

Employees receiving short or long-term disability will not qualify for holiday pay. Employees using vacation pay or sick pay during a portion of approved family medical leave in which a holiday occurs will qualify to receive holiday pay. Employees who are on unpaid leave during a holiday will not qualify to receive holiday pay.

## **On-the-Job Injury or Illness**

OFLA leave will not be reduced by and will not run concurrently with any period the employee is unable to work because of a disabling compensable on-the-job injury; however, if the injury or illness is a "serious

health condition" as defined by Oregon law and the employee has refused a bona fide offer of light-duty or modified employment, OFLA leave will commence.

#### **Benefits While on Leave**

NCPHD 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 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 NCPHD's benefit plans.

#### **Iob Protection**

Employees returning to work from Family Medical 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 Family Medical 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 Family Medical Leave period, reinstatement may not be available unless the law requires otherwise.

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

Employees who work for other employers during a "serious health condition" leave may be subject to discipline up to and including termination. Additionally, all employees who use Family Medical Leave for reasons other than the reason for which leave had been granted may be subject to discipline up to and including termination.

### F. Bereavement Leave

Employees who have worked for NCPHD for 180 calendar days, and averaged at least 25 hours per week, will be granted up to three (3) days off with pay, and may take up to two weeks of unpaid bereavement leave per death of a Family Member (defined below). Employees who have worked for NCPHD for 90-180 days may use up to 40 hours of accrued sick leave for bereavement purposes, and who have experienced the death of a Family Member (defined below). Employees who have worked for NCPHD for fewer than 90 days may not be eligible for leave; see Office Manager for more information.

Bereavement leave may be used to attend the funeral or alternative to a funeral of the family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member. The two weeks of bereavement leave must be taken in the 60-day period following notice of death of a family member and will be deducted from the employee's available leave time under OFLA. For purposes of this policy, "Family Member" is defined to include the employee's spouse, same-sex domestic partner (registered), child, parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner (registered) or spouse.

Employees who wish to take bereavement leave must inform NCPHD as soon as possible after receiving notification of a Family Member's death. Although prior notice is not required, verbal notice must be provided within 24 hours of beginning leave. Written notice must be provided to NCPHD within three days of returning to work. Employees are required to use any available sick leave during the period of bereavement leave; vacation time will be used if the employee has no available sick leave.

## **G.** Jury and Witness Duty

## **Jury Duty**

NCPHD will grant employees time off for mandatory jury duty and/or jury duty orientation. A copy of the court notice must be submitted to the employee's supervisor to verify the need for such leave. Jury duty leave is paid time off. Jury duty compensation for time served must be submitted to the Office Manager when received.

The employee is expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep his/her her supervisor or manager informed about the amount of time required for jury duty.

## **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 duty fees to the Office Manager upon receipt.

Except for employee absences covered under NCPHD's "Crime Victim Leave Policy" or "Domestic Violence Leave and Accommodation Policy," employees who are subpoenaed to testify in non-work-related legal proceedings must use any available vacation time to cover their absence from work. If the employee does not have any available vacation time, the employee may use Leave without Pay after consultation with their supervisor. 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.

# H. Religious Observances Leave and Accommodation Policy

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

## I. Crime Victim Leave Policy

Any employee who has worked an average of at least 25 hours per week for 180 days is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or his/her 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 same-sex domestic partner, father, mother, sibling, child, stepchild or grandparent.

Employees who are eligible for crime victim leave must:

- Use any accrued, but unused vacation/sick leave during the leave period;
- Provide as much advance notice as is practicable of his/her intention to take leave (unless giving advance notice is not feasible); and
- Submit a request for the leave in writing to their supervisor 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, NCPHD 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.

## J. Domestic Violence Leave and Accommodation Policy

All employees are eligible for reasonable unpaid leave to address domestic violence, harassment, sexual assault, or stalking of the employee or his/her 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 similar paid time off while on this type of leave.

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

Notice of need to take leave should be provided by submitting a request for leave in writing to your supervisor as far in advance as possible, indicating the time needed, when the time will be needed, and the reason for the leave. NCPHD 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 NCPHD 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 other person on the employee's behalf.

Finally, employees who are victims of domestic violence, harassment, sexual assault or stalking may be 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 NCPHD. Please contact your supervisor immediately with requests for reasonable safety accommodations.

## **K.** Military Leave

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

Further, eligible employees called for initial active duty for training and for all periods of annual active duty for training as a member 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, may be entitled to leave with pay for all regular workdays that fall within a period not to exceed 15 calendar days in any federal training year. Weekend drill obligations are not considered "federal active duty" for training under this policy; other requirements apply. Please contact the Office Manager for more information and to make arrangements for this paid leave.

# **IV.** Employee Benefits

#### A. Healthcare Benefits

NCPHD offers medical, vision, dental, and life insurance for all of its regular, full-time employees and parttime employees working 0.6 FTE or greater. NCPHD pays the cost of individual coverage for benefited eligible employees. Those employees who wish to have their dependents included in the insurance plan are required to pay a portion of the monthly premium for that coverage on a payroll deduction basis.

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 NCPHD. These documents govern all issues relating to employee health insurance. As other employee benefits are offered by NCPHD, employees will be advised and provided with copies of relevant plan documents. Enrollment packets are provided to all benefit eligible employees during the annual open enrollment process. For further questions employees can contact the Office Manager.

## B. Employee Assistance Program (EAP)

This free, confidential service is provided by Canopy (previously Cascade Centers) 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 marital 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 the Office Manager, or you can contact Canopy directly at 1-800-433-2320, or at ww.cacadecenters.com.

# C. Workers' Compensation and Safety On the Job

You are protected by Workers' Compensation Insurance under Oregon law. This insurance covers you in case of occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Employees are expected to work safely and in a safe environment.

## Steps to Take if You are Injured on the Job

If you are injured on the job, NCPHD wants to know about it and expects to learn about it no later than 24 hours after your injury (report all work-related injuries to your supervisor).

If you seek treatment for your work-related injury and want to apply for workers' compensation benefits, you must do all of the following:

- 1. Immediately report any work-related injury to your supervisor. You must report the injury at the time it happens, and no later than 24 hours after injury.
- 2. Seek medical treatment and follow-up care if required.

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

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

#### **Return to Work**

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

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

## **Early Return-to-Work Program**

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

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

If your doctor determines that you are able to perform modified work, NCPHD will attempt to provide you with a temporary job assignment for a reasonable period of time (usually 6 months or less) until you can resume your regular duties (except where provided as an accommodation for a disability). If, due to a work related injury, you are offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect your compensation and employment with NCPHD. While you are on modified or transitional work, you are still subject to all other NCPHD rules and procedures.

## **Overlap With Other Laws**

NCPHD will account for other leave and disability laws that might also apply to your situation, such as the Americans with Disabilities Act (ADA) or OFLA. If, after returning from a workers' compensation leave, it is determined that you are unable to perform the essential functions of your position because of a qualifying disability, you may be entitled to a reasonable accommodation, as governed by the ADA and/or applicable Oregon laws covering disabilities in the workplace.

# D. PERS (Public Employees' Retirement System) Benefits

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

## V. Miscellaneous Policies

## A. Alcohol/Drug Use, Abuse and Testing

NCPHD works to maintain a safe and efficient work environment. Employees who misuse controlled substances, prescription or illegal drugs, or alcoholic beverages pose a risk both to themselves and to everyone who comes into contact with or depends upon them and risks damage to NCPHD's reputation. NCPHD expects employees to report to work in a condition that is conducive to performing their duties in a safe, effective and efficient manner. 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.

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.

The following conduct is strictly prohibited and will result in disciplinary action up to and including termination:

- Possession, transfer, use or being under the influence of any alcohol while on NCPHD property, on NCPHD time, while in NCPHD clothes, while driving NCPHD vehicles (or personal vehicles while on NCPHD business), or in other circumstances which adversely affect NCPHD operations or safety of NCPHD 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.
- Failure to notify NCPHD of an arrest or conviction under any criminal drug or alcohol statute within two days of the arrest or conviction;
- 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 NCPHD property, on NCPHD time, while in NCPHD clothes, while driving NCPHD vehicles (or personal vehicles while on NCPHD business), or in other circumstances which adversely affect NCPHD operations or safety of NCPHD employees. Employees may not have any detectable amount of narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance in system while on NCPHD property or on NCPHD 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, Washington or any other state's law.
- Bringing to NCPHD property, or possessing, items or objects on NCPHD 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 co-workers, members of the public, or elected officials while on work time or on/in NCPHD 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 NCPHD property.
- Refusing to cooperate with any and all tests required by this policy. 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.

## **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 health care professional, where its use does not present a safety hazard or otherwise adversely impact an employee's performance or NCPHD 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 NCPHD operations or safety of NCPHD employees or other persons, NCPHD 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 NCPHD 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 other means of accommodating the disability in the workplace, as NCPHD will not agree to allow an employee to use medical marijuana as an accommodation. (See "Disability Accommodation Policy," above)

#### **Testing**

NCPHD reserves the right to:

- a. Subject applicants who are given a condition 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 employee who test positive or otherwise violate this policy; and
- d. Test employees when they: (1) cause or contribute to accidents that seriously damage a NCPHD vehicle, machinery, equipment or property; (2) result in an injury to themselves or another employee requiring offsite medical attention; or (3) when NCPHD 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, NCPHD 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 Director or the Director's designee.
- "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:
  - o a pattern of abnormal or erratic behavior;
  - o information provided by a reliable and credible source;
  - o direct observation of drug or alcohol use;
  - o 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);
  - o unexplained significant deterioration in individual job performance;
  - o 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 the Director. Whenever possible, supervisors should locate a second employee or witness to 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 the Director. 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 NCPHD property, or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, NCPHD may search furniture, equipment or other property provided to the employee by NCPHD, including but not limited to, clothes (uniforms), locker, toolbox, and desk. Employees should have no expectation of privacy in any property, equipment or supplies provided by NCPHD to 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:

- Any criminal arrest or conviction for drug- or alcohol-related activity within five days of the arrest or conviction;
- 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.

### **Drug and Alcohol Treatment**

NCPHD 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. NCPHD is willing to help such employees obtain appropriate treatment.

An employee who believes that he/she has a problem involving the use of alcohol or drugs should ask a supervisor or Director for assistance.

NCPHD will work with an employee to identify all benefits and benefit programs that may be available to help deal with the problem. Attendance at any rehabilitation or treatment program will be a shared financial responsibility of the employee and NCPHD to the extent its existing benefits package covers some or all of the program costs.

Although NCPHD recognizes that alcohol and drug abuse can be successfully treated and is willing to work with employees who may suffer from such problems, it is the employee's responsibility to seek assistance *before* drug or alcohol problems lead to disciplinary action. Once a violation of NCPHD's policy is discovered, the employee's willingness to seek NCPHD 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. A last-chance agreement is an agreement whereby an employee who would otherwise be terminated is provided an opportunity to address his/her substance abuse issue and/or performance or safety issues. The last-chance agreement will inform the employee of the problems noted with his/her performance and to specify the performance required for the employee to achieve in order to continue to be employed by

NCPHD. Violation of the provisions of a last-chance agreement shall result in immediate termination of the employee, notwithstanding the 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 NCPHD is prohibited unless written authorization is obtained from the employee.

## **B.** Mobile Devices Policy

This policy applies to employee use of cell phones, smart phones, tablets, and all similar devices, all of which are referred to as "mobile devices" in this policy.

## **Cell Phones and Mobile Devices in General (both NCPHD-provided and personal cell phones)**

Employees are allowed to bring personal mobile devices to work with them. During working hours, however, employees should refrain from using them except in an emergency or during a meal period or rest break.

Employees who use personal or NCPHD-provided mobile devices may not violate NCPHD's policies against harassment and discrimination. Thus, employees who use a personal or NCPHD-provided mobile device to send a text or instant message to another employee (or to a citizen or someone not employed by NCPHD) that is harassing or otherwise in violation of NCPHD's policies prohibiting discrimination, harassment, bullying, and retaliation will be subject to discipline up to and including termination.

Non-exempt employees may not use their personal or NCPHD-provided mobile device for work purposes outside of their normal work schedule without written authorization in advance from their supervisor. This includes, but is not limited to, reviewing, sending and responding to emails or text messages, and responding to calls or making calls. Employees who violate this policy may be subject to discipline, up to and including termination. Nothing in this policy removes a nonexempt employee's obligation from recording time for all hours worked.

### **Employee Use of NCPHD-Provided or Paid For Mobile Devices**

Mobile Devices are made available to NCPHD employees on a limited basis to conduct NCPHD's business. Determinations as to which employees receive NCPHD-provided mobile devices will be made on a case-by-case basis; employees are not guaranteed a cell phone or cellular device. In some cases, NCPHD may provide a monthly cellular telephone allowance to employees who regularly make calls on behalf of NCPHD away from the office – see your supervisor for more information.

Employees who receive a mobile device from NCPHD must agree to not use the mobile device for personal use except in emergency situations and must abide by all aspects of the Mobile Device Policy (including those policies applicable to personal cell phone use). Further, employees who receive a cell phone, or mobile device, from NCPHD must acknowledge and understand that because the mobile device is paid for and provided by NCPHD, or subsidized by NCPHD, any communications (including text messages) received by or sent from the mobile device may be subject to inspection and review if NCPHD has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Mobile Device Policy or any other NCPHD policy.

Employees should have no reasonable expectation of privacy in an NCPHD-provided or paid for mobile device. An employee who refuses to provide NCPHD access to his/her personal mobile device in connection with an investigation and after reasonable notice may be subject to discipline, up to and including termination.

Employees may not use NCPHD-provided mobile devices to call 1-900, 1-976 or similar "pay per minute" services. Further, family and friends may not use an employee's NCPHD-provided mobile device.

#### **Mobile Devices and Public Records**

NCPHD-related business conducted on NPCHD-provided or personal cell phones/cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against NCPHD or individual employees.

#### **Employee Use of Mobile Devices with Cameras**

Cameras of any type, including any type of mobile device, or cell phone, with built-in cameras and video photography devices, may not be used at any NCPHD-sponsored function unless authorized to do so by the supervisor.

### **Mobile Device Use While Driving**

The use of a mobile device while driving may present a hazard to the driver, other employees and the general public. Subject to a few narrow exceptions for emergency or public safety purposes, Oregon law also prohibits the use of hand-held cell phones while driving, even if the driving is for work-related reasons. This policy is meant to ensure the safe operation of NCPHD vehicles and the operation of private vehicles while an employee is on work time. It applies equally to the usage of employee-owned cell phones and phones provided or subsidized by NCPHD.

Employees are prohibited from using handheld cell phones for any purpose while driving on NCPHD-authorized or NCPHD-related business. This policy also prohibits employees from using a cell phone or other mobile device to send or receive text or "instant" messages while driving on NCPHD business. Should an employee need to make a business call while driving, the employee must locate a lawfully designated area to park and make the call, unless the employee uses a hand-free cell phone or cellular device for the call. In either situation, such calls should be kept short and should the circumstances warrant (for example, heavy traffic, bad weather), the employee should locate a lawfully designated area to park to continue or make the call, even if the employee is using a hands-free device. Violation of this policy will subject the employee to discipline, up to and including termination.

# C. Use of NCPHD Email and Electronic Equipment and Services

NCPHD 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, cell phones (including text messaging), the Internet and any new technologies used in the future. This policy governs the use of such NCPHD property.

### **Ownership**

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

#### Use

All of NCPHD electronic equipment and services are provided and intended for NCPHD business purposes only and not for personal matters, communications or entertainment. Access to the Internet, websites and other electronic services paid for by NCPHD are to be used for NCPHD business only.

This means that employees may not use the NCPHD-provided Internet, or NCPHD electronic equipment and services to:

- Display or store any sexually explicit images or documents, or any images or documents that would violate NCPHD's no-harassment, no-discrimination or bullying policies;
- Play games (including social media games) or to use apps of any kind;
- Engage in any activity that violates the rights of any person or NCPHD, and that is protected by copyright, trade secrets, patent or other intellectual property (or similar laws or regulations);
- Engage in any activity that violates the right to privacy, of protected healthcare information or otherwise, or other NCPHD-specific confidential information;
- Engage in any activity that would introduce malicious software purposefully into a workstation or network (e.g., viruses, worms, Trojan horses).
- Download or view streaming video for personal use. This includes, without limitation, YouTube videos, movies, and TV shows. Streaming audio is allowed, provided it does not contain explicit material, adversely affect network speed, or interfere with others' ability to work.

Further, employees may not use NCPHD-provided email addresses to create or manage personal accounts (e.g., shopping websites, personal bank accounts, and social media accounts). NCPHD email addresses for professional-based social media accounts such as LinkedIn may be allowed with the approval of the employee's supervisor.

## **Inspection and Monitoring - No Right to Privacy**

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

All information and communications in any format, stored by any means on NCPHD'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 NCPHD's ownership of the electronic information, electronic equipment, or services, or NCPHD's right to inspect such information.

NCPHD 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 of NCPHD's electronic equipment and services, including all communications and internet usage and resources/sites visited. NCPHD 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 NCPHD's computer systems or mobile devices without approval from the Director and/or Wasco County IS Department (WCIS). All software installed on NCPHD's computer systems must be licensed. Copying or transferring of NCPHD-owned software to a personal device/equipment may be done only for personal devices/equipment used for NCPHD business and with the written authorization of the Director and/or WCIS.

All hardware will be purchased and installed through Wasco County IS department.

If an employee's work dictates the persistent use of a laptop, a laptop will be the user's "PC" and a docking station (standard monitor, keyboard and mouse) will be provided at the user's desk for use when in the office.

Computer configuration and specification will be determined based on the essential functions of the position.

A user logon and password will be given to each individual. This is unique to each user and should NOT be divulged to any other individual. This logon/password allows each user to log on any computer on the NCPHD network and gives them the same network rights as if they logged on their regular workstation. Software standards have been established to ensure NCPHD-wide compatibility, efficiency in use and support.

Individual software packages may be authorized to meet an individual department's unique needs. Software will not be downloaded from the Internet. If there is a need to do this, the user must get the Director's approval and submit a MOJO to Wasco County IS to perform the download. This is to prevent virus infection and to confirm compatibility.

No application software may be copied or installed from a non-NCPHD computer. This does not include word processing documents or spread sheets (data) that a user has worked on at a non-NCPHD work location.

All other software must meet NCPHD standards, be removed from the PC, or proven to NCPHD officials that there is a "business related need" including a valid license for the software.

#### **Unauthorized Access**

Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by NCPHD management. No employee can examine, change or use another person's files, output, username or password unless they have explicit authorization from the Director, after consulting the Wasco County IS Department, 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**

NCPHD'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 NCPHD's policies on harassment and discrimination.

#### D. 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 to your own or someone else's web log or blog, journal or diary, personal or commercial web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with NCPHD, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of co-workers, or otherwise adversely affects our citizens or people who work on behalf of NCPHD or NCPHD'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 or other media that violate any of NCPHD's policies including NCPHD's no-harassment and no-discrimination policies and workplace violence policies. Similarly, postings that include threats of violence that are physically threatening or intimidating, bullying or harassing, discriminatory remarks, or similar inappropriate or unlawful conduct will not be tolerated and may subject an employee to discipline, up to and including termination.

Do not create a link from your blog, website or other social networking site to an NCPHD-owned or maintained website without identifying yourself as an NCPHD employee.

Express only your personal opinions. Never represent yourself as a spokesperson for NCPHD. If NCPHD is a subject of the content you are creating, be clear and open about the fact that you are an NCPHD employee, and make it clear that your views do not represent those of NCPHD or its employees or elected officials.

### **Encouraged Conduct**

Always be fair and courteous to co-workers, the citizens we serve, NCPHD's employees and elected officials, and suppliers or other third parties who do business with NCPHD. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. If you decide 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, co-workers, NCPHD employees or elected officials, that might constitute harassment or bullying and/or that violate NCPHD 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 stats protected by law or NCPHD policy.

Maintain the confidentiality of NCPHD's confidential information. Do not post internal reports, policies, procedures or other internal, NCPHD-related confidential communications or information. (See "Workplace Privacy and Confidentiality" policy, below.)

Nothing in this policy is meant to prevent an employee from exercising his/her 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 NCPHD operations. Employees are free to express themselves as private citizens on social media sites, but an employee's exercise of expression is balanced against NCPHD's interest in the effective and efficient fulfillment of its responsibilities to the public.

### **Request for Employee Social Media Passwords**

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

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

## E. Workplace Privacy and Confidentiality

Employees must not access, use or disclose sensitive or confidential information or data except in accordance with NCPHD policies, practices and procedures, and as authorized by state or federal laws or regulations. Employees with access to confidential information, including but not limited to customer or employee financial, medical or personal information (including, without limitation, Social Security numbers), are responsible for the safekeeping and handling of that information to prevent unauthorized disclosure. Employees, who access, use or disclose confidential information, contrary to Oregon or federal laws or for personal use or financial gain may be subject to civil or criminal penalties under those laws, in addition to appropriate disciplinary action for violating this policy.

No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of NCPHD) may be removed from our premises without permission from the Director. Likewise, any materials developed by NCPHD's employees in the performance of their jobs is the property of NCPHD and may not be used for personal or financial gain. Additionally, the contents of records or information otherwise obtained in regard to NCPHD's business may not be disclosed to anyone, except where required for a business purpose or when required by law.

## F. Ethics

At NCPHD, we believe in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that may compromise their reputation or integrity, or that might cause their personal interests to conflict with the interests of the NCPHD or NCPHD's citizens.

We at NCPHD are public employees, and as such, are also subject to the State of Oregon's ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts and

strict definitions of conflict of interest. If you are coming to NCPHD from work in the private sector, you may find that some activities that are common business practices in the private sector are prohibited in the public sector. Information on these laws is available at the Oregon Government Ethics Commission website: http://www.oregon.gov/OGEC.

If you have questions about whether an activity meets NCPHD's or Oregon's ethical standards, please talk with your supervisor. Employees who violate the Ethics Policy, or who violate Oregon ethics laws, may be subject to disciplinary action up to and including termination.

## **G.** Open-Door Policy

NCPHD's Open Door Policy is based on our belief that open, honest communication between managers and employees should be a common business practice. NCPHD'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 you have a complaint, suggestion, or question about your job, working conditions, or the treatment you are receiving from anyone in NCPHD, please raise them first with your immediate supervisor. If you are not satisfied with the response from your immediate supervisor, or if your issue involves your immediate supervisor, request to have the facts/situation reviewed by the Director and/or the Board of Health Chairperson.

## H. Outside Employment

Generally, employees may obtain employment with an employer other than NCPHD 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 NCPHD time (including the employee's work time), NCPHD facilities, equipment and supplies, or the prestige or influence of the employee's position with NCPHD. In other words, the employee may not engage in private business interests or other employment activities on the NCPHD's time or using the NCPHD'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 NCPHD.

NCPHD requires employees to report outside employment to their supervisor before the outside employment begins. Thereafter, an employee must provide an update to his/her supervisor on an annual basis, or sooner if any changes in outside employment occurs. Employees who accept outside employment in violation of this policy may be subject to discipline, up to and including termination.

### I. Criminal Arrests and Convictions

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

- 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 NCPHD property, or in an NCPHD vehicle; (see "Alcohol/Drug Use Abuse and Testing" policy above);
- 2. All arrests, citations, convictions, guilty pleas, no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or,
- 3. If you are arrested, cited or convicted of a violation of any law that will prevent you from performing the essential functions of your 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 unavailable to report for work because they have been sent to jail or prison may not use sick leave or vacation time to cover the absence, and may be subject to disciplinary action, including termination.

## J. 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 NCPHD 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.

# K. Bad Weather/Emergency Closing

scheduled holidays identified NCPHD "Holidays" Except for regularly bγ (see section, above), NCPHD 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 Director (or his/her designee) will decide whether to and to what extent NCPHD will close. Information regarding a closure will be transmitted to employees through HAN Alert system. In the event that the office is closed, employees will be compensated for the time.

In the event of extreme bad weather, we recognize that each employee's ability to safely reach work may be different. If you cannot safely report to work in such circumstances, you should contact your supervisor. If staff cannot reach the office and are able to serve NCPHD from home, you should do so subject to approval by your manager or supervisor. Safety and a trustworthy approach are your guides. If NCPHD remains open, but an employee chooses to not report to work due to weather concerns, the employee must use accrued leave for that day. It is an unpaid day for those with no leave.

## L. Driving While on Business

Employees using a private vehicle to conduct NCPHD's business must possess a valid driver's license and must carry auto liability insurance. Employees who use their own vehicles for authorized NCPHD

business use should make any necessary arrangements with their insurance carriers. Private vehicles may only be used if a NCPHD vehicle is not available and with Director's approval.

NPCHD may verify the validity of your driver's license and/or your driving record at the time of hire and at any point during your employment. Once you are employed with NCPHD, we will receive automated reports from the Department of Motor Vehicles (DMV). The reports notify NCPHD when there are transactions on your driving record such as speeding tickets and citations.

While on NCPHD business, drivers are expected to make every reasonable effort to operate their vehicle safely, with due regard for potential hazards, weather, and road conditions. Drivers are to obey all traffic laws, posted signs and signals, and requirements applicable to the vehicle being operated. Seatbelts are to be used in all vehicles while on business. Drivers are to ensure that the use of prescribed or over the counter drugs does not interfere with their ability to drive while on business; operating a vehicle under the influence of alcohol or controlled substances is prohibited. Employees are responsible for notifying their supervisor of any subsequent restrictions, limitations, or other change in their driving status within 72 hours of the change or new restrictions/limitations. See also, "Mobile Device Use While Driving" policy, above on page 35.

## M. Workplace Violence

NCPHD recognizes the importance of a safe workplace for employees, customers, vendors, contractors, and the general public. A work environment that is safe and comfortable enhances employee satisfaction as well as productivity. Therefore, 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 many by NCPHD.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with NCPHD, or that threaten the safety, security or financial interests of NCPHD. 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 the Director.

NCPHD also may conduct an investigation of a current employee where the employee's behavior raises concerns about work performance, reliability, honesty, or potentially threatens the safety of co-workers or others.

# N. Workplace Inspections - No Right to Privacy or Confidentiality

This policy applies to inspections and investigations conducted by NCPHD pursuant to policy or law unless otherwise modified by a different policy in this Handbook.

An employee investigation may include, but is not limited to, investigation of criminal records; it may also include a search of desks, work areas, file cabinets, voice mail systems and computer systems. Employees are strongly discouraged from storing personal items in the desks, lockers, work areas, file cabinets and other office equipment or furniture, as well as voicemail and computer systems assigned to them by NCPHD; these areas are not private.

All information related to reports generated from inspections and investigations, including the name of the reporting employee(s), will be kept as confidential as possible under the circumstances. The Director or his/her designee will notify the reporting employee of any action taken in response to the report.

## O. Smoke-Free Workplace

NCPHD provides a tobacco-free environment for all employees and visitors. For purposes of this policy, "tobacco" includes the smoking of any tobacco-based product, smoking in any form (including, without limitation, cigars and e-cigarettes), and the use of oral tobacco products or "chew/spit" tobacco. Marijuana is also prohibited under this policy. This policy applies to employees, volunteers, and any visitors to NCPHD property, vehicles or facilities/buildings.

NCPHD buildings and vehicles are tobacco- and marijuana-free areas. Tobacco/marijuana use is prohibited during working hours. Further, NCPHD prohibits tobacco/marijuana use in or around NCPHD vehicles and equipment or machinery.

If you wish to smoke, you must do so outside of NCPHD's facilities/buildings, only in designated smoking areas, and out of visitor view. Smoking is not allowed near building entrances; Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows. NCPHD is a tobacco/marijuana free campus. A designated smoking area is in the lower parking lot.

## P. Hiring of Family Members

Relatives of current employees, or individuals involved in an intimate personal or financial relationship with a current employee, are eligible for hire at NCPHD subject to the same selection process and job requirements and will be evaluated in the same manner as any other applicant. However, persons will not be hired or promoted into positions in which one family member (as defined by Oregon law) or person involved in an intimate personal or financial relationship would fall under the direct line of supervision of the other family member or partner.

All employees shall avoid being in a position where they are subject to supervisory or oversight authority by a family member, member of their household, or a person with whom they have an intimate personal or financial relationship. If the relative relationship is established after employment as a result of organizational restructure, marriage, or a development of an intimate personal or financial relationship, the employees involved have an obligation to immediately inform their supervisor, or Human Resources. The employees and NCPHD will jointly make a good faith effort to find an alternative assignment for one of the two employees. Depending on business need, this may include, but is not limited to restructuring duties, assignment to another position, and assignment to another shift or change in supervision. If no alternative assignment is available, the two employees will have 30 days to decide who will resign. If a decision is not made within 30 days, NCPHD will make the final decision, based on NCPHD's operational and financial needs.

Policy violations including, but not limited to, failure to disclose a family relation, or an intimate personal or financial relationship, will be investigated by NCPHD. Policy violations may result in progressive discipline of employees, up to and including termination of employment. Supervisors and lead workers may be disciplined for taking employment actions based upon the relationship.

## Q. Vaccinations

#### **Employee Immunization Requirements**

In accordance with North Central Public Health District's duty to provide and maintain a workplace that is free of known hazards, we are adopting this policy to safeguard the health of our employees and their families; our customers and visitors; and the community at large from infectious diseases which may be reduced by vaccinations, risk assessment, screening and mitigation strategies. This policy will comply with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention, Oregon Health Authority, OSHA, and other health authorities, as applicable.

To purpose of the policy is to provide clear guidance for employee health screening, to include new employee health assessment for respirator fit-testing and communicable disease history, immunization requirements, and screening for communicable diseases such as tuberculosis (TB).

The employee health onboarding will be provided by a collaborative effort between the Health Officer, Clinical Programs Supervisor, and Immunization Coordinator with specific duties outlined herein.

All employees will be subject to the following employee requirements: *Health Questionnaire*, *Tuberculosis Health Questionnaire* (symptom screen and risk assessment), baseline TB screening, proof of immunity, and respirator regulations as it applies to the job description. These health assessments are a mandatory part of the hiring process and must be completed within 30 days of hire, and will be coordinated at no cost to the employee.

#### 1. Employee Health Questionnaire:

The Health Officer and Clinical Programs Supervisor review all new employee *Health Questionnaires*. Communicable disease history is evaluated and necessary titers, immunizations, accommodations and/or work restrictions are coordinated by the Clinical Programs Supervisor. Respirator fit-testing screen and any necessary accommodations are coordinated by the Health Officer in collaboration with the PHEP coordinator who provides respirator fit-testing.

### 2. TB screening

#### TO BE FILLED IN

### 3. Immunization and proof of immunity

a. All employees must document proof of immunity to certain communicable diseases including measles, mumps, rubella (German measles), varicella (Chicken Pox), Hepatitis B, and COVID-19 unless a reasonable exemption and accommodation is approved. Acceptable proof of immunity is as follows:

Measles, mumps, rubella and varicella: record of 2 doses of vaccine, positive titer results or provider documentation of illness.

Hepatitis B: record of a complete vaccine series or titer if vaccine record unavailable.

Tetanus/Diphtheria/Pertussis: record of Tdap vaccine within the last 10 years.

Influenza: record of annual influenza vaccine.

COVID-19: record of a complete vaccine series.

- b. Vaccination will be offered to those employees who are not immune to all the above communicable diseases.
- c. Employees may request an exemption for specific vaccines due to a medical reason or because of a sincerely held religious belief, and must submit a completed Request for Accommodation form to Human Resources. Accommodations may be granted where they do not cause NCPHD undue hardship or pose a direct threat to the health and safety of others. Employees granted exemptions may be excluded from work in the event of an outbreak of any of the disease above for the duration determined by the local health authorities. Employees who are granted exemptions for the following vaccines will be required to also adhere to the following:

#### i. COVID-19

- Wear an N95 mask at all times in the facility and/or when interacting with community members, staff or clients when representing NCPHD while the mandate and policy is in effect
- May be asked to be tested each week while the mandate and policy is in effect and turn in test results to Health Officer each week.
- Keep air purification system on in their work area while they are present.

## 4. Employee Health Record

Health screenings and documentation required herein will be kept and maintained with your employee file in Human Resources.

# VI. Termination of Employment

## A. 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 NCPHD'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 or other NCPHD records.
- Recording of work time of another employee of allowing any other employee to record your work time, or allowing falsification of any time sheets (your own or another employee's).
- Theft or the deliberate or careless damage or destruction of any NCPHD property, or the property of any other employee, citizen, vendor or third party.
- Unauthorized use of NCPHD equipment, materials or facilities.
- Provoking a fight or fighting during work hours or on NCPHD property.
- Carrying firearms or any other dangerous weapon on NCPHD premises at any time.
- Engaging in criminal conduct while at work.
- Causing, creating or participating in a significant or substantial disruption of work during working hours on NCHD property.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward another NCPHD employee, customer or vender.
- 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. You are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you.
- Sleeping or malingering on the job.
- Excessive personal telephone calls during working hours.
- Unprofessional appearance during normal business hours.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by NCPHD.
- Misrepresentation of NCPHD policies, practices, procedures, or your status or authority to enter into agreements on behalf of NCPHD. Employees may not use NCPHD's name, logo, likeness, facilities, assets or other resources of NCPHD for personal gain or private interests.
- Violations of the Ethics Policy or Oregon's Ethics laws.
- Violation of any safety, health, security or NCPHD 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 NCPHD or outside regulatory or legislative bodies.
- Harassment or discrimination that violates NCPHD policy.

This statement of prohibited conduct does not alter NCPHD'S policy of at-will employment. NCPHD remains free to terminate the employment relationship at any time, with or without cause or notice. Either you or NCPHD remains free to terminate the employment relationship at any time, with or without cause or notice.

## B. Corrective Action/Discipline Policy

Employees are expected to perform to the best of their abilities at all times. 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 NCPHD standards, NCPHD will determine whether it will terminate the employee's employment or endeavor, when it deems appropriate, to provide the employee a reasonable opportunity to correct the deficiency. This can be accomplished through forms of discipline short of termination, such as verbal warnings, written warnings, suspensions without pay, and demotions (in no particular order). The corrective action process will not always commence with a 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 employment of an employee for serious violations of NCPHD policies, procedures and rules and for other inappropriate behavior or conduct, NCPHD may choose to provide the employee a final opportunity to continue employment in the form of a last-chance agreement. NCPHD may also choose to send the employee to a training or an education opportunity.

In all cases, NCPHD retains sole discretion to determine the nature and extent of any discipline based upon the circumstances of each individual case. Accordingly, NCPHD reserves the right to proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps, when NCPHD deems such action appropriate. At all times, NCPHD 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.

# C. Retirement or Resignation From Employment

If you choose to resign or retire, it is anticipated that you will give NCPHD as much notice as possible – preferably a minimum of two weeks. When giving your two-weeks' notice, vacation, personal, or sick days should not be used in lieu of notice. If you do not give two-weeks' notice of your intent to leave NCPHD, you will not be eligible for re-employment at a later date. Employees who miss three or more consecutive work days without contacting their immediate supervisor are typically considered to have resigned their employment.

If the employee's decision to resign is based on a situation that could be corrected, the employee is encouraged to discuss it with the Director or Board of Health Chairperson before making a final decision. All employees may be asked to complete an exit interview.

Employees must return all NCPHD property, including phones, computers, identification cards, credit cards, keys, and manuals, to the Office Manager on or before their last day of work. Employees should meet with the Office Manager at the time their resignation is given to discuss continuation of benefits.

#### D. References

All requests for references or recommendations must be directed to the Director. No manager, supervisor or employee is authorized to release references for current or former employees. Managers and supervisors are expressly prohibited from providing LinkedIn "recommendations" or using a website on the internet to discuss a current or former employee's performance.

By policy, NCPHD discloses only the dates of employment and position(s) held of former employees. Former employees who authorize additional disclosures must make a request to do so in writing.

# VII. Employee Acknowledgement

## Acknowledgment of Receipt of 2021 Personnel Policies

## North Central Public Health District – Employee Handbook Version 2

I acknowledge that I have received and will read a copy of North Central Public Health District's 2021 Personnel Policies (Employee Handbook). I also understand that a copy of the Personnel Policies (Employee Handbook) is available to me at any time to review in the Office Manager's office or on the Shared Drive.

I understand that North Central Public Health District has adopted the Personnel Policies (Employee Handbook) only as a general guide about policies, work rules and the work environment, and that they are subject to change at any time in North Central Public Health District's sole discretion. I also understand that the Personnel Policies (Employee Handbook) control over any other contradictory statements. I acknowledge that the Personnel Policies (Employee Handbook) are not an employment contract and are not intended to give me any express or implied right to continued employment or to any other term or condition of employment.

I understand that either NCHPD or I may terminate my employment relationship at any time, for any lawful reason, with or without cause, and with or without advance notice. I acknowledge that no promises have been made to me that are inconsistent with this "at will" statement.

I have reviewed or will review North Central Public Health District's policies regarding equal employment opportunity and that the North Central Public Health District aims to provide a workplace free of harassment and discrimination. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to the Office Manager or my supervisor.

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

I have read this acknowledgement carefully before signing	g.	
Employee Signature	Date	

The original of this document will be kept in the Employee's personnel file. A copy will be provided to the Employee upon request.

## NCPHD Recap Report 7/1/20 to 6/30/21

Account Number		Budgeted	YTD REV	YTD EXP	Balance	Pct	
201 PUBLIC HEALTH FUND		0.000		2.22	4 000 00	47.05	
201.00.1201 NON-DEPARTMENTAL	REV	8,000	1,380	0.00	1,380.09	17.25	
(Interest and SAIF Dividend) 201.23.7141 PUBLIC HEALTH	REV	828,831.00	416,953.98			50.31	Co. GF to local match
General Fund; Septic; Vital Records	EXP	627,110.00	410,933.90	324,265.53	92,688.45	51.71	& program support
201.23.7142 WIC	REV	164,370.00	80,578.36		,	49.02	
Nutrition for Women & Children	EXP	205,857.00	00,570.00	92,282.94	-11,704.58	44.83	
201.23.7143 IMM. & NURSING SERVICES	REV	36,193.00	21,746.29	,	,.	60.08	
Child & Adolescent Health	EXP	53,573.00	21,7 10120	13,177.86	8,568.43	24.60	
201.23.7144 REPROD HEALTH	REV	267,510.00	74,658.92	-,	· · · · · · · · · · · · · · · · · · ·	27.91	
Exams & Ed. for Reproducitve Health	EXP	337,865.00	,	79,973.67	-5,314.75	23.67	
201.23.7145 STATE SUPPORT	REV	837,069.00	2,006,050.56	· · · · · · · · · · · · · · · · · · ·	<u> </u>	239.65	COVID OHA funding
Exams, treat. & invest. for Com. Disease	EXP	1,019,697.00	,,	606,560.03	1,399,490.53	59.48	
201.23.7146 ENVIRON. HEALTH	REV	113,000.00	41,762.49	· · · · · · · · · · · · · · · · · · ·		36.96	
Facility inspections & Education	EXP	163,410.00	•	47,867.97	-6,105.48	29.29	
201.23.7148 PERINATAL HEALTH	REV	124,900.00	38,838.05			31.10	Supports other prog.
Home visiting program	EXP	131,287.00		54,063.03	-15,224.98	41.18	
201.23.7149 PH EMERGENCY PREPAREDNES	REV	265,139.00	206,669.46			77.95	
Emergency preparedness	EXP	279,235.00		65,459.94	141,209.52	23.44	C/O COVID OHA
201.23.7151 PH MODERNIZATION	REV	336,719.00	128,695.02			38.22	
Public Health Modernization	EXP	346,936.00		111,966.69	16,728.33	32.27	
201.23.7152 HEALTH PROMOTION	REV	174,810.00	50,201.68			28.72	CCO Grants: QIM,
Grants promoting health	EXP	142,237.00		62,982.35	-12,780.67	44.28	Mejour Juntos; LCAC
201.23.7153 PH PRACTICE - IMM SERVICES	REV	18,346.00	-55,070.11			-300.18	3
Vaccine inventory; monitoring vaccinations	EXP	27,798.00		9,922.09	-64,992.20	35.69	COVID Flu
201.23.7154 CACOON & SYSTEMS OF CARE	REV	55,958.00	8,286.48			14.81	
Home visiting program	EXP	48,246.00		14,366.45	-6,079.97	29.78	
201.23.7155 TOBACCO PREV & ED	REV	208,980.00	-5,427.83			-2.60	
Prevention of tobacco use	EXP	208,980.00		14,802.14	-20,229.97	7.08	
201.23.7156 WATER	REV	50,621.00	23,843.46			47.10	
Monitoring of public water systems	EXP	56,627.00		22,386.38	1,457.08	39.53	
201.23.7158 BABIES FIRST	REV	215,662.00	44,230.85			20.51	
Home visiting program	EXP	278,731.00		120,322.06	-76,091.21	43.17	incl local match for TCM
201.23.7159 OREGON MOTHERS CARE	REV	4,744.00	2,122.48			44.74	
OHP application assistance	EXP	17,706.00		5,983.27	-3,860.79	33.79	Supported by Med. Match
201.23.7500 PASS THROUGH	REV	12,000.00	5,400.00			45.00	
DEQ fees	EXP	12,000.00		5,900.00	-500.00	49.17	
201.23.7999 NON-DEPARTMENTAL	REV	0.00	0.00			0.00	
(Conting. Unapprop. & Reserves)	EXP	229,752.00		0.00		0.00	
PUBLIC HEALTH FUND	REV	3,599,509.00	3,090,920.23			85.87	
	EXP	4,187,047.00	-	1,652,282.40	1,438,637.83	39.46	

2020-2021 COVID Grant Funding Streams	Amount		Award Period
	Spent Total		
PE01-04 COVID19 Response	\$117,594		1/21/20 - 6/30/21
PE 01-05 COVID-19 Local Active Mon. (Fed)	\$613,585		3/21/20 - 6/30/21
PE 01-06 COVID-19 Reg. Active Mon. (Fed.)	\$94,657		3/21/20 - 6/30/21
SAIF Grant	\$18,082		Reimb.
CARES Relief Fund Round 1	\$109,702		Reimb.
CARES Relief Fund Round 2	\$113,813		Reimb.
Col Gorge Health Council	\$91,190		No end date
	4		
	\$1,158,624		
2022 & beyond Funding Streams	Amount	FUNDED ACTIVITES	Award Period
PE 12 - 02 OHA COVID 19 Response (Fed)	\$119,757		03/21/20 - 03/15/22
201.23.7149.413.905	\$119,737		03/21/20 - 03/13/22
PE01-07 ELC ED Contact Tracing (Fed)	\$391,568	COVID Epi and Lab Capacity	07/01/21 - 06/30/23
PE01-09 ELC ED Contact Tracing (Fed)	\$1 122 827	COVID Epi and Lab Capacity	07/01/21 - 06/30/23
. 201 03 220 25 contact maxing (rea)	<b>V1)122)027</b>	COVID Epi and Lab capacity	07/01/21 00/30/23
201.23.7145.413.907	See Above	Same as PE 01-07	
PE01-10 Immunization	\$756,197	CARES Act Immunization	07/01/20 - 06/30/24
PE 43-06 CARES Flu (Fed)	\$50,417	Vaccine Clinics	06/06/20 - 06/30/24
201.23.7153.413.871	\$214,605		07/01/21 - 06/30/22
Col Gorge Health Council	\$108,810		No Award Period
201.23.7145.412.705			
Pacific Source CCO	\$25,000		No Award Period
201.23.7145.412.693			
2022 & beyond Covid Funding Total	\$2,789,181		
Covid Expenditures July - Dec 1, 2021		Amounts by End Date	
YTD PS	\$377,659	\$119,757	3/15/2022
YTD MS	\$227,643	\$214,605	6/30/2022
Total	\$605,302	\$1,514,395	6/30/2023
Balance	\$2,183,879	\$806,614	6/30/2024
		\$133,810	No end date
		\$2,789,181	

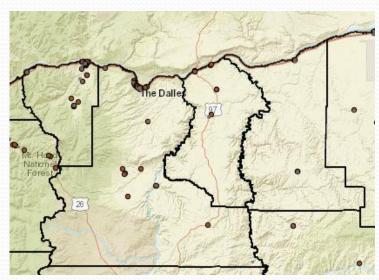
# **Tobacco Retail Licensing**

A long-term goal finally achieved in Oregon

- Oregonians have worked for a decade to get statewide Tobacco Retail Licensing passed, which finally happened in this year's legislative session. The law takes effect Jan. 1, 2022
- It requires every retailer who sells tobacco or vape products containing nicotine to get a state license and be inspected yearly.
- Currently, only a small sample are inspected
- Oregon was one of just seven states not to require a TRL

- The law's goal: reduce youth access to tobacco by educating retailers on the laws and holding accountable retailers who don't comply
- TRL's in other states have dramatically reduced youth tobacco sales
- Big Picture: Tobacco use remains the leading cause of preventable death, prematurely killing more than 480,000 people a year
- Another 16 million have serious disease from smoking or secondhand smoke

- The new law requires the Department of Revenue to issue licenses to qualified retailers of tobacco products and inhalant delivery systems. DOR is also in charge of suspending or denying licenses.
- Wasco County has 38 retailers, Sherman has 10 and Gilliam 4.
   The law covers about 2,950 retailers.



- Excluded from the state license requirement are roughly 1,050 tobacco retailers in the five Oregon counties that already have their own full or partial TRL.
- Those five Oregon counties (Multnomah, Lane, Clatsop, Klamath and Benton) will do their own inspections and they have their own fees. (Multnomah's is \$683)
- The state law also does not apply to retailers on tribal lands

- Sales of inhalant delivery systems at medical marijuana and recreational marijuana locations are exempt (unless they contain nicotine) and;
- LPHAs can't write local rules prohibiting tobacco sales in pharmacies
- The license application portal went up Dec. 1 on the DOR website. DOR began notifying retailers in October and a wider push is happening in December

- The program is run by DOR and OHA. The DOR portion of the license fee is \$230. OHA's is \$723, for a total of \$953. The license fee will be uniform statewide, and each business location will pay it. Oregon is the only state that requires the fee to cover the program's cost
- DOR will inspect for tax-related matters, such as tobacco tax stamps, as it always has (on wholesalers and manufacturers)
- DOR and law enforcement can seize contraband products (those at unlicensed businesses).

- OHA will inspect yearly for: Not selling to under 21's
   (which is its own stand-alone inspection); Not selling
   loose cigarettes; No cigarette vending machines
   accessible to anyone under 21; ensuring tobacco is
   behind counters and correct signage is posted; no
   flavored cigarettes (except menthols); no sales of
   "light" "low tar" or "mild" cigarettes; no free samples or
   gifts; no misbranded product
- These laws aren't new, TRL is just a new mechanism to ensure compliance with these laws

- Allows DOR to fine up to \$1,000 for violations, and OHA can issue fines up to \$5,000
- DOR penalties focus on unlicensed premises. If it's less than 60 days unlicensed, it's a \$250 penalty, and \$1,000 if more than 60 days. If they still don't get licensed, their product can be seized. It also includes 14- and then 30-day license suspensions for additional violations within 5 years.

- The OHA penalty schedule is \$1,000/completion of training for the first violation
- \$2,000 for the second violation within 5 years
- \$3,500 for the third violation in 5 years
- And \$5,000 for the fourth or subsequent violation in 5 years
- Selling to someone under 21 is a significant violation and can lead to immediate license revocation

- Under the current system, 4 of 5 fines go to the clerk. The goal of the new law is to make sure owners are held accountable for violations
- PUP (possession, use, purchase) laws are gone. Focus now is on penalizing seller, not buyer.
- The state is hiring three inspection personnel in January.
- The focus will be education only for the first six months, and then enforcement inspections would begin after that

- NCPHD could do everything OHA is doing in terms of education and enforcement, but the LPHA has to do all of it, from inspections to re-inspection to issuing penalties, and OHA would share part of the state license fee with NCPHD
- So far, most counties are reporting they don't have capacity to do that

- The state can't require retailers to get a second local license in addition to the state license. If a new local rule is adopted, such as a flavor ban, a local fee to cover the cost of education and enforcement would added to the state license fee
- NCPHD signed an inter-governmental agreement with DOR, in the event that we decide down the road to add a local rule that it would enforce
- The IGA requires DOR receive a 60-day notice of any local fee
- Local help is expected, but not clearly defined yet

• Any questions?



#### **North Central Public Health District**

"Caring For Our Communities"

#### NCPHD Contracts Summary for Board of Health Meeting of December 14<sup>th</sup>, 2021

**Submitted By: Shellie Campbell, Director** 

- 1. **OHA AGREEMENT 172924.** The THEO Security and Privacy Agreement between the State of Oregon and North Central Public Health District (NCPHD) for managing Maternal and Child Health programs, home visiting programs, and access to THEO data tracking services which is a state-provided software used by the home visiting program.
  - a. Fiscal Impact: No fiscal Impact.
- 2. **AGREEMENT** between Kathleen Boxx and North Central Public Health District. This agreement is a contract to provide WIC dietician and nutritional services.
  - a. Fiscal Impact: Not to exceed \$925.00 per month.
- 3. AmeriCorps VISTA/Oregon Public Health Partnership Host Site AGREEMENT August 2021 cohort between the Oregon Health Authority-Public Health Division and North Central Public Health District (NCPHD).
  - a. Fiscal Impact: Cost to NCPHD of \$17,250 which was paid in August of 2021.



"Caring For Our Communities"

#### NCPHD Directors Report for Board of Health Meeting of December 14, 2021

#### Presented by Shellie Campbell, Director

Tis the Season! With the holiday season fast approaching we have one big item on our gift list – Please let the COVID Pandemic end. The NCPHD Team continues to test, contact trace and give vaccinations. We watch the numbers very closely on all of this hoping we will see the positive test go down and the vaccination numbers go up. We are getting closer.

In other NCPHD news we celebrated the kick off of the season at our December All Staff meeting on December 7<sup>th</sup>. We had a sighting of Santa, great food, and many laughs which was good for the soul. We also celebrated our 1<sup>st</sup> Annual Door Decorating Contest which was a blast. The staff teams showed their creativity, team spirit and competitiveness. It was great fun.

In December our WIC Team was highlighted in an article in the local news on the wonderful work they do in the community supporting children and families. Congratulations to Maricela, Janna, Cynthia and Lori. We are grateful for the work they continue to do even during the pandemic!

The Finance Team has already begun working on the 2022-23 budgets. There are several changes taking place in the next few years around public health funding. Modernization of Public Health will bring funding to begin the conversations around climate change, public health infrastructure, communicable disease and emergency preparedness. Although these have always been items that public health has worked on, the state is now providing much needed funding to help focus on these issues. We are looking forward to working with our community partners to address this important work.

As we bring 2021 to a close we continue to be grateful for our community, our NCPHD Team and to the support of our Board of Health. Here is to a bright, healthy 2022.

Happy Holidays!

## NORTH CENTRAL PUBLIC HEALTH DISTRICT BOARD OF HEALTH MEMBERS UPDATED: December 1<sup>st</sup>, 2021

NCPHD BOH MEMBER CONTACT INFORMATION				
NAME	COUNTY	EMAIL ADDRESS	MAILING ADDRESS	Date Current Term Expires
Commissioner Pat Shannon	Gilliam	pat.shannon@co.gilliam.or.us	Work: (541) 384-5717	Monday, January 4, 2025
New: Monday, Jan. 4, 2021			Mobile: (541) 215-2342	
Dani Sperry	Gilliam	dsperry.sgilliamhealth@gmail.com	PO Box 597, Condon, OR 97823 Mobile: N/A	December 31, 2023
David Anderson New: Wednesday, April 7, 2021	Gilliam	Davida@sgilliamhealth@gmail.org	Mobile: (360) 904-9382	Friday, April 7, 2023
Commissioner Joan Bird (Vice Chair)	Sherman	jbird@co.sherman.or.us	Sherman County Court, PO Box 365, Moro, OR 97039 500 Court Street, Moro OR Mobile: (541) 993-2199	No Set Date: Assignments are Reviewed Yearly & will remain unless there is a need to change the assignment.
Roger J. Whitley	Sherman	rbngv@hotmail.com	PO Box 123, Grass Valley, OR 97029 Mobile: (541) 993-3399	February 3, 2023
OPEN POSITION				
Commissioner Kathy Schwartz (Chair)	Wasco	kathys@co.wasco.or.us	Wasco County Court, 511 Washington St. Ste. 101, The Dalles, OR 97058 Mobile: (541) 980-2344	December 31, 2022
Bill Lennox	Wasco	wglennox@gmail.com	1005 Federal Street, The Dalles, OR 97058 Phone: (541) 980-5157	December 31, 2025.
Julie Whetzel	Wasco	juleswhetzel502@gmail.com	PO Box 311, Maupin, OR 97037 Phone: (949) 939-6441	December 31, 2024
County Court Administrators				
Teresa Aldrich	Gilliam	teresa.aldrich@co.gilliam.or.us	County Court administrator	541-384-3303
Tammi Gaskey	Sherman	countycourt@shermancounty.net	County Court administrator	541-565-3416
Kathy Clark	Wasco	kathyc@co.wasco.or.us	County Court administrator	541-506-2520

Q4

December

# WIC News

### Quotes from WIC Staff:

"During
appointments I have
had many families
mention how
grateful they've
been for the
increase in fruits
and veggies and
how it has allowed
them to keep
healthy snacks
readily available for
their children
throughout the
whole month."

~ Janna H.



### What's happening @ WIC?

Caseload Improvement Project P.1

New WIC Dietitians join the team P.1

Fruit and Veggie Temporary Increase P.2

Happy Holidays from WIC P.2

### Caseload Improvement Project

The WIC team is working on a few different projects all in efforts to increase the amount of people we serve in WIC. First, we focused on our appointment availability. We now offer same-day appointments. WIC is more flexible than ever before! WIC continues services by phone due to the COVID 19 pandemic, which in turn, has allowed easier and more convenient access to services from the comfort of the participants home, work or anywhere else!

Next, we are working with a local photographer, Immense Immagery and Optimist Printers. Each is putting together outreach and promotional material for WIC. Be on the lookout for some fun flyers, videos and much more!

Check out the newest from CCC News here!

WIC continues to make advances in public health nutrition. It is also evident that WIC has impacts on lifelong health. WIC services are based on four fundamental pillars that support critical areas of child development like: Nourishing foods, nutrition education, community referrals and prenatal and breastfeeding support. Through these services, WIC continues to play an important role in laying the foundation for healthy community's now and in the future. Refer someone to WIC today!



### WIC Dietitians join the team

Please welcome Kathleen Boxx and Rosie Lanci to the WIC team. They will be fulfilling registered dietitian duties for North Central WIC.

Kathleen is contracted for a short term and comes to us from Warm Springs WIC. Kathleen has hit the ground running and has taken over management of the high risk caseload while Rosie is training.

Rosie is contracted long term and comes to us new to Oregon WIC. Rosie is currently focusing on her WIC training and is excited to start working with families soon.



# News from Oregon State WIC:

- extended due to the continued impact of COVID 19 effective. This new extension is to January 2022. There is a 90-day implementation period which takes the Public Health Emergency to April 2022 if not renewed in January 2022.
- Oregon ranked 87% in the 2020 Maternity Practices in Infant Nutrition and Care Survey! This national survey assess maternity care practices and provides feedback to encourage hospitals to make improvements that better support breastfeeding.
- The US is experiencing a nationwide shortage of some infant formulas. Affected formulas are Similac Total Comfort and Similac Sensitive. Abbott is taking measures to get more formulas on the shelves. We understand it is very stressful for our families when they can't get the formula they need for their baby. Please connect with WIC if you have any questions.





On September 30<sup>th</sup>, Congress voted to continue a temporary increase to new amounts to WIC's fruit and vegetable benefits through December 2021.

New fruit and veggie benefits are as follows:

- \$24 per month for each child over 13 months of age
- \$43 per month for pregnant and non-breastfeeding participants
- \$47 per month for fully and mostly breastfeeding participants

The funding amounts are set by Congress, and right now, they have only authorized funding through December 2021. We won't know the benefit amounts for January and beyond until Congress has another vote but we can anticipate it reverting back to \$9 for children and \$11 for pregnant and postpartum participants.

## \*Happy Holidays from WIC

