



Bend Metro Park & Recreation District

November 15, 2022

Board of Directors Agenda and Reports

www.bendparksandrec.org



play for life



Our Vision

To be a leader in building a community connected to nature, active lifestyles and one another.

Our Mission

To strengthen community vitality and foster healthy, enriched lifestyles by providing exceptional park and recreation services.

We Value

Excellence by striving to set the standard for quality programs, parks and services through leadership, vision, innovation and dedication to our work.

Environmental Sustainability by helping to protect, maintain and preserve our natural and developed resources.

Fiscal Accountability by responsibly and efficiently managing the financial health of the District today and for generations to come.

Inclusiveness by reducing physical, social and financial barriers to our programs, facilities and services.

Partnerships by fostering an atmosphere of cooperation, trust and resourcefulness with our patrons, coworkers and other organizations.

Customers by interacting with people in a responsive, considerate and efficient manner.

Safety by promoting a safe and healthy environment for all who work and play in our parks, facilities and programs.

Staff by honoring the diverse contributions of each employee and volunteer, and recognizing them as essential to accomplishing our mission.

play for life

District Office | Don Horton, Executive Director

799 SW Columbia St., Bend, Oregon 97702 | www.bendparksandrec.org | (541) 389-7275



Board of Directors

November 15, 2022

District Office Building | 799 SW Columbia | Bend, Oregon

AGENDA



The board will meet in person with a virtual link to the meeting. The public may provide public input in-person at the meeting or via the virtual Zoom link.

Please use the link below to join the webinar:

<https://us02web.zoom.us/j/87992316039?pwd=Q3B3UkV2UUtSRFpEdUt5ZmxUTmlEUT09>

Passcode: 249613

Or Telephone:

US: +1 669 900 6833

Webinar ID: 879 9231 6039

Passcode: 249613

5:30 p.m. CONVENE MEETING

VISITORS

The board welcomes input from individuals at our public meetings about district-related issues. Members of the community who wish to make public comment may attend the meeting in-person or virtually. To provide public comment virtually, click on the "Raise Hand" option on the Zoom platform. You will be called into the meeting in the order received. Visitors should turn on their cameras and microphones when speaking to the board. All remarks should be limited to 3 minutes or less and relevant to a topic on the agenda. Please fill out a visitor comment card if you wish to make public comment. If there are questions, follow up will occur after the meeting. Thank you for your involvement.

STAFF INTRODUCTIONS

Alicia Gifford

WORK SESSION

1. ORPA Leadership Academy – *Joelle Elston, Lee Sherwin, Michelle Healy (30 min)*
2. Budget Committee Applications and Review Process – *Kristin Donald (10 min)*
3. Board Position Appointment – *Don Horton (15 min)*
4. Registration Process Update – *Matt Mercer and Michael Egging (15 min)*

CONSENT AGENDA

1. Minutes 10/18/2022
2. Codify Personnel Policies
3. Approve the purchase of replacement vehicles

BUSINESS SESSION

1. Resolution No. 2022–08, Approving Juneteenth Holiday – *Theresa Albert (10 min)*
2. Approve Paid Family Medical Leave Insurance employee contribution pick-up – *Theresa Albert (20 min)*

EXECUTIVE DIRECTOR’S REPORT

PROJECT REPORT –

BOARD MEETINGS CALENDAR

GOOD OF THE ORDER

ADJOURN



Accessible Meeting/Alternate Format Notification

This meeting location is accessible. Sign and other language interpreter service, assistive listening devices, materials in alternate format or other accommodations are available upon advance request. Please contact the Executive Assistant no later than 24 hours in advance of the meeting at sheilar@bendparksandrec.org or 541-706-6151. Providing at least 2 business days’ notice prior to the meeting will help ensure availability.

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 15, 2022
SUBJECT:	ORPA Leadership Academy
STAFF RESOURCE:	Michelle Healy, Deputy Executive Director Joelle Elston, Customer Service Supervisor Lee Sherwin, Park Services Supervisor
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	None
STRATEGIC PLAN:	
Pillar:	Employees & Workplace Culture
Outcome:	All employees have an opportunity to learn and grow
Strategy:	Enhance professional development program for interested employees

BACKGROUND

The Oregon Recreation and Park Association (ORPA) kicked off a new Leadership Academy in April 2022. The ORPA Leadership Academy is a six-month program designed to provide competencies in leadership skills for park and recreation professionals. In partnership with Portland State University, the Leadership Academy combines education with practical project development and the benefit of an expanding professional network across Oregon. More specific information about the program is included in the attached flyer (attachment A).

Supporting staff is a value of the district and providing opportunities for “all employees [to] have an opportunity to learn and grow” is one of the desired outcomes of the district’s 2018 strategic plan. Two district team members, Joelle Elston, Customer Service Supervisor and Lee Sherwin, Park Services Supervisor, completed the program this past September. They will share information about their experience in the program and summarize their capstone projects during the board meeting.

BUDGETARY IMPACT

The leadership program registration cost \$1,000 per person, plus travel costs for two in-person cohort events in Portland. Funding to cover these costs were included in the travel and training budgets in the recreation and park services departments this fiscal year.

STAFF RECOMMENDATION

None

MOTION

None

ATTACHMENT(S)

Attachment A: ORPA Leadership Academy Flyer

OREGON RECREATION & PARK ASSOCIATION

2022 COHORT

LEADERSHIP ACADEMY



WHAT IS LEADERSHIP ACADEMY?

A PROFESSIONAL DEVELOPMENT PROGRAM FOR EMERGING LEADERS IN PARKS & RECREATION

The ORPA Leadership Academy is a six-month program designed to provide competencies in leadership skills for park and recreation professionals.

In partnership with Portland State University, the Academy combines world-class education with practical project development and the benefit of an expanding network across Oregon.

A cohort of students will attend monthly lessons from a variety of instructors to develop core competencies critical to successful leadership.

Working with their supervisor and team, students will identify and establish a capstone project with the intent of improving a team or core operation within their agency. Students will present the results of their capstone project at the end of the program.

To round out the program, students are assigned a mentor who works in the field of parks and recreation.

Mentors are an excellent way to expand professional networks, ensuring continued career opportunities for participants.

WHO SHOULD ATTEND?

THE SHORT ANSWER: YOU!



**LEADERSHIP
ORIENTED**



**DEDICATED
TEAM-MEMBER**



**THOUGHTFUL
& CURIOUS**

Whether you work in recreation, parks, operations or planning you play an important role in the success of our industry.

Leadership Academy is perfect for those who are committed to parks and recreation and seek to grow professionally.

Still not sure if it is right for you? Check the list to the right to see if you match great academy candidates.

What makes a great candidate?

- Served five or more years in parks and recreation
- Seeks to advance in the profession
- Member of ORPA and interested in participating in the association
- Can commit to at least six months of participation in the program



PROGRAM DETAILS

**OVER THE COURSE OF 6 MONTHS,
YOU WILL PARTICIPATE IN:**

ENGAGING EDUCATION

Monthly sessions put you in front of qualified leaders to advance your skills in the industry. Topics include:

- Clarity of Purpose
- Effective Communication
- Diversity, Equity, and Inclusion
- Emotional Intelligence
- Continuous Improvement

CAPSTONE PROJECT

Every participant will complete a capstone project in coordination with their agency. The capstone will incorporate lessons from the academy and fill an agency need.

MENTOR RELATIONSHIP

At the heart of the program is the mentorship relationship. Participants are partnered with a mentor outside of their agency to expand their network.



TIMELINE

APPLICATION DUE DECEMBER 20, 2021
2022 COHORT

COHORT CONFIRMATION JANUARY 15, 2022
APPLICANTS SECURE PLACEMENT

ACADEMY KICK-OFF APRIL 2022
IN-PERSON MEET & GREET

LEADERSHIP ACADEMY APRIL - SEPTEMBER 2022
ONLINE SESSIONS & EVENTS

CAPSTONE PRESENTATION OCTOBER 2022
COURSE FINAL & GRADUATION

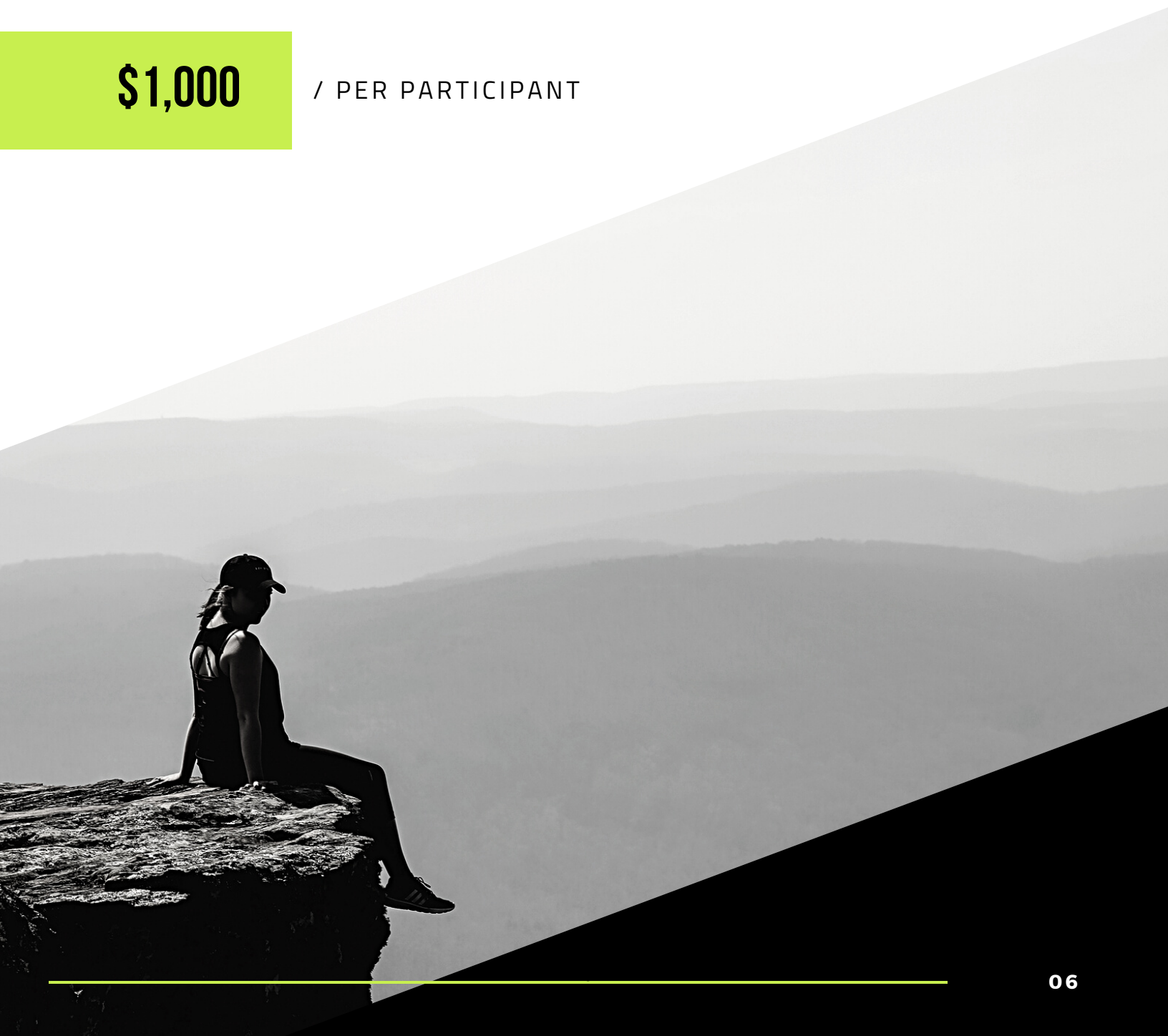
PROGRAM PRICING

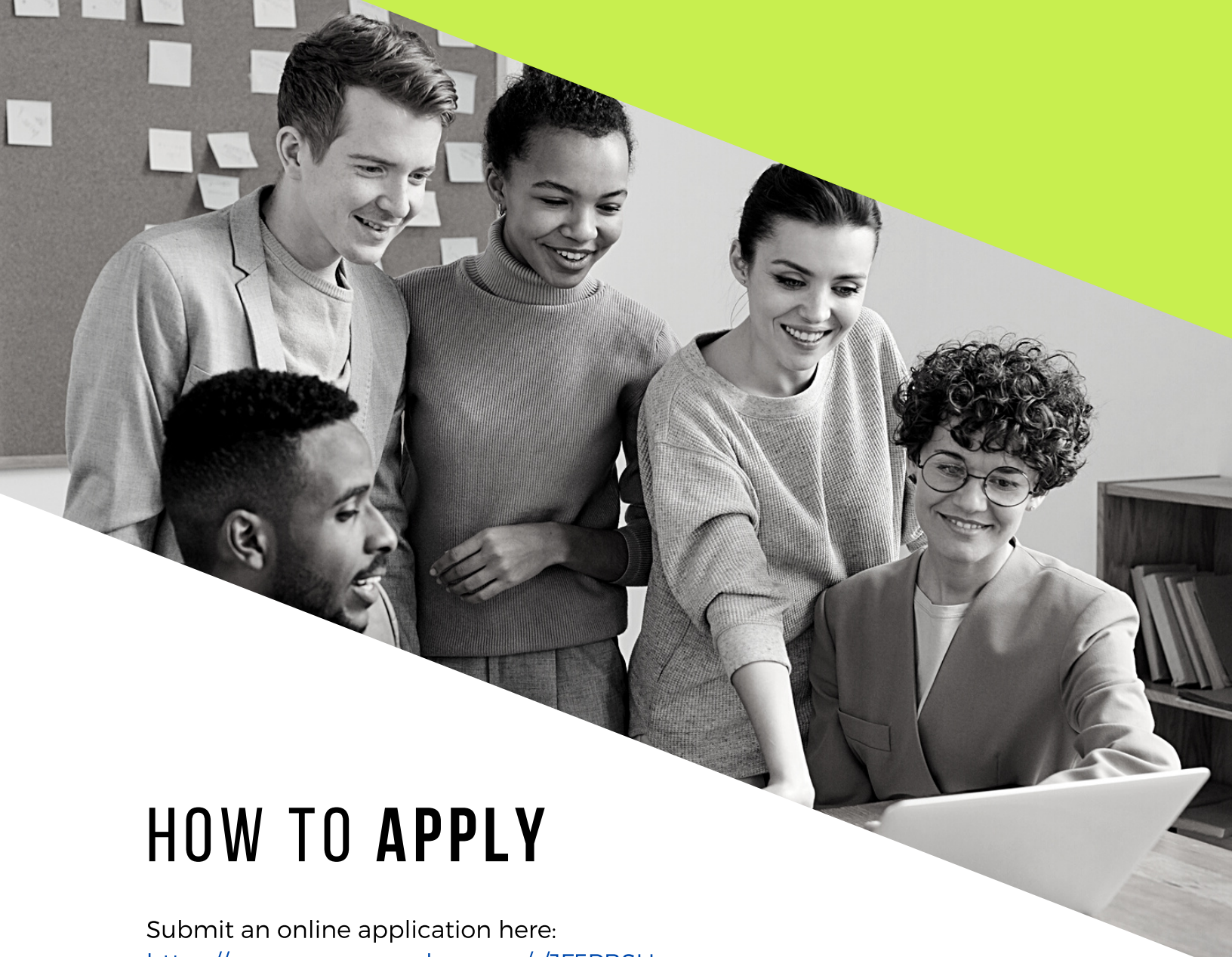
The cost to participate in the 2022 Leadership Academy is a flat rate for the 6-month program, including educational courses, mentorship, and support through a capstone project. There is no application fee.

Payment is due prior to the start of the Academy in April 2022.

\$1,000

/ PER PARTICIPANT





HOW TO APPLY

Submit an online application here:

<https://www.surveymonkey.com/r/JF5PBSH>

Applications must include:

- ANSWERS TO SUPPLEMENTAL QUESTIONS
- A CURRENT RESUME
- LETTER OF RECOMMENDATION
- SUPERVISOR APPROVAL LETTER

SUPPLEMENTAL QUESTIONS

LIMIT ANSWERS TO 150 WORDS FOR EACH PROMPT

Tell us about yourself! Provide a brief statement introducing yourself and your background.

Why are you interested in this certificate program? How does this leadership certificate help you reach your professional goals?

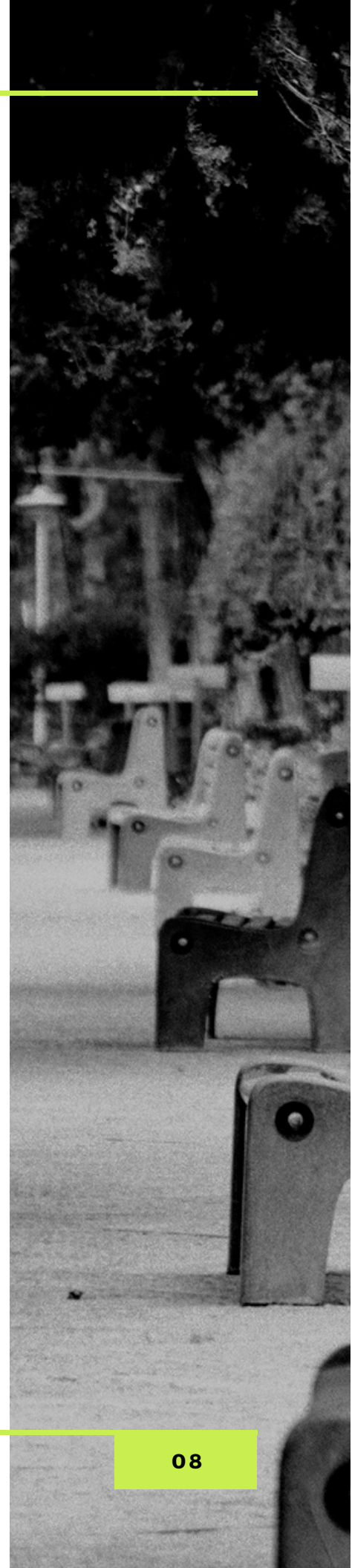
What inspires you about the benefits and impacts of parks and recreation, personally or professionally?

What skills, knowledge, or behaviors do you think you need to develop in order to grow your career?

What does leadership mean to you?

What role does equity play in parks and recreation? How does your current role contribute to increasing equity in parks and recreation?

How would you propose using this experience to give back to ORPA?



BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 15, 2022
SUBJECT:	Budget committee selection process
STAFF RESOURCE:	Kristin Donald, Administrative Services Director
PREVIOUS BOARD ACTION:	September 6, 2022 the Board gave direction in the work session to revise some questions
ACTION PROPOSED:	Review the Budget Committee Selection Process

BACKGROUND

The district's budget committee consists of the board of directors plus five district residents that are appointed by the board. There are currently three vacant seats on the district's budget committee; Thomas Fisher has resigned and Donna Owens and Larry Kimmel completed their term at the end of the budget process for the fiscal year 2021-22.

Staff advertises the Budget Committee openings and asks for applications 3-4 weeks prior to the board receiving the information. The applications and summaries of information are provided to the board in advance of the appointment meeting for review and scoring.

Member requirements are the successful candidate:

- reside within district boundaries
- be a registered voter
- be willing to serve a three-year term
- attend the Annual Board Workshop in February
- participate in a daytime tour of district facilities in April
- attend up to three budget committee meetings per year, held in May
- attend special meetings when the need arises
- understand that this is a volunteer position that does not receive compensation

The board has committed to using the following review and selection process:

- board members receive all eligible applications and read, review and rate the candidates on their own time;
- the rating system to be used: three points for each board member's first candidate, two for the second, and one for the third;
- all individual ratings are then provided to staff;
- staff summarizes the rankings and provides to the board, during a board meeting; and
- the board will then consider the ranking and make appointments.

The board considered the appointment process during a board meeting in September and chose to keep the existing process, but chose to revise the questionnaire for applicants. Attached is the revised questionnaire for final consideration.

BUDGETARY IMPACT

None

STAFF RECOMMENDATION

Staff recommends the board continue using the existing process, review the questionnaire included in the packet and to proceed with advertising and filling the three open committee positions.

MOTION

None, for information purposes only.

ATTACHMENTS

Budget Committee Application

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 15, 2022
SUBJECT:	Review Board Vacancy Appointment Process
STAFF RESOURCE:	Don Horton
ACTION PROPOSED:	NONE
STRATEGIC PLAN:	NA

BACKGROUND

With the results of the recent election, the board is anticipating at least one open position. ORS 198.320 dictates that the remaining board shall appoint a new board member to fill the vacancy. The remainder of the expected open term extends to June 30, 2023. The next steps for the appointment process include:

- Press releases and an advertisement in the Bend Bulletin to advertise the open position by November 18.
- Interested applicants will be advised to submit a letter of interest and answer six questions available on the district's website by November 18 with a due date of December 6.
- -The applications will be given to the board December 7 to score and return to staff by December 16. The board will decide at the December 20 board meeting how many finalists will be selected to hear presentations from at the January 3, 2023 board meeting.

The discussion tonight will allow board members to weigh in on the process of scoring and selecting applicants in a public meeting.

BUDGETARY IMPACT

NONE

STAFF RECOMMENDATION

NONE

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 15, 2022
SUBJECT:	Registration Improvement Process Update
STAFF RESOURCE:	Matt Mercer, Recreation Services Director Michael Egging, Recreation Business Manager
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	None – For information only
STRATEGIC PLAN:	
Pillar:	Community Connection
Outcome:	Exceptional customer and community experiences

BACKGROUND

Staff will update the Board on current efforts and planned changes to improve the registration experience and respond to the issues encountered during this past summer and fall registrations. A cross-departmental team has been working on identifying issues that led to negative customer experiences and implementing solutions. As a part of these efforts, staff surveyed patrons regarding their registration habits and preferred time/day to register. We received nearly 1,400 responses. Staff will share what insights were gained from this outreach.

Technological upgrades have already been made including increasing internet bandwidth, optimizing server performance, and moving the main website to a server capable of handling higher capacity. We will also be implementing a queuing system with a waiting room to more orderly process people during the peak registration periods.

In addition to these technology improvements, we will be piloting a staggered registration opening. The staggered registration will break down total registrations into three roughly equal volumes with swim programs occurring one day, sports programs another and all other programs on a third day. The staggered registration opening for winter programs is December 5-7.

We will evaluate the winter registration process, including patron input, and performance metrics, and make further adjustments as needed to ensure the registration experience is as great as the programs themselves.

BUDGETARY IMPACT

Technology upgrades to improve the registration and website performance will result in some unanticipated expenses; however, the cost is expected to be covered with existing budgeted resources and there will not require any board action.

ATTACHMENT

None

Ms. Avila Choquez shared how the district is connecting with the community, particularly the Latino community. She thanked the board for supporting the work that she does to do this. She spoke about the families that are being served this summer with free swim passes and swim lessons and remarked on how valuable the interaction has been with the district staff and the families.

Ms. Mastro reviewed the DEI highlights that have been happening in the district:

External

Seasonal community Celebrations
Summer free family passes
Roller Pride
Event Rentals in Parks Policy
Perception Survey

Internal

Staff outreach
Cross-departmental collaboration for community
DEI action plan
Gender Inclusion Training
Hiring and recruitment

Action Plan Objectives

- Objective 1: Incorporate DEI practices and philosophy into district values and priorities
- Objective 2: Strengthen internal workplace culture to prioritize and integrate equity into all aspects of our work
- Objective 3: Collaborate to advance equity in our community

She said that board involvement could include establishing shared language and values, participation in training and engaging with staff and community on DEI.

CONSENT AGENDA

1. Minutes 10/4/2022

Director Méndez made a motion to approve the minutes. Director Kropf seconded. The motion was approved unanimously, 4-0.

Director Méndez made a motion to rescind a previous motion at the October 4th meeting for the correction of the July 18 minutes. Director Hovekamp seconded. The motion was approved unanimously, 4-0.

BUSINESS SESSION

1. Approve Resolution No. 2022-07 - System Development Charge (SDC) Waivers for Affordable Housing – *Michelle Healy*

Ms. Healy asked the board to extend SDC waivers for affordable housing. She requested that the board approve the resolution written that provides 75 waivers each year for the next two years and waivers for shelters and other housing of this type. She explained the cost would be an additional \$900,000 to \$1.4 million depending on the type of housing is built. She said the previous waivers have cost the district \$2,774,920.

The board discussed that if more waivers are needed that further discussion would be had by the board.

Director Hovekamp made a motion to approve Resolution No. 2022 - 07, adopting additional SDC waivers for Affordable Housing. Director Méndez seconded. The motion was approved unanimously, 4-0.

2. Approve Contract for Larkspur Community Center (BSC) Roof Renovation – Jason Monaghan

Mr. Monaghan explained that this project is for the roof of the original Senior Center at Larkspur Community Center and is part of the asset management program. He said the roof is in need of repair and has leaks causing damage. He reviewed the process of the request for proposal (RFP), he said staff received two proposals and a team of three staff members reviewed them. He add that the scope of the project is smaller than originally planned which saves the district about \$140,000.

Director Kropf made a motion to authorize the executive director to award a contract to Eagle Roofing Company, for the replacement of the Larkspur Community Center roof for a total amount of \$234,800, and to approve an additional 15% construction contingency of \$35,220, for a total construction budget not to exceed \$270,020. Director Méndez seconded. The motion was approved unanimously, 4-0.

EXECUTIVE DIRECTOR’S REPORT

Executive Director Horton said that at the next meeting an approval for a paid holiday for Juneteenth is on the agenda. He invited the board to attend the all staff luncheon at Aspen Hall on Thursday and he mentioned the Perception Survey is starting on Thursday. He thanked the board for their involvement with a tour for THPRD and the city of Beaverton and spoke about a tour that happened with Sandy City Council as well.

PROJECT REPORT

BOARD MEETINGS CALENDAR

GOOD OF THE ORDER

- Director Méndez said he is really impressed with the outreach the district does and it is a model of what other agencies can do. He said the organization is responsive and he appreciates the work being done on registration. He added that he would be interested in having a discussion with other partners for affordable housing options and goals.
- Director Kropf said he appreciates the staff work on DEI. He spoke about the affordable housing crisis in town and commented that he is glad the district can engage with the issue.
- Director Hovekamp said he recognizes the challenges for affordable housing and believes there is a balanced role that the district can play. He briefed the board on the latest fish passage meeting, he said the engineering firm is looking at options to bring forward to the group and public involvement has been robust. Executive Director Horton added that one of the challenges is understanding how much water needs to run through the passage and who will own and take care of the passage since Pacific Power has declined.
- Director Schoen agreed that the organization is doing a great job on outreach and DEI efforts. She said she watched a lot of Kindergarten soccer. She heard coaches commenting on how helpful and easy the coaching packets were for new coaches. She commented on the goat coverage and gave credit to Julie Brown for her skillful communication.

ADJOURN 7:07 pm



Prepared by,

Sheila Reed
Executive Assistant

Deb Schoen, Chair

Nathan Hovekamp, Vice-Chair

Jason Kropf

Zavier Borja

Ariel Méndez

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 15, 2022
SUBJECT:	Codify Amended Personnel Policies
STAFF RESOURCE:	Theresa Albert, Human Resources Manager
GUEST PRESENTER:	None
PREVIOUS BOARD ACTION:	June 3, 2008 – Amended policy to allow the Executive Director to approve or amend board policies
ACTION PROPOSED:	Codify Personnel Policies
STRATEGIC PLAN:	
Pillar:	Employees and workforce culture
Outcome:	A workforce that is heard, informed, involved and valued

BACKGROUND

On June 3, 2008, the Board of Directors adopted the administrative policy Employee Manual. This policy allows the Executive Director to temporarily approve additions or amendments to Board policies. Once a year all new and amended Board policies are to be brought before the Board for final approval.

Over the last year, the Executive Director has amended Board approved policies. A committee was convened that included two board members, Deb Schoen and Zavier Borja, the Executive Director, Deputy Executive Director, Administrative Services Director, and Human Resources Manager to review the amended policies. The committee agreed with the Executive Director's actions. The amendments included changes for compliance with employment law, housekeeping, and changes in practices to improve business practices.

The attached exhibits provide the details on all changes. Exhibit A: Summary of Policy Amendments provides a summary of the changes made to each personnel policy. Exhibit B: Amended Personnel Policies provides all changed personnel policies in track changes.

BUDGETARY IMPACT

The amendment of the personnel policies has no significant budget impact.

STAFF RECOMMENDATION

Staff recommends the Board codify the amended personnel policies:

MOTION

I make a motion to codify the amended policies as presented in Exhibit B – Amended Personnel Policies.

ATTACHMENT

Exhibit A – Summary of policy amendments

Exhibit B – Amended personnel policies: General Compensation, Overtime, Compensation Practices, Vacation, Personal Leave, Holidays, Sick Leave, Insurance, Flexible Spending Account, Wellness Program, and Education Assistance

EXHIBIT A

General Compensation – Added wording to that the district’s compensation plan will be in compliance with the Oregon Equal Pay Act.

Overtime – Removed the travel compensation language from the Overtime policy and placed it in the Compensation Practices policy.

Compensation Practices – Removed the travel compensation language from the Overtime policy and placed in the Compensation Practices policy.

Vacation Leave – 1) Changed accrual language to begin with the date of employment into a benefited position for Exempt, non-exempt full-time, and benefited part-time employees. Added clarifying language for part-time employees. 2) Added a paragraph on the district’s practice that prohibit employees from borrowing vacation leave against time they have not earned yet. 3) Provided the ability for part-time employees to request vacation payout in the event employees accrue the maximum vacation hours allowed.

Personal Leave – Changed the eligibility date for full-time and part-time employees to use the personal day from a six-month waiting period to begin immediately upon hire.

Holidays – Changed the eligible date for part-time employees to use a holiday from a six-month waiting period to begin immediately upon hire.

Sick Leave – 1) Moved the Eligibility, Accrual Rate, and Carry Over language to the beginning of the policy. 2) Changed the start date of accruals for non-benefited positions to immediately upon hire. 3) Added a paragraph on the district’s practice that prohibit employees from borrowing sick leave against time they have not earned yet.

Insurance, Medical, Dental and Vision – 1) Changed the benefited part-time employee eligibility date to be consistent with full-time employee eligibility. 2) In January 2022, the district hired a third-party administrator to administer COBRA, language was added to reflect a third-party administrator. 3) Removed all references to budgeted part-time employees working more than 85 hours per pay period as this old qualifying language changed when the district moved to budgeted benefited positions. 4) Based on information from the district’s insurance broker, changed language from Medical Expense Reimbursement Plan to Health Reimbursement Arrangement.

Flexible Spending Account – 1) Since the annual employee contributions and roll-over can be changed annually by the Internal Revenue Service, language was changed to state “as determined annually by the IRS”. 2) To ensure full compliance with the law, added language that terminated employees can continue to access their Flexible Spending Account (FSA) funds if the employee enrolls in FSA COBRA.

Wellness Program - Added additional language for eligibility for retired employees to also include 30 years of service in a benefited position.

Education Assistance – Eliminated the limit of \$2,000 per term requirement.



GENERAL COMPENSATION POLICY

Purpose

The District shall establish and maintain a compensation plan for District employees that is intended to provide compensation that pays for the level and value of work performed, is competitive with comparable services in public agencies, assists in recruitment and retention of qualified and competent employees, promotes a high level of performance, [and in compliance with the Oregon Equal Pay Act](#).

Policy

The District shall hold internal equity based on the comparability of the value of work as an important consideration in determining pay.

The District shall attempt to provide total compensation to employees that is competitive with compensation for comparable services in public employment as the overall economic and budget condition of the District permits.

The District shall establish a merit pay system to recognize, reward, and promote high levels of performance and motivate employees to achieve efficiency and effectiveness in their work by providing salary increases based on documented performance levels.

Policy Clarification

Value of work is determined by measuring the knowledge, skill effort, responsibility, and working conditions required in the performance of work in context of the overall scope and mission of the District.

Total compensation is the total of District payments made for salary and benefits.

Changes to the compensation plan are subject to review and approval by the Executive Director.



OVERTIME

General Information

It is the policy of the District that overtime work is to be discouraged. However, in the case of emergency, or whenever the public necessity requires, managers may require employees in their division to perform overtime work.

Definition

Overtime - defined as time worked in excess of 40 hours per work week. The work week is from 12:01 a.m. Monday and ends at midnight Sunday.

Compensatory Time - defined as time off in lieu of monetary overtime compensation.

Eligibility for Overtime

Eligibility for payment of overtime is determined using the criteria set out in the Federal Fair Labor Standards Act (FLSA) and state wage and hour law. Normally, this determination is made when job classifications are developed and reviewed again when the classification is updated. The designation of overtime is coded on each classification specification.

All positions designated as “non-exempt” under the FLSA are eligible for overtime.

Exempt employees work a professional workweek on a salaried basis and shall not be eligible for overtime.

Assignment of Overtime

All employees are subject to working overtime unless an employee can show that to do so would create an unusual burden. In that instance, the employee would not be required to work the overtime unless the employee’s absence would cause the District to be unable to meet its responsibilities.

Authorization to Work Overtime

Supervisors are responsible for ensuring that all overtime worked is authorized. If any employee works overtime without authorization from the supervisor, the

District is still required to make payment for that overtime per FLSA rules. Depending upon the circumstances, employees who work overtime without authorization may be subject to corrective action.

Travel Status

~~Time an employee spends in travel as part of their principal activity must be counted as hours worked. Employees required to report to a meeting place to receive instruction, perform other work, or pick up materials is part of the day's work and must be counted as hours worked.~~

~~Work performed while traveling is counted as hours worked. Travel during an overnight stay away from home is work when it cuts across the employee's workday. The time spent traveling on both regular scheduled work days and working hours, and on corresponding hours on non-working days is counted as hours worked.~~

Payment of Overtime

1. Full-time non-exempt employees – with supervisory approval, employees have the option to request between the overtime paid in cash or in the form of compensatory (“comp”) time. Comp time will be calculated at the rate of 1.5 hours for each overtime hour worked.
2. Part-time, seasonal and temporary non-exempt employees – overtime will be paid in cash at one and one-half times the regular rate of pay.

Use and Accrual of Comp Time

Comp time shall be used by the employee in the same manner as vacation time.

A department may establish its own accrual cap and use by timeframe for comp time. If an employee's accrued comp time reaches forty (40) hours, the employee must meet with his/her supervisor to discuss the reason for the excessive comp time, how to avoid excessive comp time in the future, and to schedule use of comp time. In the event an employee's accrued comp time exceeds eighty (80) hours, the employee will be required to use comp time before using any vacation leave, until the comp time is reduced to less than eighty (80) hours.

Calculation of Overtime

FLSA Non-Exempt Employees – Paid sick leave, vacation leave, compensatory time off, and other paid leave shall not be counted as time worked for the purposes of overtime calculations.

Termination of Employment

In the event of termination of employment, all unused comp time hours shall be paid to the employee in the final paycheck.

References

Fair Labor Standards Act
Oregon Bureau of Labor and Industries



**Bend Park &
Recreation**
DISTRICT

Amendment Date: 9/2/15, 12/17/15, 8/9/16, 9/27/16, 4/12/17, 6/21/17, 1/18/18, 4/26/19, 6/19/20, 8/21/21

Chapter 4 – Compensation

Section 21 – Compensation Practices

Approved By: Don Horton, Executive Director

Approved Date: 12/4/13

Codified Date: 10/21/14, 11/17/15, 11/1/16, 11/7/17, 11/6/18, 12/1/20, 11/2/21

Amended By: _____

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COMPENSATION PRACTICES

General Information

This policy establishes standards for the equitable and consistent administration of pay.

Pay Administration

1) Initial Hire

Wages offered to initial hires to the District should be commensurate with the candidate's qualifications. Hiring supervisors shall use the district's Wage Rate Guidelines to determine the offered wage.

Exceptions: Request for salary exception to assign a higher rate than specified by the district's Wage Rate Guidelines must be made in writing from the Department Director and submitted to the Human Resources Manager. Human Resources' review will be based on the candidate's qualifications and impacts to pay equity. Human Resources will forward the exception request to the Executive Director with a recommendation for approval or denial.

2) Reemployment

When an employee is re-hired after leaving the district, the hiring supervisor shall apply the district's Wage Rate Guidelines to determine the re-hire rate.

a) Establishes the merit increase date as follows:

- (i) If reemployed at a higher rate in the same classification, the anniversary/merit increase date will be adjusted to one year.
- (ii) If reemployed at the same rate in the same classification within one year of separation, the anniversary/merit increase date will be established based on a total of 12 months worked from the last merit increase the employee received.
- (iii) If reemployed at the same rate in the same classification with one to three years of separation, the anniversary/merit increase shall be established as one year from the beginning of the first full pay period the employee works.
- (iv) If reemployed in a different classification, the employee will serve an orientation period. The anniversary/merit increase date will be established one year from the beginning of the orientation period.

3) Annual or Biannual Merit Increase

The district merit pay system allows for the progression of an employee's pay from the established minimum to the maximum of a salary range based on successful job performance.

Merit increases are based upon an employee's individual performance. The prime objective is to match an employee's compensation to his/her performance.

Based on the district's financial condition and the current economic environment, a proposed merit increase rate is submitted annually to the Benefits Committee for consideration and recommendations. Once the Budget Committee approves the budget, which includes the merit increase rate, it is forwarded to the Board of Directors for adoption.

Annual or biannual merit increases in years approved by the board shall be scheduled as follows:

- a) Following initial employment, reclassification or promotion, full-time employees who successfully perform their job receive annual merit increases after working 12 full pay periods, which then establishes the anniversary date for future annual evaluations and merit increases.
- b) Following initial employment, reclassification or promotion, part-time and regular part-time employees who successfully perform their job receive an annual merit increase after working 12 full pay periods provided the employee worked at least 120 hours during the evaluation period (12 full pay periods). If an employee does not work 120 hours in the evaluation period, the employee will receive the performance evaluation and corresponding increase on the employee's following anniversary date (after working a total of two years regardless of the number of hours worked).

Denial of Merit Increase

The regularly scheduled merit increase may be withheld for deficient performance. In order to deny a merit increase, the employee must have received timely notice of performance deficiency and had an opportunity to correct the problem prior to the merit increase eligibility date.

Employees receiving formal disciplinary action during the evaluation period shall be denied a merit increase. Exceptions are to be approved by the Executive Director.

4) Promotion

Upon promotion, the district's Wage Rate Guidelines and internal equity will be applied. If the wage calculator results in a promotion rate of less than 5%, the promotion rate will be 5% above the employee's base wage. Department directors may request an exception for a greater increase due to recruitment or retention challenges, exceptional qualifications of the promoted employee, or other appropriate circumstances. Exception requests must be in writing and approved by the Executive Director.

5) Transfer

A lateral transfer occurs when an employee applies for and accepts a job in which the new job classification has the same salary range.

In most situations, an employee's wage rate stays the same upon transfer.

6) Demotion (voluntary or involuntary)

Upon demotion, the district's Wage Rate Guidelines and internal equity will determine the appropriate rate of pay.

Merit increase eligibility date shall remain the same as the previous position held.

7) Orientation Period Removal

In the event an employee does not successfully complete the orientation period and returns to the former classification, the employee shall be restored to the wage in the salary range the employee would have reached taking into account annual merit increases had the employee not left the previous classification. The employee's former merit increase eligibility date shall be restored.

8) Position Classification Changes

Through a position evaluation process, an employee and position may be reclassified. If reclassification results in the position to be placed in a higher salary range, the position will be placed in the new pay range. If the position has an incumbent, the employee's pay shall be adjusted using the district's Wage Rate Guidelines and internal equity or a 5% increase, whichever is greater. **Exceptions for salary placement are to be approved by the Executive Director.**

If the re-evaluation results in the position being placed in a lower salary range, the position will be placed in the new pay range. If the position has an incumbent, the district's Wage Rate Guidelines and internal equity will determine appropriate rate of pay. **Exceptions for salary placement are to be approved by the Executive Director.**

If the reclassification is to a classification at the same salary range, in most situations, there is no impact on the employee's salary.

9) Pay Range Adjustments

The results of a compensation study may result in adjusting the pay range of a classification(s). In the event the pay range for a classification is adjusted to a higher pay range, the implementation may be least cost. Affected employees are may be retained at the existing wage with no increase unless the employee's current wage rate is below the entry rate of the new pay range. In this case, the employee's wage rate will be at the entry rate of the new pay range. Pay range adjustments do not result in the employee serving a new orientation period.

10) Cost of Living Adjustment (COLA)

The district may grant a COLA in any given year that is determined appropriate based on the financial condition of the district. The COLA will be based on the published consumer price index for the U.S. City Average, West Region, West-Size Class B/C for January immediately prior to the fiscal year.

When a COLA is granted, the COLA shall first be applied to the salary schedule. After the COLA has been applied to the salary schedule, individual wages will then be increased.

The salary schedule and wages will be adjusted in the July paycheck, unless otherwise stipulated.

11) General Wage Adjustment

Human Resources conducts district-wide compensation/classification plan studies and, based on requests, individual classification or family classification studies. Implementation of the studies shall be in a manner to continue pay equity. If the study results in employees' current wage rates falling short of pay equity, the employee's wages will be adjusted according to the district's pay equity plan. If the study results in employees' current wage rates being more than the maximum of the pay range or exceeds internal equity, the employees' wages shall be frozen until the pay range "catches up" with the employees' rate or internal equity is achieved based on the district's plan. District-wide studies may result in unique circumstances in which Human Resources may recommend exceptions to the Executive Director.

12) Lump Sum Payments

- a) The district may give a lump sum payment to an employee at the time of hiring, promotion, or lateral transfer in difficult recruitment situations. Department directors must obtain approval of a lump sum payment from the Executive Director through a written request.

Normally, lump sum payments are appropriate for management level or specialized positions where recruitment difficulties are:

- (i) Due to a significantly below-market salary range for a specific classification, where changing the salary range on a timely basis is difficult; or
 - (ii) Due to a position in a generic classification being extremely sensitive to market pay fluctuations; or
 - (iii) Due to the nature of the assignment (e.g., added expectations and workload for a short to medium period) that makes the position especially unattractive to potential candidates.
- b) Exceptional Performance bonus may be granted to employees who exceed performance expectations. The one-time bonus payment is part of the annual performance evaluation process. The performance evaluation must clearly demonstrate the specific competencies, goals, and job expectations that have been consistently performed in an outstanding manner. Pre-approval by the Executive Director is required using the Exceptional Performance Bonus Request form.

13) Work Out-of-Class (WOC)

Work out of classification is defined as a temporary assignment of an employee to perform essentially all the duties, authority and responsibilities of a position classified at a higher salary range.

- a) Rate of Pay
 - (i) The WOC rate of pay for temporary duties at a higher classification is either five (5) percent of the employee's base rate of pay; or the entry rate of the higher WOC pay range, whichever is greater. Exceptions are to be approved by the Executive Director.
 - (ii) An employee performing a work-out-of-class assignment, who is eligible for overtime in the regular position, continues to be eligible for overtime while performing the work-out-of-class assignment.
- b) Criteria:
 - (i) An employee assigned to perform duties at a higher-level classification for more than 14 consecutive calendar days.
 - (ii) An employee must meet the minimum qualifications of the higher-level position in order to receive WOC compensation. Employees who do not meet the minimum qualifications may be assigned the work as a professional development opportunity. A Human Resources representative must affirm that assigned duties are of a higher classification prior to authorizing WOC pay.
 - (iii) Standards for WOC duration are 12 months or less. If a WOC assignment exceeds this standard, written documentation must be submitted.

14) Holiday Compensation

Compensation for a holiday is based on an eight (8) hour day. When employees work on a holiday, employees shall be compensated as follows:

- a) Full-time non-exempt employees required to work on an observed holiday will be paid for hours worked. In addition, the employee will also receive one of two options: 1) the employee will be paid for the 8 hours of holiday in addition to being paid for the hours worked, or 2) the employee will take an alternate date off with pay by December 20. If the employee does not take the alternate day off by December 20, the employee forfeits the holiday. The employee may request the option he/she prefers; however, based on business needs, the supervisor is responsible for making the final decision prior to the observed holiday.
- b) Full-time exempt employees that work on a holiday shall not record hours worked as holiday leave. Holiday hours that are not taken on the holiday will be scheduled and taken by December 20. If the employee does not take the alternate date off by December 20, the employee forfeits the holiday.
- c) Regular part-time employees required to work on an observed holiday will be paid for hours worked and receive holiday pay on a pro-rata basis. For example: an employee who worked 100 hours for the month will accrue 100 hours divided

by 173.33 or 57.69% of the eight hour maximum accrual rate.

15)Return from Layoff

When an employee returns from layoff to the classification held prior to the layoff, the employee returns to the same wage paid at the time of layoff. Upon return from layoff to a different classification, the district's Wage Range Guidelines and internal equity will determine appropriate rate of pay.

16)Equity Adjustment

An equity adjustment is a wage adjustment to correct a salary disparity. Human Resources will determine the need for an equity adjustment and write a request for Executive Director approval that includes the issue, affected employee(s), recommended adjustment, and effective date. Upon approval, a personnel action will be processed for the adjustment.

17)Facility Closure and Emergency Cancellation

In the event of a facility closure or emergency cancellation of programs, compensation shall be as follows:

Exempt full-time employees – A partial or full closure will not impact an employee's monthly compensation; however, the expectation is that work responsibilities will be taken care of at an alternative time, day, or location. In the event of a prolonged closure, employees may be required to take paid leave.

Non-exempt full-time employees – During a partial or full-closure, employees are paid for the hours worked; for any missed time, employees will be required to either 1) make up the missed time within the same pay period (supervisor must approve) or 2) use up to five shifts of district-paid special Emergency Closure Leave (full or partial shifts) available from December 21 through the following December 20, or 3) use accrued vacation or comp time. If option 1 is agreed upon and the employee is unable to make up the time within the same work week, the supervisor shall adjust hours so that the make-up hours do not result in an employee's compensation exceeding what would have been paid. (This may result in an employee working less than an 8-hour shift to adjust for overtime incurred during the week that they are making up a shift. For example, an 8-hour shift made up in a subsequent week would result in an employee working 5.33 hours at 1.5 overtime pay to equal 8 hours of missed pay). If option 2 is used, supervisors must review and approve time and ensure employee does not exceed five full or partial shifts in the year.

Note: Full-time employees must use applicable leave balances before leave without pay may be authorized (see Leave Without Pay policy).

Part-time and seasonal employees – Employees are paid for the hours worked; for any missed time, employees will be required to either 1) if business needs allow, employees may be scheduled for make-up hours for the missed time, or 2) use up to five shifts of district-paid special Emergency Closure Leave (full or partial shifts) from December 21 through the following December 20, or 3) use accrued vacation leave

if available. If option 2 is used, supervisors must review and approve time and ensure employee does not exceed five full or partial shifts in the year.

Show-up pay – In the event an employee reports to work as scheduled and the decision has been made for a closure or cancellation, the employee shall be paid not less than one (1) hour. Minors are to be paid not less than one-half their scheduled shift.

Exceptions – In the event of a business closure, the Human Resources Manager may request exceptions to appropriate policies to avoid employees' loss of benefits for the Executive Director's approval.

Travel

Time an employee spends in travel as part of their principal activity must be counted as hours worked. Employees required to report to a meeting place to receive instruction, perform other work, or pick up materials is part of the day's work and must be counted as hours worked.

Work performed while traveling is counted as hours worked. Travel during an overnight stay away from home is work when it cuts across the employee's workday. The time spent traveling on both regular scheduled work days and working hours, and on corresponding hours on non-working days is counted as hours worked.

Pay Differentials

1. **Bilingual Skills**

This differential applies to employees who must use bilingual skills to perform assigned duties. "Bilingual skills" means translation to and from English, interpretation of another language or the use of sign language. When the district identifies a need for a bilingual position, the position description for the position requiring bilingual skills must be updated to reflect the translation duties. Candidates and/or employees to be placed in positions that require bilingual skills will be evaluated through a language testing process where the test score of 9 or higher demonstrating language proficiency is required for the bilingual differential.

The differential is five (5) percent of base pay.

2. **Lead Work**

This differential applies to all employees assigned to perform "lead work" duties for 14 or more consecutive calendar days if:

- a) The class specifications for the employee's position do not include lead work duties; and
- b) The employee's position is not management/supervisory.

Employees assigned lead work duties typically perform a broader scope of work and are assigned additional responsibilities. The supervisor documents the lead work assignment through a Personnel Action form. Lead work occurs when the supervisor assigns an employee all of the following duties:

- a) Prioritize and assign tasks to efficiently complete work;
- b) Give direction to workers concerning work procedures and performance standards;
- c) Review the accuracy, quality and quantity of work; and
- d) Provide informal feedback of employee performance to the supervisor.

The differential is five (5) percent of base salary for the full period of the assignment.

Lead work differential does not apply to developmental assignments mutually agreed to by management and the employee.

3. **On-Call Duty**

On-call differential applies to all Federal Labor Standards Act (FLSA) non-exempt employees. An employee is eligible for the on-call duty differential when a supervisor requires the employee to be available for work outside of the employee's scheduled shift. Employees may use the on-call time effectively for their own use. The district does not count on-call time as time worked in the computation of overtime hours worked.

On-call shall be one hour's pay at the regular straight time rate.

4. **Standby Duty**

Standby duty differential applies when a supervisor requires FLSA non-exempt employees to be available for work outside normal working hours, and subject to restrictions consistent with the FLSA, that prevent the employee from using the time while on standby duty effectively for the employee's own purposes. Compensation for standby duty is paid at the employee's straight time rate of pay. Overtime hours on standby are paid at the appropriate overtime pay rate.

5. **Work Schedule**

Work schedule differential applies to employees assigned to non-traditional work schedules. Employees shall receive the shift differential for shifts where the majority of hours are worked between 10:00pm and 5:00am. Overtime is computed by adding shift differential to the employee's base rate during the pay period when an employee works overtime. Work schedule differential is not paid when an employee requests an alternate work schedule to make up hours not worked during the established workweek.

The differential is five (5) percent of each shift that meet the shift differential definition.

Resource

Wage Rate Guidelines
Leave Without Pay policy, Chapter 5, Section 8

Forms

Exceptional Performance Bonus Request



Amendment Date: 6/19/09, 8/9/11, 11/9/12, 1/2/14, 8/9/16, 6/21/17, 4/26/19, 9/6/19, 6/19/20
1 of 4

Chapter 5- Employee Leave
Section 1 – Vacation Leave
Approved by: Board of Directors
Date Approved: February 6, 2007

Codified: 8/4/09, 9/6/11, 11/19/13, 10/21/14, 11/1/16, 11/7/17, 12/1/20
Amended By: Don Horton, Executive Director

VACATION LEAVE

General Information

Vacation leave is an employee benefit that is granted to full time and regular part time eligible employees. Vacation leave provides pre-approved paid time off away from work.

Requirements

A. Vacation Leave Accrual

1. Exempt Full-Time Employees

Exempt full-time employees shall start accruing vacation leave ~~at the beginning of the first payroll period (21st of the month to the 20th of the following month)~~ immediately upon hire into a benefited position. Accrual rates are as follows:

Years of Service	Accrual	Vacation Days per Year
After completion of one full payroll period <u>Hire date into a benefited position</u> to 1 year	8 hours	12
Upon completion of 1 year	10 hours	15
Upon completion of 5 years	12 hours	18
Upon completion of 10 years	13 1/2 hours	20
Upon completion of 15 years	14 2/3 hours	22
Upon completion of 20 years	16 2/3 hours	25

2. Non-Exempt Full-Time Employees

Non-exempt full-time employees shall start accruing vacation leave ~~at the beginning of the first payroll period (21st of the month to the 20th of the following month)~~ immediately upon hire. Accrual rates are as follows:

Years of Service	Accrual	Vacation Days per Year
After completion of one full payroll period <u>Hire date</u> to 1 year	6 2/3 hours	10
Upon completion of 1 year	8 hours	12
Upon completion of 5 years	10 hours	15
Upon completion of 10 years	12 hours	18
Upon completion of 17 years	12 2/3 hours	19
Upon completion of 18 years	13 1/3 hours	20
Upon completion of 19 years	14 hours	21
Upon completion of 20 years	14 2/3 hours	22
Upon completion of 21 years	15 1/3 hours	23
Upon completion of 22 years	16 hours	24

Full-time employees on leave without pay will accrue vacation leave on a prorated ~~rata~~ basis, ~~providing the employee works 85 hours or more during the month.~~ For example: an employee who worked 100 hours for the month will accrue 100 hours divided by 173.33 hours or 57.69% of his/her monthly accrual rate. ~~If an employee works less than 85 hours in the month, the employee will not accrue vacation leave.~~

3. Benefited Regular Part-Time Employees

Benefited ~~R~~egular part-time employees in budgeted benefitted positions will begin to accrue vacation leave ~~after working one full pay period (21st of the month to the 20th of the following month)~~ immediately upon hire. Vacation accrual will be accrued on a prorated ~~rata~~ basis ~~on actual hours worked~~ up to a maximum of eight (8) hours per month. Actual time worked and all leave with pay shall be included in determining the accrual of vacation leave each month.

Employees moved ~~out~~ from a budgeted benefitted position ~~and~~ into a non-benefitted position will no longer be eligible to accrue vacation leave effective with the date of the change. Employees are eligible to use their vacation leave balance.

4. Non-benefited Part-Time, Seasonal and Temporary Employees

Part-time, seasonal, and temporary employees shall not earn vacation leave.

B. Accumulation of Vacation Leave

1. **Full-time employees** may accrue a maximum of 240 hours of vacation.
2. **Regular part-time employees** may accrue a maximum of 120 hours of vacation.

Accruals in excess of these limits will be forfeited.

C. Recording Vacation Leave

Vacation leave shall be recorded in the district's electronic time keeping system. Employees may only record vacation leave that is in their current vacation leave balance (see pay stub). Employees may not borrow vacation leave from the current or future months.

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D. Continuous Service

Continuous service shall be service unbroken by separation from the District. Time spent by an employee on military reserve (National Guard, Army Reserve, etc.) leave, vacation leave, sick leave, state or federal family medical leave (with or without pay), or other authorized leave with pay is considered continuous service. Time spent on other types of authorized leave without pay will not count as continuous service. Employees returning from such unpaid leave or who were laid off and return within one year, shall be entitled to credit for service prior to the leave.

D.E. Vacation Payment

Employees who have accrued the maximum vacation hours allowed (full-time 240 hours and benefited part-time 120 hours) ~~of vacation~~ may request payment for up to ~~120 half~~ the of the hours of vacation (full-time 120 hours and benefited part-time 60 hours) in which it has been determined by the department director that granting leave is not appropriate and has been determined by the Executive Director to be financially feasible. A Vacation Payment form must be submitted to the department director and approved by the Executive Director.

Employees who have worked for the District for 20 years or more may have the option of receiving payment for five (5) days of accrued vacation each fiscal year in which it has been determined by the Executive Director to be financially feasible.

~~Regular part-time employees are not eligible for vacation payment.~~

E.F. Scheduling Vacation Leave

Subject to operating requirements, vacation leave may be utilized with prior approval of the supervisor, except as provided by the Family and Medical Leave Act.

There will be times when no more than one person from one department/division may be on vacation at the same time. Because of this policy, it is suggested by the District that vacation leave requests be made in writing far enough in advance to avoid denial of time off.

F.G. Changing Vacation Leave to Sick Leave

In the event of a serious health issue during vacation, an employee's vacation leave may be changed to earned sick leave. The request must be submitted to the employee's department director for approval.

G.H. Timesheet

Vacation hours recorded on the timesheet must reflect the hours that are normally scheduled.

H.I. Coordination with Workers' Compensation Loss Benefits

No employee shall be required to utilize vacation leave while receiving time loss benefits.

H.J. Termination of Employment

When an employee terminates from the District, all unused vacation hours shall be paid in the final paycheck.

Forms

Request for Vacation Payment



PERSONAL LEAVE

General Information

Personal leave is an ~~accrued~~ benefit that is granted to eligible employees to provide approved paid time away from work for employee determined reasons.

Requirements

A personal day with pay is provided to employees with pay each calendar year (December 21 through December 20), not cumulative from year to year or compensable in any form other than leave, shall be granted to eligible employees. If an employee does not use the personal leave by December 20, the personal leave will be forfeited.

Personal leave must be scheduled in advance in the same manner vacation leave is approved.

Eligible Employees and Accruals

Full-time Employees

Full-time employees in budgeted benefit~~ted~~ positions will accrue eight (8) hours ~~after six full consecutive pay periods (21st of the month through the 20th of the following month)~~immediately upon hire.

Regular Part-time Employees

Regular part-time employees in budgeted benefit~~ted~~ positions are eligible ~~after six full consecutive pay periods (21st of the month through the 20th of the following month)~~immediately upon hire. Calculation of the accrual will be prorated based on the number of hours worked up to a maximum of eight (8) hours.

Employees moved from a budgeted benefit~~ted~~ position to a non-benefit~~ted~~ position shall no longer qualify for the personal leave benefit effective with the date of change.

Non-Benefit~~ted~~ Part-time, Seasonal and Temporary Employees

Non-benefit~~ted~~ ~~P~~art-time, seasonal, and temporary employees are not eligible for personal leave.

Termination of Employment

When an employee separates employment from the District, an employee is not compensated for unused personal leave.



HOLIDAYS

General Information

Holiday pay is a benefit that is granted to eligible employees to provide time off with pay to observe the recognized official holidays.

Official Holidays

The following holidays shall be designated as official holidays for all full-time and regular part-time employees:

New Year's Day	Veteran's Day
Martin Luther King's Day	Thanksgiving
President's Day	Friday after Thanksgiving
Memorial Day	Christmas (in years when Christmas falls on a Tuesday or Thursday, an additional day will be granted to create a four-day holiday.)
Independence Day	
Labor Day	

In the event the holiday falls on Saturday, the Friday before the holiday will be observed. If a holiday falls on Sunday, the Monday after the holiday will be observed.

Veterans (as defined by Oregon law) who are scheduled to work on Veteran's Day may submit a request for the day off. Employees must provide to their supervisor a minimum of 21 days' notice of their intent to take the holiday off. Supervisors must approve or deny the request at least 14 days before Veteran's Day. In the event the request is denied as a result of significant economic or operational disruption, or create an undue hardship, the employee shall select an alternate date to take off within one year of the Veteran's Day that must be mutually agreed upon with the supervisor.

Eligible Employees

1. **Full-time employees** in budgeted benefitted positions are eligible for the official holidays immediately upon hire.
2. **Benefited Regular part-time employees** in budgeted benefitted positions are eligible for the official holidays ~~after working one full pay period (21st of the month through the 20th of the following month).~~ immediately upon hire. The

holiday accrual will be on a pro-rated ~~rate~~ basis up to a maximum of eight (8) hours per holiday.

Employees moved from a budgeted benefitted position to a non-benefitted position shall no longer qualify for the holiday benefit effective with the date of change.

3. Non-benefitted ~~P~~**part-time, temporary and seasonal employees** shall not be eligible for holiday compensation.

Compensation

Compensation for a holiday is based on an eight (8) hour shift.

Full-time employees will be granted eight (8) hours of time off with pay for each official holiday and will be compensated at straight-time only (see Overtime policy). Holiday hours in any given week shall not put an employee into overtime status. If an employee is on leave without pay, regular part-time language shall be applied.

Full-time non-exempt employees working an alternative work schedule, e.g., 4-10's, shall use other applicable leave balances to ensure the full work week equals 40 hours before leave without pay can be authorized (see Leave Without Pay policy).

Regular part-time employees will be granted time off with pay on a pro-rated basis for each official holiday. If the employee is required to work on the holiday, the employee shall receive pay for the actual hours worked and the pro-rated holiday accrual.

Pay Status Test

Employees must be in a paid status at least ½ of the last workday before the holiday and ½ of the first workday after the holiday to receive holiday pay.

Work on a Holiday

Full-time non-exempt employees required to work on an observed holiday will be paid for hours worked. In addition, the employee will also receive one of two options: 1) the employee will be paid for the 8 hours of holiday in addition to being paid for hours worked at their straight time rate, or 2) the employee will take an alternate day off with pay by December 20. If the employee does not take the alternate day off by December 20, the employee forfeits the holiday. The employee may request the option he/she prefers; however, the supervisor is responsible for making the final decision based upon business need. The

decision must be made before the day is worked in order for the employee to record his/her time properly. If the employee and supervisor mutually agree upon an alternate day off, the employee cannot change his/her selection to pay at a later date.

For full-time exempt employees that work on a holiday, the hours worked shall not be recorded as holiday leave. Holiday hours that are not taken on the holiday will be scheduled and taken by December 20. If the employee does not take the alternate date off by December 20, the employee forfeits the holiday.

Regular [benefited](#) part-time employees required to work on the holiday shall receive pay for the actual hours worked and the pro-rated holiday accrual.

Observed Holiday on Employee's Day Off

When a holiday falls on a full-time employee's regular day off, another day off shall be arranged by the supervisor on a date convenient to the employee and the district. If the employee does not take the alternate date off by December 20, the employee forfeits the holiday.

Exceptions

Human Resources may submit written exception requests to the Executive Director for approval.

Procedures

Non-exempt full-time employee: Submits request to supervisor whether the worked holiday will be paid or to take an alternate day off

Supervisor/Manager: Based on business need, approves or declines request; communicates decision to employee.

Non-exempt full-time employee: Completes timesheet/time record

- If employee will be paid for the 8 hour holiday and paid for the hours on the worked holiday, the timesheet will be completed as follows:
 - o Enter actual hours worked; and
 - o Enter 8 hours under the holiday pay code
- If employee will take an alternate day off, the day of the holiday will be completed as follows:

- Enter actual hours worked under the pay code that the hours were worked.

Supervisor/Manager:

Reviews timesheet/time record for compliance.
Approves and submits timesheet/time record to Finance Department.

Resource

Overtime policy, Chapter 4, Section 9

Leave Without Pay policy, Chapter 5, Section 8



Bend Park &
Recreation
DISTRICT

Chapter 5- Employee Leave
Section 4 – Sick Leave
Approved by: Board of Directors
Date Approved: 2/6/2007

Codified: 10/19/10, 11/19/13, 11/17/15, 11/1/16, 11/7/17, 11/6/18, 12/1/20
Amended By: Don Horton, Executive Director

Amendment Date: 7/20/10, 11/9/12, 8/25/15, 1/1/16, 8/9/16, 6/21/17, 8/28/18, 12/18/18, 6/19/20

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SICK LEAVE

General Information

This policy is intended to mitigate the spread of disease and to allow employees to care for themselves and family members, making a healthier, more productive workplace and community.

Eligibility, Accrual Rate, and Carry Over

Part-Time and Seasonal Employees

Non-benefited pPart-time and seasonal employees begin accruing - accrue-1 hour for every 30 hours worked immediately upon hire. Employees may carry over up to 40 hours of unused sick leave from one year to the next.

Regular Part-Time Employees

Regular part-time employees in budgeted benefitted positions begin – accruing as immediately upon hire. Sick leave accrual will be accrued on a pro rata basis up to a maximum of eight (8) hours per month. are prorated and depend on the number of hours worked per pay period. is at a prorated amount as that of a full-time employee. Actual time worked and all leave with pay shall be included in determining the pro rata accrual of sick leave each month. For example: an employee who worked 100 hours for the month will accrue 100 hours divided by 173.33 hours or 57.69% of the maximum eight hour accrual rate. There is no limit to the number of unused sick leave hours an employee may accrue.

If an employee is moved from a budgeted benefitted position to a non-benefitted position, the employee's sick leave accrual rate will be reduced to the non-benefitted part-time and seasonal employee rate of 1 hour for every 30 hours worked effective with the date of the change. In the event the employee has more than 40 hours of unused sick leave accrued, the employee will not lose the hours accrued while benefitted. Regular part-time employees have no limit to the number of unused sick leave hours that may be carried over to the next year.

Full-time Employees

Full-time employees begin accruing eight hours of sick leave immediately upon hire and each per pay period provided there are no leaves without pay during the pay period (the district's pay period is the 21st of a month through the 20th of the following month). There is no limit to the number of unused sick leave hours that may be carried over to the next year accrued.

Recording Sick Leave

Sick leave shall be recorded in the district's electronic time keeping system. Employees may only record sick leave that is in their current sick leave balance (see pay stub). Employees may not borrow sick leave from the current or future months.

Policy

~~All employees begin accruing sick leave on the first day of work.~~

~~Full-time and regular part-time employees in budgeted benefitted positions are eligible to use sick leave with pay upon completing their first pay period (21st of the month through the 20th of the following month), if employees work less than the full pay period, the sick leave will be prorated.~~

~~All part-time and seasonal employees are eligible to use sick leave with pay beginning on their 91st day of employment.~~

Use of Sick Leave

~~Sick leave with pay is an accrued benefit that ensures all e~~Employees can use earned sick leave for the following reasons:

1. To care for the employee or the employee's family member with a mental or physical illness, injury or health condition, need for medical diagnosis, care, or treatment of a mental or physical illness or health condition, or need for preventive medical care, or to provide a family member's daily care activities.
2. To care for an infant or newly adopted child under 18 years of age, or for a newly placed foster child under 18 years of age, or for an adopted or foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability, completed within 12 months after birth or placement of the child.
3. Absences associated with death of a family member by:
 - a. Attending the funeral or alternative to a funeral of the family member;
 - b. Making arrangements necessitated by the death of the family member; or
 - c. Grieving the death of the family member;
4. For absences related to domestic violence, harassment, sexual assault or stalking;
 - a. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault, or stalking;
 - b. To seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to or harassment or stalking of the employee or the employee's minor child or dependent;

- c. To obtain, or to assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault, or stalking;
 - d. To obtain services from a victim services provider for the employee or the employee's minor child or dependent;
 - e. To relocate or take steps to secure an existing home to ensure the health and safety of the employee or the employee's minor child or dependent;
5. In the event of a public health emergency including but not limited to:
- a. Closure of the employee's place of business or the school or place of care of the employee's child, by order of a public official due to a public health emergency;
 - b. A determination by a lawful public health authority or a health care provider that the presence of the employee or the family member of the employee in the community would jeopardize the health of others; or
 - c. The exclusion of the employee from the workplace under any law or rule that requires the employer to exclude the employee from the workplace for health reasons.

Family Member Definition

Family members for sick leave purposes are defined as spouse, same gender domestic partner as (described in ORS 106.300 to 106.340) and includes in-laws and step: parents, foster parents, grandparents, children, grandchildren, brother, sister, foster children, and any individual with whom an employee has or had an in loco parentis relationship.

Eligibility, Accrual Rate, and Carry Over

Part-Time and Seasonal Employees

~~Part-time and seasonal employees accrue 1 hour for every 30 hours worked. Employees may carry over up to 40 hours of unused sick leave from one year to the next.~~

Regular Part-Time Employees

~~Regular part-time employees in budgeted benefitted positions accruals are prorated and depend on the number of hours worked per pay period. is at a prorated amount as that of a full-time employee. Actual time worked and all leave with pay shall be included in determining the pro rata accrual of sick leave each month. For example: an employee who worked 100 hours for the month will accrue 100 hours divided by 173.33 hours or 57.69% of the maximum eight hour accrual rate. If an employee is moved from a budgeted benefitted position to a non-benefitted position, the employee's sick leave accrual rate will be reduced to the part-time and seasonal employee rate of 1 hour for every 30 hours worked effective with the date of the change. Regular part-time employees have no limit to the number of unused sick leave hours that may be carried over to the next year.~~

Full-time Employees

~~Full-time employees accrue eight hours of sick leave per pay period provided there are no leaves without pay during the pay period (the district's pay period is the 21st of a month through the 20th of the following month). There is no limit to the number of unused sick leave hours that may be carried over to the next year.~~

Absence Notification

When ~~an~~ employees ~~s~~ needs to use sick leave and has not given ~~his/her~~ their supervisor prior notice, ~~the~~ employees ~~s~~ will call ~~his/her~~ their supervisor or other designated staff, prior to the beginning of ~~his/her~~ their scheduled shift, except for circumstances beyond the employee's control such as a traffic accident.

Medical Certification

The district may request certification from the attending physician to verify the need for leave under the Federal Family Medical Leave Act/Oregon Family Leave Act (FMLA/OFLA) and when:

- An employee takes more than three consecutive workdays of sick time.
- If the supervisor suspects that the employee is abusing sick time or engaging in a pattern of sick leave.
- If the sick time is foreseeable and projected to be more than three consecutive days.
- To determine return to work eligibility and restrictions.

Workers' Compensation

An employee may choose to use sick leave to make up the difference between the Workers' Compensation for lost time and the employee's regular salary rate. An employee who exhausts sick leave may choose to use other accrued leave to equal the difference between Workers' Compensation for lost time and the employee's regular salary rate. Using leave while receiving time loss benefits is not required.

Notification of Sick Leave Balance

The employee's monthly pay stub shall reflect the employee's sick leave accrual, use, and balance.

End of Employment

Sick leave does not have a monetary value at the time of separation. Sick leave balance will not be paid when an employee separates employment from the District.

Restoration of Sick Leave Upon Rehire

Employees who have separated from the district and return within one year shall have unused sick leave credits restored.



Bend Park &
Recreation
DISTRICT

Amendment Date: 8/25/10, 11/9/12, 6/4/13, 5/22/14, 8/25/15, 8/9/16, 6/21/17, 4/26/19, 6/19/20

Chapter 6 – Benefits

Section 1 – Insurance, Health, Dental & Vision

Approved By: Board of Directors

Approved Date: February 6, 2007

Codified: 9/7/10, 11/19/13, 10/21/14, 11/17/15, 11/1/16, 11/7/17

Amended By: Don Horton, Executive Director

1 of 3

INSURANCE, HEALTH, DENTAL & VISION

General Information

The district provides the opportunity to participate in health insurance, including medical, dental & vision insurance. An explanation of eligibility, benefits, limits, and enrollment requirements is defined below. The district reviews plan each year for costs and services, which may result in changes to the insurance plans.

Initial Insurance Eligibility

Full-time [and regular part-time](#) employees in budgeted benefitted positions, are eligible for insurance benefits upon initial hire. If an employee elects to enroll, coverage begins the first of the next month following the employment date.

~~Regular part-time employees in budgeted benefitted positions are eligible for insurance benefits on the first day of the month following working one full pay period (21st of the month through the 20th of the following month).~~

[Non-benefited part-time](#), ~~S~~seasonal and temporary employees are not eligible for insurance.

Measurement & Stability Periods

The district's standard measurement and stability periods are May 1 through October 31 and November 1 through April 30.

Full-time employees in positions working at least 130 hours per pay period will remain eligible for coverage for the duration of the 6-month stability period.

Employees qualifying for coverage during an initial or standard measurement period will be eligible to enroll in coverage following an administrative period not less than of one month.

Eligibility Status Change

In the event, employees working at least 130 hours per pay period are changed from a benefitted position to a non-benefitted position, employees will not lose eligibility until the current stability period ends.

When variable hour regular part-time employees are moved from a benefitted position

to a non-benefitted position, employees will no longer be eligible for district paid health benefits effective with the first of the month after the change.

If an employee becomes ineligible for district contributions to their health insurance, the employee can elect to self-pay their health insurance premiums. If an employee is in this situation, Human Resources [or a third-party administrator](#) notifies the employee of loss of coverage and provides options under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

Premiums & Coverage

Medical Insurance

For full-time employees, medical insurance premiums are paid 90% by the [District](#) for employee only. If an employee requests to add dependents (spouse and/or children under 26 years old), the employee shall pay 25% of the premium difference of the employee only rate and the dependent rate.

For part-time [budgeted benefited](#) employees (~~working more than 85 hours/pay period~~), medical insurance premiums are paid 80% by the [District](#) for the employee only. If an employee requests to add dependents (spouse and/or children), the employee shall pay 100% of the premium difference of the employee only rate and the dependent rate.

The [District](#) provides a ~~Medical Expense Reimbursement Plan (MERP)~~ [Health Reimbursement Arrangement \(HRA\)](#) where, in the event an employee or dependent is charged a deductible through the [District's](#) medical insurance plan, the [District](#) reimburses the employee through a ~~third party~~ [third-party](#) vendor.

Dental Insurance

The [District](#) provides a self-insured plan for full-time employees and the [District](#) pays the full cost of the plan for the employee and dependents.

Regular part-time [budgeted benefited](#) employees (~~working more than 85 hours/pay period~~) are on a separate dental plan through a ~~third party~~ [third-party](#) carrier. Dental premiums are paid 80% by the [District](#) for the employee only.

Vision Insurance

The [District](#) is self-insured for full-time employees and the [District](#) pays the full cost of the plan for the employee and dependents.

Regular part-time [budgeted benefited](#) employees are on a separate vision plan through a ~~third party~~ [third-party](#) carrier. Vision premiums are paid 80% by the [District](#) for the employee only.

New Employee Enrollment

Employees eligible for insurance benefits have ~~6~~30 days from their eligibility date to enroll in health, vision, and dental insurance. Employees not enrolling within 30 days of their eligibility date will not be eligible to enroll until the next open enrollment period unless they experience a status change triggering a special-enrollment right under the plan. The life events constituting a status change are listed in the section of this policy entitled “Qualifying Events.”

Open Enrollment

Other than status changes or a qualifying event, employees can only make changes to their insurance plans during the annual open enrollments. All employees receive notice of open enrollment in May of each year.

Qualifying Events

Employees need to contact Human Resources to submit an updated form within 30 days of any of the following changes:

- ◆ Marriage
- ◆ Divorce
- ◆ Birth/Adoption/Gaining a New Dependent (note: adoption requires a copy of the adoption papers).
- ◆ Death of a Dependent
- ◆ Dependent Losing Eligibility

Termination of Employment

In the event of termination of employment, the district shall discontinue premium payments and the employee coverage will be terminated. Employees have the option of temporarily continuing their health benefits through COBRA. Employees must submit a COBRA enrollment form within 60 days of losing coverage. If an employee elects to continue medical benefits, the employee will be responsible for the full monthly premium until the employee either opts out of benefits or the COBRA timeframe has been exhausted. Employees and/or dependents electing COBRA are ~~not~~ eligible for the **MERPHRA**.



FLEXIBLE SPENDING ACCOUNT

General Information

Flexible Spending Account (FSA) (IRS Section 125) is a flexible spending account program that helps employees save on the cost of health and dependent care. An FSA allows an employee to set money aside before taxes to pay for a wide range of common expenses. Employees save by reducing taxes while still paying for the care an employee needs.

Benefit Programs Employees Can Elect

Un-reimbursed Eligible Health-Related Expense Reimbursement: This is for health care expenses not covered by the employee's health benefits plan, such as co-payments, co-insurance, over-the-counter (OTC), hearing or orthodontic care costs.

Dependent Care Reimbursement: This is for non-medical day care expenses for children under age 13, or disabled dependents provided that they satisfy the definition of a "Qualifying Relative" under federal tax law. Dependent day care expenses are reimbursable as long as the provider is not an employee's spouse, another dependent or an employee's child if age 19 or younger.

Group Health Insurance Premium Benefit: This is for premiums for medical and hospitalization insurance, major medical insurance, and dental insurance outside of health benefit plans through the District.

Maximum Contribution Amounts

Un-reimbursed eligible health-related expense reimbursement account maximum per plan year ~~is \$2,750~~ as determined annually by the Internal Revenue Service (IRS).

Dependent care reimbursement account maximum per plan year ~~is \$5,000 married filed jointly or single parent and \$2,500 for married filing separately.~~ as determined annually by the IRS.

Eligible Employees

Full-time employees and benefited regular part-time employees are eligible to participate in the District FSA upon hire.

Open Enrollment

The new plan year is effective June 1 of each year. Open enrollment occurs in the month of May. Employees must re-enroll each year to continue their FSA.

Procedure

- ◆ Employee to estimate out-of-pocket health and/or dependent day care expenses for the coming plan year.
- ◆ Divide the amount by the number of paychecks the employee will receive yearly. This is the amount the District will deduct from each paycheck.
- ◆ The district's third-party administrator deposits these pre-tax dollars into a reimbursement account(s).
- ◆ Anytime the employee has an eligible expense, submit a receipt along with a Reimbursement Form for either Medical or Dependent Day Care to the third-party administrator. Employees will receive reimbursed funds from their account according to the reimbursement schedule.

End of the Plan Year

Employees should plan their anticipated out-of-pocket expenses as accurately as possible to put aside enough to cover them without contributing more than they need. The Federal Government requires that employees forfeit any funds remaining in employees' dependent care account at the end of the plan year and any funds exceeding ~~\$500.00~~ [the maximum allowed by the IRS](#) in the medical account. To roll-over ~~up to \$500.00~~ [any amount](#) in the medical account, employees are required to re-enroll for a medical account with at least a minimum of \$10.00 per month.

Termination of Employment

In the event an employee separates from the district prior to the end of the plan year, the district will notify the third-party administrator of the amount of the benefit to deduct the remaining plan year in the employee's account. Employee contributions made prior to the employee's termination date will continue to be available for the employee to request reimbursement until the [end date of insurance coverage](#). [Terminated employees may continue to access funds in the account if employees enroll in FSA COBRA.](#) ~~contributions have been exhausted or the plan year ends, whichever comes first.~~ If the employee receives reimbursement that exceeds the contributions by the termination date, the district will become responsible for the remaining contribution amount.



WELLNESS PROGRAM

Purpose

To support employee work-life balance and enrich the physical, mental and social well-being of all Bend Park and Recreation District employees. Healthier employees are more productive and effective workers, require less medical care, and are more satisfied with their jobs and their employer.

Background

In working toward a comprehensive wellness program, the District's wellness benefits are supported by a variety of programs and policies. Wellness initiatives and benefits consider work done through the Employee Relations Committee (ERC), the Safety & Ergonomics Programs and the Employee Assistance Program (EAP), as well as the District's insurance provider. The District's Wellness Committee works with the other committees, programs and policies to administer the wellness program.

Wellness Committee

The Wellness Committee's main objectives are to inform employees of the health and wellness benefits offered by the District; and promote a culture of wellness and work-life balance. The Wellness Committee maintains a Charter that provides more detail about the Committee's structure and focus.

Wellness Initiatives and Benefits

Health and wellness benefits available under the wellness program may include, but are not limited to:

- Program discounts and facilities pass – see explanation and eligibility below
- Health screenings – fees may apply to family and will be advertised accordingly
- Employee and family social events
- Health campaigns & fitness/health challenges (e.g. Hydration Challenge)
- Wellness focused presentations (e.g. Lunch 'n Learn Presentations)

The District also encourages alternative commute options, healthy food and beverage choices, and promotes the District's mission by providing recreational opportunities.

Programs & Facilities Pass

Employees and eligible family may enroll in recreation programs at the employee program fee. Employees will receive a recreation facilities pass providing access to District recreation facilities for their personal use during their employment with the District. Passes provide full access to all facilities and *most* drop-in activities at Juniper

Swim & Fitness Center, Bend Senior Center and The Pavilion. Drop-in activities will be evaluated on an ongoing basis; if a particular activity is identified as being routinely full it may be excluded, either temporarily or ongoing, from the drop-in activities available to staff and families with their pass. The employee website will be used as a tool to communicate this information to staff. Exclusions to the recreation facilities pass include equipment and facility rental fees.

Eligibility

The **Programs & Facilities Pass** benefit is provided to staff and their family as stated below. An eligible family member is defined as spouse and legal dependent children as defined by the IRS.

Employee Designation	Eligibility			
	Employee Facility Pass	Employee Program Discount	Family Pass	Family Discount
Full Time	Upon hire.	Upon hire.	Upon hire.	Upon hire.
Part Time/Seasonal	Upon hire.	Upon hire.	After 6 consecutive months of employment.	After 6 consecutive months of at least 50 hours per month.
Returning Seasonal	Upon re-hire.	Upon re-hire.	Upon re-hire.	Upon working at least 50 hours or more per month.
Board Members	Upon start of term.	Upon start of term.	Upon start of term.	Upon start of term.
Retired Employees	Upon retirement from the district with 30 years of service in a benefited position or at age 58 or older and in a benefitted position with 15 or more cumulative	NA	Spouse only.	NA

	years of service.			
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Cancellation of Privileges

Recreational privileges are subject to cancellation for reason of improper conduct, or failure to comply with adopted rules. Upon termination of employment or ending of service on the Board, all privileges will discontinue with exception of the retired benefits described above.

References and Related Policies

- Wellness Committee Charter
- Employee Relations Committee (ERC) Policy
- Risk Management and Safety Policies
- Employee Assistance Program (EAP) Policy



EDUCATION ASSISTANCE

Purpose

The district's purpose of this policy is to assist employees in funding education pursuits that benefit the employee and district. This Educational Assistance Plan (Plan) provides eligible employees education benefits under Section 127 of the Internal Revenue Code (IRC). This policy provides information necessary to guide employees and their supervisor in administration of the program.

Eligibility

Contingent upon the district's funding ability, the Plan shall benefit employees who qualify, as defined below:

Employee status: After one year of district employment and currently in a benefited position with a satisfactory performance evaluation and not under formal disciplinary process. Time off to attend school does not count towards the 1040 hours for benefited positions. All course work is to be completed on employee's own time.

An active Professional Development Plan that mutually benefits the employee and district is required for employees in positions pay ranges 8 through 21.

This policy covers formal high school and degree programs. Employees wishing to take classes for skill development or increased knowledge in an area of work are to seek assistance through their department's travel and training budget.

Education Assistance Guidelines

Education assistance maximum contribution is determined by the Internal Revenue Service. Currently the reimbursement is limited up to \$5,250 per year (12-month period) with a maximum lifetime benefit of \$21,000. ~~Reimbursement for each term is limited to \$2,000 up to \$5250 per year with a maximum lifetime benefit of \$21,000.~~

The district may have other scholarship or education assistance programs; employees are only eligible for one program.

Employee must be in a full-time or part-time benefited position, approved by the Board of Director, at the time of the reimbursement.

Education assistance reimbursement is limited to tuition and books.

Education assistance supports high school completion, including GED through college master's degree programs of accredited higher education institutions and accredited trade schools.

Employees shall be reimbursed only for classes that are included in the GED or college degree program they are pursuing. Classes taken for leisure or self-fulfillment will not be reimbursed.

Only classes passed with a letter grade of C- or better or a Pass for classes graded as pass/fail will be eligible for education assistance reimbursement. Grades lower than a "C-" or Fail for classes graded as pass/fail will not receive reimbursement.

Employee is expected to work for the district a minimum of 1040 hours during the 12-month period employee is attending school and seeking education assistance.

Loss of Eligibility

An employee shall lose eligibility status in the Plan on the date the employee no longer meets the benefited position agreement and moved to a non-benefited position or is no longer an employee as a result of resignation, retirement, removal from the orientation period, or dismissal and will not be reimbursed the education assistance for the current semester, quarter or trimester.

If an employee is laid off, furloughed, or has lost benefit status due to business decision of the district, the employee retains the education assistance benefits under the Plan until the end of the current semester, quarter, or trimester.

Limitations of Education Assistance Benefits

The amount of reimbursed benefits provided by the district shall at no time exceed the maximum amount allowed to be excluded from gross income by IRC Section 127 per calendar year. The district will reimburse eligible employees 100% of eligible costs, as defined in this policy, up to the IRC limitation amount.

Funding for the education benefit will be dependent upon available funding sources and the district's annual budget.

Any employee who receives a scholarship, fellowship, or other financial assistance from any public or private source, including a qualified tuition reduction is eligible to receive education assistance benefits under this Plan for the same plan year. Provided, however, that the amount of education assistance benefits provided under this Plan may be reduced by the amount of the financial assistance received, that when combined with the education assistance benefit, exceeds the total instructional and general fees for the academic semester,

quarter or trimester. It is the responsibility of the employee to provide the third-party administrator an accurate account of financial assistance received from outside sources.

Notification to District

Employees interested in participating in the Plan shall submit an Education Assistance Plan Request form, expected reimbursement amounts and start and end dates of courses before the education activity begins in order to be considered for reimbursement under the Plan.

Reimbursements

The district may use the services of a third-party administrator (TPA) to administer the Plan. Upon completion of the courses with a passing letter grade of “C-” or higher or Pass for classes graded as pass/fail, the employee must provide the TPA an official transcript of and original receipts for all items eligible for reimbursement to the district’s TPA. The district will not reimburse any amounts already reimbursed by any financial assistance, scholarship, or any other financial benefit derived from public or private programs. The TPA shall reimburse the employee within 45 days of request and proper submission of supporting documents.

Plan Change or Termination

The district reserves the right to change or terminate the Plan without prior notice. If the district ends the Plan, the district will reimburse all courses in process prior to termination, but will not reimburse any classes that begin after Plan termination and notification.

Procedures

Employee submits Education Assistance Plan Request form to supervisor.

Supervisor and employee in professional level positions (pay range 8 and higher) jointly develop a Professional Development Plan.

Supervisor reviews and approves or denies the Education Assistance Plan Request.

Supervisor submits approved Education Assistance Plan Request form and, when applicable the Professional Development Plan, to department head for approval or denial.

Submit Education Assistance Request form and Professional Development Plan to Human Resources for processing with the third-party administrator and filing the documents in the employee's personnel file.

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 15, 2022
SUBJECT:	Approve Contract to Purchase Fleet Vehicles
STAFF RESOURCE:	Roy Radcliff, Fleet Manager Justin Sweet, Business Analyst
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	Award Public Contract
STRATEGIC PLAN:	N/A

BACKGROUND

The district currently maintains a fleet of 74 vehicles. These vehicles have a planned 20-year service life. This requested purchase includes replacement of three vehicles that have met service lifespans. One vehicle will be replaced due to being totaled after an accident. Two additional vehicles are being added to the district's fleet. The three replacement vehicles and two additional vehicles were budgeted in the fiscal year 2022-23 budget. The replacement of the totaled vehicle will be funded through insurance proceeds, proceeds from the sale of the damaged vehicle, and the Equipment Reserve Fund contingency.

This purchase will be placed under a State of Oregon's Cooperative Price Agreement, ensuring compliance with state and local public procurement requirements and best value. Vehicle pricing is as follows:

Vehicle #5030 replacement = \$54,061.77
 Vehicle #5013 replacement = \$54,061.77
 Vehicle #5024 replacement = \$57,056.05
 Recreation truck with plow = \$68,397.77
 Park Services truck with utility box bed = \$72,054.47
 Vehicle #5060 replacement = \$57,056.05

Manufacture of new vehicles is limited, as such, purchase of all requested vehicles from the district's preferred dealer for this order (Kendall Ford of Bend) may not be possible. Should Kendall Ford of Bend be unable to deliver, the district will select the next best vehicle manufacturer and dealer that meets the district's need and provides the best value.

BUDGETARY IMPACT

The fiscal year 2022-23 Adopted Budget includes \$297,840 for the purchase of three replacement and two new vehicles. An additional replacement vehicle (vehicle totaled in accident) at a cost not to exceed \$57,057, will be paid for from the Equipment Reserve Fund contingency, offset by insurance proceeds of \$12,000, and proceeds of \$2,825 from the sale of the totaled vehicle. The additional cost for the three replacement vehicles and two new vehicles is over the estimated

budget by \$7,342. This additional expense will come out of the Equipment Reserve Fund Contingency or savings within the fund.

STAFF RECOMMENDATION

Staff recommends that the board authorize the Executive Director to purchase six vehicles from an authorized State of Oregon Cooperative Price Agreement dealership for an amount not to exceed \$362,688.

MOTION

I make a motion to authorize the Executive Director to acquire six vehicles from an authorized dealership holding a State of Oregon Cooperative Price Agreement for an amount not to exceed an \$362,688.

ATTACHMENT

None

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 15, 2022
SUBJECT:	Add Juneteenth as an observed paid holiday
STAFF RESOURCE:	Theresa Albert, Human Resources Manager
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	Adopt Juneteenth as an observed holiday.
STRATEGIC PLAN:	
Pillar:	Employees & Workplace Culture
Outcome:	A workforce that is heard, informed involved and valued
Strategy:	Support a work-life balance

BACKGROUND

President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, but it wasn't until June 19, 1865, that Union soldiers landed in Galveston, Texas and issued General Order Number 3, which required the immediate freedom of more than 250,000 enslaved African Americans. This date has become known as Juneteenth Independence Day. On June 15, 2020, Juneteenth Independence Day became a recognized federal and state holiday to be observed every June 19 to commemorate the emancipation of enslaved African Americans.

The district embraces the cultural and historical significance of Juneteenth and encourages our community and employees to learn more about the past and to better understand the experiences that have shaped the United States. As our community and our workforce continues to reflect more diversity, it is important to formally support our employees in celebrating Juneteenth. Therefore, the district recommends taking the same action as the federal government and State of Oregon in adopting Juneteenth (June 19) as an observed paid holiday.

BUDGETARY IMPACT

An additional holiday provides wages for up to eight hours of non-work for benefitted full-time and part-time employees and the amount varies based on vacancies and wages. The estimated cost for an additional holiday is \$42,000.

STAFF RECOMMENDATION

Staff recommends the board of directors adopt Juneteenth (June 19) as an observed paid holiday for benefitted employees.

MOTION

I make a motion to adopt Resolution 2022-08 designating Juneteenth Independence Day as a district holiday and to recognize the importance of this day by granting paid leave for the employees of the district.

ATTACHMENT

Resolution 2022-08

**BEND PARK & RECREATION DISTRICT
RESOLUTION NO. 2022-08**

A RESOLUTION OF THE BOARD OF DIRECTORS DESIGNATING JUNE 19 AS “JUNETEENTH INDEPENDENCE DAY” IN RECOGNITION OF JUNE 19, 1865, THE DATE ON WHICH NEWS OF THE END OF SLAVERY REACHED THE SLAVES IN THE SOUTHWESTERN STATES.

WHEREAS, President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863 at the end of the Civil War ending slavery in the United States;

WHEREAS, news of the end of slavery did not reach the frontier areas of the United States, in particular the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War, more than 2½ years after President Abraham Lincoln issued the Emancipation Proclamation;

WHEREAS, on June 19, 1865, Union soldiers landed in Galveston, Texas and issued General Order Number 3, which required the immediate freedom of more than 250,000 enslaved African Americans;

WHEREAS, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and the enslaved were free;

WHEREAS, African Americans who had been slaves in the Southwest celebrated June 19, commonly known as “Juneteenth Independence Day”, as inspiration and encouragement for future generations;

WHEREAS, African Americans from the Southwest have continued the tradition of observing Juneteenth Independence Day for more than 150 years;

WHEREAS, Juneteenth Independence Day began as a holiday in the State of Texas and is now celebrated in 46 States and the District of Columbia as a special day of observance in recognition of the emancipation of all slaves in the United States;

WHEREAS, the district embraces the cultural and historical significance of Juneteenth and encourages employees to participate in the Juneteenth celebrations;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Bend Park & Recreation District:

(1) designates June 19 of each year as “Juneteenth Independence Day” by recognizing the historical significance of June 19, 1865 to the United States;

(2) through the celebration of Juneteenth Independence Day, provides an opportunity for the people of the district and our employees to learn more about the past and to better understand the experiences that have shaped the United States; and

(3) to allow staff to reflect on these historic times and to celebrate the freedoms that Juneteenth Independence Day provides, designates June 19th of each year as a paid holiday for its employee.

ADOPTED by the Board of Directors on this first day of November, 2022.

Deb Schoen, Board Chair

Attest:

Don P. Horton, Executive Director

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 15, 2022
SUBJECT:	Implementation of Paid Family Medical Leave Act
STAFF RESOURCE:	Theresa Albert, Human Resources Manager
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	District pick-up employee's Paid Family and Medical Leave Insurance contribution
STRATEGIC PLAN:	
Pillar:	Employees & Workplace Culture
Outcome:	Sufficiently staffed with well qualified employees in all positions
Strategy:	Be an employer of choice through recruitment and retention practices that reflect needs and work experiences desired by a modern workforce.

BACKGROUND

In 2019, the State of Oregon passed the Paid Family and Medical Leave Insurance (PFMLI). PFMLI provides wage-replacement benefits to any employee earning at least \$1,000.00 the previous year for a qualifying event which includes caring for and bonding with a child following the child's birth or adoption, recovering from a serious health condition or caring for a family member's serious health condition, or taking leave if the employee or the employee's family member has experienced domestic violence, sexual assault, or harassment. Eligibility does not require an employee to work a minimum number of hours in the year the paid leave is requested.

The Oregon Employment Department will manage the PFMLI similarly to the unemployment benefits program. Employees are to submit a request to the state, the employer fills out verification information, and the Employment Department will determine eligibility as well as the amount of income to be replaced. The replacement income is based on the employee's wages. Employers that choose to use the State's program will begin paying into PFMLI a total of 1% of payroll, employers contribute 40% and employees contribute 60%. Employer and employee contributions will be effective January 1, 2023 and employees may start applying for PFMLI starting September 3, 2023. The lag in application date is to prefund the PFMLI.

The district did not fund merit increases two of the last three years: In FY 2020-21, it was due to the unknown budgetary impacts of COVID-19 and in FY 2022-23 due to the significantly high cost of living index in FY 2022-23. In light of these past financial decisions and that the district recognizes any new tax for employees creates a financial burden especially during this period of high inflation, the district proposes to pick-up the employees 60% of the 1% payroll tax. Picking up the employee's contribution will be considered a benefit and will be calculated in total compensation

for employees.

BUDGETARY IMPACT

The adopted budget included a 0.5% of gross wages starting January 2023 to be covered by the district, this was based on the information we had at the time of budget development. The 0.5% of gross wages is budgeted using full employment, so with this conservative estimate and vacancy savings from filling a new position later in the year, the full 1% of gross wages will not require a budget amendment.

STAFF RECOMMENDATION

Staff recommends that the board of directors adopt the district picking up the employees' 60% PFMLI payroll tax contribution.

MOTION

I make a motion for the district to pick-up the employee's 60% PFMLI payroll tax contribution.

ATTACHMENT

None

Board Calendar 2022-2023

**This working calendar of goals/projects is intended as a guide for the board and subject to change.*

December 6

Staff Introductions

Adam Kau

Brent Everett

Juan Arballo

Rick Wilson

Work Session

- ◆ Riverbend and Farewell Bend Parks Access and Parking Analysis Draft Report – *Rachel Colton and Karen Swirsky, Kittleson and Associates, INC. (30 min)*
- ◆ Staff Awards

Business Session

- ◆ Sawyer Contract amendment – *Bronwen Mastro*
- ◆ Miller, McKay and Columbia (MMC) Contract amendment and update – *Ian Isaacson (30 min)*

December 20

Work Session

Business Session

- ◆ Accept 2021-22 Annual Comprehensive Financial Report – *Eric Baird and Brenda Bartlett (15 min)*
- ◆ Out of District Registration – *Matt Mercer (20 min)*

January 3

Work Session

Business Session

- ◆ Appoint Board Vacancy – *Don Horton (20 min)*
- ◆ Appoint Budget Committee Member– *Kristin Donald (15 min)*

January 17

Work Session

Business Session

February 7

Board Workshop (afternoon start 2-8pm)

February 20

Work Session

Business Session