

BOOK 161 PAGE 0111

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

PASSED

ORDINANCE NO. 5-98

) IN THE MATTER OF AMENDING LANE
) CODE CHAPTER 2 TO DELEGATE
) AUTHORITY TO THE FAIR BOARD TO
) ADOPT A MERIT SYSTEM OF PERSONNEL
) ADMINISTRATION AND DECLARING AN
) EMERGENCY

The Board of County Commissioners of Lane County ordains as follows:

Chapter 2 of Lane Code is hereby amended by adding the following pages:

REMOVE THESE PAGES

INSERT THESE PAGES

2.220 - 2.255(2) to
2.270(2) - 2.285,
(a total of three pages)

2.220 - 2.250 to
2.280 - 2.285,
(a total of four pages).

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to delegate authority to the Fair Board to adopt a merit system of personnel administration.

An emergency is hereby declared to exist and this Ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect immediately upon adoption.

Enacted this 9th day of September 1998.

Steve Comstock
Chair, Lane County Board of
Commissioners

APPROVED AS TO FORM

Date 8/14/98 Lane County

Teresa Miller
OFFICE OF LEGAL COUNSEL

Melissa A. Zimmer
Recording Secretary for this
Meeting of the Board

FILED

SEP 15 1998

COUNTY CLERK

BY *M. Bolding*

MERIT SYSTEM

2.220 Merit System. The intent of LC 2.220 to 2.285 is to provide a Merit System of personnel administration, including: the appointment and promotion of County employees on the basis of merit and fitness; a classification plan for positions in the classified service; an equitable compensation plan; and a system to facilitate the handling of other personnel matters on the basis of merit. "Merit System" does not include the system adopted by the Fair Board as described in LC 2.225(1) below.

2.225 Application. The provisions of LC 2.220 to 2.285 and the rules adopted pursuant thereto shall apply only to the classified service of the County as established in Section 28 of the Charter, unless expressly provided therein and except as hereby delegated to the Fair Board.

(1) The Board of Commissioners delegates authority to the Lane County Fair Board to adopt a separate merit system of personnel administration, to include all elements required by the Charter, which system, classification plan, compensation plan and all implementing personnel rules shall apply to employees at the Lane County Fairgrounds.

(2) The employees at the fairgrounds shall be governed by the merit system as adopted and implemented by the Fair Board pursuant to LC 2.225(1) above, and not by LC 2.225-2.285 or provisions implementing them.

(3) The Board of Commissioners reserves the right to revoke the delegation to the Fair Board described in LC 2.225(1) above at any time it deems doing so is prudent, at which time the employees shall be governed by the Merit System described in LC 2.220 above and all implementing rules and regulations. Assimilation of these employees into the County Merit System shall be done in an equitable manner, recognizing that their employment by the Fair Board has been pursuant to the Home Rule Charter.

2.250 Administration. The Board of Commissioners shall be responsible for the administration of the Merit System. For the purpose of obtaining assistance in the administration of the Merit System, the Board may designate a County employee, appoint a full or part-time person, or contract for services from a person or agency competent in personnel administration.

7-74; 7.5.74
24-80; 1.16.81
16-81; 10.23.81
3-82; 1.27.82
11-82; 5.19.82
12-82; 5.19.82
7-83; 3.15.83

2-6

WP 1/co/00008/T

WP 1/cr/98009/T

2.255

Lane Code

2.260

2.255 Rules.

(1) Personnel rules consistent with the purposes of LC 2.220 to 2.285 shall be adopted and may be amended by Order of the Board as in the case of Lane Manual provisions, or by the General Administrator, as in the case of provisions of the Administrative Procedures Manual. The rules shall establish specific procedures and regulations governing personnel matters. It shall be the duty of all persons, including independently elected officials and their appointees, who supervise County employees to implement and enforce the personnel rules.

(2) The heads of all Departments, or their delegees, whether appointed or elected, shall be the appointing authority for the Lane County employees who are employed in that Department, with all of the responsibilities and authority as designated by the Lane Code, Lane Manual and Administrative Procedures Manual. However, for the purpose of Oregon's collective bargaining statutes, ORS 243.650 through ORS 243.782, the Board of County Commissioners is the "public employer" of all classified Lane County employees and not the appointing authority, unless the Lane County Charter, state statutes or case law provides otherwise. In addition, the Lane County Sheriff, who is the Director of the Department of Public Safety, is a co-employer with the Board of County Commissioners for all Lane County classified employees who work within the Department of Public Safety of Lane County.

2.260 Classification Plan. The Board shall cause to be prepared and shall adopt a position classification plan. The duties and responsibilities of all positions in the classified service, except as delegated in LC 2.225(1) above, shall be analyzed and each position shall be assigned to an appropriate classification according to the similarity of duties and responsibilities. Each classification shall have written specifications which shall include an appropriate title, a general description of duties and responsibilities, and a statement of minimum requirements of education and training, experience, professional licensing or certification, and other qualifications. A classification may contain one or more positions and all positions in the same classification shall be sufficiently alike to permit the use of a single descriptive title, a general statement of duties, the same qualification requirements, and the same pay range. The Board may modify the classification plan by creating or eliminating classifications. The General Administrator shall be charged with the responsibilities for determining initial classifications and approving or disapproving reclassifications of existing positions. Classification titles as established shall be used in all official personnel and financial records of the County.

24-80; 1.16.81 16-81; 10.23.81 2-7
 18-72; 10.6.72 7-74; 7.5.74
 10-75; 8.1.75 3-82; 1.27.82
 11-82; 5.19.82 12-82; 5.19.82
 7-83; 3.15.83

WP 1/co/00008/T
 WP 1/ct/98009/T

2.265

Lane Code

2.275(2)

2.265 Compensation Plan. The Board shall fix the maximum and minimum salary ranges for each classification in the classified service, except as delegated in LC 2.225(1) above. The Personnel Manager shall be charged with preparing and maintaining a compensation plan covering all classes of positions in the classified service which shall include for each classification the maximum and minimum salary range, as established by the Board of Commissioners, and such intermediate rates as are considered necessary and equitable. The Personnel Manager may modify, add to, or otherwise change the compensation plan as necessary to reflect Board of Commissioners' action fixing salary ranges.

2.270 Applications: Appointments and Promotions.

(1) All persons applying for a position in the classified service shall fill out an employment application form to be provided by the Board. The qualifications of applicants for appointment or promotion shall be determined by appraisal and investigation of the application. In addition, the Board may require that applicants for positions in any designated classification achieve a passing grade on a written examination, performance test, test of physical fitness, interview or other means of determining their knowledge or ability to perform the required duties.

(2) In case of emergency and where the interest of the county or the public probably would suffer material injury by delay, as determined by the Board, the appointing authority may employ or promote such persons as may be needed without regard to LC 2.270(1) above for a period not to exceed 30 calendar days.

2.275 Probationary Period. Unless otherwise agreed in collective bargaining agreements, probationary periods shall be as set forth in this section.

(1) Appointment Probationary Period. The first year following an appointment in the classified service shall be a probationary period, during which time an employee may be dismissed at any time without right of appeal. Employees shall be given permanent appointment upon successful completion of the probationary period.

(2) Promotional Probationary Period. The first year following a promotion in the classified service shall be a probationary period, during which time an employee may be demoted to his or her former classification at the discretion of the Appointing Authority. Employees shall be given permanent appointment to the new classification upon successful completion of the probationary period.

18-72; 10.6.72

2-8

WP I/co/00008/T

7-74; 7.5.74

WP I/ct/98009/T

10-75; 8.1.75

24-80; 1.16.81

16-81; 10.23.81

11-81; 5.27.81

3-82; 1.27.82

11-82; 5.19.82

7-83; 3.15.83

15-83; 7.13.83

2.280

Lane Code

2.285

2.280 Tenure. The tenure of every employee shall be conditional on satisfactory behavior and performance of duties:

(1) Any employee may be dismissed or demoted on the basis of merit and fitness, as set forth in the Lane Manual.

(2) Appointing Authorities may recommend layoff whenever there is a shortage of work or funds or for other reasons which do not reflect discredit on the employee. Layoffs shall be effective only after approval of the County Administrator.

2.285 Suspension. Any employee may be suspended without pay by the Appointing Authority for disciplinary reasons but such suspension shall not exceed a total of 30 working days in any calendar year. Such action of the Appointing Authority is subject to the appeal procedures set forth in the Lane Manual.

18-72; 10.6.72

7-74; 7.5.74

10-75; 8.1.75

24-80; 1.16.81

16-81; 10.23.81

11-81; 5.27.81

3-82; 1.27.82

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7-83; 3.15.83

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2-8a

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WP 1/cr/98009/T

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