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SEP 7 - 1972

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

D. M. PENFOLD, Director of the
Office of Records and Elections of Lane County
BY: John R. Hodge
DEPUTY

ORDINANCE 18-72 } AMENDING CHAPTER 2 OF THE LANE CODE

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

The Lane Code is hereby amended by substituting new pages 2.270-2.290 for 2.270-2.290, and 2.290-2.290 for 2.290-2.290, attached hereto and incorporated herein, for the purpose of clarifying provisions for handling demotions during a probationary period and clearly indicating whether time limits are calendar or working days.

ENACTED this 6th day of September, 1972.

Thomas E. Omslid
Chairman of the Board of County
Commissioners of Lane County

APPROVED AS TO FORM
DATE 8/23/72
John W. Johnson
OFFICE OF COUNTY COUNSEL

James Watt
Recording Secretary of the Board at the
meeting at which this Ordinance was
enacted.

2.270

Lane Code

2.290

promote such persons as may be needed without regard to subsection (1) of this section for a period not to exceed thirty (30) calendar days.

2.275 Probationary Period.

(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 former classification at the discretion of the appointing authority. Employees shall be given permanent appointment in the new classification upon successful completion of the probationary period.

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 cause and fitness. If an employee holds permanent appointment in his position, the authority making the dismissal or demotion shall, after receiving a written request from the said employee, submit within five (5) working days a written statement to the employee and to the Personnel Review Board explaining the reason for the action.

(2) Whenever there is a lack of work or lack of funds requiring a reduction in the number of employees in a department or division of county government, the required reduction shall be made in such classifications as the appointing authority may designate. Employees within the department or division holding positions in classes being reduced shall be laid off on the basis of relative merit and fitness, with due consideration to length of service.

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 thirty (30) working days in any calendar year. The action of the appointing authority is subject to the appeal procedure set forth in section 2.290.

2.290 Appeals Procedure.

(1) Any permanent employee who is suspended, reduced in pay, demoted or dismissed shall have the right to appeal to the Personnel Review Board not later than fifteen (15) calendar days after the effective date of such action. The appeal shall be in writing and must set forth reasons why the action or action is thought to be improper. The appeal shall be heard by the Personnel Review Board within thirty (30) calendar days after receipt of the request. Notice of time and place of hearing shall be mailed to the employee not later than five (5) working days before the hearing. The Personnel Review Board shall furnish the appointing authority, complete and signed, of the appeal at least ten (10) calendar days in advance of the hearing.

(2) The hearing shall be informal, and the Personnel Review Board may hear any testimony and receive such evidence as it deems

necessary or desirable for a just and equitable determination of the appeal, except that all testimony shall be given under oath.

(3) The Personnel Review Board shall conduct such investigation with respect to the appeal as it may deem necessary and all records pertinent to such investigation shall be made available to the Personnel Review Board.

(4) Within ten (10) working days after the conclusion of the hearing, the Personnel Review Board shall certify its findings and issue an order based on those findings to the board, the official from whose action the appeal was made, and the employee requesting the hearing. The findings and order of the Personnel Review Board shall be final and binding on all of the parties.

(5) An employee required to be reinstated under this section by the Personnel Review Board shall not suffer loss of pay, status, or other benefits for the period of removal.