

## Notice and Comment Period December 31, 2018 - January 15, 2019

RULE	Page	CHANGES
<b>SECTION 1: ADMINISTRATION</b>		
<b>SECTION 2: EQUAL EMPLOYMENT</b>		
2.02 Prohibition Against Workplace Harassment, Discrimination and Retaliation		changed "Employment and outreach office" to Workforce training and recruitment.
		changed " Director of Human Resources" to "Chief Human Resources Officer"
<b>SECTION 3: EMPLOYMENT</b>		
3.01 Recruitment Processes -		Updated relocation assistance application and agreement guidelines
3.04 Temporary Appointments		removed " a regular employee who is appointed temporarily to another position will revert to their former classification upon the completion of the temporary appointment. During the temporary appointment, the employee's compensation/benefits and accrual rates will be at the level of the temporary classification."
		Added "If a regular City employee wishes to accept a temporary appointment in another City bureau, they must first get written permission from the Bureau Director in their home bureau to do so. If such permission is granted, the employee will have return rights to their current position in their home bureau at the completion of the temporary assignment. If such permission is not granted, the employee will not have automatic return rights to their home bureau, and will be deemed to have resigned their position in their home bureau."
3.15 Civil Service Board		Added " Failure to elect the type of hearing in the allotted time will result in the scheduling of an expedited hearing for all appeals except those related to discipline.  4. When a disciplinary matter is appealed to the Board, the matter will go to formal hearing unless the parties mutually agree to an expedited hearing.
<b>SECTION 4: EMPLOYEE BEHAVIOR AND EXPECTATIONS</b>		
<b>SECTION 5: DISCIPLINE</b>		
<b>SECTION 6: LEAVES</b>		
6.03 Vacation	1	updated vacation accrual rates
	3	removed " Vacation credits shall accumulate from the first day of employment. Vacation may be used by employees as follows. "
	3	added "Vacation credits shall accumulate from the first day of employment. With supervisor approval, vacation may be used by employees as follows:"
6.04 Sick Leave		removed " eligible employees are entitled to sick leave in the amount equivalent to the time the employee is absent from scheduled duty in accordance with this administrative rule, providing that sick leave accruals are available."
		added " Eligible employees are entitled to sick leave in the amount equivalent to the time the employee is absent from scheduled duty in accordance with this administrative rule, providing that sick leave accruals are available. Sick Leave may be taken by an employee in accordance with procedures established by this Rule for the employee's own injury or as specified for Dependent Care."

6.05 Family Medical Leave	7	removed "employees are required to use accrued paid leave, including personal holidays, vacation, compensatory time, management leave and, when applicable, sick leave, prior to a period of unpaid leave of absence."
	7	added " Employees are required to use accrued paid leave, in the following order: sick leave (if applicable), personal holidays, management leave, vacation, and compensatory time, prior to a period of unpaid leave. "
6.07 Military Leave	1	Added "and their bureau HR business partner or HR manager"
<b>SECTION 7: EMPLOYEE MOVEMENT</b>		
7.01 Transfers	1	Removed " Lateral transfers to vacant, budgeted positions within or between bureaus are available to employees who occupy the same classification and have completed their initial probationary period. A limited duration employee may, however, transfer to a permanent position in the same classification but shall serve a probationary period in accordance with the HRAR on Promotions. The Human Resources Director may waive this requirement upon request and showing that the limited duration employee has been subject to an appropriate evaluation period. A lateral transfer is also available to a different classification within the same pay range where the employee held regular status in the requested classification and completed their initial probationary period in that classification. An employee must be on the lateral transfer list in order to affect a transfer."
	1	Added " Lateral transfer to vacant, budgeted position within or between bureaus are available to employees who hold a regular status within the same classification and complete the probationary period. An employee must submit an application for the transfer classification to be placed on the active eligible list in order to be considered for a transfer. They must follow the process outlined for lateral transfer to be considered for employment within their same classification. When certifying qualified candidates from the appropriate eligible lists, the Bureau of Human Resources shall also identify the names of those employees who have requested transfer within the classification, however, there is no guaranteed right of transfer to a vacant position. An employee's name will be removed from the list if they transfer or if the employee request removal of their name from the active eligible list if they transfer or if the employee requests removal of their name from the active eligible list. **Limited Duration A limited duration employee may transfer to a permanent position in the same classification but shall serve a probationary period in accordance to with the HRAR on Promotions. The Chief Human Resources Officer may waive the requirement upon request and showing that that the limited duration employee has been subject to an appropriate evaluation period. **Represented The life of a represented eligible list can be up to three years. During the duration of the eligible list being active, transfer employee can submit their application materials to be considered for the position when a bureau requests for the eligible list. Represented employees can find transfer opportunities for their classifications at the City of Portland Job Board under "Transfer Opportunity". "
7.06 Layoff and Recall	3	Updated Bureau of Internal Business Services to Division of Asset Management and Office of neighborhood Involvement to Office of Civic Life.
<b>SECTION 8: CLASSIFICATION &amp; COMPENSATION</b>		
8.02 Hours of work and overtime compensation: FLSA covered employees	1	added FLSA non-exempt to definitions.

8.03 Hours of Work, Overtime Compensation and Management Leave: FLSA Exempt Employees	1	Removed repeating " in a workweek".
	1	updated public works supervisor I and II to maintenance supervisor I-NE
	1	Removed "will be eligible for overtime at time and a half. for additional hours worked when supervising a field crew working overtime or when responding to urgent service situations (such as, but not limited to, weather related emergencies, infrastructure system failures, and providing mutual aid to other bureaus/agencies responding to urgent situations). To be eligible for overtime, the employee must have worked over 40 hours in the workweek. Any paid absences during the workweek do not count towards the 40-hour threshold. The following are examples of the type of activities not considered eligible for overtime hours:  All preparation work associated with planning scheduled overtime work; Any work activities performed away from a work site; Offsite supervision of a crew or crews working overtime, unless the supervisor is at a work site performing activities related to the overtime work and; Training time; and On call duties."
	2	Removed "half for additional hours worked when providing 24-hour 9-1-1 operations unit coverage or when responding to urgent service situations (such as, but not limited to, weather related emergencies, infrastructure system failures, and providing "
	2	Added "time and a half" and removed "Such employees will not be eligible for management leave in addition to overtime." and removed "(“not working their regularly scheduled (standard) work hours” means the employee does not work at least 75% of their scheduled work hours during the payroll period); "
	2	Added "(not working at least 75% of their scheduled work hours during the payroll period)"
	3	Updated HR site team manager to employee relations
	8.04 Compensation	1
1		Removed "or difficulty of the work, total compensation and the City's economic condition"
1		Removed "recruitment and retention of qualified employees, the City's economic condition,"

8.04 Compensation Cont.

1	<p>Added section: Pay equity policy "The City shall endeavor to similarly pay all employees who perform work of a comparable character as defined in ORS 652.210 et seq, which includes substantially similar knowledge, skill, effort, responsibility, and working conditions.</p> <p>The City of Portland has an internal complaint procedure designed to address and resolve complaints of discrimination, including pay inequity. See the Administrative Rule on Prohibition Against Workplace Harassment, Discrimination and Retaliation. The City will take appropriate action to prevent discrimination, including retaliation and harassment, and to ensure that the rights of employees who file complaints are respected, whether the complaint is filed through the internal complaint procedure, a grievance, or with a local, state, or federal agency, or court."</p>
2	Updated director of human resources to human resources bureau director.
4	Removed "1. At the discretion of the Bureau Director, an employee's initial appointment to a classification may be at a rate up to the midpoint of the assigned range."
4	Removed "the midpoint" and added "entry rate"
5	Added "All appointments must be consistent with the City's Pay Equity Policy."
5	Removed "due to a bonafide retention issue for a key position, subject to the condition noted below; or"
5	Removed "within the same classification and work group" and added "doing work of comparable character".
5	Removed "Note: Supporting documentation of the terms and conditions of an actual competing job offer must be provided when requesting the pay adjustment. This rule is intended to address those situations when the City wishes to "save" or retain an employee who is considering separation by the acceptance of a formal offer of competing employment."
5	Removed "separate" salary schedule and added " casual" before classifications.
5 and 6	Added "or to a different position in the same or to a different position in the same classification, they maintain their current pay rate and anniversary date. With written approval by the Human Resources Bureau Director or designee, movement along the range may be approved when there has been a substantial increase and expansion of the job responsibilities, so long as the new rate is consistent with the City's Pay Equity Policy."

8.04 Compensation Cont.	6	Removed " the bureau director may appoint the employee: a. At their current pay rate and anniversary date for future eligibility for performance increases, or  b. As provided above under Initial Appointment for Non-Represented Classifications. The employee's anniversary date changes to reflect new appointment.  Employees who transfer to a different position in the same classification maintain their current pay rate and anniversary date."
	6	Removed "or" and added "so long as the promotional rate is consistent with the City's Pay Equity Policy."
	6	Removed "b. As provided above under Initial Appointment for Non-Represented Employees."
	7	Added ", so long as the new rate is consistent with the City's Pay Equity Policy. "
	8	Removed "permanently" and added "regular" appointed employee
	9	Added " no greater than one (1) year." for controlled class
	9	Removed "1. market comparisons 2. recruitment and retention issues"
	9	Added "short-term " to exceptional circumstance one.
	9	Removed " 20%" and added "ten percent (10%) " over the current pay
8.05 Classification	1	Updated class to classification and bureau of human resources to human resources bureau director
	1	Added " is allowed and" to - The use of unofficial job titles is allowed and shall have no bearing upon the official classification of any position or employee.
	2	Removed "1. and whether it is designated as a generalist or specialist classification;"
	2	Removed " the allocation factors to be considered in determining the appropriate classification" and added "distinguishing characteristics;
	3	Removed "If the classification is designated a specialist classification, the specialty designations and their assigned system code."
	3	Removed "See Classification/Compensation Process for Requesting Reclassification."
	3	Added "made by supervisors and/or management may request reclassification of the position only or the position and the incumbent. Incumbents may
		Added " employee promoted to a new classification via a reclassification request" and "unless required by a collective bargaining agreement. " Removed "reclassified employee"

8.05 Classification Cont.

4	<p>Removed "The Director of Human Resources certifies that the selection process upon which the appointment of the employee to the original class was made tested substantially the same knowledge, skills and abilities as the selection process which will be used for the new class; or</p> <p>The classification is the result of a gradual accretion of duties for at least a one-year period (see attachment); or</p> <p>The reclassification is within the same occupational group as the former classification, as designated by the Bureau of Human Resources; or</p> <p>Reclassification is taking place under the guidelines of the deep classification series; or</p> <p>Unless otherwise expressly waived by the appointing authority with the approval of the Director of Human Resources."</p>
4	<p>Added "under the following conditions:</p> <ol style="list-style-type: none"> <li>1. If Bureau management requests the employee be granted status in the new classification as part of the reclassification process; and</li> <li>2. If the employee meets the minimum qualifications of the position, including possession of any required licenses or certifications" </li></ol>
4	<p>Removed "1. If the employee is eligible for appointment and is appointed under the applicable rules; or</p> <ol style="list-style-type: none"> <li>2. If the Director certifies that the selection process upon which the appointment of the employee to the original class was made tests substantially the same knowledge, skills and abilities as the selection process which will be used for the new class; or</li> <li>3. Incumbents in a class that is consolidated with another class shall be granted status in the consolidated class; or</li> <li>4. As part of the reclassification request (P-4) Bureau management requests the employee be granted status in the new classification and submits documentation that there has been a growth or an increase in the level of duties of the position by gradual addition or inclusion of higher level duties over at least a one year period, the reclassification is within the same occupational group or reasonably related to the former classification and the reclassification is a result of such accretion of duties (see attachment); or</li> <li>5. If the employee is moving to a higher classification within a deep classification series.</li> </ol> <p>In all cases the employee must meet the minimum qualifications of the position, including possession of any required licenses or certificates and be qualified to perform the work."</p>
5	<p>Added "classification, so long as the pay rate is consistent with the City's Pay Equity Policy."</p>
6	<p>Added "Employees in positions reclassified to a classification within the same pay range shall be paid in accordance with the transfer policy. See the Administrative Rule on Compensation."</p>

8.05 Classification Cont.	6	<p>Removed notice section " When proposing , amending, or abolishing a class specification, the Director of Human Resources shall provide the appointing authority and employees in the class with a notice of the proposed changes and a copy of the proposed specification upon request. Written comments by bureaus affected shall be submitted to the Director of Human Resources within thirty (30) calendar days.</p> <p>The Director of Human Resources will communicate the final decision within a reasonable amount of time."</p>
	7	<p>Removed deep classification series section "The Deep Classification Series (DCS) are a group of job classes that specifies two or more levels of work which are closely related in duties and where the difference involve time in grade, complexity, degree of responsibility and similar factors. A deep class series typically includes trainees, sub-journey, journey and advanced journey level classes. Deep class series will not include supervisory classes. Establishment of a DCS allows bureau management the flexibility and authority to recognize an employee's increased capabilities and value through merit promotion in certain pre-designated deep class series, based on job performance, in lieu of a civil service examination.</p> <p>As DCS are established, all Bureaus will be notified in writing and the affected class specifications will contain a statement that they are part of a deep class series.</p> <p>For an employee to be promoted and receive status (See Administrative Rule on Types of Appointments) through a DCS, the employee's bureau must provide the Bureau of Human Resources with written documentation contained in the Deep Class Request Form justifying the promotion, including but not limited to, detailing the employee's capabilities of substantially performing the full range of duties of the higher job class.</p> <p>The effective date of a deep class promotion with respect to the employee's <del>tenure, seniority, and status shall be the date the written request for employee</del></p>
	7	Added "when the classification action results in the creation of a new classification or a change in the compensation of the classification in the following circumstances"
	7	<p>Removed "1. When a new position or group of positions is requested resulting in an increase in the number of budgeted positions in the unit; or</p> <p>2. When the classification action results in the creation of a new classification</p>
	7	Removed Guidance for HR Administrative Rule 8.05 Classification—Accretion of Duties June 16, 2006 page 8-10
8.06 Working out of classification		Updated class to classification, bureau of human resources to human resources bureau director, and out of class to out-of-class.
<b>SECTION 9: EMPLOYEE DEVELOPMENT</b>		

9.03 Training Plans	1	<p>Added "Internal Eligibility</p> <ol style="list-style-type: none"> <li>1. be permanently appointed City employees;</li> <li>2. meet the criteria identified in the training plan opportunity announcement;</li> </ol> <p>and</p> <ol style="list-style-type: none"> <li>3. not currently meet the qualifications of the training plan position</li> </ol> <p>External Eligibility</p> <ol style="list-style-type: none"> <li>1. City Bureaus must complete an internal recruitment and evaluate existing staff prior to posting an external training plan.</li> <li>2. External candidates must 2. meet the criteria identified in the training plan opportunity announcement; and</li> <li>3. not currently meet the qualifications of the training plan position"</li> </ol>
	1	<p>Removed "1. be permanently appointed City employees;</p> <ol style="list-style-type: none"> <li>2. meet the criteria identified in the training plan opportunity announcement;</li> </ol> <p>and</p> <ol style="list-style-type: none"> <li>3. not currently meet the qualifications of the training plan position."</li> </ol> <p>"</p>
<b>SECTION 10: EMPLOYEE BENEFITS</b>		
<b>SECTION 11: ETHICAL CONDUCT</b>		