






Marion Soil and Water Conservation District (MSWCD) Administrative Committee Meeting
Friday, May 19, 2023, 8:30 am to 10:00 am

HB2560 requires that all Oregon public meetings held by a governing body of a public body, excluding executive sessions, must provide to members of the public an opportunity to access and attend the meeting by telephone, video or other electronic or virtual means. This meeting will be held by video conference and by telephone.

-  **Link to Video Conference:** [\(Zoom\) Meeting Link](#) Meeting Call
-  **in Number:** 1 (253) 215 - 8782
-  **Meeting ID:** 861 6125 6285 | **Passcode:** 720019
- Staff Contact:** Brenda Sanchez, brenda.sanchez@marionswcd.net

Agenda

Chair: Call Meeting to Order, Agenda Changes & Approval

| Item # | Topic | Presenter | Purpose | Time |
|--------|--|-----------|------------------------------|---------|
| 1 | Elect Chair | Committee | Procedure | 5 min. |
| 2 | Public Comment | Chair | Feedback | 5 min. |
| 3 | Review of March 2023, Minutes | Chair | Procedure | 5 min. |
| 4 | Personnel Policy Handbook (Final Draft) - Review with Legal | Sanchez | Discussion Recommendation | 30 min. |
| 5 | Salary Administration Plan (SAP) Draft | Sanchez | Discussion | 25 min. |
| 6 | 2023 Performance Reviews and Step Increases for Staff | Sanchez | Discussion | 20 min. |
| | Meeting Adjournment | Chair | | |

Agenda Brief

| Item # | Brief | Action |
|--------|--|--|
| 4 | The Personnel Policy Handbook has already been reviewed in whole and ready to submit to the Board for approval. However, it just came back from legal review, and we have a few things to discuss with legal before we move this to the Board for approval. Items for discussion are in green highlight. | Finalize the handbook and move forward for Board approval in June. |
| 5 | The Salary Administration Plan is from 2002. The SAP has been revised and updated. Highlights of | Finalize the SAP and move forward for Board approval in June. |



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|---|--|--|
| | the changes will be discussed. Items for discussion are in green highlight. | |
| 6 | The 2022 staff performance evaluations were completed, resulting in step increase recommendations from the District Manager. | Recommend proposed step increases for approval by the Board in June. |

Meeting Minutes

Attendance

| Committee Members | Present/Absent | Staff | Guests |
|-------------------|----------------|-------|--|
| | | | Dian Rubanoff of Peck, Rubanoff & Hatfield (joined at 8:56; left at 10:11) |
| Peggy Hart | Present | | |
| Linda Lovett | Present | | |
| Angela Plowhead | Present | | |
| Darin Olson | Present | | |
| Brenda Sanchez | Present | | |

Call to Order: Sanchez started meeting at 8:35

| Item # | Minutes | Action/ Vote Count |
|--------|---|----------------------------|
| 1 | Olson nominated Plowhead as Chair; Hart seconded. Sanchez continued to chair the meeting until Plowhead got home. | Motion passed unanimously. |
| 2 | Public Comment | None |
| 3 | Olson moved to accept March 2023minutes; Plowhead seconded | Approved with no changes. |

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| 6 | <p>Performance Reviews and Step Increases: Sanchez moved this discussion up on the agenda to complete before Rubanoff joined the meeting. This 2023 proposal is to catch up so that everyone comes up at the same time for a step increase every other year. Individuals usually get step increases on the anniversary of their hire date, so some people will get retroactive step increases back to their hire dates. Once we are caught up, the increases will follow the Personnel Handbook and Salary Administration Plan. Sanchez plans to complete all performance evaluations in Feb/March before budget planning starts. Some Committee members found the retroactive policy confusing. There was discussion of having the performance evaluation on the hire date so Sanchez would not have to do them all at once. Sanchez will work to make that adjustment. Hart moved to accept the step increase and performance evaluation schedule and forward it to the Board; Olson seconded.</p> | <p>Motion passed unanimously. Sanchez will explain the circumstances of the retroactive increases when the schedule is presented to the Board.</p> |
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Personnel Policy Handbook: Sanchez asked about the timing of sending the handbook to the Board. Hart suggested adding it to the July agenda and sending it out as soon as new edits are complete so the Board will have sufficient time to review.

Rubanoff joined the meeting and members introduced themselves. Rubanoff shared Draft #5:

1.1 Harassment and Retaliation: In 2019 the Oregon legislature added numerous new items, such as provisions to protect or punish elected officials (e.g., a Director); they cannot be removed without a recall, but they can be censured. The Handbook has examples of prohibited workplace conduct, retaliation, and protected categories. Rubanoff clarified the time limit to report violations under Oregon law (4 years) versus the District's policy (no time limit).

1.3 Whistleblowing Policy: Oregon retaliation laws provide no legal protections for the person accused. Investigations should remain confidential while ongoing, but the employer cannot put a gag order on the employee who discloses.

1.5 Conflict Resolution Process: This section applies to issues not specifically covered elsewhere, such as in the harassment, whistleblower, or retaliation sections. Discussion centered around what the process should be if an employee is not satisfied with the decision of the District Manager and the timeline for Board review before the decision of the District Manager is considered final. The current draft has complaints going to the Board Chair and Board action within 30 days. Rubanoff strongly recommended that the Board not get involved if the District Manager has imposed disciplinary action on someone because it gets complicated and undermines the authority of the Manager. The District is not legally required to have this policy, nor does it need a formal process to bring a problem to the Board. Other options discussed include taking the complaint to the Admin Committee chair or having an open-door policy whereby employees can address concerns with the District Manager, a Board member, etc. Committee members agreed to keep this section in the Handbook but did not settle on language.

6.2 Preventing Workplace Violence: Committee had questions about the rights of individuals with concealed weapons permits to carry in a public building. Rubanoff explained that it is legal in Oregon for an employer to prohibit employees from carrying a weapon in the workplace, even if they have a concealed weapon permit. She

Sanchez will send Handbook to the Board a month before the July meeting.

4

Rubanoff will take Committee comments and rework this section with some options to present to the Board.

recommends the District create a separate policy based on the League of Oregon Cities' model policy for weapons in the workplace. Olson suggested also looking at Oregon Fish and Wildlife policy, which allows employees to carry weapons for protection when they are in the field. Sanchez asked about liability if an employee discharged their weapon on the job.

3.2 Compensation - Overtime: District has been paying daily overtime, but Oregon only requires overtime if the employee works more than 40 hours in a week. Paying overtime weekly would enable the District to adjust an employee's schedule so they do not have overtime.

4.5 Paid Sick Leave - Cap on Accrual: Clarification of cap on sick leave: accrual is capped at 192 hours, but employees who already have more than 192 hours will be allowed to use those sick leave hours first, but will not accrue additional sick leave until the total is reduced below the cap.

5.4 Telecommute: If people are working away from home they cannot participate in a virtual meeting while driving. This is to ensure their safety and full participation.

7.5 Bereavement Leave: Although Paid Leave Oregon also allows bereavement leave, the District will keep its own leave policy to ensure that it is timely.

7.6 Jury Duty: A question arose about whether to pay for more than three days of leave if someone is on a jury for a long trial. The Committee agreed to provide three paid days, after which the employee would have to take annual leave. The District will not require the employee to reimburse any funds they receive from the court.

Olson moved to recommend the Personnel Policy Handbook as revised in Draft #6 to the Board for approval; Hart seconded.

Committee agreed to delete references to weapons from Personnel Handbook and to draft a Weapons Policy to be included in the Safety Handbook for Board approval in August.

Committee approved change to weekly overtime.

Motion passed unanimously. Sanchez will put Handbook on July Board meeting agenda with a summary of the changes.

5 Salary Administration Plan (SAP) Draft

Deferred to July Admin Committee meeting.

Plowhead adjourned meeting at 10:14am