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KEIZER PERSONNEL POLICY COMMITTEE **AGENDA**

Monday, October 28, 2024, 6:00 PM
Keizer City Council Chambers

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES**
 - a. July Minutes**
- 3. DISCUSSION**
 - a. Municipal Court Judge Observation Form Procedures**
- 4. OTHER BUSINESS/ STAFF LIAISON REPORT**
 - a. 2024 Third Quarter Report**
- 5. ADJOURN**

Next meeting:

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."



MINUTES
KEIZER PERSONNEL POLICY COMMITTEE
Monday, July 22, 2024
Keizer City Council Chambers

1. Call to Order

Mayor Clark called the meeting to order at 6:00 p.m.

Roll call was taken as follows:

Present:

Cathy Clark, Mayor
Shaney Starr, Council President
Laura Reid, Councilor

Staff Present:

Machell DePina, Human Resources
Director
Adam Brown, City Manager
Melissa Bisset, City Recorder
Joseph Lindsay, City Attorney

2. Approval of Minutes

a. April Minutes

A spelling error of Huggins Insurance was noted to be corrected in the minutes.

Council President Starr moved for approval of the April 22, 2024 Minutes. Councilor Reid seconded. Motion unanimously passed as follows: Clark, Starr and Reid in favor.

3. Discussion

a. Proposed Municipal Court Judge Observation Form

City Attorney Joseph Lindsay summarized the staff report and discussion ensued on the proposed Municipal Judge Observation Form.

There was a request to clarify where to write the notes on the observation form.

Judge Myers had reviewed the form and did not have any concerns.

There was discussion about using Good and Excellent or Meets Expectations or Exceeds Expectations rather than Good and Exceeds Expectations.

The PPC members confirmed they supported City Attorney Lindsay making

changes to the Municipal Court Judge Observation Form and bringing it before the City Council at an upcoming meeting without additional review by the PPC.

**4. Other Business/
Staff Liaison
Report**

**a. 2024 Second
Quarter**

Human Resources Director Machell DePina summarized the 2024 Second Quarter Staff Liaison Report.

Human Resources (HR) Director Recruitment

Ms. DePina reviewed the plan for the HR Director recruitment. Her primary goal was initial implementation of the Human Resources Information System (HRIS) system prior to her departure. She shared that once the new HR Director was on board, she would be the HR Director Emeritus, and she would begin focusing on remaining high-priority projects as determined by the City Manager and new HR Director.

She explained the process if an offer was not made to one of the current candidates.

Discussion ensued regarding the implementation of PeopleGuru, the new HRIS/Payroll system. She noted that the implementation schedule was on time and going well.

City Manager and City Attorney Performance Evaluations

Ms. DePina shared that the City Manager's Annual Performance Evaluation and the City Attorney's End of Probation Performance Evaluation were recently completed. She added that with the implementation of the new HRIS, there would be a transition of the current process into the Performance Management module of PeopleGuru.

Temporary Pet Visitation Policy

Ms. DePina explained that the Temporary Pet Visitation Policy had recently been reviewed. She reviewed the adjustments as outlined in the 2024 Second Quarter Report. Discussion ensued regarding the various locations where the pets are allowed and if there was a list of pets that could be brought to work. Ms. DePina also shared that there was a pet visitation calendar to help inform employees and ensure pet compatibility issues would be addressed.

Labor Relations

Keizer Police Association (KPA)

Ms. DePina shared that they were currently working with the Chief of Police to remind the KPA about the need for their current Memorandum of Understanding (MOU) specific to the City's Work After Retirement Policy to be updated in light of the recent changes made to the City's Policy.

Keizer Police Association - Sergeants (KPA-S)

Ms. DePina reminded the Committee that the City had recently received an "Order Certifying Exclusive Representation," which listed "Keizer Police Association - Sergeant (KPA-S)" as the exclusive representative for Sergeants. The City has provided the new bargaining unit with a significant amount of information about the benefits that the City has been providing the Sergeants to aid in their preparation for bargaining.

Given his prior labor law experience, City Attorney Joseph Lindsey would act as the lead negotiator for the City rather than the City using a contracted labor attorney as has been past practice. The City would reach out to the contracted labor attorneys if there was a need.

There are currently five members of the KPA-S.

Federal Family and Medical Leave Act (FMLA)/State of Oregon Family Leave Act (OFLA) & Oregon Paid Family Medical Leave Act (OPFMLA)

Ms. DePina shared that the HR Generalist had still been using a significant amount of her time on FMLA/OFLA and OPFMLA. It was anticipated that the new HRIS may reduce the amount of time that the HR Generalist was spending on tracking leaves. The timekeeping process would be updated to include real-time timekeeping that would assist the City in tracking and paying the employees for actual time worked.

City Attorney Joseph Lindsay noted that this timekeeping process would be for non-exempt employees and would also assist the City in ensuring that these employees are taking their breaks.

Safety Committee Meeting

Ms. DePina shared that the Safety Committee recently met and discussed building security, changes in emergency evacuation procedures, and results of a recent Citycounty Insurance Services (CIS) Best Practices Assessment.

Ms. DePina shared a CIS representative had recently reviewed 92 risk management topics city-wide regarding the City's status. CIS made recommendations on only a couple of items for improvement, and they are based upon things for which they have had claims filed in other cities. The City does not have any concerns about those items but would add them to the inspection reports to monitor for possible corrections as may be needed in the future.

Ms. DePina provided an update on the Quarterly Safety Inspections that took place in the Public Works Shop on July 2nd, the Parks Shop on June 25th, and the Police Department on June 25th. Everything that was noted was addressed either at the time of the inspection or within a couple of days.

There had been two new Incident Reports. Both were sworn officers injured in the line of duty with a short time loss, and both have returned to work.

There was also a closed 2021 claim that was appealed, denied, resubmitted, and rescheduled to June 26th. The attorney and former employee did not show up to the hearing.

Discussion ensued regarding the terms of the agreement with SAIF, the Worker's Compensation provider. SAIF had recently taken action to settle a claim without first discussing the claim with the City. City Attorney Lindsay would follow up on SAIF's authority to settle without City permission.

The City has requested that its representative look again for other potential workers' compensation vendors that the City might be willing to bid for municipal coverage for the next fiscal year.

Huggins Insurance

Ms. DePina shared the history of the City's professional relationship with Huggins. Requested proposals from interested agents occurred at least three times, and 1996 was the last time a formal proposal was solicited. The amount of the current contract with Huggins was \$15,000 per fiscal year. An informal solicitation process was warranted at this time. The City Recorder would initiate this process this current fiscal year abiding by the newly adopted Public Contracting Ordinance.

5. Adjourn

Meeting adjourned: 6:51 p.m.

Minutes approved: _____

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."



To: Personnel Policy Committee
From: Joseph Lindsay, City Attorney
Subject: Court Observation Form Procedures

Proposed Motion

I move to advise the City Council to amend their judge evaluation resolution to incorporate procedures that address sending the form to the City Attorney.

I. Summary

Now that the City Council has approved the Municipal Court Judge Observation Form for use by councilors, the resolution regarding the Municipal Judge Evaluation Process needs to be reconsidered.

II. Background

- A. The Keizer City Council adopted the Municipal Court Judge Observation Form at the September 3, 2024, general meeting. At that time, the mayor suggested having the PPC help decide how to best use the form. There is a resolution (R2021-3142) adopting a Municipal Judge Evaluation Process that was adopted prior to the adoption of this new form.

III. Current Situation

- A. Now that there is an adopted form for judicial observations, an understood process needs to be in place for how it gets used by the councilors. Since there is a resolution on point, the process for using the form should amend that resolution.

IV. Analysis

- A. **Strategic Impact** - NA
- B. **Financial** - NA
- C. **Timing** - The next judicial observations will be announced at the first meeting in January, so the process should be in place for the two councilors to conduct their observations in the following months.
- D. **Policy/Legal** - Because the judge is a city official, the Council can use executive session for any performance evaluation of the position. If any observation produces an area that is unsatisfactory, the Council should avail itself of the executive session

protection, so that a candid discussion can take place in a privileged setting as well as give the judge an opportunity to get the proper notice prior to being evaluated.

V. Alternatives

- A. Affirm the suggested language changes in the resolution to be brought before City Council
- B. Amend the suggested language.
- C. Reject any changes

VI. Recommendation

Staff recommend approval of language changes in the resolution to be brought before City Council.

Attachments

1. RES_PPC_Municipal Judge Evaluation_10 28 2024

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R202~~41~~-_____

4
5 IN THE MATTER OF ADOPTION OF THE
6 MUNICIPAL JUDGE EVALUATION PROCESS;
7 **REPEALING RESOLUTION NO. R20~~21-314215-~~**
8 **~~2572~~**
9

10 WHEREAS, Resolution R20~~21-314215-2572~~ adopted an evaluation process to
11 be used in evaluation of the performance of the municipal judge;

12 WHEREAS, the City Council wishes to adopt a new evaluation process;

13 NOW, THEREFORE,

14 BE IT RESOLVED by the City Council of the City of Keizer that the following
15 Municipal Judge Evaluation Process is hereby adopted:

16 At the first meeting in January every odd numbered year, the Mayor will
17 announce two Councilors to attend arraignments and/or hearings and check in with the
18 Judge for the upcoming year and two Councilors to attend arraignments and/or hearings
19 and check in with the Judge for the following year. The Councilors will complete the
20 Council adopted Municipal Court Judge Observation Form and return the completed
21 form to the City Attorney no later than the first meeting in October each year. The City
22 Attorney will review the completed Observation Form and if there are any
23 Unsatisfactory scores, the City Attorney will set an executive session between the Judge
24 and the Keizer City Council for further evaluation and such evaluation shall be held in
25 executive session pursuant to state law. If no Unsatisfactory scores are identified, the

1 City Attorney will add the matter to the agenda and tThe Councilors will report their
2 observations to the City Council at a regularly scheduled meeting no later than the
3 second meeting in October each year. ~~If the City Council deems it necessary, a formal~~
4 ~~evaluation between the City Council and the Municipal Court Judge shall be scheduled~~
5 ~~and such evaluation shall be held in executive session pursuant to state law.~~ Failure to
6 complete this process each year shall in no way effect the Municipal Judge's position of
7 validity, effectiveness or jurisdiction of the municipal court or the Municipal Judge.

8 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that
9 Resolution No. R2021-3142~~15-2572~~ is hereby repealed in its entirety.

10 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately
11 upon the date of its passage.

12 PASSED this _____ day of _____, 20241.

13

14 SIGNED this _____ day of _____, 20241.

15

16

17

Mayor

18

19

20

City Recorder



City of Keizer

Human Resources Department

Date: October 28, 2024

To: Personnel Policy Committee (PPC)
Mayor Cathy Clark
Councilor Laura Reid
Council President Shaney Starr

From: Garrett Klever
Human Resources Director

Re: 2024 3rd Quarter Staff Liaison Report

RECRUITMENT & SELECTION

The Keizer Police Department continues its ongoing efforts to fill vacant Officer positions. Two new Officers, a lateral and entry, will start in the month of October. We hope to have additional offers for sworn positions out in the coming weeks.

Overall, the City is working to fill several vacancies in Public Works and the Police Department:

- Environmental Education Coordinator – Closes November 5
- Property & Evidence Specialist 1 – Closes November 5
- Municipal Utility Laborer – Closed. Reviewing applications and scheduling interviews
- Lateral and Entry Police Officers (Open Until Filled)

Human Resources (HR) Director Transition

Machell DePina has become the HR Director Emeritus and is serving as a transition resource to the new HR Director. The HR Director Emeritus is working on high-priority HR/City projects including:

- Implementing of PeopleGuru
- Finalizing updates to the Personnel Policy Manual (PPM)
- Salary surveys for KPA-S bargaining and bargaining research

POLICIES AND PROCEDURES

The update to the Personnel Policy Manual (PPM) is nearing completion. Our HR Generalist will be working to update sections related to protected leaves and Oregon Paid Leave, and I will be partnering with our HR Director Emeritus to move the entire project forward as updates are made. The City's leave policies are the last sections that need review in light of recent legislative changes. HR plans to have a final draft of those specific sections which require Council review and approval to the PPC shortly and for council review before the end of the year.

As a reminder, the sections that require Council review and approval:

Any changes:

- Travel
- Equal Employment Opportunity

- Classification Review and Reclassification
- Volunteers
- Changes in Level of Benefits Require Council Approval

Changes in level of benefits require Council approval

Changes in language controlling access to accruals, usage, etc. do not require approval

- Compensation
- City Faxes, Copiers and Other Office Equipment (Note: Fee Schedule approved by Council Resolution) Holiday, Vacation, Other Paid Leave Benefits
- Sick Leave Eligibility and Accrual
- Health Insurance Benefits
- Retirement
- Employee Resignations and Terminations / references

CLASSIFICATION AND COMPENSATION

Nothing to report at this time.

LABOR RELATIONS

Keizer Police Association (KPA)

As you'll recall, when the City implemented the original Work After Retirement policy, the City Council approved an MOU with provisions specific to KPA members. Given the recent adoption of an updated policy, work continues with the KPA to reach agreement on a new Work After Retirement MOU.

Keizer Police Association – Sergeants (KPA-S)

As was previously shared, on June 4th, 2024 we received an “Order Certifying Exclusive Representation” which lists the “Keizer Police Association-Sergeant (KPA-S)” as the exclusive representative of a standalone bargaining unit of all Sergeants employed by the City of Keizer. On October 15, 2024, the KPA filed a Unit Clarification Petition with the Employee Relations Board (ERB). The petition seeks to amend the recognition of KPA-S to reflect a name change to Keizer Police Association, for purposes of collective bargaining. The petition allows written objections to be submitted to the ERB by November 4, 2024 and as such has been posted in the Keizer Police Department notifying affected employees. The reason for the Clarification Petition is to allow the KPA to represent the KPA-S for the purposes of collective bargaining. The KPA-S will remain its own bargaining unit, and will be represented by the KPA during negotiations for the new KPA-S contract. Our first meeting to negotiation the new KPA-S contract is set for November 13th, 2024.

Laborer’s International Union of North America (LIUNA), Local 737

The Council-approved and ratified 2024-2027 collective bargaining agreement with LIUNA has been signed by all parties. It is posted to the City’s website.

BENEFITS

Federal Family and Medical Leave Act (FMLA) / State of Oregon Family Leave Act (OFLA) & Oregon Paid Family Medical Leave Act (OPFMLA)

In additional to substantial coaching at the beginning of a claim, our HR Generalist continues to be the liaison between the employee and the insurance provider for the duration of each event. Kristen keeps in regular communication with the employees during their leave, whether

intermittent or consecutive, to assist with changes to leave dates (this has been fairly common with bonding leave), confirming absences and work schedules, pay discrepancies (this is typically due to many of our employees having non-traditional work schedules), etc.

During the 3rd quarter of 2024 there were 9 requests for FMLA, OFLA and/or OPFMLA protected leave. We had 2 bonding requests, 4 requests to take care of family members and the rest specific to employees themselves. Employees continue to contact us to request OPFMLA when they otherwise might not have before this entitlement. This requires additional work to process their time away as qualifying under FMLA and/or OFLA.

Kristen will continue to work with our employees on education and information. Education will be important to reduce questions and speed up the application process. HR will also be paying attention to any legislative changes as the Oregon Legislature comes together in a few months and will continue adjusting materials and processes as may be needed.

HUMAN RESOURCES INFORMATION SYSTEM

Since the last Personnel Policy Committee meeting, the City made the decision to push initial formal launch of the new HRIS to January 1, 2025, with time entry the period beginning December 16, 2024. This additional time has allowed us to increase communication to employees, map additional business processes, learn more about the system as a whole, and ultimately prepare us for a successful go-live. This is still an aggressive implementation schedule, given we have kept the timeframes in place for the next phases of the project while fine-tuning the payroll portion. As a result, we are also beginning work on those phases of the project which include adoption of the recruitment and performance management modules. Bottom line is we do not anticipate this change to impact the overall final implementation timeline.

Human Resources and Finance staff continue to meet every Thursday morning with the PeopleGuru Implementation Team. We have recently added a recurring Thursday morning meeting to discuss, configure, and implement time entry. We are configuring the finer details of time entry, including customization based on the many details of the KPA collective bargaining agreement.

RISK MANAGEMENT

OSHA Safety and Health Achievement Recognition Program (SHARP)

HR is working with OSHA to certify the City for its 4th annual year of the SHARP program. As a reminder, the SHARP is a recognition program that allows Oregon employers of a certain size to demonstrate their safety culture and practices. There are multiple requirements including demonstrating the City's involvement of employees in the safety and health program, our processes and commitment to correct hazards, and improvement of the safety and health management system, and a comprehensive safety and health assessment of the workplace. HR is working with Departments for the next step, which will be an annual on-site tour and consultation by OSHA.

After this year and once we renew for the 5th year, the City will "graduate" from the SHARP program and be recognized as a self-sufficient safety leader that comprehensively evaluates safety and health programs.

As reported at the last PPC, we met with CIS on June 12th to discuss our Best Practices Assessment (BPA). We have received the full report and will begin working with the ELT,

Departments and the Safety Committee on action items. Overall, our action items include updated policies and some additional training, namely distracted driving training. Specifically,

- Clearly defining “acceptable driving record” in the Personnel Policy Manual (policy exists in the Safety Manual)
- Ensuring staff who drive on behalf of city take a distracted driving course every three years
- Updating Volunteer Policy using sample CIS policy
- Implementing CIS sample drone operator’s manual as consistent standard of practice across all city departments.
- Adding Civic Center Sidewalks, parking lots and the Skate Park to the Public Works/Parks Quarterly Inspections.
- Implementing formal annual Parks Inspections.
- Implementing Volunteer Background Checks
- Sharing a Wastewater/Water Leak Brochure the employees

Worker’s Comp

- Two new Incident Reports to date this quarter, both were sworn officers injured in the line of duty with a short time loss and modified duty. Both returned to work.
- SAIF has reached settlement with the former worker and attorney of the previously reported re-submitted 2021 claim. Following consultation with key ELT members regarding the actual medical data available, potential current/future liability and additional anticipated cost of prolonged mediation, SAIF settled for \$23,050. This resolves the claim as well as any future claims regarding the denied conditions. There should not be any further exposure from this claim.
- We received \$11,978 from SAIF for our annual dividend.