



CITY OF

**PORTLAND, OREGON**

BUREAU OF PERSONNEL SERVICES

John E. Woods  
Personnel Director  
1220 S.W. Fifth Ave.  
Portland, Oregon 97204  
(503) 248-4157

May 6, 1987

TO: Commissioner Earl Blumenauer  
Department of Public Works

FROM: John E. Woods *John E. Woods*  
Personnel Director

SUBJECT: Amendments to Personnel Ordinance

The finalized Personnel Ordinance includes consensus recommendations to the Personnel Bureau by the Personnel Advisory Committee. Therefore, I would not ordinarily recommend any amendments without prior review by the Committee.

However, I have received two requests for amendment which are revisions for the purpose of clarifying intent. I recommend that the following two amendments be presented to Council at the May 7 hearing for their consideration:

1. DCTU has requested the following addition to Section 4.01.030 (E) Employee Rights: Add the sentence, "Appeals rights concerning disciplinary actions are as provided under applicable law or collective bargaining agreement."
2. The Mayor's office has requested the following revision to Section 4.01.030 (H) (2) (c): Delete the words "for performance of duties," and insert the words "for duties performed." (The passage is intended to prohibit receipt of compensation by an employee, from an outside source, for "duties performed while in the employ of the City.")

Thank you for your consideration of bringing the above suggested amendments to the attention of Council.

0584G/d6-5/JEW:vt

*Adopted*

CC 700

Submitted by  
Koch

159639

AMENDMENT 1 - PAGE 3

4.01.020 Scope of Policy

- E) EMPLOYEE RIGHTS: Employees who have acquired permanent status shall not be subject to separation except for just cause, or such reasons as curtailment of work or lack of funds.
- F) DISCIPLINARY ACTION: Disciplinary action against an employee within the classified service shall be taken by the appointing authority, bureau manager or appropriate supervisory authority delegated such responsibility upon findings of just cause.

add just wherever  
2 cause

159639

AMENDMENT 2

PAGE 3

*demotions,  
suspensions +  
discharges*

## 4.01.020 Scope of Policy

- E) EMPLOYEE RIGHTS: Any employee shall have the right to appeal any disciplinary action above a verbal reprimand to the full Civil Service Board. All disciplinary action shall be taken for just cause.

(This wording to be added to the end of the proposed paragraph.)

159639

## AMENDMENT 3

## 4.01.020 Scope of Policy PAGE 2

- A) RECRUITMENT AND SELECTION: Recruitment, selection, reinstatement, and advancement procedures shall be administered by the Bureau Directors and will be job-related and based upon the relative ability, knowledge and skills required for the job.

## CHAPTER 4.02 DEFINITIONS

## 4.02.010 Definitions PAGE 6

- 1) AFFIRMATIVE ACTION: A set of specific, result-oriented procedures designed to identify attainable and measurable efforts by Bureau Directors for significantly increasing the utilization of minorities and females in all levels and classifications of employment in the work force.

*Submitted By Randy Leonard  
Pres. Local 43  
IAFF*

BENNETT, HARTMAN, TAUMAN & REYNOLDS, P. C.

159639

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DAVID L. JOHNSTONE  
MARY F. O'DONNELL

April 29, 1987

Mr. John E. Woods  
Personnel Director  
City of Portland  
1220 S.W. Fifth Avenue  
Portland, Oregon 97204

Re: Proposed Revisions to Civil Service

Dear Mr. Woods:

Randy Leonard, President of the Portland Fire Fighters Association, has referred your letter of April 15, 1987 (with enclosed materials) to me for response. As you also know, Mr. Leonard and I met with members of your staff, Bruce Mulligan, Melinda Peterson and Harvey McGowan on April 24, 1987 to discuss the proposed revisions to civil service. The intent of this letter is to advise you of the Portland Fire Fighters Association's position with respect to the proposed revisions.

First, as we verbally notified your staff on April 24, 1987, by discussing these proposed changes with the City, the Association in no way waives or adversely effects any statutory rights it has under Oregon law or any rights it has under its collective bargaining agreement with the City. With this in mind and from the information we have to date, we have identified below proposed revisions which cause the Association significant concern.

PROMOTIONS

With respect to advancement and promotion, the proposed policies omit any reference to seniority as a criteria for promotion. This omission is a significant change from the previous charter language and from prior personnel policies/rules. If the City seeks to apply such change to members of the Association's bargaining unit, we intend to take appropriate legal action in response. As you already are well aware, we also take issue with the new standard of review for promotion

Mr. John E. Woods  
April 29, 1987  
Page 2

decisions and with the new rule of five (5) eligible candidates as opposed to the prior rule of three (3) eligible candidates.

#### COMPENSATION

In the City's policy revisions it describes a comprehensive compensation plan to be developed for employees. Certainly this does not apply to represented personnel whose wages are determined through collective bargaining. The proposed revisions do not make it clear that any compensation scheme developed by the City could be applied only to unrepresented personnel. An appropriate revision should be made to reflect this fact.

#### AFFIRMATIVE ACTION

It is our understanding from discussions with your staff that the City has a work plan for increasing the number of minority employees in the City's work force. We have requested a copy of such plan and understand that it will be provided to us. The Association certainly supports the concept of affirmative action; however, obviously any such plan may vitally effect the members of the Association's bargaining unit. We need and are entitled to evaluate any such plan for possible conflict with our labor agreement and/or to see if there are matters over which the City and Association must bargain.

#### CLASSIFICATIONS

Although not set forth in the most recent set of policy revisions, as you know, the Association has serious concerns over the new standard of appellate review for classification/reclassification decisions. We think any such change (like many of the other proposed changes) if applied to members of our bargaining unit would violate the labor agreement.

#### EVALUATION/DISCIPLINE

The proposed new policies call for a periodic and systematic evaluation system. Presently, fire fighters do not have any sort of systematic evaluation system. This is a matter over which the City must bargain with the Union if the City seeks to apply it to members of the Association's bargaining unit.

The City also has identified numerous activities (prohibited activities/incompatible outside activities) over

Mr. John E. Woods  
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which an employee may be disciplined. We believe any attempt to apply such new items to the bargaining unit would violate (among other things) the labor agreement. As we mentioned to your staff, many of these items also are vague and overly broad.

From the information we have to date, these are the major areas with which the Association has concerns. However, the areas identified above should not be considered an exhaustive list, as we expect more information/revisions will be forthcoming from your office.

We look forward to hearing from you regarding these matters; and we hope our differences can be resolved in as efficient and expeditious a way as possible.

Very truly yours,

Kathryn T. Whalen

KTW:sp  
cc: Randy Leonard  
Rudolph Westerland

**ORDINANCE NO. 159639**

An Ordinance relating to reform of the City's personnel system, amending Title 4, Personnel, of the Code of the City of Portland by adding new chapters, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. In November 1986 the electorate, by charter amendments, authorized reform of the personnel system of the City of Portland, through the transfer of administrative functions from the Civil Service Board to the Bureau of Personnel Services.
2. The charter amendments shall take effect on July 1, 1987. The charter, as amended, requires the Personnel Director to propose new personnel rules for Council adoption to be effective July 1, 1987.
3. The charter leaves to the Council responsibility to declare City policy for the City's new comprehensive system of personnel administration, according to which the new personnel rules will be drafted. The Bureau of Personnel proposes new ordinance chapters for inclusion in Title 4 of the City Code to provide that policy framework. The amendments embody or are based upon modern principles of personnel administration.

NOW, THEREFORE, the Council directs:

- a. Title 4, Personnel, of the Code of the City of Portland, Oregon, is hereby amended by adding Chapter 4.01, Personnel Policy and Chapter 4.02, Definitions, which shall hereafter be numbered and shall hereafter read as follows:

**Chapter 4.01  
PERSONNEL POLICY**

**Sections:**

- 4.01.010 Policy Statement
- 4.01.020 Scope of Policy
- 4.01.030 Administrative Policies
- 4.01.040 Authority of Personnel Director
- 4.01.050 Duties of Personnel Director

4.01.010 Policy Statement. To ensure the provision of high quality services which are responsive to the needs of the community, it is the policy of the City Council to provide a fair and equal opportunity for public service to all interested citizens. It is also the policy of the City Council to provide for conditions of service which will attract, develop and retain officers and employees whose integrity, skills and abilities will promote excellence in the organization. To accomplish these policy objectives requires that the City Council authorize and direct the adoption of a uniform system of personnel administration.



**4.01.020 Scope of Policy.** The provisions of this chapter and of Chapter 3.18 hereby incorporated by reference, shall pertain to all employees in the classified service, provided that in the event of a conflict between a provision of this chapter or a rule adopted hereunder and the provisions of any collective bargaining agreement, the collective bargaining agreement shall prevail. The Personnel Director shall promulgate rules to carry out the provisions of this chapter.

**4.01.030 Administrative Policies.** The Rules promulgated under this chapter by the Personnel Director shall ensure the operation of the Personnel system in accordance with the following administrative policies:

A. **RECRUITMENT AND SELECTION:** Recruitment, selection, reinstatement, and advancement procedures will be job-related and based upon the relative ability, knowledge and skills required for the job. Selection procedures which are used as a basis for any employment decision must be validated, modified or changed in accordance with the Uniform Guideline on Employee Selection Procedures or otherwise demonstrated to be in accord with applicable federal and state laws.

B. **COMPENSATION:** The compensation plan shall be based upon a consistent method of evaluation which takes into account the following factors:

1. the classification's role and responsibility within the organization;
2. internal salary equity;
3. labor market considerations;
4. complexity or difficulty of the work;
5. other pertinent factors as determined by Council.

During the regular budgetary process, compensation ranges for all nonrepresented classifications shall be set for the upcoming fiscal year. The City recognizes the legitimate role of collective bargaining in determining compensation for represented employees.

C. **CLASSIFICATION:**

1. The classification plan will be based on an analysis of job-related factors, and shall be utilized for decision making on compensation, selection, employee development, career advancement, upward mobility and other personnel program activities. The classification plan shall be periodically reviewed and updated, and the proliferation of "single person classifications" shall be avoided.

2. Classification actions which require an additional appropriation of funds and/or which represent a programmatic change in the work function of the unit shall require the specific approval of Council. Responsibility for all other classification actions, including routine revision of classification specifications, shall be deemed to be approved by Council and shall take effect according to the rules promulgated by the Director under this chapter.

D. **EMPLOYEE DEVELOPMENT:** Employees will be trained to the extent practicable as needed to facilitate high-quality performance. In addition to providing training intended to improve performance, training should be developed as needed to prepare employees for more responsible assignments and to implement affirmative action plans for equal employment opportunity. Training programs should include systematic methods for assessing training needs, providing training to meet priority needs, selecting personnel for training, and evaluating the training provided.

E. EMPLOYEE RIGHTS: Employees who have acquired permanent status shall not be subject to separation except for cause, or such reasons as curtailment of work or lack of funds. Rules shall be established to provide for the periodic and systematic evaluation of job-related work performance in relation to organizational standards. Rules will provide for the transfer, demotion or separation of employees whose performance continues to be inadequate after reasonable efforts have failed to correct such performance. Appeals rights concerning disciplinary actions are as provided under applicable law or collective bargaining agreement.

F. DISCIPLINARY ACTION: Disciplinary action against an employee within the classified service shall be taken by the appointing authority, bureau manager or appropriate supervisory authority delegated such responsibility upon findings of cause. Such discipline may include but is not limited to an oral reprimand, written reprimand, demotion, reduction in pay, suspension or discharge for cause as enumerated in this chapter.

G. PROHIBITED ACTIVITIES: Cause for disciplinary action shall include but not be limited to the following:

1. Insubordination, inefficiency, incompetency, inadequate performance or nonperformance of assigned duties.
2. Neglect of duty or negligence in performance of duty causing a substantial risk of personal injury or damage to property.
3. The use of intoxicants, or illegal use or possession of controlled substances on the job, or reporting for work under the influence of intoxicants, or the use of drugs which create a substantial risk of injury to self or others or which impair work performance.
4. Habitual or excessive absence or tardiness, or abuse of sick leave privileges.
5. Absence from duty without authorization or failure to notify ones supervisor when unable to report to work on time.
6. Conviction of a felony, or conviction of any crime where the conviction would impair effectiveness as a City employee or bring discredit or reproach upon the City or bureau involved.
7. Violation of safety rules or policies.
8. Violation of the provisions of federal or state law, or of the City Charter, ordinances or any City rules or regulations including Bureau-specific policies.
9. Discourteous treatment of the public or other employees, offensive conduct or conduct unbecoming a City employee.
10. Willful disobedience or failure to follow a lawful supervisory directive.
11. Misuse of City property.
12. Dishonesty.
13. Fraud in securing employment.

H. OUTSIDE EMPLOYMENT:

1. City employees shall not engage in outside employment which is incompatible or in conflict with or reflects discredit on City service.

2. City bureaus shall develop a written policy on outside employment activities, which take into account specific bureau requirements, and include as appropriate the following general principles. Outside employment shall not:

- a. involve use of City time, facilities, equipment and supplies, or the influence of the employee's position with the City; or
- b. involve actions which may later be directly or indirectly subject to the control, inspection, review or audit by the City; or

c. involve receipt of money or other consideration for duties performed while in the employ of the City; or

d. involve competing with the City in providing a service or product.

e. involve such time demands as would render performance of the employee's duties less efficient or take precedence over extra duty required by City employment.

3. Details of outside employment shall be reported to the employee's hiring manager.

1. NEPOTISM PROHIBITED:

1. It shall be a violation of this chapter for an employee or official responsible for personnel decisions to show favoritism in such decisions toward an applicant or employee because the applicant or employee is a member of the official's family. This subsection shall apply in the case of any family relatedness, of whatever kind or degree.

2. It shall be a violation of this chapter for an employee or official to do either of the following:

a. Hold a position which requires or which enables the employee or official to directly supervise a family member, or evaluate the work performance of a family member, or evaluate the application for employment of a family member, or adjust an employment relations grievance or complaint of a family member; or

b. Take any action with respect to an individual, which because of a family relationship, would violate a federal or state law or rule, or would violate conditions of eligibility for financial assistance from federal or state government.

3. For purposes of subsection (2)(a) and (b), "family member" shall mean the employee's wife, husband, son, daughter, mother, father, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent or stepchild as provided in ORS 659.340(3)(b).

4. In the event a violation of subsection (2) of this section results from the existence of a family relationship before and at the time of the enactment of this Chapter, the bureau involved shall take corrective action as soon as practicable through transfers or reorganization or other personnel actions.

4.01.040 Authority of Personnel Director.

A. The Personnel Director shall formulate, administer and monitor those personnel policies and programs which have City-wide application, including labor contract negotiations and administration, employee benefits and compensation plans. In addition, the Personnel Director shall coordinate and monitor personnel programs in City bureaus which have an impact on the City's overall personnel administration, such as equal employment opportunity, affirmative action and training. The Personnel Director shall establish objectives for the Bureau of Personnel Services in terms which are measurable and conducive to reliable evaluation, and develop a plan for accomplishing these objectives and carrying out the directions of the Personnel Bureau.

B. In accordance with Chapter 3.18 of the Code, the Personnel Director is authorized to settle disputes arising from employment relations grievances.

C. In accordance with Oregon law and administrative rule, the Personnel Director or his designee, on behalf of the Council, may enter

into agreements with labor organizations, recognizing their exclusive representation of specified classifications within City service.

D. The Personnel Director may delegate to a Bureau Head, pursuant to a written Delegation Agreement, certain operational functions in the administration of routine personnel actions, such as examination or classification. The Personnel Director shall establish Rules to carry out this Section. The Director shall maintain responsibility for such operational functions, and shall therefore review, monitor, and reserve the right to suspend delegation of operational functions when it is determined by the Director to be in the best interests of the City's personnel administration program.

E. The Personnel Director shall establish such advisory committees as necessary to ensure the development of a comprehensive human resources system which is responsive to the needs of City Council, City managers and employees.

#### 4.01.050 Duties of Personnel Director.

A. The Director shall direct and supervise all administrative and technical activities of the Bureau of Personnel Services;

B. The Director shall develop and adopt regulations for the personnel system and classified service which must be approved by the Council. The regulations must include provisions for:

1. Recruitment, examination, certification and appointment on the basis of applicants' relative ability, knowledge, and skills, including open competition and consideration of qualified applicants for initial appointment to entry-level positions;

2. Preparation, maintenance and revision as necessary of the classification plan for all classified positions. The Director shall provide for adequate notice of all classification actions, establish a procedure for input and an appeals process, and shall undertake periodic review of the classification plan;

3. Preparation and maintenance of an equitable and adequate pay plan and ranges, for each class, grade or group of positions in the classified service;

4. Development of a "management service plan" which must be approved by Council, which recognizes the role and responsibility of City managers, and provides standards for their recruitment, retention and motivation, including provision of tailored compensation and benefits programs;

5. Progression through the pay rate ranges based on merit and fitness;

6. Providing training where practicable as needed to promote high quality work performance;

7. Establishment of guidelines for development and periodic review of work performance standards for each class of positions;

8. Prescribing the extent to which performance evaluation ratings must be considered in transfers, demotions, promotions, dismissals, salary increases and decreases, and all other decisions relating to employees' status;

9. Provision for disciplinary guidelines for nonrepresented and supervisory personnel which follow the principles of progressive discipline, and take into account the gravity of the offense in determining the appropriate level of discipline;

10. Appeals to the Civil Service Board from decisions made by the Director, pursuant to Section 4-106 of the Charter;
11. Provision for fair treatment of applicants and employees in all aspects of personnel administration without regard to race, color, religion, sex, national origin, political affiliation, marital status, sexual orientation, age, handicap, or other nonmerit-based factors and with proper regard for their privacy and constitutional rights as citizens;
12. Notice to employees of their employment rights and prohibited practices.
13. a. Establishment and maintenance of a centralized personnel records system pursuant to federal and state laws and regulations.  
b. Inclusion in the employee's personnel record at a minimum:
  - (1) employee's name;
  - (2) position title;
  - (3) salary;
  - (4) changes in employment status;
  - (5) other pertinent records as provided in the Rules pursuant to this chapter.

#### Chapter 4.02 DEFINITIONS

##### Sections:

##### 4.02.010 Definitions

4.02.010 Definitions. As used in this Title and the Rules promulgated thereunder, except as the context requires otherwise, the following definitions apply:

1. AFFIRMATIVE ACTION: A set of specific, result-oriented procedures designed to identify attainable and measurable efforts for significantly increasing the utilization of minorities and females in all levels and classifications of employment in the work force. Also, a planned, coherent management program designed to effect changes to improve equal employment opportunities and to correct effects of past discrimination or to prevent discrimination.
2. APPLICANT: A person who has filed a timely application for a position.
3. APPEAL: A request for hearing which meets the requirements of this chapter and is filed with the Personnel Director.
4. APPOINTING AUTHORITY: The official or group of officials having authority to make appointment to positions in the City service.
5. APPOINTMENT: The designation by proper authority of a person to become an employee in a position.
6. BARGAINING UNIT: The unit designated to be appropriate as provided under the Public Employee Collective Bargaining Act for the purpose of collective bargaining.
7. BOARD: The Civil Service Board of the City of Portland, Oregon.
8. BUREAU: An administrative unit of City government.
9. CANDIDATE: A person whose application has been accepted for an examination.
10. CHARTER: The City Charter of Portland, Oregon as amended.
11. CITY: The City of Portland, Oregon.
12. CLASS or CLASSIFICATION: A position or group of positions in the City classified service sufficiently similar in duties,

responsibilities and authority to permit the same descriptive title, calling for similar qualifications and the same schedule of compensation.

13. CLASS SERIES: Two or more classes with duties substantially similar in kind but differing in level of difficulty, responsibility and supervision.

14. CLASS SPECIFICATION: The written description of a class containing the class number and title, statement of duties, functions, authority and responsibility, knowledge, skills and other qualifications required for appointment.

15. CLASS TITLE: The descriptive designation given to a class.

16. CLASSIFICATION PLAN: All the classes established under the provisions of the Charter and this chapter.

17. CLASSIFIED SERVICE: All City positions which are not specifically exempted under the Charter.

18. COUNCIL: The Mayor and Commissioners of the City.

19. DAY: One Calendar day.

20. DEMOTION: The change in status of an employee from a position in a higher class to a position in a class for which the maximum rate of pay is lower.

a. Involuntary demotion - the disciplinary demotion of an employee for cause.

b. Voluntary demotion - the demotion of an employee in order to retain employment upon imminent layoff, or for other nondisciplinary reasons.

21. DEPARTMENT: All the bureaus and offices under the administration of one elected official. This shall also include the division under the administration of the independent boards and commissions.

22. DIRECTOR: The Director of the Bureau of Personnel Services, to whom is delegated certain powers and duties under this chapter.

23. DISCRIMINATION COMPLAINT: A complaint that a personnel action was motivated by discrimination on the basis of race, color, religion, sex, age, marital status, national origin, family relationship, sexual orientation, handicap or political affiliation.

24. DISMISSAL: The removal or discharge of an employee from City employment.

25. ELIGIBLE: A person who has qualified through examination or other procedures as defined in the Rules to be certified for employment.

26. ELIGIBLE REGISTER: A list of persons who have been found eligible for employment in a particular class.

27. EQUAL EMPLOYMENT OPPORTUNITY: A directive that the hiring of persons into classified service shall be based solely on job related standards regardless of race, color, religion, age, sex, national origin, handicap, sexual orientation, marital status or political affiliation.

28. EXAMINATION: The overall process of testing, evaluating or investigating the fitness and qualifications of applicants. Examinations are of three categories:

a. Open Examination - An examination open to application by qualified employees and the general public.

b. Promotional Examination - An examination open to application by qualified employees in the classified service.

c. Noncompetitive Examination - An alternate selection process developed in accordance with Section 4-301(5) of the Charter.

29. EXCLUSIVE REPRESENTATIVE: The labor organization which, as a result of certification by the Employment Relations Board or recognition by the City, has the right to be the collective bargaining agent of all employees in an appropriate bargaining unit.

30. FULL-TIME POSITION: A position normally requiring the full services of an employee for at least nine-tenths of the normal working hours of a biweekly payroll period, or other work period established pursuant to FLSA, on a continuing basis.

31. JOB CATEGORY: One of the eight Federal Job Categories into which City classifications are grouped. Affirmative action goals are set in these categories:

Officials and Administrators	Paraprofessionals
Professionals	Office and Clerical
Technicians	Skilled Craft Workers
Protective Service Workers	Service/Maintenance

32. HIRING MANAGER: A City manager to whom authority has been delegated to make appointments in the classified service.

33. JOB SHARE: A full-time position designated by the appointing authority which is or may be shared by two employees.

34. LAY OFF: Separation without prejudice of a permanent employee from the classified service because of a lack of funds, curtailment of work, or other involuntary reasons.

35. LAYOFF REGISTER: A list of persons who have been laid off in a particular classification who are entitled to have their names certified for appointment to a position in that class.

36. MONTH: One calendar month.

37. NEPOTISM: Favoritism by an appointing authority or manager shown toward a subordinate employee or applicant because of a family relationship between two individuals.

38. PART-TIME POSITION: A position requiring the full services of an employee for at least half but less than nine-tenths of the normal working hours of a biweekly payroll period, or other work period as established pursuant to FLSA, on a continuing basis.

39. PERMANENT EMPLOYEE: An employee who has satisfactorily completed probation and is employed in either a full-time or part-time position.

40. PERSONNEL ACTION: Any action taken on behalf of the City with reference to an employee, an applicant for the classified service or a classified position.

41. PERSONNEL RULES: The Rules promulgated by the Director in order to implement and maintain the provisions of this chapter.

42. POSITION: A group of current duties and responsibilities assigned by an appointing authority, requiring the services of one person on either a full-time or part-time basis.

43. PROBATION: A working trial period for a stated term during which the employee is evaluated for fitness in the actual performance of the duties of the position.

44. PROHIBITED DISCRIMINATION: Discrimination based upon race, color, national origin, sex, religion, age, marital status, or handicap of an individual or class of individuals; family relationship, or handicap of any other person or class of persons with whom an individual associates; or discrimination because an individual has opposed prohibited (unlawful) discrimination, filed a discrimination complaint, testified, assisted or participated in any manner in any proceeding regarding prohibited



**ORDINANCE No.**

(unlawful) discrimination or has attempted to do so.

45. PROMOTION: A change in status of an employee from a position in a lower class to a position in a class for which the maximum rate of pay is higher.

46. RECALL: The reemployment of a former employee who was laid off due to lack of funds, curtailment of work or other involuntary reasons.

47. RECLASSIFICATION: The assignment of an existing position from one class to another class, based upon significant changes in the kind, difficulty and/or responsibility of duties.

48. REINSTATEMENT: The reappointment of a former City employee, who has voluntarily separated from City service, to a previously-held classification.

49. RESIGNATION: The voluntary action of an employee which separates the employee from the City service.

50. SEPARATION: Termination of employment for any reason. Reasons for termination include discharge, layoff, resignation, retirement and death.

51. STATUS: The standing of an employee with respect to right and tenure. The types of status are:

a. Permanent - An employee who has been retained in a position after satisfactory completion of probation as provided in the Rules.

b. Probationary - An employee who has been certified and appointed but who has not yet completed probation provided herein.

52. SUSPENSION: An involuntary absence with or without pay imposed by an appointing authority for disciplinary purposes or during the investigation of a disciplinary matter.

53. TEMPORARY EMPLOYEE: An employee who possesses the minimum qualifications established for the class and who has been temporarily appointed to fill a position for which no eligibles are currently available.

54. TRANSFER: Reassignment of an employee in one position to another within the same classification.

55. UNCLASSIFIED POSITIONS: Those positions which are exempt from classified service as designated in the Charter.

56. UNDERUTILIZATION: Having fewer minorities or women in a particular job category than would reasonably be expected given their presence in the relevant labor force.

57. VACANCIES: A budgeted position which has been declared by the appointing authority to be vacant and authorized to be filled.

58. VETERAN'S PREFERENCE POINTS: For purposes of veteran's preference points, a veteran is as designated in ORS 408.225

Section 2. The Council declares that an emergency exists in order to provide the Personnel Director with a policy direction for the rules to be drafted and proposed by the Personnel Director for Council adoption effective July 1, 1987; therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council, **MAY 7 1987**

Commissioner Blumenauer  
John E. Woods (0563G/d7-17)  
April 29, 1987

**BARBARA CLARK**  
Auditor of the City of Portland  
By

*Elena Cervera* Deputy



THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
BLUMENAUER	✓	
BOGLE	✓	
KOCH	✓	
LINDBERG	✓	
CLARK	✓	

*Amended per Woods' memo*

FOUR-FIFTHS CALENDAR		
	Yeas	Nays
BLUMENAUER	✓	
BOGLE	✓	
KOCH	✓	
LINDBERG	✓	
CLARK	✓	

Calendar No. 700

## ORDINANCE No. 159639

### Title

An Ordinance relating to reform of the City's personnel system, amending Title 4, Personnel, of the Code of the City of Portland by adding new chapters, and declaring an emergency.

*Amendment #1 by Koch*

THE COMMISSIONERS VOTED AS FOLLOWS		
	YEAS	NAYS
BLUMENAUER		✓
BOGLE		✓
KOCH		✓
LINDBERG		✓
CLARK		✓

*Amendment #2 by Koch*

THE COMMISSIONERS VOTED AS FOLLOWS		
	YEAS	NAYS
BLUMENAUER		✓
BOGLE		✓
KOCH		✓
LINDBERG		✓
CLARK		✓

Filed

APR 30 1987

**BARBARA CLARK**

Auditor of the CITY OF PORTLAND

By Nancy Dunford Deputy

INTRODUCED BY	
Commissioner Blumenauer	
NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration	
Safety	
Utilities	
Works <i>Earl Blumenauer/RES</i>	
BUREAU APPROVAL	
Bureau:	
Personnel Services	
Prepared By: <i>John E. Woods</i>	Date: 04/29/87
Budget Impact Review:	
<input type="checkbox"/> Completed	<input checked="" type="checkbox"/> Not required
Bureau Head: <i>John E. Woods</i>	
John E. Woods, Director	
CALENDAR	
Consent	Regular <input checked="" type="checkbox"/>
NOTED BY	
City Attorney <i>Rudolph W. L...</i>	
City Auditor	
City Engineer	