



Mid-Columbia Economic Development District

**Executive Committee Meeting
Wednesday, October 3, 2018
4:00 P.M.**

MCEDD The Dalles Transit Center
802 Chenoweth Loop Road, The Dalles, OR 97058

AGENDA

<u>Topic</u>	<u>Estimated Time</u>	<u>Item</u>
Call to Order, Introductions		
Executive Committee Minutes <i>September 2018</i>	5 minutes	Approval
Finance Report	10 minutes	Information
Personnel Policy	10 minutes	Review
Executive Director Report	15 minutes	Information
Other New Business; Committee Members Updates		
Adjourn		

The meeting location is accessible to persons with disabilities. If you have a disability that requires any special materials, services or assistance, please contact MCEDD at 541-296-2266 (TTY 711) at least 48 hours before the meeting.

MCEDD is an equal opportunity lender, employer and provider.

MID-COLUMBIA ECONOMIC DEVELOPMENT DISTRICT
EXECUTIVE COMMITTEE MEETING
WEDNESDAY, SEPTEMBER 5, 2018
4:00 p.m.
MCEDD Office and Teleconference

ATTENDANCE:

Attending: Bill Schmitt, Dana Peck, Rod Runyon, Bob Hamlin, Ken Bailey

Staff: Amanda Hoey (Executive Director), Jessica Metta (Deputy Director), Lauren Hernandez (Office Administrator), Siri Olson (Finance Operations Manager)

CALL TO ORDER:

Ken Bailey called the meeting to order at 4:00 p.m. A quorum was present.

EXECUTIVE COMMITTEE MINUTES:

Dana Peck motioned to approve the August 1, 2018 Executive Committee meeting minutes as presented. Bob Hamlin seconded the motion. Motion carried unanimously.

FINANCIAL REPORT:

Siri Olson reported that for July, the Balance Sheet shows MCEDD's total cash balance is less than in the prior year by \$790,797.93. This is primarily due to an increase in lending, which shifts assets to loans receivable. MCEDD Loans Receivable is higher than in the prior year by \$914,493.84. Accounts Receivable, which is largely comprised of 4th Quarter ODOT receivables, contract invoices sent out in July, and GOBHI, is higher than July 2017. The Balance Sheet also reflects the Loan Holding Payment balance of \$15,10.04 in July, which has been taken care of in August. Allowance for Doubtful Accounts reflects the 6% allocation (except OIB), which is based on the Loans Receivable balances as of June 30, 2018. FY19 entries for the anticipated carry forward have not been completed. There will be an adjustment for Accrued Interest Payable. USDA will provide this information.

July's Operations Budget vs. Actual report is the first month utilizing FY19's budget. Actual Carryover Revenue is still pending audit completion. Revenue is lower than budgeted by \$10,896.27, but this difference is mainly due to timing and will increase further into FY19. Federal Revenue appears below the budgeted amount, but this is due to the budget being set to a monthly amount. The majority of Federal and State funding is invoiced and received on a quarterly basis. July includes prepaid expenditures in Bonds & Insurance and Other Materials & Supplies, including Dues & Fees. So far, FY19 total expenses are far below the monthly budgeted amount, which is in part due to the timing of expected expenses.

Discussion: Rod Runyon asked what Doubtful Accounts is. Ken Bailey stated it is the reserve for uncollected payments. Bob Hamlin asked if MCEDD should be \$10,000 below budgeted revenue. Siri stated revenue is evenly divided on by month for the budget and more will be received as the fiscal year progresses.

Bill Schmitt motioned to accept the financial report as presented. Bob Hamlin seconded the motion. Motion carried unanimously.

POLICIES

Amanda Hoey presented a draft of the Title VI Plan. The revisions incorporated include a timeline of the complaint process, which provides clarity, and an updated address for ODOT's Office of Civil Rights. Staff received pre-notification from ODOT that the plan meets all compliance factors.

Bob Hamlin motioned to recommend adoption of the updated Title VI Plan to the full MCEDD Board. Dana Peck seconded the motion. Motion carried unanimously.

Jessica Metta explained MCEDD has revised existing policies and adopted other policies after taking on operation of the LINK. One policy required which is not yet in place is the Service Suspension Policy. It is important to have this policy and to include an appeal process. Jessica reviewed the policy and explained it gives riders the opportunity to appeal a service suspension decision in writing. Staff compared suspension policies of different transportation providers around the state to form the proposed policy.

Discussion: Rod Runyon stated the first line of the policy needed clarification, as the wording was confusing. Organization of the wording was discussed, and Jessica stated some phrases will be moved to make the first paragraph easier to understand. The language will read, "Drivers can refuse riders service based on, but not limited to, illegal conduct, threats to the safety of themselves or others, refusal to follow the Rider Rules of Conduct, and violent or disruptive behavior that is not disability related." Bob Hamlin asked about the LINK's policy on service animals. Jessica stated service animals are allowed on the bus. Dana Peck asked if cameras are installed on the busses. Jessica replied there are cameras inside and outside of the bus.

Bill Schmitt motioned to recommend adoption of the Service Suspension Policy to the full MCEDD Board with the recommended revision. Dana Peck seconded the motion. Motion carried unanimously.

PRIVATE SECTOR APPOINTMENTS

Amanda Hoey explained the MCEDD Executive Committee makes appointments for private sector members to the Board. The appointments are ratified by the full Board at the annual meeting in September. Staff sent a general solicitation for private sector candidates to submit letters of interest. All current members serving on the Board requested reappointment, and no other candidates presented themselves with interest. Current private sector members include Ken Bailey, Scott Clements, Cassie Courtney, Tom Furey, Stephanie Hoppe, Robb Kimmes, and Eric Proffitt.

Bob Hamlin motioned to appoint the seven current private sector members to fill the private sector positions on the MCEDD Board for a one year term and to recommend ratification of these appointments to the full MCEDD Board. Dana Peck seconded the motion. Motion carried unanimously.

LOAN BOARD APPOINTMENTS

Amanda Hoey explained the MCEDD Loan Administration Board is composed of the five county representatives to the MCEDD Board, two private sector representatives, and an alternate private sector representative. Terms expire annually. Three candidates are asking to serve on the board again: Scott Clements, Dillon Borton, and AJ Tarnasky.

Discussion: Bob Hamlin noted Scott, Dillon, and AJ have positively contributed to LAB meetings.

Bill Schmitt motioned to recommend appointment of Scott Clements, Dillon Borton, and AJ Tarnasky to the MCEDD Loan Administration Board. Bob Hamlin seconded the motion. Motion carried unanimously.

SUBCOMMITTEE REPORT

Amanda Hoey reported the MCEDD Executive salary review subcommittee, consisting of Rod Runyon, Bill Schmitt, and Dana Peck, met to analyze the salary survey data and make a recommendation for revisions to MCEDD's salary scales.

Discussion: Bill Schmitt stated MCEDD is still light on pay, but the subcommittee's recommendation is the best compromise MCEDD can afford. Bob Hamlin agreed, noting some positions needed a bump in salary. Dana Peck asked staff if the revised salary schedule provided some hope for the future. Amanda replied each staff member will approach that question individually, but when available resources are considered, the revised salary schedule provides as much hope as it can considering resource constraints. Dana stated he would like it emphasized to staff that the Executive Committee is aware the salary scale needs improvement. Bob suggested reiterating to the full Board that the subcommittee recommendation is a conclusion to the current problem, but it is not a final solution. The issue should be brought up again. Bill suggested the salary scale be reviewed annually.

Amanda reported the subcommittee focused on positions most out of line with comparables. This includes the Executive Director, Deputy Director, Finance Manager, and Project Manager positions. The recommendation is to bump these positions up two step positions and to increase subsequent steps effective on October 1st. One major modification is to split the job classification of Project Manager. The position of Program Manager will be added. MCEDD has high functioning managers at the highest level of the job description. The Program Manager position will allow MCEDD to fill in gaps for what might be future and new hires. The Office Administrator and Loan Fund Manager positions were more in line with the top end of comparables and the subcommittee recommends a 2% increase to support the retention of existing staff. There was no proposed change to dispatch and driver positions or to the Transportation Operations Director position at this time as the funding for these positions is fixed on a biennium.

Discussion: Ken Bailey stated he agrees the salary scale should be addressed. It may not be where the Executive Committee would like it to be, even with the recommended revisions, but if the issue is reviewed annually, it will hopefully be brought up to where it should be. The revisions suggested are a major step in the right direction. Ken noted he approves of the Program Manager classification, as it provides for an entry level position. Rod Runyon asked if the Program Manager is lower than the Project Manager on the classification scale. Amanda replied that yes, it is. Ken asked if a different word should be used than 'program.' Siri Olson replied the terms Program Manager and Project Manager are consistent with other entities across the state.

Bob Hamlin motioned to accept the subcommittee recommendation and the options presented by staff. Bill Schmitt seconded. Motion carried unanimously.

BOARD AGENDA: SEPTEMBER MEETING

Amanda Hoey presented the agenda for the September full MCEDD Board meeting. The meeting also serves as MCEDD's annual meeting, which includes elections of officers, recognition of outgoing members, and committee appointments. There were no suggested changes or additions to the agenda by the Executive Committee.

DEPUTY DIRECTOR REPORT:

Jessica Metta reviewed highlights from the past month, including:

- The LINK is now fully staffed. The full time bus driver, part time bus driver, and part time dispatcher positions have been filled.

- Kathy Fitzpatrick, Mobility Manager, held the Gorge TransLink quarterly meeting in August and saw good attendance. The meeting was a good opportunity for providers to share progress and discuss common challenges. There was good discussion about the Mobility Management work plan for the next biennium, and staff heard feedback and continued support for the work Kathy has been doing. The next focus will be on marketing and how to jointly message all regional transportation systems.
- The second annual Tech Showcase will be September 20.
- Staff worked with Oregon Governor Brown's staff to plan a tech employer roundtable focused on workforce issues in the Gorge.
- An introductory meeting has been set with Esina Alic, CEO of Insitu.
- Kathy Fitzpatrick, Mobility Manager, has been working on a universal pass which would provide service for Mount Adams Transportation Service, Columbia Area Transit, and a commuter bus from Portland that ties into these systems. The hope is for the LINK to eventually be a part of this partnership as well.

Discussion: Amanda Hoey noted the Executive Committee authorized staff to proceed with this arrangement. A template agreement has been developed. If it moves forward, a supplemental budget will be needed. A portion of funds would be used for MCEDD's administration and would provide additional support for the Mobility Management position. Bill Schmitt stated the pass is a big deal, and he has been to several meetings where it has been discussed. Many people are anxious to see it happen.

EXECUTIVE DIRECTOR REPORT:

Amanda Hoey reviewed highlights from the past month including:

- MCEDD is turning 50! MCEDD was created December 19, 1969. Staff brainstormed ways to leverage this celebration as an opportunity to highlight MCEDD's service and the work it does to support the region.
- There is one Executive Committee member with a recurring scheduling conflict with the current time and day of the Executive Committee meeting. Bob Benton has been recommended for reappointment as secretary/treasurer by the nominating committee. He suggested moving the meeting to 3:00pm.

Discussion: Committee members discussed the conflicts that arose with moving the meeting to 3:00pm. Ken Bailey stated he is reluctant to change the set meeting times for only one person unless a time can be found which works for all members. He suggested moving the meeting to the second Wednesday of each month. A poll will be sent to committee members to see if a new time and day that works for all members can be arranged.

- The LAB pre-approved a loan to The Little Huckleberry Food Truck. Staff has seen an increase in applications which will go to LAB over the next few meetings.
- Craig Bowder will serve as a new member on the Oregon Investment Board. There is still one opening for a Wasco County representative. Amanda will meet with state directors for Oregon and Washington to discuss a pathway to receive the remaining allocation of funds to the Washington and Oregon Investment Boards.
- Staff submitted a request in response to an RFP from Northwest Business Development Association. The proposal is for \$65,000 which, if received, will be used to seed a loan fund that replicates the pilot program running through OIB.
- Staff received a copy of an Oregon legislative concept to establish a Clean Technology Sector Development Fund which would "award grants to qualified lenders to develop and administer loan programs for funding clean technology and sector development projects."

- Some CEDS priorities have seen movement. Sherman County's broadband project received recommendation of full funding through the Regional Infrastructure Fund. Oregon Water Resources Department published its Technical Review Team's recommendations for funding. The Dalles Dog River Pipeline is recommended at \$1 million. The Mosier Well is just below the cut line and is not recommended for funding. At this point, staff will not write letters of support, as both projects are CEDS priorities.
- Cascade Locks made final submission to the EDA for disaster funding. Skamania PUD made it past the pre-proposal review stage and is working on a formal application submission. The City of Stevenson submitted a draft disaster application for preliminary review and is awaiting feedback.
- MCEDD will host the next Gorge Broadband Consortium meeting on October 5.
- Jacque Schei, Project Manager, noted the bids for improvement projects at the North and South Pine Hollow Reservoir boat ramps were opened and were significantly over what was anticipated for available funds.
- MCEDD has secured its AmeriCorps RARE. Tatiana Eckhart will join the MCEDD team in September.
- Interviews were held for the Energy Council Coordinator. Staff anticipates moving forward with offering the position to a candidate in September.

OTHER NEW BUSINESS; COMMITTEE MEMBER UPDATES:

No updates were heard.

The next Executive Committee meeting is tentatively scheduled for October 3 at 4:00 p.m.

ADJOURN:

Meeting adjourned at 4:55 p.m.

*Respectfully submitted,
Lauren Hernandez, Office Administrator*



FINANCIAL SUMMARY

As of August 2018

These are unaudited figures and do not include FY19 Carry Forward balances.

As in July, our August Cash balance is lower than it was at this time last year, primarily due to a shift in assets resulting from an increase in lending activity. However, we have seen a significant increase in MCEDD's Checking account balance (1010) and to the Accounts Receivable (1202) balance. The A/R (1202) is in part comprised of Mobility Management match funds, County economic development contract services, Providence Health grant, NEMT and Farmer's Market billings, and Energy Plan match funds. As a result of funding more loans, the Accrued Loan Interest (1227) has also increased. OIB Loans Payment Holding Account (1475), which previously included a payment on a loan that has filed for bankruptcy, is now at zero as that payment has been applied. Overall, our total assets are sitting at \$9,965,959.18 as of August 31, 2018, which represents an increase of more than \$212,000 in comparison to this point last year. We have zero Accounts Payable (2010) as of 08/31/18. We received the necessary information for our Accrued Interest Payable (2035) on our loans to USDA and that information is included in these financials.

Operations Budget vs. Actual for August reflects a Net Income for activity of \$45,589.36 for the first two periods of the Fiscal Year. State (4200) revenue is comprised of ODOT funds received as a result of the contract with Wasco County to provide Public Transportation Services. Local Assessment (4400) revenue of \$65,040.00 is only \$4,162.00 from hitting our *total* budgeted target for FY19 as we invoice for local assessments in July and receive the majority of revenue at the start of the Fiscal Year. Loan Interest (4600) revenue is at \$49,899.24, which is \$11,498.00 more than at this time last year. Overall expenses are still below budget, especially Professional Services and Vehicle Costs. There have been no Capital Purchases as of yet, but those are still anticipated to occur later in the year. Bonds and Insurance (6800) and Other Materials and Supplies (6900) appear over budget as they reflect the entry of pre-paid expenses.

Respectfully Submitted,

Siri Olson, Finance & Operations Manager
Amanda Hoey, Executive Director

Mid-Columbia Economic Development District Operations Budget vs. Actual

July through August 2018

	Jul - Aug 18	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4000 - Carryover Revenue	0.00	443,130.00	-443,130.00	0.0%
4100 - Federal	22,408.65	131,560.50	-109,151.85	17.03%
4200 - State	16,750.00	16,723.00	27.00	100.16%
4300 - Local Match	4,000.00	116.60	3,883.40	3,430.53%
4400 - Local Assessment	65,040.00	11,533.70	53,506.30	563.91%
4500 - Contract Reimbursement	99,063.71	112,343.17	-13,279.46	88.18%
4600 - Loan Interest	49,899.24	54,781.00	-4,881.76	91.09%
4700 - Loan Processing Fees	3,300.75	3,655.50	-354.75	90.3%
4705 - Loan Filing Fees	1,025.48	766.80	258.68	133.74%
4710 - Loan Late Fee	2,053.09	683.30	1,369.79	300.47%
4750 - Investment Interest	268.25	261.30	6.95	102.66%
4800 - Other Revenue	261.15	400.00	-138.85	65.29%
4803 - Sponsor Donations	1,000.00			
4805 - Farebox Revenue	4,817.78	5,141.50	-323.72	93.7%
4934 - In-Kind Revenue	0.00	0.00	0.00	0.0%
4935 - In Kind - MM	0.00	1,751.20	-1,751.20	0.0%
Total Income	269,888.10	782,847.57	-512,959.47	34.48%
Gross Profit	269,888.10	782,847.57	-512,959.47	34.48%
Expense				
5000 - Personnel Expense	168,590.28	189,131.30	-20,541.02	89.14%
6110 - Travel & Conference	1,243.37	6,168.80	-4,925.43	20.16%
6190 - Event Services	0.00	600.00	-600.00	0.0%
6200 - Equipment	621.34	666.60	-45.26	93.21%
6300 - Supplies	935.88	6,888.10	-5,952.22	13.59%
6400 - Professional Services	1,651.16	26,077.90	-24,426.74	6.33%
6500 - Vehicle Costs	13,280.56	32,495.90	-19,215.34	40.87%
6600 - Communications	2,736.64	5,952.10	-3,215.46	45.98%
6700 - Building Costs	5,771.19	8,446.60	-2,675.41	68.33%
6800 - Bonds & Insurance	4,570.23	1,592.30	2,977.93	287.02%
6900 - Other Materials & Supplies	2,668.09	2,020.40	647.69	132.06%
9000 - Indirect Spread	0.00	-76,702.80	76,702.80	0.0%
9100 - Capital Purchase	0.00	62,222.00	-62,222.00	0.0%
9600 - Transfer to/from Source	2,000.00	2,616.70	-616.70	76.43%
Total Expense	204,068.74	268,175.90	-64,107.16	76.1%
Net Ordinary Income	65,819.36	514,671.67	-448,852.31	12.79%
Other Income/Expense				
Other Expense				
7400 - Loan Payment	20,230.00	20,230.00	0.00	100.0%
7500 - Carryover to Next Year	0.00	0.00	0.00	0.0%
7600 - In-Kind Contractual	0.00	1,751.20	-1,751.20	0.0%
Total Other Expense	20,230.00	21,981.20	-1,751.20	92.03%
Net Other Income	-20,230.00	-21,981.20	1,751.20	92.03%
Net Income	45,589.36	492,690.47	-447,101.11	9.25%

Mid-Columbia Economic Development District
Balance Sheet
As of August 31, 2018

	Aug 31, 18	Aug 31, 17
ASSETS		
Current Assets		
Checking/Savings		
1000 - Bank Demand Deposits		
1010 - MCEDD Checking	207,840.30	81,294.76
1015 - MCEDD MM	256,672.68	276,540.90
1020 - IRP		
1021 - IRP - Sherman	121,080.48	101,138.73
1022 - IRP - WA	89,524.56	76,143.35
1020 - IRP - Other	46,096.80	74,668.59
Total 1020 - IRP	256,701.84	251,950.67
1030 - Loan Funds		
1036 - EDA RLFs	28,067.36	228,250.61
1045 - Reg Strat	135,976.02	134,199.38
1050 - RBEG-OR	108,364.83	71,062.55
1055 - RBEG-WA	95,420.59	95,415.64
1057 - RBEG-KL	126,626.93	120,777.24
1067 - CDBG Microenterprises	62,745.45	77,976.57
Total 1030 - Loan Funds	557,201.18	727,681.99
1031 - Housing RLF	1,229,382.47	1,752,628.73
1070 - National Scenic Fund	1,155,854.74	1,372,715.73
Total 1000 - Bank Demand Deposits	3,663,653.21	4,462,812.78
1100 - CDS		
1121 - IRP Reserve	96,071.07	96,031.33
Total 1100 - CDS	96,071.07	96,031.33
1122 - IRP - DDM Product	421,813.16	740,702.44
1125 - LINK Petty Cash	50.00	0.00
1196 - OR Telecom Conference	22,738.63	32,436.00
Total Checking/Savings	4,204,326.07	5,331,982.55
Accounts Receivable		
1202 - Accounts Receivable	82,129.00	23,835.44
Total Accounts Receivable	82,129.00	23,835.44
Other Current Assets		
1200 - Receivables & Accruals		
1205 - Accrued Revenue	15,000.00	15,000.00
1212 - Employee Receivables	-1,125.87	0.00
1227 - Accrued Loan Interest	27,744.12	21,724.92
1229 - Structured Accts Accr'd Int		
1231 - Unrecorded Structured Accrd Int	0.00	-3,079.87
1229 - Structured Accts Accr'd Int - Other	0.00	6,666.84
Total 1229 - Structured Accts Accr'd Int	0.00	3,586.97
Total 1200 - Receivables & Accruals	41,618.25	40,311.89
1300 - Loans Receivable		
1330 - MCEDD Loans Receivable		
1320 - IRP	2,004,835.48	1,643,919.04
1321 - IRP - Sherman	134,308.54	154,986.36
1322 - IRP - WA	228,571.83	241,550.34
1336 - EDA RLFs	707,309.76	476,244.34
1345 - Reg Strat	35,440.33	36,675.72
1350 - RBEG-OR	204,897.89	230,700.78
1357 - RBEG-KL/SK	0.00	5,914.53
1367 - CDBG Microenterprises	43,916.38	28,869.78
1371 - Housing RLF	781,485.74	250,000.00
Total 1330 - MCEDD Loans Receivable	4,140,765.95	3,068,860.89
1370 - OIB Loans Receivable	1,764,701.87	1,513,093.45
Total 1300 - Loans Receivable	5,905,467.82	4,581,954.34
1400 - Loan Payments Holding		
1475 - OIB	0.00	-1,928.86
Total 1400 - Loan Payments Holding	0.00	-1,928.86
1500 - Allowance for Doubtful Loans		
1520 - IRP Allowance	-119,017.48	-105,614.33
1521 - IRP - SH Co	-8,115.80	-9,520.35
1522 - IRP - WA	-13,800.30	-14,651.74
1536 - EDA RLFs Allowance	-34,023.66	-29,255.26
1545 - Reg Strat Allowance	-2,138.04	-2,223.05
1555 - RBEG Allowance	-12,426.19	-14,464.70
1567 - CDBG Microenterprises	-2,736.88	-1,827.70
1571 - Housing RLF Allowance	-27,918.84	0.00
1575 - OIB Allowance	-47,404.77	-45,000.00
Total 1500 - Allowance for Doubtful Loans	-267,581.96	-222,557.13
Total Other Current Assets	5,679,504.11	4,397,780.24

Mid-Columbia Economic Development District
Balance Sheet
As of August 31, 2018

	Aug 31, 18	Aug 31, 17
Total Current Assets	9,965,959.18	9,753,598.23
TOTAL ASSETS	9,965,959.18	9,753,598.23
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Accounts Payable		
2010 - A/P General	0.00	1,086.98
Total Accounts Payable	0.00	1,086.98
Other Current Liabilities		
2030 - Accrued Loan Payment	20,230.00	19,841.05
2035 - Accrued Interest Payable	6,148.22	5,334.62
2050 - PTO - Accrued	40,398.10	23,825.45
2070 - Health Insurance Payable	-24,570.83	-6,300.63
2080 - Life & Disability Payable	-778.28	-282.03
2090 - WC SAIF Ins	-4,581.02	-55.73
2100 - Payroll Liabilities		
2110 - Federal Payroll Liability	43.26	0.00
2120 - State Payroll Liabilities		
2115 - OR- SUTA Payroll Liabilities		
2105 - WBF Payroll Assessment	221.62	44.50
2115 - OR- SUTA Payroll Liabilities - Other	279.49	70.70
Total 2115 - OR- SUTA Payroll Liabilities	501.11	115.20
2120 - State Payroll Liabilities - Other	92.09	0.00
Total 2120 - State Payroll Liabilities	593.20	115.20
2180 - Payroll Liabilities - Prior Per	1,112.50	0.00
2100 - Payroll Liabilities - Other	-73.54	0.00
Total 2100 - Payroll Liabilities	1,675.42	115.20
2800 - Deferred Revenue	6,666.66	6,666.66
Total Other Current Liabilities	45,188.27	49,144.59
Total Current Liabilities	45,188.27	50,231.57
Long Term Liabilities		
2820 - IRP Loan Payable \$1million	439,828.29	477,503.25
2821 - IRP Loan Payable \$600,000	374,717.70	396,225.44
2822 - IRP Loan Payable \$750,000	574,390.98	600,226.72
2823 - IRP Loan Payable - Washington	278,155.90	289,826.46
2824 - IRP Loan Payable - Sherman	180,049.04	186,672.31
Total Long Term Liabilities	1,847,141.91	1,950,454.18
Total Liabilities	1,892,330.18	2,000,685.75
Equity		
3100 - Fund Balances	7,572,025.03	7,573,994.03
3110 - Carryforward Balance	0.00	11,347.09
3900 - Retained Earnings	349,399.16	116,073.61
Net Income	152,204.81	51,497.75
Total Equity	8,073,629.00	7,752,912.48
TOTAL LIABILITIES & EQUITY	9,965,959.18	9,753,598.23

Memorandum

Date: September 28, 2018
To: MCEDD Executive Committee
From: Amanda Hoey, Executive Director
Re: Personnel Policy

Overview

MCEDD has an adopted personnel policy which was last revised in June 2018. The revisions in June were made to streamline processes for administration in relation to an increasing number of part time employees with variable schedules.

At this point, we need to consider a few additional areas of the policy to provide clarity in policy and match to procedure and state/federal requirements. The entire policy was reviewed by HR Answers, which works with our insurance group.

Proposed Revision

The proposed revisions are attached in red (additions) and ~~striketrough~~ (removal). They include:

- Page 18, section 7.1: Revisions to accumulation of PTO for new hires, based on guidance from HR Answers. We need to accrue beginning the date of hire, but can prevent an employee from using that time for up to 90 days, if we elect to do so. The policy currently does not provide that restriction and allows individuals to use time after it is credited (following the end of each pay period).
- Page 16, section 6.4: Revisions to the Worker's Benefit Fund. Since 2010 MCEDD has paid an employer share (50%). I am not certain why the policy reads as it does as our procedure has not changed since 2010.

Discussion Items

There were a number of modifications that MCEDD made in June to the policy and a few items that the Executive Committee deferred in their conversation for later consideration:

- Page 16 Section 6.3 paragraph 3: Payments in lieu of insurance for eligible employees. Currently we offer \$25/month. It is not enough to act as an incentive for declining MCEDD insurance, nor is it sufficient to provide parity in benefit compensation for those deciding to decline. HR Answers notes that it is not a recommended practice. *If the Committee considers a modification, changes are not recommended until the next budget cycle and would not be instituted until the next open enrollment period.*
- Page 18, Section 7.1: Paid Time Off (PTO). Members of the committee asked to discuss the amount of time between increases in PTO related to longevity of employment. Currently, those are set at 0-3 years, 4-15 years and 16 plus years. MCEDD has a generous PTO policy, overall.

Request

Recommend revisions to the personnel policy to the MCEDD Board for approval.



Mid-Columbia Economic Development District

PERSONNEL POLICIES AND PROCEDURES MANUAL

Effective Date: December 14, 2017

Revised: June 14, 2018

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Mid-Columbia Economic Development District Personnel Policies and Procedures Manual

1. Administrative Procedures

- 1.1 **Purpose:** These policies are adopted in the interest of establishing uniform and equitable procedures for dealing with personnel matters.
- 1.2 **Scope:** These policies shall provide procedures for recruiting, selecting, classifying, compensating and discharging all employees of the District. These policies are intended to provide guidelines and procedures, not substantive contractual or property rights.
- 1.3 **Adoption and Amendment:** These personnel policies are adopted by the Mid-Columbia Economic Development District Board of Directors (Board). The Board expressly reserves the right to change, add to, or delete policies at any time. The effective date of these policies is the date noted of the effective date shown on page 1. These policies replace and supersede all pre-existing policies, procedures, or orders relating to personnel matters of the District and its employees, enacted prior to this date.
- 1.4 **Administration of Personnel Policies:** Except as otherwise stated in these policies or otherwise altered by the Board, the Mid-Columbia Economic Development District Board delegates to the Executive Director the authority to recruit, select, appoint, hire, terminate and direct staff, and the day-to-day administration of these personnel policies.
- 1.5 **Personnel Records:**
 - 1.5.1 A personnel file for each employee is kept in the District offices. The files shall be kept in a secure file cabinet and be accessible only on a need to know criteria. An employee's personnel file contains the employee's name, title and/or position held, job application, job description, salary, W-4 form, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information. The employee's I-9 form will be maintained in a separate file. All medical-related records and drug testing records will be maintained in separate confidential files. These will include, but are not limited to, the following documents: pre-offer pre-employment medical exam results, all medical exam results on current employees, drug-test records, documents gathered in connection with considering accommodations for employees under the American with Disabilities Act and applicable state non-discrimination statutes, leave of absence request forms and medical certification information obtained in connection with the employee's request for a family and medical leave for a serious health condition for an employee or an employee's covered family member, and all other records of a medically-related nature.
 - 1.5.2 An employee has the right to review his/her file. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If the District denies the employee's request to remove the information, the employee may file a written rebuttal statement to be placed in his/her file.
 - 1.5.3 Background screenings are stored in protected files. This information is not considered part of the employee's personnel file, so it is not available to employees for review.

1.5.3 Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, without a written request for specific information and approval by the Executive Director.

1.6 Equal Employment Opportunity:

1.6.1 The District is an equal employment opportunity employer. The District employs, retains, promotes, terminates and otherwise treats all employees and job applicants on the basis of merit, qualifications, and competence. This policy shall be applied without regard to any individual's age, color, gender, marital status, medical condition, military status, national origin, pregnancy, physical handicap or disability, race, religion, sexual orientation or any characteristic protected by law.

1.6.2 Each employee is expected to promote a work environment that reflects care, concern, and respect for every person.

1.7 Americans with Disabilities Act (ADA):

For the purposes of the District's policies, a disability is defined as:

- A physical or mental impairment that substantially limits one or more major life activities.
- A record of such impairment.
- Being regarded as having such impairment.

1.7.1 The District will make reasonable accommodations so that employees with disabilities can perform the essential functions of his or her job. The essential functions of each position are its most fundamental job duties – the duties which the position exists to perform—which are outlined in the applicable position description.

1.7.2 Reasonable accommodations may include actions to make existing facilities accessible to, and usable by, the disabled employees and applicants in question, modify work schedules, and acquire or modify equipment.

1.7.3 The District will only refuse to make accommodations that would constitute an undue hardship or if it places the person with a disability and/or other persons at imminent physical risk.

1.7.4 It is the intent of the District to apply these policies to all employment practices, including, but not limited to: job applications and testing; hiring; termination; advancement; promotion; tenure; compensation; training; recruitment; advertising of job openings; layoff and recall; leaves of absence; fringe benefits; and all other employment related activities.

1.7.5 The District will ensure that meetings, events, sponsored training, information exchanges, and social activities will be accessible to employees and all members of the public who are expected, invited, or allowed to attend.

1.8 Retaliation: The District will not tolerate unlawful retaliation against employees for engaging in a protected activity. Federal Laws such as Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and The American with Disabilities Act, all prohibit an employer from retaliating against an employee engaged in a protected activity. Any act of retaliation by an employee may result in serious adverse disciplinary action, up to and including termination.

1.9 Harassment:

- 1.9.1 Harassment is a form of offensive treatment or behavior that to a reasonable person creates an intimidating, hostile, or offensive work environment. It is the policy of the District to provide a work environment for its employees that is free from discrimination and intimidation. The District will not tolerate any form of harassment, including bullying, sexual harassment or other forms of harassment. Prompt disciplinary action will be taken against an employee who commits or participates in any form of harassment.
- 1.9.2 Bullying may be intentional or unintentional; therefore, when responding to bullying complaints, the District may take into consideration the intention of the alleged bully and the effect of the behavior upon the individual objecting to the behavior. All employees have an obligation to report any incidents that pose a risk of harm to employees or others associated with the District or that threaten the safety, security or financial interests of our organization. Employees should make such reports directly to the Executive Director.
- 1.9.3 Sexual harassment is defined as unwanted, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct including but not limited to unwelcome touching of a personal nature; sexual innuendoes, gestures, teasing, other sexual talk such as jokes, personal inquiries, persistent unwanted courting, and sexual putdowns which has the effect of creating an offensive, intimidating, degrading or hostile work environment, or adversely interferes or affects an employee's work performance.
- 1.9.4 Other forms of harassment may include, but are not limited to, display of explicit or offensive materials (calendars, posters, pictures, drawings, or cartoons); slurs and jokes about a class of persons, and derogatory remarks.
- 1.9.5 An employee who believes he/she is being harassed by supervisors or co-workers should immediately notify the Executive Director. In the event that the harassment involves the Executive Director, the employee should notify the Board Chair. The District will not retaliate against an employee who complains of harassment. When a complaint or report of harassment is received, the accused and the apparent victim shall be informed of this prohibition against retaliation. Employees who feel they have been subjected to retaliation are encouraged to report any such retaliation to the Board. Should an issue of harassment be raised, all related matters will be kept confidential to the extent possible throughout the investigation, counseling and disciplinary stages. Whenever employees become aware of allegations of harassment, they will make a written record of the allegations and will forward the record to the Executive Director or to the Board Chair if the allegation involves the Executive Director.
- 1.9.6 Any employee who has been found to have violated this anti-harassment policy will be subject to appropriate disciplinary action, up to and including termination. However, if an investigation of a complaint shows that the complaint or information was known by the person making the complaint to be false, the employee who provided the false information may be subject to disciplinary action, up to and including termination. This section is not intended to discourage employees from making complaints regarding job-based harassment. However, false complaints adversely impact the workplace and the career of the accused, even when disproved, and will not be tolerated.

1.10 Whistleblower Protections

- 1.10.1 The District encourages any employee with knowledge of or concern of an illegal or dishonest fraudulent District activity to report it to the Human Resources Director or

designee. The employee may also provide the information to another District manager, a state or federal regulatory agency, a law enforcement agency or an attorney licensed to practice law in Oregon if a confidential communication is made in connection with the alleged violation. Attorneys employed by the District may report violations of law to the Attorney General, subject to rules of professional conduct. All such issues will be investigated in a timely manner to determine fault and institute any appropriate corrective measures. Examples of illegal or dishonest activities are violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting. For any employee wishing more information, further details can be obtained from the Human Resources Director.

1.10.2 The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to corrective action up to and including termination.

1.10.3 Whistleblower protections are provided to maintain confidentiality and to prevent retaliation. While identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their due course, the privacy of the individual making the report will be protected as much as possible. The District will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Director or designee immediately. The right of a whistle blower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

1.10.4 All reports of illegal and dishonest activities will be promptly submitted to the Human Resources Director or designee who is responsible for investigating and coordinating corrective action.

1.11 Workplace Violence: The District recognizes the importance of a safe workplace for employees, customers, vendors, contractors, and the public. The District will deal with threats and acts of violence made by an employee or member of the public against another person's life, health, well-being, family, or property in a zero tolerance manner.

1.12 Non Smoking: Oregon law prohibits smoking in all District workplace buildings and in public meetings. No person shall smoke or carry any lighted smoking instrument in a room where a public meeting is being held or is to continue after a recess. For purposes of this subsection, a public meeting is being held from the time the agenda or meeting notice indicates the meeting is to commence regardless of the time it actually commences. As used in this section:

(a) "Public meeting" means any regular or special public meeting or hearing of a public body to exercise or advise in the exercise of any power of government in buildings or rooms rented, leased or owned by the State of Oregon or by any county, city or other political subdivision in the state regardless of whether a quorum is present or is required.

(b) "Public body" means the state or any department, agency, board or commission of the state or any county, city or other political subdivision in the state.

(c) "Smoking instrument" means any cigar, cigarette, pipe or other smoking equipment.

1.13 Drug Free Workplace: The Drug Free Workplace Act of 1988 requires the District to preserve a work environment free from the effects of drugs, alcohol, or other performance-impairing substances.

- 1.13.1 The manufacture, distribution, dispensation, possession or use of unlawful drugs or alcohol on District premises or during work hours by District employees is strictly prohibited. The District may discipline or terminate an employee possessing, consuming, controlling, selling or using alcohol, drugs or other controlled substances during work hours.
 - 1.13.2 The District may also discipline or terminate an employee who reports to work under the influence of alcohol, drugs, or any controlled substance. The District may also discipline or terminate an employee who exhibits an on-going dependence on alcohol, drugs or other controlled substances which, in the District's opinion, impairs the employee's work performance, poses a threat to the public confidence, or is a safety risk to the District or others.
 - 1.13.3 The District is committed to supporting employees who undergo treatment and rehabilitation for alcohol or other chemical dependency.
 - 1.13.4 The District has an adopted Drug and Alcohol Policy for employees performing a safety-sensitive function, including those operating transportation programs. All covered employees are required to adhere to the policy.
- 1.14 Seat Belts:** Anyone operating a vehicle on District business must wear seat belts at all times.
- 1.15 Safety:** The District is committed to providing a safe work environment that complies with all applicable federal, state, and local laws.
- 1.15.1 Every employee is responsible for maintaining a safe work environment and following the District's safety rules. Each employee should be familiar with safety and health procedures relevant to their duties. In addition, each employee is responsible for maintaining a safe work area. Each employee shall promptly report all unsafe or potentially hazardous conditions to their direct supervisor and the Executive Director. The District will make every effort to remedy problems as quickly as possible.
 - 1.15.2 In case of an accident involving a personal injury, regardless of how serious, employees shall immediately notify their direct supervisor and the Executive Director.
 - 1.15.3 If an employee is injured on the job, in most cases the injured worker will be entitled to benefits under the state workers' compensation law. The District carries workers' compensation coverage and will assist employees in obtaining all benefits to which they are legally entitled.
- 1.16 Driving While on MCEDD Business:** Employees using a vehicle to conduct MCEDD's business must possess a valid driver's license. MCEDD may verify the validity of your driver's license. Employees using a private vehicle to conduct MCEDD's business must also carry auto liability insurance and must make any necessary arrangements with their insurance carriers.
- 1.16.1 All employees who may be required to drive on MCEDD business may, at any time, have their driving record checked by MCEDD or its insurance company and MCEDD may receive automated reports from the Department of Motor Vehicles that notify MCEDD when there are transactions on your driving record such as speeding tickets and citations.
 - 1.16.2 While on MCEDD business, drivers are expected to make every reasonable effort to operate their vehicle safely, with due regard for potential hazards, weather, and road conditions. Drivers are to obey all traffic laws, posted signs and signals, and requirements applicable to the vehicle being operated. Seatbelts are to be used in all vehicles while on

business. Drivers are to ensure that the use of prescribed or over the counter drugs does not interfere with their ability to drive while on business; operating a vehicle under the influence of alcohol or controlled substances is prohibited. Employees must be in compliance with MCEDD's Drug and Alcohol rules and regulations at all times while responsible for, and in control of, MCEDD vehicles.

1.16.3 Employees are responsible for notifying their manager of any subsequent restrictions, limitations, or other change in their driving status within 72 hours of the change or new restrictions/limitations.

1.16.4 Any traffic citations, including parking tickets, incurred while operating a private vehicle while on District business are the responsibility of the employee and will not be reimbursed by the District. Employees who incur fines in MCEDD vehicles will be personally responsible for payment of such fines, unless the Executive Director approves payment. Employees who are issued citations for any offense while using a MCEDD vehicle must notify their supervisor immediately, when practicable, but in no case later than 24 hours following the citation. Failure to provide such notice may be grounds for disciplinary action. *See also, "Cell Phone Use While Driving" policy (Section 12.2).*

- 1.17 At-will Employer.** Employees and the District reserve the right to end [at-will] the employment relationship, with or without cause, at any time. No District employee has the authority to enter into any agreement contrary to this at-will relationship and it cannot be altered except when in writing and signed by the Chairman of the Board. The District is not bound by any oral promises concerning the length or terms of employment. Although the employment relationship is at-will, it is the intent of the District to follow the employment practices outlined in this manual, unless application of a policy or practice is impractical or would result in hardship.

The District strives for fair treatment of all employees, however, misunderstandings and problems may occur in any organization. Such matters should be resolved as early and fairly as possible. Disagreements relating to work assignment, pay, promotion opportunity or aspect of the work relationship should be openly discussed with the Executive Director. Every effort should be made in honest attempt to understand each others perspectives and make every effort to resolve differences. If the employee believes she/he is not being treated fairly the dispute resolution process may be used.

2. General Provisions

2.1 Types of Employees: Each employee's type and status is listed in their job description. Employees may generally be categorized as follows:

- **Full Time:** An employee who works a minimum of 32.5 hours per week. A full time employee may be exempt or non-exempt.
- **Part Time:** An employee who works less than 32.5 hours in a workweek. A part time employee may be exempt or non-exempt.
- **Temporary:** An employee who is hired either part time or full time for a limited period of time. A temporary employee may be exempt or non-exempt. [Temporary employees are ineligible for employer-paid benefits.] Temporary employment does not count towards anniversary dates.
- **Non-Exempt:** An employee subject to the minimum wage and overtime provisions of federal and/or state law. A non-exempt employee may be paid either on an hourly or a salary basis.
- **Exempt:** An employee exempt from the provisions of federal and state law. Exempt employees are paid on a salary basis and include administrative, executive, professional and certain computer-skilled employees.

2.2 Hours of Work:

- 2.2.1 The normal workweek shall consist of thirty seven and one-half (37.5) hours. For the purpose of calculating an employee's hours, the workweek is Sunday through Saturday, beginning and ending at midnight on Saturday.
- 2.2.2 Non-exempt employees are required to take at least a ½ hour unpaid lunch and may take up to a 1 hour unpaid lunch if they work more than 6 hours in a workday. Non-exempt employees are required to take a 10 minute paid rest or coffee break for every four hour segment worked. The rest break should be given in the middle of each segment, whenever possible.
- 2.2.3 Non-exempt employees will be paid overtime compensation, either in pay or in compensatory time off at the rate of one and one-half times their normal hourly rate for work in excess forty (40) hours in their normal workweek. Accruals of compensatory time for non-exempt employees shall be limited to a maximum of 60 hours at any point in time. Compensatory time accrued in excess of 60 hours will be paid at one and one-half times the normal hourly rate. Employees may request the use of compensatory time off in the same manner as they request annual leave.
- 2.2.4 Non-exempt employees are not permitted to work overtime without the prior approval of their supervisor.
- 2.2.5 Exempt Employees are not required to fill out hourly time records for the purposes of pay. Time sheets for exempt employees are used to track program expenses and overall attendance.
- 2.2.6 Exempt employees will be allowed time off with pay as approved by the Executive Director. At least one day of advance notice should be provided to the Executive Director of any time intended to be taken.

2.3 Attendance: Employees shall be in attendance in accordance with policies regarding hours of work, holidays and leaves of absence.

- 2.3.1 Records of attendance shall be kept and reported monthly.
- 2.3.2 Non-exempt employees unable to work due to illness or injury or unable to report to work on time should notify their supervisor as soon as possible, preferably by no later than one hour after the employee's scheduled start time. The employee is responsible for keeping their direct supervisor advised of the expected duration of the absence. The direct supervisor or the Executive Director may request that an employee provide verification from a health care provider of sick leave absences of more than three days.
- 2.3.3 An employee who is absent without authorization or notification is subject to disciplinary action, including termination. (See Sec. 10.2)

2.4 Conflict of Employment:

- 2.4.1 Employees shall not, directly or indirectly, engage in any outside employment or financial interest which may conflict, in the District's opinion, with the best interests of the District or interfere with the employee's ability to perform his/her assigned District job. Examples include, but are not limited to, outside employment which:
 - 1) prevents the employee from being available for work during normal working hours, or creates attendance or performance problems for the employee;
 - 2) is conducted during the employee's work hours;
 - 3) uses District telephones, computers, supplies, or any other resources, facilities or equipment;
 - 4) is employment with a firm which has contracts with or does business with the District; or
 - 5) may reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.
- 2.4.2 Outside employment shall be reviewed in advance by the Executive Director. The District shall determine what constitutes conflict of employment.

2.5 Political Activity:

- 2.5.1 Except as noted in these policies, employees are otherwise free to fully exercise their constitutional First Amendment Rights.
- 2.5.2 When situations arise that the employees views/actions are being seen as the District's, it is responsibility of the employee to make known through a statement that his or her beliefs are independent of the District.
- 2.5.3 No person shall solicit for any contribution to be used for partisan, political purposes in the District's offices. Employees may not campaign on District time or while representing the District in any way. Employees may not allow others to use District facilities or funds for political activities.

2.6 Travel Expenses: Employees required to travel shall be entitled to reimbursement for all expenses associated with their duties.

- 2.6.1 **Transportation:** The actual cost of transportation, taxi fares, telephone costs and similar items that are incidental and are necessary to the performance of official business while in travel status.
- 2.6.2 **Mileage:** Travelers may use their private vehicle for business purposes if it is less expensive than renting a car or using alternative transportation. Reimbursement for personal vehicle use may be claimed at the standard IRS mileage rate. All travel must be by the most direct or expeditious route possible and any employee who

travels by an indirect route must bear any extra expense occasioned thereby. Employees using their own vehicles for travel incurred for the District business will be required to carry an automobile insurance policy with coverage as specified by their state of residence and a valid driver's license.

2.6.3 **Lodging:** Hotel and motel accommodations should be appropriate to the purpose of the trip. Expenses for lodging must be supported by actual receipts and reimbursement may not exceed the GSA per diem maximum rate.

2.6.4 **Meals:** Employees will be allowed meal expenses directly related to business. To claim a travel meal, a person must be on travel status or attending an in District meeting where a meal is served and provide actual receipts. Reimbursement may not exceed the GSA per diem maximum rate.

2.6.4.a For breakfast, personnel must be on travel status for two hours or more before the beginning of their regularly scheduled work time and for dinner, personnel must be in travel status for two or more hours beyond the end of their regularly scheduled work time. For other than local travel, lunch is an allowable expense.

2.6.4.b Meals included in the registration fee for a conference, seminar or other event are not to be claimed separately for reimbursement.

2.6.4.c Expenses for non-employees who accompany the employee on a trip are not reimbursable.

2.6.4.d Any expenditure for alcoholic beverages is not reimbursable.

2.6.4.e Any expenditure for entertainment is not reimbursable.

2.6.5 **Meals at Local Meetings:** Meals at local meetings, where attendance by the employee is required, will be provided at no charge to the employee.

2.7 Telework: The District may permit employees to work at their home. Employees eligible for telecommuting must have job functions that are of a nature where face-to-face communications, with the public, the District, or with other staff, are minimal or may be scheduled. Additionally, the need for specialized equipment or material for these employees must either be minimal or capable of being scheduled so as not to disrupt District operations during regular business hours or the work of other employees.

2.7.1 Have the same working hours while telecommuting that they would have at the office. In other words, if the employee would normally work an eight to five day in the office, the employee should work an eight to five day at home.

2.7.2 Have the equipment needed for a successful telecommuting arrangement. The employee may agree to use her/his own phone, computer, modem, data line, printer and fax. No office furniture will be provided.

2.7.3 Have provisions related to data and information security to ensure adequate protection of District data and equipment.

2.7.4 For non-exempt employees, provision for breaks and lunch time will be the same as if the employee was working in the office. Overtime will not be permitted unless prior authorization is acquired.

2.7.5 The District will be responsible for repair and maintenance of any equipment provided by the District. The Employee will be responsible for repair and

maintenance of equipment owned by the employee. Surge protectors must be used with any District owned equipment.

2.7.6 The employee will be covered by worker's compensation insurance for all job related injuries occurring in the home during the telecommuter's defined work period. Worker's compensation will NOT apply to non-job related injuries that may occur in the home.

2.7.7 The Executive Director can modify, suspend, or terminate the telecommuting agreement if needed to address business needs of the District, as a result of a change in the employee's job performance, or for other reasons related to District operations.

2.8 Cell Phone Allowance: Certain employees may be entitled to receive an allowance toward the cost of their personal cell phones. The allowance will be granted upon the Executive Director's approval, primarily for those whose jobs require consistent travel and who do not have other MCEDD-issued communication equipment.

Allowances will be paid monthly as part of the employee's paycheck. This monthly allowance is taxable income; therefore, the individual will be taxed in accordance with IRS tax regulations. Since these phones will be the property of the employee, they may be used for personal calls and can be combined or enhanced with other personal plans.

This allowance does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades, or benefits based on a percentage of salary etc.

3. Recruitment and Selection

3.1 Recruitment: Openings for staff positions with the District shall be advertised in the Mid-Columbia Gorge region and other areas selected by the District to produce a pool of qualified candidates. The Employment departments of the States of Oregon and Washington shall also be notified of position openings.

3.1.1 Recruitment announcements shall include job requirements, minimum qualifications from the job description, salary range, selection methods, and how, when, and where to apply and the District's policy to recruit, hire, classify and promote employees per the policy outlined in Section 1.6.1.

3.1.2 The Executive Director, or Board if hiring an Executive Director, will establish selection criteria designed to determine each applicant's knowledge, skills, and ability to perform the duties and responsibilities of the open position. Selection procedures may include written, oral and/or performance examinations, which measure the applicant's, or employee's job-related ability, knowledge and skills. No question in any test or in any application form shall be so framed as to attempt to elicit information concerning sex, gender, race, color, age, marital status, sexual orientation, military status, ancestry, national origin, mental or physical disability or political or religious affiliation.

3.1.3 At the time of application all applicants must meet the minimum qualifications for the position or demonstrate a reasonable assurance of meeting the minimum qualifications by the time of appointment.

3.1.4 Any information submitted in application materials or related documents shall be verified prior to hiring to determine the applicant's qualifications for employment. Any false or misleading information supplied as part of an application for employment will be grounds for rejecting the applicant or dismissing an employee.

3.2 Promotions: Notwithstanding Section 3.1, the Executive Director may fill a vacancy by promoting a qualified employee or intern.

3.3 Appointment: The District delegates responsibility for selection and appointment of all staff, except the Executive Director, to the Executive Director.

3.3.1 Appointment to positions is through a competitive process based on merit, following an evaluation of the applicant's training, education, experience and knowledge, and ability to perform the job for which application is made. This evaluation shall include a thorough background and reference check, which at a minimum will include verification of educational background and dates of previous employment. The background check may also include checking the applicant's driving record.

3.3.2 Appointment shall be made in accordance with these personnel rules.

3.4 Employment of Relatives: Employees' relatives will not be employed by the District under any of the following circumstances:

- Where one of the parties would have authority (or practical power) to supervise, appoint, remove, or discipline the other;
- Where one party would be responsible for auditing the work of the other; or
- Where other circumstances might lead to potential conflict of the interests.

3.5 Physical Exams: Employment may be contingent upon an applicant's successful completion of a medical examination. The District may require the finalist or leading applicant to take a pre-employment physical examination. This examination will be provided by the District at District expense.

4. Position Classification

- 4.1 **Position Classification:** The District shall classify and compensate employees based on job descriptions developed by the District. The District delegates responsibility for developing and revising job descriptions for all employees except the Executive Director, to the Executive Director.
- 4.2 **Reclassification:** Positions may be reclassified using the procedures for classifying the original position.

5. Employee Compensation

- 5.1 Employee Compensation:** The District maintains a pay plan covering all positions in the District showing the minimum and maximum rates of pay. In arriving at such salary ranges consideration is given to prevailing rates of pay for comparable work in other public and in private employment. The District shall endeavor, within budgetary constraints, to use the following compensation procedure:
- 5.1.1 New employees shall generally start at the bottom of the applicable range. The Board or the Executive Director may start an employee at a higher step if the qualifications of the employee warrant.
 - 5.1.2 After completion of a successful six-month employment period the employee may be eligible to advance one salary increment or step.
 - 5.1.3 After eighteen months of successful continuous employment, the employee may be eligible to advance one salary increment or step. Each anniversary thereafter, the employee may be eligible to advance one step increase until the top of the applicable range is reached. A step increase or pay advance is not guaranteed.
 - 5.1.4 The Executive Director may elect to recognize extraordinary job performance by exceeding the regular step increases.
 - 5.1.5 In no case shall the maximum compensation for a range be exceeded unless additional compensation has been approved by the Board.
- 5.2 Pay Adjustments:** The District may, as financial condition allows, give additional pay adjustments.
- 5.3 Pay Schedule:** Employees shall be paid on a bi-monthly basis on the 10th and 25th days of the month. The pay period from the 1st through the 15th of the month will be paid on the 25th day of the same month. The pay period from the 16th through the last day of the month will be paid on the 10th day of the following month.
- 5.4 Part-time Employment:** Part-time employment shall be compensated on the basis of hours worked in relation to full-time employment. That is, an employee who works half-time will receive one-half of the full time pay.
- 5.5 Volunteers:** The District may use unpaid volunteers at its discretion. Volunteers shall receive no compensation, but travel and other out-of-pocket expenses may be reimbursed. The service of a volunteer may be discontinued at any time for any reason. Volunteers must abide by all applicable rules, policies, and practices of the District, and are held to the same standard of performance as applies to regular employees. Volunteers must be approved by the Executive Director and work under the direction of a MCEDD staff member.
- 5.6 Interns:** The District may use interns at its discretion. The terms of the internship shall be set by the Executive Director on a case-by-case basis.
- 5.7 Payroll Deductions:**
- 5.7.1 Required Deductions: All mandated federal and state required deductions will be made from the employee's paycheck.
 - 5.7.2 Optional Deductions: Other deductions may be made from the employee's paycheck with the employee's written request, including, but not limited to:
 - United Way contributions
 - Insurance contributions

- Monies due the District
- Retirement and deferred compensation
- Credit Union
- Any other deduction of general interest to District employees affecting 2 or more employees may be authorized by the employee with the approval of the Finance Director

6. Fringe Benefits

6.1 Eligibility: Employees shall be eligible for fringe benefits as described in this policy. Eligibility for benefits is defined as outlined in the chart below.

Full Time	Part Time	Temporary
Eligible for benefits on the 1 st day of the month following hire.	<p>Employees averaging 20 or more hours worked on a weekly basis shall be eligible for a pro-rated portion of benefits. The average will be based on the average of hours worked over the quarter shall be calculated at the end of each quarter (3/31, 6/30, 9/30, 12/31) to define eligibility for the upcoming quarter. Hours used for the calculation include hours taken as PTO or sick leave, actual hours worked and paid holiday time.</p> <p>For new hires, eligibility shall be determined based on the average of anticipated regularly scheduled hours for the first three months. If averaging 20 hours or more per week, a part-time employee shall be eligible for pro-rated benefits beginning on the 1st day of the month following hire</p>	Ineligible for employer-paid benefits.

6.2 Retirement: Employees will receive an amount approved by the Board in a 457-retirement program administered by the District. Information pertaining to the specific coverage is available from the Finance & Operations Manager.

6.3 Insurance: The District shall provide group medical, dental, vision and long-term disability and life insurance for eligible employees. Part-time employees will receive a prorated benefit, which is based on hours worked. In addition coverage may be offered to the employee’s spouse or same sex domestic partner, and/or family at an additional cost. Information regarding current costs and benefits is available from the Finance and Operations Manager.

Health insurance coverage is a condition of employment for the employee, unless health care coverage is provided through a spouse or same sex domestic partner. Employees will be notified of any changes in contribution prior to a new enrollment year. Coverage begins the first of the next month following the employment date, unless the employee begins work on the first working day of the month whereby coverage starts on the first of the month of the employment date.

If an employee’s health insurance is provided through coverage from a spouse or same sex domestic partner, and insurance criteria is met, employees may have the option to waive District provided health coverage and receive a predetermined amount of cash back, if approved by the District.

6.4 Workers Comp: The District pays an employer share of 50% of the full cost of coverage under the State of Oregon Workers Benefit Fund.

6.5 Unemployment: The District is a participant under the State of Oregon unemployment compensation plan.

6.6 Holidays: Full-time employees shall be entitled to paid holidays on each of the recognized holidays. Part-time employees receive a prorated percentage of holiday benefits.

- New Year's Day
- Martin Luther King Jr.'s Day
- Presidents' Day
- Memorial Day
- Fourth of July
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

- 6.7** When a scheduled holiday falls on Sunday, it will be observed on the following Monday. When a scheduled holiday falls on a Saturday, it will be observed on the preceding Friday.
- 6.8** If a non-exempt employee is required to work on a holiday observed by the district, the employee shall either be paid or given compensatory time for all hours worked at the rate of one and one-half times the regular rate.
- 6.9** Employees who are off work on an unpaid leave of absence shall not receive holiday pay. Employees who are off work due to sickness or vacation shall be paid for the holiday in lieu of using vacation or sick leave.
- 6.10 Employee Assistance Program:** The District recognizes that employees and their family members may, from time to time, face personal issues that affect their careers and personal lives, or both. Solutions to some of these problems may not be readily apparent. To this end, we offer the services of outside professional counseling for the employee and the employee's family to help deal with personal problems such as working relationships, family relationships, substance abuse, finance management, etc. Employee or a member of the family may consult with these professionals on a confidential basis in accordance with the Employee Assistance Program offered by the District.
- 6.11 Inclement Weather:** During adverse weather conditions the Executive Director will make a determination to close the office or to remain open. If the office is open, employees unable to report for work may elect to not be paid or to utilize PTO leave.

7. Leaves and Absences

7.1 Personal Time Off (PTO): All full time employees shall accrue PTO per the following schedules:

- | | |
|--------------------|--|
| 0 through 3 years | - 8.5 hours per pay period, credited at the end of the pay period (total 17 hours per month) |
| 4 through 15 years | - 11 hours per pay period, credited at the end of the pay period (total 22 hours per month) |
| 16 plus years | - 13 hours per pay period, credited at the end of the pay period (total 26 hours per month) |

Part time employees shall accrue PTO at a prorated percentage based on the number of regular hours worked.

- | | |
|--------------------|--|
| 0 through 3 years | - 0.10 hour PTO per regular hour worked, credited at the end of the pay period |
| 4 through 15 years | - 0.13 hour PTO per regular hour worked, credited at the end of the pay period |
| 16 plus years | - 0.16 hour PTO per regular hour worked, credited at the end of the pay period |

Personal Time Off is available for vacation, sick leave, and all other needed time off. Whenever possible employees shall give their direct supervisor or the Executive Director at least two weeks notice of intent to use scheduled PTO. For unscheduled use of PTO, employees should give their direct supervisor or the Executive Director as much notice as possible (*See work week/attendance*).

Personal Time Off will not accrue during any leave without pay or while covered under workers compensation for time loss for on the job injury, disease, or illness.

Personal Time Off shall begin to accrue upon hire, per the schedule listed above. ~~after the first full month worked. When initially appointed as a new hire, if the effective date of the initial appointment is the first (1st) working day of the month, PTO shall accrue at the end of that month. PTO may be used any time after it is credited. accrual.~~

For purposes of payout at termination or separation, the maximum accrual is 195 hours with a 75% payout on accrued hours (up to the accrual of 195 hours) at termination or separation.

Personal Time Off leave is capped at the end of the calendar year, allowing only up to a maximum number of 225 hours to roll over into the next calendar year.

Employees who have accumulated sick leave at the time this change in policy is put into effect will retain that sick leave accrued. The accumulated sick leave may be used instead of PTO for medical leave. Any unused sick leave will be forfeited on termination of employment.

7.2 Shared Leave: An employee can donate a portion of his or her PTO leave to another employee who is suffering from, or a member of whose household is suffering from, an extraordinary or severe illness or injury, provided:

- 7.2.1.a The leave sharing is approved by the Executive Director.
- 7.2.1.b The receiving employee has exhausted or will exhaust, his or her PTO, and must go on leave without pay or terminate employment. The receiving employee must be absent for at least one week beyond the date when the employee's leave will be exhausted.

7.2.1.c The donating employee may donate a minimum of 7.5 hours. There is no maximum donation provided the donation does not cause the employee's annual leave balance to fall below eighty hours.

7.2.1.d All donated leave must be given voluntarily.

7.3 Leave Without Pay: Employees may request a personal leave of absence without pay for a reasonable period of time up to sixty (60) days. Requests for leaves of absence will be considered on the basis of the employee's length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave, and the expected impact of the leave on the District.

7.3.1 **Requests.** Requests must be approved by the Executive Director before the leave begins. It is the employee's responsibility to report to work at the end of the approved leave. Any employee who fails to report to work on the day after the leave expires will be considered to have voluntarily resigned.

7.3.2 **Status of Employee Benefits During Unpaid Leave of Absence.** The District will not pay for group health or dental insurance premiums during any portion of an unpaid leave of absence. Accordingly, the premiums for such coverage are the complete responsibility of the employee. In order to keep the insurance in force, premiums for the entire period of the leave must be paid before the employee begins the leave. Annual leave time, sick leave, and bereavement leave will not accrue during unpaid leave of absence.

7.4 Workers Compensation Leave: An employee who suffers a work related injury or illness may file an application for worker's compensation. The employee shall become eligible to receive compensation from the Workers' Compensation insurance carrier in accordance with Oregon law. Accrued sick leave may be used until claim is processed.

7.5 Jury Duty: Employees will be allowed necessary leave during their normal scheduled work period to serve on the jury of a federal, state, or municipal court or if they are subpoenaed as a witness in a case pending in a federal, state, or municipal court. Employees should notify their supervisor or the Executive Director immediately after receiving notification to report to serve on jury duty or when subpoenaed.

7.5.1 Non-exempt employees will be paid their regular base rate for authorized absences to serve as a juror or subpoenaed witness. Exempt employees will be paid their regular salary.

7.5.2 Payment received from the courts during paid jury duty must be paid to the District. Expense reimbursements, such as mileage, do not need to be paid to the District.

7.6 Military Leave is granted to all employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law. Generally, advanced notice is required before taking military service or training leave. (*See also Oregon Military Family Leave Act (OMFLA) and Federal Military Family Leave (FMFLA) for additional military leave information*).

7.7 Family Medical Leave Eligible employees may take unpaid Oregon Family Leave (OFLA) for the purposes commonly referred to as parental leave, serious health condition leave, pregnancy disability leave and sick child leave as defined below:

- 7.7.1 Parental Leave** is leave taken to care for the employee's newborn, newly adopted or newly placed foster child under 18 years of age or for a newly adopted or newly placed foster child 18 years of age or older which is incapable of self-care because of a physical or mental impairment. It includes leave time to effectuate for the legal process required for placement of a foster child or the adoption of a child. *Note: If both parents work for MCEDD, they are not entitled to take concurrent leave except in limited situations. Employees will only be allowed to take leave in two or more non-consecutive periods with the Executive Director's prior approval. With the Executive Directors' approval, employees may be allowed to work intermittently during their parental leave. Requests for this option would be reviewed on a case-by-case basis for approval by the Executive Director.*
- 7.7.2 Serious Health Condition** is leave taken to provide care for a family member with a serious health condition as defined in 839-009-0210(19); or to recover from or seek treatment for a serious health condition that renders an employee unable to perform at least one essential function of the employee's regular position.
- 7.7.3 Pregnancy Disability Leave** is leave taken by a female employee for a disability related to pregnancy or childbirth, occurring before or after the birth of the child, or for prenatal care. Pregnancy disability leave is a form of serious health condition leave.
- 7.7.4 Sick Child Leave** is leave taken to care for an employee's child suffering from an illness or injury that requires home care but is not a serious health condition. Routine medical or dental appointments do not qualify under this provision. Provisions of OFLA will be construed to the extent possible in a manner that is consistent with any similar provisions of the Federal Family Medical Leave Act (FMLA). When both OFLA and FMLA apply, the provision that is more beneficial to the employee's circumstance shall apply. Not every detail of the OFLA and FMLA laws can be included, and MCEDD will administer this policy in accordance with all legal requirements. Requests for leave under these laws will be reviewed on a case-by-case basis. For the purposes of taking parental leave under OFLA, an employee must be employed by MCEDD for at least 180 calendar days immediately preceding the date on which the parental leave begins. For purposes of taking all other types of family medical leave under OFLA, including pregnancy disability leave, an employee must be employed by MCEDD for an average of at least 25 hours per week during the 180 calendar days immediately preceding the date the family and medical leave begins. To qualify for FMLA, an employee must have been employed by MCEDD for at least twelve (12) months and worked at least 1,250 hours in the previous months.

7.7.5 Definitions

Child - For the purposes of parental and sick child leave only (not for the purposes of serious health condition leave), means a biological, adopted, foster or stepchild, the child of an employee's same-gender domestic partner or a child with whom the employee is or was in a relationship of in loco parentis. The child must be under the age of 18 or an adult dependent child substantially limited by a physical or mental impairment as defined by ORS 659A.100(2)(d).

Domestic Partner - Means an individual joined in a domestic partnership. Domestic partnership for the purposes of ORS Chapter 659A means two individuals of the same sex who have received a Certificate of Registered Domestic Partnership from the State of Oregon in compliance with ORS 432.405(1) and rules adopted by the State Registrar of the Center for Health Statistics.

Family Member - Means the spouse, same-gender domestic partner, custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, parent-in-law, parent of the same-gender domestic partner, grandparent or grandchild of the employee, or a person with whom the employee is or was in a

relationship of in loco parentis. It also includes the biological, adopted, foster or stepchild of an employee of the child of an employee's same-gender domestic partner. For the purposes of OFLA, an employee's child in any of these categories may be either a minor or an adult at the time serious health condition leave is taken. **In Loco Parentis** – Means in the place of a parent, having financial and day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

7.7.6 Length of Leave Allowed In any one-year calculation period, an eligible employee is entitled to the following amount of unpaid family medical leave:

- 12 weeks of family medical leave for parental, family serious health condition, sick child, and/or personal serious health condition reasons;
- An eligible female employee may take up to 12 weeks of pregnancy disability leave in addition to 12 weeks of OFLA leave for any leave purpose;
- Up to twelve (12) weeks of state leave for an illness, injury or condition related to pregnancy or childbirth that disables the employee;
- An employee who takes the entire 12 weeks of parental leave is entitled to an additional 12 weeks of sick child leave within the same calculation year;
- An eligible female employee may take up to 36 weeks of OFLA leave in one leave year that includes up to 12 weeks of pregnancy disability leave, followed by 23 weeks of parental leave, and 12 weeks of sick child leave;
- An eligible employee may take up to 24 weeks of OFLA leave in one leave year if the employee takes 12 weeks of parental leave followed by 12 weeks of sick child leave;
- The birth, adoption or foster placement of multiple children at one time entitles the employee to only one 12-week period of parental leave.

Sometimes more than one type of leave may apply to a situation. Where allowed by the federal or state law, leaves will run concurrently. Where the law allows, all approved leave time, whether paid or unpaid, will be deducted from an employee's annual family medical leave entitlement under this policy and the law. This means that workers' compensation leave, leave for a non-occupational injury or illness, federal family medical leave, state family medical leave may all run concurrently where allowed by law and be deducted from the employee's annual family medical leave entitlement.

Generally, the one year (12 month) calculation period during which leave is available will be measured backward from the date the employee uses any family medical leave. There is a period of time where an employee may be eligible for state but not federal family medical leave. When state leave is available before the employee is eligible for federal family medical leave or the reason for the first leave qualifies for state leave but does not also qualify for federal leave, the one-year leave calculation period will begin with the first state leave taken by the employee. Thereafter, a new leave calculation period will begin with the first day of federal qualified leave for family medical leave calculations.

7.7.7 Leave Request Employees must provide 15 days advance written notice if the leave is foreseeable. To apply for a family medical leave of absence, employees must notify their supervisor and complete a *Family Medical Leave Request* form. If the reason for the leave is unforeseeable, employees must give their supervisor verbal notice in accordance with other MCEDD policies but the verbal request must be followed up by the written request within three days of their return to work. If the need for the leave is foreseeable and the employee fails to provide notice as set forth above, MCEDD may delay the leave for up to 15 days or, if the leave qualifies under state leave, reduce the available leave time for up to 15 days.\

7.7.8 Certification Employees are required to provide a medical *Certification of Physician or Practitioner* form from their health care provider to support a family medical leave

request. Where the need for the leave is anticipated, they must provide the certification in advance of the leave, when possible. However, certification is not required for parental leave although employees may be required to provide documents evidencing birth, adoption, or foster placement. Where the need for leave is not anticipated, employees may be required to provide medical certification within 15 days of MCEDD's request for such certification. In some cases, MCEDD may require a second or third medical opinion, at MCEDD's expense.

If the employee has used three days or partial days of leave within a one-year period to care for a sick child, the employee may be required to obtain a *Certification of Physician or Practitioner* form to support a request for any additional leave to care for a sick child. In this case, MCEDD will pay the cost of obtaining the medical certification if it is not covered by their health care insurance plan. If the employee's medical leave is for their own serious health condition, they may also be required to furnish a *fitness for duty certification* form from their health care provider at least one working day before returning to work.

7.7.9 Pay and Benefits The employee must use any accrued sick or paid time off during family medical leave. The employee's accrued sick or paid time off will be used in the following order: sick pay; combination of sick pay/paid time off; any paid time off remaining. There will be no accrual or accumulation of benefits *after* the first 150 hours of family medical leave. MCEDD will continue to pay its portion of the group health insurance premiums on the employee's behalf and the employee must continue to pay their share of the premium. If the employee fails to pay their share of the premium, they may lose the coverage. MCEDD has the right to recoup from the employee any premiums it paid during the leave if the employee does not return to work for reasons other than their own serious health condition or that of an employee's family member, or some other reason beyond the employee's control.

7.8 Oregon Military Family Leave Act (OMFLA) OMFLA is leave taken by the **spouse or domestic partner** of a member of the Armed Forces of the United States, the National Guard, or the military reserve forces of the United States who has been called to active duty or notified of an impending call or order to active duty, or who is on leave from active duty during a period of military conflict. Eligible employees are entitled to 14 days of **unpaid** leave per deployment and must provide notice to the Executive Director, of intention to take leave within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment, or as soon as is practicable when official notice is provided fewer than five days before commencement of the leave. The 14 days count against the employee's 12-week OFLA allotment for the year; this means the days are included in, not in addition to, the 12 weeks of family leave available under Oregon's Family Leave Act (OFLA). Notice shall include a photocopy of the service member's orders to verify that the leave is for the purpose as defined in OAR 839-009-0380(7). No retaliation or discrimination may occur because an employee has requested OMFLA leave.

7.9 Federal Military Family Leave Act (FMFLA) Qualifying Exigency Leave for Families of National Guard and Reserves: The National Defense Authorization Act for 2008 (NDAA) amends FMLA to allow military families members (spouse, son, daughter, or parent) of people who are on, or about to go on active duty, leave entitlement to manage their affairs ("qualifying exigency"). For the purposes of qualifying exigency leave, family members of covered military members called to active duty may take leave for one or more of the following qualifying exigencies:

- to address any issues which arise from the military member learning of a call or order to duty seven or less calendar days prior to deployment;
- to attend military events or sponsored family support programs;
- to arrange for alternative childcare or school attendance, attend childcare or school meetings, or provide childcare on an urgent immediate need basis when necessitated by the call to duty;

- to make or update financial and legal arrangements to address the military member's absence, or to serve as the military member's Representative in obtaining, arranging or appealing military service benefits;
- to attend counseling (not provided by a health care provider) or oneself, the military member, or child of the military member;
- to spend time (up to five days of leave for each instance) with a military member on temporary rest and recuperation leave;
- to attend post-deployment activities, and
- any other events which employer and employee agree arise out of the military member's call to duty, qualify as an exigency, and agree as to the timing and duration of leave.

7.9.1 Military Caregiver Leave: The NDAA FMLA amendments also allow up to 26 weeks of unpaid FMLA caregiver leave for a service member who incurs a serious illness or injury in the course of active duty. This leave is called "Service Member Family Leave" (SMFL). A caregiver may be the spouse, son, daughter, parent or next of kin (defined as nearest blood relative). For this leave only, a "serious injury or illness" is defined as any injury or illness incurred in the line of duty that "may render the service member medically unfit to perform the duties of the member's office, grade, rank or rating." This means that the SMFL serious health condition may not meet the definition of other FMLA serious health condition. No retaliation or discrimination may occur because an employee has requested FMFLA leave.

7.10 Domestic Violence Leave (Crime Victims Leave): Employees who are victims of domestic violence, sexual assault, harassment, or stalking, or are parents or guardians of victims (minor children), may be eligible for this leave. The District may grant an eligible employee a reasonable leave of absence if the employee or the employee's minor child or dependent needs time off to deal with issues of domestic violence, sexual assault, or stalking. The District may provide reasonable safety accommodations for an employee who is a victim of domestic violence, sexual assault, or stalking, if the employee requests it, and if it does not impose an undue hardship on the District.

7.11 Absenteeism: The District expects that employees will be present, ready for work when and where they are assigned.

7.11.1 Employee will be subject to disciplinary action for unexcused absenteeism, habitual tardiness and habitual absenteeism.

7.11.2 Abuse of any or all leave privileges, including sick leave or other personal leave time shall be considered a violation of the absenteeism rule.

8. Disciplinary Action: The District may demote, suspend, reduce in salary or dismiss an employee for:

- 1) Neglect of duty
- 2) Inefficiency
- 3) Incompetence
- 4) Inadequate performance of duty
- 5) Insubordination
- 6) Indolence
- 7) Conviction of a crime involving moral turpitude
- 8) Malfeasance
- 9) Gross misconduct
- 10) Absence from work without permission and habitual absence or tardiness.
- 11) Violation of duties or adopted District policies, including those imposed by this manual.
- 12) Failure to perform an essential duty or to be able to operate essential equipment as defined by the Employee's job description.

This list is not all-inclusive, but only serves as a general guide. The District may discipline or terminate employees for other reasons not stated above.

8.1 Discipline is Progressive: Under normal circumstances, the District endorses a policy of progressive discipline in which it attempts to provide notice to employees of deficiencies and an opportunity to improve. The District recognizes that some performance problems are more severe, and so steps in the progression may be skipped, depending on the severity of the deficiency. In the event that discipline is necessary, the normal application of progressive discipline should be:

1. *Oral Warning.* An oral warning is a counseling session between the employee's supervisor and the employee on the subject of the employee's conduct and performance, or his/her failure to observe a rule, regulation, or administrative instruction. It is intended to change the employee's conduct, attitude, habits, or work methods. Following the counseling session the supervisor shall document the oral warning. Documentation of the oral warning shall be kept with the supervisor's files, and the supervisor will provide a copy to the employee.
2. *Written Reprimand.* A reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are placed in the employee's personnel file.
3. *Suspension.* A suspension is a temporary, unpaid absence from duty that may be imposed as a penalty for significant misconduct or repeated lesser infractions. A suspension is a severe disciplinary action that is made part of the employee's permanent record. The Executive Director may suspend an employee for up to 15 days for each occurrence (up to 30 days in any calendar year), for cause. Written notice of the suspension, including specific charges and duration, shall be provided to the employee.
4. *Demotion:* The Executive Director may demote or reduce the salary of an employee. Written notice of the demotion or salary reduction, including specific charges, shall be provided to the employee at least 15 days in advance of the effective date.
5. *Dismissal:* The Executive Director may dismiss an employee.

8.2 Plans of Assistance: The Executive Director may place employees on a Plan of Assistance to improve the performance of an employee. Plans of Assistance should clearly identify the performance deficiencies and the expected performance.

- 8.3 Suspension for Investigation:** Suspensions with pay, where the employee is placed on administrative leave, may be used by the Executive Director pending the results of an investigation or disciplinary action where the Executive Director determines those factors such as public confidence, the safety of the employee or the efficient functioning of the District call for such a suspension.
- 8.4 Degree of Discipline:** The degree of disciplinary action administered depends on the severity of the infraction, and will be carried out in accordance with this policy. In cases involving serious misconduct or in the case of a major breach of policy or violation of law, the Executive Director may suspend the employee immediately and determine what further action, if any, should be taken.
- 8.5 Appeal of Disciplinary Action:** Temporary employees and employees who have been employed less than six months do not have a right to appeal disciplinary actions. All appeals shall be in writing and addressed to the Board within fourteen days and with a copy to the Executive Director.
- 8.6 Investigations:** In connection with an appeal, complaint, protest, the Board may conduct such investigation it deems necessary.
- 8.7 Hearings:** If the Board decides a hearing is warranted, it shall set a date and time for the hearing. The employee and Executive Director shall be given written notification of the time and place of the hearing. The hearing is intended solely for the purpose of receiving evidence either to refute or substantiate specific charges brought to the Board. In appealing a disciplinary action to the Board, an employee may, but is not required to have counsel or other representation. The employee or his/her spokesperson may examine, cross examine, make statements and summarize testimony.
- 8.8 Findings:** If the Board finds that the action of the Executive Director was reasonable and consistent with policy, the Board may affirm the action or modify the action as it deems appropriate. If the Board finds that the action was not reasonable and consistent with policy, the action shall be reversed and the employee shall not suffer any loss in pay or status and the personnel file shall be purged of such record. The decision of the Board shall include a finding of fact and shall be final and binding.
- 8.9 Reduction in Force:** The Executive Director may layoff an employee because of a reduction in force due to lack of funds, lack of work, agency reorganization or an employee's inability to continue in a reclassified position. Temporary employees will be laid off before regular employees. In determining who is to be laid off, consideration will be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are equal. Employees who are laid off may be eligible to be re-employed, if a vacancy occurs in a position for which they are qualified up to one year of the date of the loss of employment.

- 9. Employee Performance:** The performance of each employee shall be evaluated and reviewed with the employee annually. Direct supervisors shall evaluate employees they manage based on a performance evaluation system provided by the Executive Director and the Executive Director shall evaluate supervisors and all other staff. The Board shall review and evaluate the performance of the Executive Director.
- 9.1 Purpose:** Employee performance reviews are an essential communication process between the employee and the District. The performance appraisal is an opportunity for the supervisor and employee to review whether previously discussed performance expectations and goals have been met, to discuss professional development opportunities, and to identify options for acquisition of additional skills and knowledge to foster performance improvement and career growth. It also serves as a basis of personnel decisions – merit increases, promotion and termination.
- 9.2 New Employees and Employees in a New Position:** Newly hired employees and employees in a new position will participate in goal-setting interview/reviews as often as appropriate and will have at least one performance evaluation before the completion of six months employment and at least one more before the completion of twelve months employment.
- 9.3 Unsatisfactory Performance:** An employee whose work is judged unsatisfactory shall be notified in writing of the areas where work is considered deficient. Unless the deficiency is extreme, the employee shall be placed on a Plan of Assistance.
- 9.4 Evaluation Considerations:** In evaluating employees, the evaluator will consider the experience and training of the employee as well as the employee's attainment of previously set goals. Other factors that will be considered include knowledge of the job, quantity and quality of work, citizen service, initiative, reliability, judgment, conduct, and acceptance of responsibility.
- 9.5 Employee Participation:** Employees shall be invited to provide comments about their own performance during the review period. Employees may also comment on the review conducted by their direct supervisor or the Executive Director in the form of written comments on or attached to the written evaluation.
- 9.6 Written Evaluation:** The direct supervisor or the Executive Director will prepare a written appraisal of each employee's performance. The appraisal will include an action plan for the employee and a set of performance goals for the next evaluation period. The direct supervisor or the Executive Director will meet with the employee to discuss the evaluation. The employee and evaluator will sign and date the evaluation. If the evaluation is conducted by a direct supervisor, the supervisor will submit the employee evaluation to the Executive Director for further review and signature. An employee may attach a written response to the evaluation if desired.
- 9.7 Supplemental Evaluation:** A supplemental performance evaluation may be submitted on any occasion deemed appropriate by the direct supervisor or the Executive Director to clarify performance deficiencies and goals or plans for improvement.

- 10. Termination of Employment:** Termination may occur because of an employee's resignation, dismissal, retirement; or permanent reduction in workforce. In the absence of a specific written agreement, employees are free to resign at any time and for any reason.
- 10.1 Notice:** Employees are requested to give at least two weeks notice of their intent to resign.
- 10.2 Absence Without Notice:** Employees who are absent from work for three consecutive days without an approved leave or without having given notice to the Executive Director will be considered as having abandoned their position and may be declared as having voluntarily quit.
- 10.3 Health Insurance:** The District will notify terminating employees of their right and the cost to continue coverage under the group health plan. The District will assist employees who wish to continue coverage under COBRA or through retirement.
- 10.3.1 Retirement Employee:** For purpose of a retiree's option of continuing in the District's health insurance program, the definition of retiree is as follows:
- a. Has retired at 55 or older or has been placed on disability retirement.
 - b. Was insured under the District's group health insurance program at the time of retirement.
 - c. Begins receiving MCEDD's retirement benefits or social security benefits immediately after termination of employment.
- 10.4 References:** In general, the District will not release reference information (beyond dates of employment) without the authorization of the employee. Employees (or former employees) may authorize the Executive Director to provide additional reference information on the employee's (or former employee's) performance and work assignments. Employees (or former employees) who are making this authorization shall do this in writing.
- 10.5 District Materials:** Employees will return all District equipment and District keys upon termination. The District may change security codes, passwords, and/or keys for District facilities and equipment after any employee's termination.
- 10.5.1** Any employee terminating employment with the District is prohibited from taking (in any form) or copying any computer discs, hard copies, or other information stored on the District's electronic equipment.
- 10.6 Exit Interviews:** The Executive Director or the employee's direct supervisor will conduct exit interviews with all employees who terminate their employment by resignation or retirement.
- 10.7 Personal Property:** The District will give terminating employees sufficient time to remove personal property from District offices.
- 10.8 Pay Upon Separation:** An employee terminating employment with the District will be paid any earned and unpaid wages then due for work hours, any remaining PTO at 75 percent, and compensatory time for non-exempt (as per 2.24), which shall be paid at one and one-half the employee's hourly rate. An employee who is involuntarily terminated will be paid no later than the end of the first business day after a discharge or termination. If an employee resigns and fails to give at least forty-eight (48) hours advance notice prior to quitting District employment shall be paid within five (5) days of termination.

11. Personal and Professional Development: The District places a high value on personal and professional development of employees.

11.1 Employees may request compensation for the costs of college-level, technical or other academic course work, seminars, and conferences relevant to their current or future roles in the organization. Reimbursement for college-level course work will only be made if the employee receives a passing grade. All training activities involving a cost to the District must be approved in advance by the Executive Director, in writing.

12. Electronic Equipment and Telecommunications Policy: The following policies apply to the use of all District telecommunications equipment and services, including, but not limited to computers, electronic mail, the Internet, telephones, voice mail, faxes, cellular telephones, support equipment (projectors, printers, etc.), and electronic data. Improper use or violations of this policy can result in disciplinary action, up to and including termination.

12.1 District Business: The District's telecommunications systems are to be used only for conducting the business of the District. The District's telecommunications systems shall not be used for any of the following purposes:

- any use related to the conduct of an outside business;
- a use that supports, promotes, or solicits for an outside organization or group unless provided for by law or authorized by the Executive Director;
- any campaign or political use;
- any commercial use;
- any violation of the District's anti-harassment policy;
- any illegal activity; or
- transmitting offensive, discriminatory, prejudicial, or otherwise inappropriate material.

12.2 Cell Phone Usage: This policy regarding cellular phone usage applies to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet, or downloads and allows for the reading of and responding to email.

Employees must adhere to all federal, state or local rules and regulations regarding the use of cell phones.

Employees who violate this policy will be subject to disciplinary actions.

12.3 De Minimis Use: Other de minimis uses of the telecommunications systems are permitted if the use:

- does not result in a cost to the District;
- does not interfere with the performance of official duties;
- is brief in duration and frequency and occurs during breaks and lunch hours;
- does not distract from the conduct of District business; and
- does not compromise the security or integrity of agency information, equipment, or software.

Abuse may be grounds for discipline.

12.4 Costs: Any costs created by employee for personal use of the telecommunications system shall be reimbursed to the District by the employee.

12.5 Security: Users of all telecommunications systems should be aware that these systems are not secure.

12.5.1 Electronic communications cannot be protected from unauthorized access caused by recipients who fail to maintain the confidentiality of the pass code or leave their assigned communications device(s) unattended when logged on.

12.5.2 Electronic mail messages and voice mail messages may be received, modified, and forwarded to others by the recipient. They may be directed to the wrong recipient or lost in route to an intended recipient.

12.5.3 Users shall not provide unauthorized access to the District's telecommunications system.

12.5.4 Users may not use another individual's network identification, voice mailbox, or name to send electronic mail messages, voice mail, faxes, or other electronic communication without prior approval.

12.6 Public Records: Telecommunications records related to the business of the District are public documents, which may be obtained by request pursuant to the District's public records rules.

12.6.1 Users shall retain copies of electronic mail messages, which they generate and send, or receive, in either electronic or hard copy form, consistent with Oregon and Washington's document retention schedules. Copies of the retention schedules are maintained in the District's Office.

- a. Informational or ephemeral correspondence, which does not contain significant information about the District's program, such as meeting notices, reminders, drafts and worksheets, desk notes, memoranda and other materials or an informational nature need not be retained.
- b. Users must consult with the Executive Director to determine if documents should be retained and for what length of time.

12.6.2 The Executive Director must approve requests for access to or copies of electronically stored or archived electronic mail messages from persons outside of the agency.

12.7 Privacy: Users of the District's telecommunications systems have no reasonable expectation of privacy.

12.7.1 Users should not use telecommunications systems to transmit, receive, or store sensitive personal information.

12.7.2 The Executive Director or a designee reserves the right to access stored messages on the District's electronic mail, voice mail, and other data systems or otherwise monitor its use at any time, without prior notice, and without the consent of the sender or recipient when it is necessary to carry out normal business functions, or if the Executive Director has reason to believe that use of the District's telecommunications systems has been in violation of this policy.

12.7.3 The District reserves the right to monitor employee use of our systems at any time. Employees should not consider their usage to be private. Within the bounds of current and future laws, the District reserves and intends to exercise the right to review, audit, intercept, access, and search any of these systems at will, monitor data and messages within them at any time for any reason, and disclose selected contents without notice or other restrictions.

13. Safety: It is the policy of the District to provide and maintain safe and healthful working conditions, follow operating practices that will safeguard all employees, and result in safe working conditions and efficient operation. Safety rules and regulations have been established and are in effect for all employees.

13.1 Bloodborne Pathogens or Other Potentially Infectious Materials: Exposure to bloodborne pathogens may lead to sickness such as hepatitis, AIDS, or malaria. The District wants to assure its employees of a safe and healthy work environment. It is the policy of the District to comply with all legal and regulatory obligations for the prevention of exposures to bloodborne pathogens. To this end, the District will comply with all sections of the Oregon Administrative Rules, Chapter 437 and all other statutory requirements regarding the prevention of occupational exposures to bloodborne pathogens.

13.2 Universal Health Precautions and Work Practices: As recommended by public health authorities, the District will adhere to a program of universal precautions for protection against diseases spread by blood or bodily fluids. ("Bodily fluids" refers to fluids that may contain blood or feces, not urine, sweat, saliva, or tears.) This means that, for safety purposes, employees will operate on the assumption that all blood and bodily fluids are potential carriers of bloodborne disease, and will adhere to universal precautions that protect against AIDS and other diseases.

14. Code of Ethics: The District expects teamwork and excellence. Neatness of work performed is also important. All employees are engaged in public relations. Some deal directly with the public; others, while not in direct personal contact, do perform work under the public eye. Favorable impressions created by employee's public behavior help develop good will and support for District services. Employees who violate the Ethics Policy or who create an equally detrimental impact on the organization may be subject to disciplinary action, up to and including discharge.

14.1 Personal Interests Avoided: District employees may not use District time, equipment or services for personal interest. In matters of personal interest, employees should conduct themselves so as not to impair their working relationship with other employees, officials, or the public.

14.2 Personal Telephone Calls: District phones are to be used for District purposes only. Telephone calls of a personal nature (incoming or outgoing) should be kept to a minimum and made during breaks or lunch periods whenever possible. Under no circumstances should an employee charge a long distance call to the District unless it is work-related. Friends and relatives should be discouraged from calling during working hours except in emergencies.

14.2.1 Personal Cellular Phone Usage: Excessive use of a personal cellular phone for personal business during work hours is not allowed. Additionally, if personal cell phones are brought to meetings, the devices must be put on vibrate mode as to not disrupt the meeting.

14.3 Confidentiality: Employees must not discuss confidential matters or release confidential information to anyone except as is required in the execution of their duties. An employee shall not use or disclose, either directly or indirectly, for his benefit or the benefit of another, any confidential or proprietary information, whether or not the information is acquired, attained, or developed by the employee or in connection with others. All confidential information shall be sufficiently guarded to protect it from misuse.

14.4 Gifts and Gratuities: Employees shall not accept any special favors, gifts, or gratuities resulting from or related to employment with the District. In this regard, the appearance of impropriety can be as damaging as actual impropriety and shall be avoided.

Employees may not accept prizes and awards offered to attendees of conferences, seminars, or professional gatherings as a result of attendance or for winning a contest or game. Such prizes become the property of the District. Promotional items, such as pens, pencils, notebooks, notepads, cloth or canvas bags, snack foods, etc., that are offered to all attendees, or that are meant to be used during the course of the event are excluded from this rule. Employees may keep these items for their personal use.

Airline miles or other benefits, whether paid for with District or personal resources, accrued from District travel, shall become the property of the District.

14.5 Special Gifts: The Executive Director may allow acceptance of nonmonetary gifts of nominal value (e.g. under \$50) at holidays or special occasions which are available to be shared by all employees.

14.6 Personal Appearance: Each employee is responsible to present a proper, businesslike appearance whether in the office, a District vehicle, or other site. Good taste and good judgment in personal attire is expected.

14.7 Appearance of Work Areas: The District's objective is to provide and maintain clean, safe and healthy work conditions. It is the responsibility of each employee to maintain a safe, neat work area and insure that all working documents, desks, cabinets and equipment are secure at the close of the work shift.

14.8 Pets in the Workplace: For the purposes of this policy pets are considered a domestic animal that resides with and is cared for by an employee of the District. Decisions about the appropriateness of bringing a pet to work will be made by the Executive Director based on any potential risk to the pet and to the people in the community, and to the perceived disruptions caused by the pet. The following are guidelines for permitted pets in the workplace.

14.8.1 Pets must be tethered and under the control of the employee at all times. At no time will they be allowed to interfere with the performance of duties of any employee.

14.8.2 **Restricted Areas.** Any area or situation in which another person has raised a legitimate concern for health or other reasons about the presence of a pet, except for designated guide or working animals assisting employees with documented disabilities.



Executive Director's Report
Prepared for the October 2018 Executive Committee Meeting

Good News to Celebrate!

- The Northwest Business Development Association stated they are committing **\$30,000 to MCEDD for seeding a microenterprise loan fund**. These funds will allow for replication of the pilot program we operate through the Oregon Investment Board.
- We received confirmation of funding for a **new bus!** Jessica Metta submitted an application to ODOT for inclusion in their request to the Federal Transportation Administration's Buses and Bus Facilities Infrastructure Investment Program. We will receive a grant of **\$68,000**. These funds will be matched by resources through the Statewide Transportation Improvement Fund to allow MCEDD to purchase the new bus, which will support expansion into deviated fixed-route service in addition to existing dial-a-ride service.
- The US Economic Development Administration provided a notice of award to MCEDD to **increase our partnership planning grant an additional \$5,000** this year.
- Carrie Pipinich received a pat on the back in this week's Oregon Regional Solutions Report which read: "At the groundbreaking for a new Civic Center in Maupin, I learned that Maupin found asbestos in the residential home they plan to demo as the site for their new joint library and city hall. Thanks to the quick action of Karen Homolac and Carolyn Meece at Business Oregon and **Carrie Pipinich with the Mid-Columbia Economic Development District, Maupin was able to secure \$10,000 in Brownfields funding to abate the asbestos.**"
- Congratulations to the City of Goldendale for receiving a \$50,000 grant to support broadband planning!

Bumps in the Road

- Our Drug and Alcohol testing program is operated through Biomed which set up our employees in the incorrect testing pool. The situation is being corrected by Biomed and ODOT has been notified. The issue required some of our employees to go back in for re-screening. The issue appears to have found resolution.
- Fall is generally a busy time at MCEDD with audit, end of federal fiscal year, quarterly reporting and new project starts. This year is no exception and perhaps further aggravated by the growth of programs in transportation. As a result, administrative and program staff has been stretched very thin. We have reallocated duties where possible, but are also looking towards some temporary support assistance for administration.
- South Wasco Parks and Recreation District opened bids at the end of August for their North Boat Ramp project. All bids were over budget and, even with modifications, could not be brought into line with available resource. The District has returned the grant funding to the funder- ODFW- and plans to reapply in January.

Updates

- The MCEDD Loan Administration Board denied a loan application from Amity Labs. The Loan Board is scheduled to review a \$300,000 loan request from Argonaut Investments at their October 2nd meeting. The Board will also discuss the status of the defaulted loans with LDB Beverage Company.
- The Columbia River Gorge Oregon Investment Board approved two loan applications at their last meeting: a \$20,000 loan to Lauren Justice (mental health practitioner) and a \$40,000 loan to Dog

River Pet Supplies. The OIB is scheduled to review a \$300,000 additional loan request from the Farmer's Conservation Alliance.

- Transportation activities:
 - ❖ The Dalles Transit Center and vehicles were rebranded to remove the old MCCOG logos and include new Gorge TransLink logos and information on MCEDD.
 - ❖ Meetings to prioritize the Statewide Transportation Improvement Funds are underway. These funds will allow us to increased transportation within our Oregon communities.
 - ❖ The Gorge Commuter bus kicked off service, as did the cross-river service offered through Mount Adams Transportation Service. We are in the final details of agreements between MCEDD-Insitu-CAT-MATS-HopThru for the first universal employer pass!
 - ❖ October 1-15 is the Drive Less Connect Challenge. If you work or live in Oregon, sign up and log trips at drivelessconnect.com for a chance to win prizes!
 - ❖ Transportation Innovation (funded with a \$20,000 grant through Providence). Kathy is working on securing facilitation services and will then be proceeding.
- We have released a number of Requests for Proposals/Qualifications in the last month:
 - ❖ Everybody Rides/Todos Arribes for a consultant to provide Social Media Management and/or Visual Asset Development. Closes October 12th.
 - ❖ Bus Barn Engineering services. Closes September 28th
 - ❖ New Van for the Link. Closes September 28th.
 - ❖ South Wasco County Transportation Services. Closed and selected Tygh School Community Center. Currently negotiating a contract agreement.
 - ❖ Upcoming: TransLink Alliance website. Anticipated release in October.
- October 5th will be a busy day with a CGBREZ meeting in the morning, followed by a Columbia Gorge Broadband Consortium meeting in the afternoon. Plan to join us!
- Opportunity Zones: I met with the Oregon Treasurer Tobias Read and discussed anticipations related to the Zones. An invitation has gone out to an existing Opportunity Fund to consider participation in the next CGBREZ meeting.
- Our EDA-funded university center, the University of Oregon, sent a solicitation for research projects. MCEDD is submitting a request for an updated study for the Gorge Tech Alliance of the tech industry's economic impact, for support of some of the framework for our contract with the Wasco County Fair board, and potentially a request related to the Hood River Energy Plan.
- November 2nd is the Economic Symposium. Save the date and plan to attend! Tatiana Eckhart and Jessica Metta are coordinating the panel of tech leaders. Thank you to our sponsors, Columbia Gorge Community College (CGCC) and NW Natural.
- CGCC selected a contractor to provide an assessment of workforce needs and opportunities with the Food and Beverage Collaborative. I am serving on the steering committee. Thomas P. Miller Associates is the consulting firm which was awarded the contract to conduct the study.
- MCEDD staff is meeting with a few of our utility leaders to explore opportunities through the USDA Rural Economic Development Loan and Grant program.



Take a look at the new Transit Center logo



And Bus logos!

Reminder: MCEDD auditors are on site the week of October 1st. Board members are invited to meet with the auditors on Monday, October 1 at 1 pm at the MCEDD office.

Next Executive Committee Meeting: Wednesday, November 7, 2018