

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 FOR MULTNOMAH COUNTY, OREGON
3 ORDINANCE NO. 742
4

5 An ordinance relating to pay administration for
6 employees not covered by collective bargaining agreement, and
7 repealing Ordinances Nos. 438 and 704.

8 MULTNOMAH COUNTY ORDAINS AS FOLLOWS:

9 Section I. Findings.

10 (A) Multnomah County, Oregon (hereinafter "County")
11 employs a variety of individuals not covered by collective
12 bargaining agreement (hereinafter "exempt employees").

13 (B) It is the desire of the Board of County
14 Commissioners to adopt administrative policies and procedures
15 governing pay administration for exempt employees.

16 Section II. Definitions.

17 (A) Exempt positions are those which are excluded
18 from any collective bargaining agreement.

19 (B) Appointing manager means a county manager to whom
20 authority has been delegated to make appointments to positions.

21 (C) Personnel Officer means the County Chair, except
22 as otherwise provided by State law or County ordinance.

23 (D) Promotion means movement to a classification that
24 has a higher maximum rate than the current classification.

1 (E) Demotion means movement to a classification that
2 has a lower maximum rate than the current classification.

3 (F) Transfer means movement to another position in
4 the same classification or to a classification that has the
5 same maximum rate as the current classification.

6 (G) Reclassification means the assignment of an
7 employee from one classification to another classification.

8 Section III. Policy.

9 It is the policy of Multnomah County to establish an
10 Exempt Classification/Compensation plan that provides such pay
11 and benefits as necessary for the County to recruit, select,
12 and retain qualified management, supervisory, administrative,
13 and professional employees; that recognizes employee
14 performance, growth, and development; that maintains an
15 appropriate internal relationship among classifications and
16 employees based on job responsibilities, qualifications, and
17 authority; and that maintains parity between equivalent exempt
18 and non-exempt positions.

19 Section IV. Categories.

20 (A) Elected Officials Staff.

21 (1) A category of Elected Officials Staff is
22 established. Positions in this category are appointed by,
23 report directly to, and serve at the pleasure of a County
24 elected official.

1 (2) The pay rates, performance appraisal system,
2 and pay administration policies for Elected Officials Staff
3 shall be determined by the respective elected officials, within
4 the limits set by funds allotted in the Adopted Budget for the
5 various positions in this category. The benefits for this
6 category shall be the same as for all other exempt employees.

7 (3) Section V (A) and (B), Section VI and
8 Section VII of this Ordinance shall not apply to Elected
9 Officials Staff.

10 (B) Confidential Exempt Staff.

11 (1) A category of Confidential Exempt Staff is
12 established. Positions in this category are exempt from
13 collective bargaining because of their confidential nature.

14 (2) The pay ranges and pay administration for
15 Confidential Exempt Staff shall be the same as set forth for
16 equivalent positions in the applicable collective bargaining
17 agreement.

18 (3) Sections V through IX of this Ordinance
19 shall not apply to Confidential Exempt Staff.

20 (C) Any position which is determined through
21 negotiations or by order of the Employment Relations Board to
22 exempt from collective bargaining shall be included in the
23 Exempt Classification/Compensation Plan.

1 (D) Any position which is included in an appropriate
2 bargaining unit shall be excluded from the Exempt
3 Classification/Compensation Plan.

4 Section V. Compensation Plan.

5 (A) The compensation plan for exempt employees shall
6 include a pay range consisting of a minimum and a maximum base
7 rate for each exempt classification. The ranges and any
8 changes thereto shall be approved by the Board of County
9 Commissioners.

10 (B) The Personnel Officer shall be responsible for
11 developing and presenting compensation plan adjustment
12 recommendations to the Board of County Commissioners. These
13 recommendations shall be based on periodic surveys of the cost
14 of living, internal classification relationships, financial
15 constraints, and/or actual or anticipated pay adjustments for
16 non-exempt employees.

17 (C) Benefits shall be provided for exempt employees.
18 Such benefits may be amended from time to time with the
19 approval of the Board of County Commissioners, upon
20 recommendation of the Personnel Officer.

21 Section VI. Performance Appraisal System.

22 (A) The Personnel Officer shall develop and implement
23 a performance appraisal system which shall apply to all
24 permanent exempt employees. The performance appraisal system
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1 shall assign each employee an overall appraisal of
2 "Outstanding", "Exceeds Expectations in Most Areas", "Meets
3 Expectations", "Meets Most Expectations, Some Improvement
4 Needed", or "Needs Improvement".

5 (B) Appraisals of the performance of each exempt
6 employee shall be made at the first six months of service
7 within a classification, at the first twelve months of service
8 within a classification, and at each succeeding twelve months
9 of service within a classification. Each employee who receives
10 a performance appraisal of "Needs Improvement" shall be
11 reappraised in writing three months later.

12 Section VII. Pay Administration.

13 (A) No exempt employee shall be paid at a base rate
14 which is less than the minimum or more than the maximum base
15 rate for the employee's classification.

16 (B) Appointment.

17 (1) All new hires, promotions, and
18 reclassifications to exempt positions may be made at a base
19 rate up to the midpoint of the employee's range, at the
20 discretion of the appointing manager. New hires, promotions,
21 and reclassifications at a base rate above the midpoint may be
22 made with the approval of the appropriate elected official.

23 (2) When a new hire to an exempt vacancy is made
24 at a base rate which is less than the mid-point of the
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1 appropriate salary range, the appointing manager may, based on
2 performance of the appointee during a trial service period,
3 provide a pay adjustment to the appointee. Such adjustment
4 shall not raise the base rate above the mid-point of the
5 appropriate pay range and must occur within one year of the
6 appointment date. This adjustment shall not affect the
7 anniversary date. This section applies only to persons hired
8 after the date of adoption of this ordinance.

9 (C) Merit Increase.

10 (1) A merit increase is an increase in base pay
11 equal to three percent (3%) or to the maximum of the range,
12 whichever is lesser.

13 (2) Each exempt employee who receives a
14 performance appraisal other than "Needs Improvement" shall
15 receive a merit increase, effective on that employee's
16 anniversary date.

17 (3) No exempt employee who receives an appraisal
18 of "Needs Improvement" shall receive a merit increase. If the
19 second appraisal after a "Needs Improvement" appraisal, as
20 required above, results in a rating other than "Needs
21 Improvement", the employee shall receive a merit increase,
22 effective three months after that employee's anniversary date.

23 (D) Range Adjustments. Whenever the Board of County
24 Commissioners adopts changes in the compensation plan for an
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1 exempt classification, the implementing Ordinance shall specify
2 the effect upon employees in that classification.

3 (E) Other Pay Adjustments. An elected official may
4 authorize a merit bonus to an individual exempt employee on a
5 selective basis. A merit bonus shall be for outstanding
6 professional contributions to Multnomah County during the
7 employee's evaluation period, provided the money is available
8 in the elected official's baseline budget, in order to carry
9 out Multnomah County's policy of exempt compensation
10 administration as stated in Section II. of this Ordinance.
11 Merit bonus pay adjustments under this section shall not be
12 added to exempt employee's base rate.

13 Section VIII. Anniversary Date Computation.

14 An exempt employee may be eligible for a merit
15 increase under Section VII C of this Ordinance on his/her
16 anniversary date, which shall be computed in the following
17 manner:

18 (A) The anniversary date of an exempt employee shall
19 be the most recent of the following dates:

- 20 (1) The date of hire; or
21 (2) The date of promotion; or
22 (3) The date of demotion.

23 (B) The above anniversary date shall be adjusted so
24 that time spent on the following shall not count:
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(1) Leaves of absence without pay that exceed
thirty (30) days.

(2) Layoff

(3) Separation from County service.

(C) The anniversary date as determined above will be
further adjusted as follows:

(1) If the anniversary date of an exempt employee
falls between the 1st and 15th of the month, it shall be treated
as though it fell on the 1st of the month.

(2) If the anniversary date of an exempt employee
falls between the 16th and the end of the month, it shall be
treated as though it fell on the 16th of the month.

Section IX. Repeal.

Ordinances Nos. 438 and 704 are hereby repealed.

ADOPTED this 3rd day of December,

1992, being the date of its second reading before the Board of
County Commissioners of Multnomah County, Oregon.

By Gladys McCoy
Gladys McCoy, Chair
MULTNOMAH COUNTY, OREGON

REVIEWED:

Laurence Kressel
Laurence Kressel, County Counsel
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