

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF REPLACING ) ORDINANCE NO. 87-221  
SECTION 2.02.275 OF THE METRO )  
CODE, SEASONAL VISITOR SERVICES )  
WORKER PERSONNEL RULES )

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Purpose

a. The purpose of this ordinance is to establish personnel rules pertaining to the conditions of employment of Zoo Visitor Services Worker employees.

b. These rules shall be codified as part of the Metro Code Section 2.02.275 repealed and replaced as follows:

Section 2. Employment Program for Visitor Services Worker Employees

a. Definitions:

1) The Visitor Services Worker classification is divided into two definitions:

i) Seasonal Visitor Services Worker Employee:  
Employees who are employed on a year-round basis. They will be scheduled regularly during the peak seasons and scheduled as needed and as available during the remainder of the year. The period of employment is indefinite unless the employee is terminated according to section (h) of this section or the employee resigns. Section 2.02.045 Probationary Period of the Metro Code does not apply.

ii) Regular Visitor Services Worker Employee:  
Employees who are employed on a year-round basis in the Visitor Services Division of the Washington Park Zoo and regularly scheduled to work 80 or more hours each month, as provided by the current adopted budget.

2) Director means Director of the Washington Park Zoo.

b. Application of Personnel Rules:

All Visitor Services Worker Employees shall be subject to this section and to all other personnel regulations not inconsistent with this section.

c. Recruitment and Appointment for Seasonal Visitor Services Worker Employees:

- 1) In-house recruitment to fill Seasonal Visitor Services vacancies is not required.
- 2) Recruitment to fill vacancies shall include appropriate forms of announcements to attract qualified applicants and to comply with Affirmative Action goals.
- 3) At the beginning of each year there will be a general recruitment. A list of qualified applicants will be developed from which Visitor Services Workers will be appointed. The Executive Officer will preauthorize this qualified list on an annual basis pursuant to these Visitor Services Worker Rules. Applicants will be appointed from this list on an as-needed basis only. The duration of this list will be one year, unless it is exhausted before that time, in which case other recruitments will be held. If the list is not exhausted, those not hired but remaining on the list must go through the next year's selection process to be considered for hiring. When an emergency exists and no one on the preauthorized, qualified list is available to work that period, the Zoo may recommend an appointment from another source. Appointments made in an emergency situation will be treated the same as other appointments. These Visitor Services Worker Rules will apply to employees appointed during an emergency situation. Emergencies will be determined and documented by the Visitor Services Manager or his/her designee. The Visitor Services Manager will maintain the list and will determine who will be appointed.
- 4) Employees who leave in good standing may, within one year of termination, be reinstated without going through a recruitment process.

d. Recruitment and Appointment for Regular Visitor Services Worker Employees:

- 1) In-house recruitment to fill Regular Visitor Services Worker vacancies will be the first means used, unless no one applies, then the position may be filled by a current seasonal employee.
- 2) Recruitment to fill vacancies shall include posting of such vacancies for at least five (5) calendar days in the agency.

- 3) Recommendations from the list of employees who applied to be appointed to vacant positions will be made by the Director of the Zoo or his/her designee. The Executive Officer is the appointing authority for all positions.
- 4) Regular Visitor Services Worker employees will be eligible to apply in-house for all vacant Regular (non-Visitor Services Worker) positions within the agency.

e. Status of Seasonal Visitor Services Worker Employee:

Seasonal Visitor Services Worker employees will be eligible to compete: a) for in-house recruitments of Regular Visitor Services Worker positions if they were hired under the competitive process for the position they currently hold or had been reinstated to that position; and b) for in-house recruitment of a Regular, non-Visitor Services Worker position, if they have worked 40 hours per week for three consecutive months and were hired through a competitive process for or had been reinstated to the position they currently hold. If hired into a Regular position, time employed in a previous full-time Seasonal Visitor Services Worker position will be counted toward the accumulation of Vacation time if there has been no break in service.

f. Benefits:

- 1) Benefits required by law such as Workers' Compensation and Social Security will be paid for all Visitor Services employees. Seasonal Visitor Services Worker employees and Regular Visitor Services Worker employees who do not work at least 80 hours per month will not receive any other benefits.
- 2) Seasonal Visitor Services Worker employees will not be paid for holidays not worked. Designated holidays shall be considered as normal workdays.
- 3) Regular Visitor Services Worker employees appointed to one of the regular Visitor Services Worker positions will receive a full benefit package when working a minimum of 80 hours per month.

g. Performance Evaluation: Performance evaluations will be performed on the schedule specified in Table S of the Pay Plan. Employees are eligible for advancement to the next step upon completion of 12 months and 480 hours.

h. Disciplinary Action:

- 1) Disciplinary actions or measures shall include only the following: oral or written reprimand, suspension, demotion and dismissal from employment. Disciplinary action shall be for just cause. Oral reprimands will not be used as the basis for subsequent disciplinary action unless the employee is so notified at the time of reprimand. If Metro has reason to reprimand an employee, it shall be done in a manner that is least likely to embarrass the employee before other employees or the public.
- 2) It shall be the duty of all employees to comply with and to assist in carrying into effect the provisions of this chapter. No employee shall be disciplined except for violation of established rules and regulations, and such discipline shall be in accordance with procedures established by this chapter.
- 3) Any of the following may constitute grounds for disciplinary actions:
  - a) Abandonment of position;
  - b) Absence from duty without leave;
  - c) Abuse of leave privileges;
  - d) Below standard work performance;
  - e) Discourteous treatment of the public or other employees;
  - f) Intoxication during working hours;
  - g) Fraud in securing appointment or promotion;
  - h) Insubordination;
  - i) Misuse of Metro property, funds or records;
  - j) Neglect of duty;
  - k) Willful deceit;
  - l) Any conviction by a court of law which would be incompatible with the work performed for Metro by the affected employee;
  - m) Violation of Metro ordinances and regulations and directives in particular, those directives defined in the Visitor Services Worker Handbook.
- 4) Any of the following types of disciplinary action may be utilized. It is appropriate, though not necessary in every circumstance, that the following steps be taken progressively. Reasons for each disciplinary action should be documented before action is taken unless extenuating circumstances exist.
  - a) Oral Reprimand: Oral Reprimand is notice by a supervisor to an employee that his/her behavior or performance must be improved. It defines areas where improvement is needed, sets goals, and informs the employee that failure to improve may result in more serious action.

The supervisor shall record the date and content of the oral reprimand, and such record shall be placed in the employee's personnel file. This record shall be removed when successful corrective action is completed.

- b) Written Reprimand: Written Reprimand is formal notice by a supervisor to an employee that his/her performance or behavior must be improved. A written reprimand must be approved by the Director or his/her designee. It contains the same elements as the oral reprimand. When appropriate, it should be used in conjunction with a plan for individual improvement. A copy of the written reprimand and plan for individual improvement is placed in the employee's personnel record. This copy shall be removed when successful corrective action is completed.
- c) Suspension: Suspension without pay should be used when other disciplinary measures have failed or when it is necessary that the employee not remain on duty. Suspensions shall not require advance notice and may be effected immediately. Approval of the Director or his/her designee is required. Within two (2) working days a notice shall be sent to the suspended employee at his or her last known address or personally delivered to that employee describing the circumstances of the suspension, the reason for the suspension, the length of the suspension, the date or the circumstances under which the employee may return to work. A duplicate copy of the written notice shall be placed in the employee's personnel file by the Personnel Officer. Dismissal may be the next step of disciplinary action.

- 4) Dismissal. Should the actions of an employee require a supervisor to discharge the employee, the supervisor shall suspend the employee without pay for five days. This must be authorized by the Director or his/her designee. The notice shall be in writing and shall include the reasons the termination is being recommended, the effective date, and notice that the employee may respond in writing within two days to the Visitor Services Manager.

The Visitor Services Manager will review the proposed termination with the Personnel Officer, including a review of any written response by the employee. If the Visitor Services Manager still believes the disciplinary action is appropriate he/she shall

prepare a written notice of termination to be reviewed by the Director or his/her designee and the Personnel Officer. The Executive Officer must approve the termination except in an emergency. The written notice shall be sent to the employee by certified mail by the fifth day from the date the suspension notice was mailed or the employee was personally served with the suspension. The notice will become a permanent part of the employee's personnel file. Payroll shall be notified to prepare the final check.

i. Promotion: Eligibility for assignment to Visitor Services Worker 2 and 3 classifications shall be established by the supervisor upon determination that an employee has acquired or possesses the knowledge, skill and ability required for the position.

j. Wage Rates:

- 1) Visitor Services Worker employees will be paid at a rate in the Pay Plan approved by the Council.
- 2) The step range for each employee shall be established on the basis of individual qualifications and work assignment. It will be the general practice to appoint new Visitor Services Worker employees at the beginning step of the Visitor Services Worker 1 salary range. Exceptions approved by the Executive Officer may be made to allow hiring above the beginning step. Total hours of previous work experience with the Zoo and the quality of that work will be considered in determining the step for previous employees reemployed at the Zoo in subsequent seasons.
- 3) Eligibility for a wage increase shall be based on completion of 480 hours of satisfactory service after a 12-month period and upon recommendation of the Director or his/her designee, with a performance evaluation submitted to the Personnel Division.
- 4) Section 2.02.160 of the Metro Code (Salary Administration Guidelines) shall not apply to any Visitor Services Worker employees.

k. Reporting and Hours of Work:

- 1) Because the number of Seasonal Visitor Services Worker employees needed at a given time depends upon weather conditions, such employees may be relieved from duty prior to the end of a scheduled workday or may be directed to not report for duty on a scheduled workday. The Director or his/her designee shall establish appropriate procedures for regulating reporting during inclement weather.

2) Work schedules will be posted, and will be subject to subsection (1) above. No employee will be called to work for less than three (3) hours in one day.

1. Rest and Meal Period:

1) A rest period of 10 minutes with pay will be provided during each work period of four hours.

2) A non-paid lunch period of one-half hour (30 minutes) shall be provided. Whenever possible, such meal period shall be scheduled in the middle of the shift.

ADOPTED by the Council of the Metropolitan Service District  
this 9th day of April, 1987



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Jim Gardner  
Deputy Presiding Officer

ATTEST:



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Clerk of the Council

CJV/gl  
1436C/479  
03/16/87

STAFF REPORT

Agenda Item No. 6.2

Meeting Date April 9, 1987

CONSIDERATION OF ORDINANCE NO. 87-221, FOR THE  
PURPOSE OF REPLACING SECTION 2.02.275 OF THE  
METRO CODE, SEASONAL VISITOR SERVICES WORKER  
PERSONNEL RULES

Date: March 16, 1987

Presented by: Randy Boose

FACTUAL BACKGROUND AND ANALYSIS

The purpose of the Visitor Services Worker Personnel Rules is to provide guidelines and a clear policy for managing the Seasonal Employment Program for the Visitor Services Division at the Zoo. Separate Personnel Rules and a Pay Plan were developed for the Visitor Services Worker employees because of the different policies applicable to their employment such as minimum wage, recruitment needs and seasonal employment.

The current Visitor Services rules do not allow for year-round employment of employees and lack specific procedures to deal with recruitment and discipline. Neither the Personnel Office nor the Visitor Services Division have been able to comply with the current rules in their entirety while continuing to run the Visitor Services operation effectively.

The Visitor Services Rules revision and development process has been a thorough one that included Personnel, the Visitor Services Manager and Legal Counsel review to assure consistency to the regular Personnel Rules. We are requesting Council action at this time to have the new rules adopted for the 1987 summer hiring.

The key changes are:

1. Definition of "seasonal" changed to include year-round employment. This allows employees to be scheduled regularly during the peak seasons and scheduled as needed and as available during the remainder of the year.
2. Recruitment procedures changed to establish a pre-authorized Visitor Services Worker hire list. This allows employees to be hired on weekends if needed. Previously, authorization could not be obtained in advance of a hiring as required by the Rules.
3. The recruitment process for Regular Visitor Services Worker employees has been more clearly defined.



4. The Disciplinary Section has been changed to incorporate the disciplinary section from the regular Personnel Rules with minor changes.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 87-221.

CV/gl  
1436C/479  
03/16/87

Metro Council  
April 9, 1987  
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Jill Hinckley, Land Use Coordinator, briefly introduced the Ordinance.

Motion: Councilor Kelly moved, seconded by Councilor Kirkpatrick, to adopt Ordinance No. 87-222.

Presiding Officer Waker opened the public hearing on the Ordinance. There was no testimony and the hearing was closed. There was no discussion on the Ordinance. The Presiding Officer noted the second reading of the Ordinance was scheduled for the meeting of April 23, 1987.

Presiding Officer Waker announced he was leaving the meeting due to ill health. Deputy Presiding Officer Gardner chaired the remainder of the meeting.

6.2 Consideration of Ordinance No. 87-221, for the Purpose of Replacing Section 2.02.275 of the Metro Code, Seasonal Visitor Services Worker Personnel Rules (Second Reading)

The Clerk read the Ordinance a second time by title only.

Randy Boose, Personnel Officer, was present to answer questions of Councilors.

Councilor Van Bergen reported that at the March 26 Council meeting, he had raised concerns about the potential of the amended rules replacing full-time personnel with part-time workers. He said he had met with Mr. Boose and his questions were satisfactorily addressed.

Ray Barker, Council Assistant, asked if the Personnel Rules changes had been endorsed by the Zoo union. Mr. Boose responded that Visitor Services Worker positions were non-union.

Motion: The motion to adopt Ordinance No. 87-221 was made by Councilors Knowles and Ragsdale at the meeting of March 26, 1987.

Vote: A roll call vote on the motion to adopt the Ordinance resulted in:

Ayes: Councilors Bonner, DeJardin, Gardner, Hansen, Kelley, Kirkpatrick, Knowles and Van Bergen

Absent: Councilors Collier, Cooper, Ragsdale and Waker

The motion carried and Ordinance No. 87-221 was unanimously adopted.



# METRO

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

April 21, 1987

Mr. John F. Kauffman  
County Clerk  
Clackamas County Courthouse  
8th and Main  
Oregon City, Oregon 97045

**Metro Council**

Richard Waker  
Presiding Officer  
District 2

Jim Gardner  
Deputy Presiding  
Officer  
District 3

Mike Ragsdale  
District 1

Corky Kirkpatrick  
District 4

Tom DeJardin  
District 5

George Van Bergen  
District 6

Sharron Kelley  
District 7

Mike Bonner  
District 8

Tanya Collier  
District 9

Larry Cooper  
District 10

David Knowles  
District 11

Gary Hansen  
District 12

**Executive Officer**  
Rena Cusma

Dear Mr. Kauffman:

Enclosed is a true copy of Ordinance No. 87-221,  
for the Purpose of Replacing Section 2.02.075 of  
the Metro Code, Seasonal Visitor Services Worker  
Personnel Rules. Please file this ordinance in  
the Metro files maintained by your County.

Sincerely,

A. Marie Nelson  
Clerk of the Council

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Enclosure (1)



# METRO

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

April 21, 1987

Ms. Jane McGarvin  
Clerk of the Board  
Multnomah County Courthouse, Room 606  
1021 S.W. Fourth Avenue  
Portland, Oregon 97204

**Metro Council**

Richard Waker  
Presiding Officer  
District 2

Jim Gardner  
Deputy Presiding  
Officer  
District 3

Mike Ragsdale  
District 1

Corky Kirkpatrick  
District 4

Tom DeJardin  
District 5

George Van Bergen  
District 6

Sharon Kelley  
District 7

Mike Bonner  
District 8

Tanya Collier  
District 9

Larry Cooper  
District 10

David Knowles  
District 11

Gary Hansen  
District 12

**Executive Officer**  
Rena Cusma

Dear Jane:

Enclosed is a true copy of Ordinance No. 87-221, for the Purpose of Replacing Section 2.02.075 of the Metro Code, Seasonal Visitor Services Worker Personnel Rules. Please file this ordinance in the Metro files maintained by your County.

Sincerely,

A. Marie Nelson  
Clerk of the Council

amn

Enclosure (1)



# METRO

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

April 21, 1987

Mr. Charles D. Cameron  
County Administrator  
Washington County Courthouse  
150 North First Avenue  
Hillsboro, Oregon 97123

**Metro Council**

Richard Waker  
Presiding Officer  
District 2

Jim Gardner  
Deputy Presiding  
Officer  
District 3

Mike Ragsdale  
District 1

Corky Kirkpatrick  
District 4

Tom DeJardin  
District 5

George Van Bergen  
District 6

Sharron Kelley  
District 7

Mike Bonner  
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David Knowles  
District 11

Gary Hansen  
District 12

**Executive Officer**  
Rena Cusma

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Sincerely,

A. Marie Nelson,  
Clerk of the Council

amn  
Enclosure (1)