

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING THE ) ORDINANCE NO. 92-467A  
REVISION OF METRO CODE SECTION )  
2.02.275, ZOO VISITOR SERVICES ) Introduced by Rena Cusma,  
EMPLOYEES ) Executive Officer

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 2.02.275 - Zoo Visitor Services Employees, is amended to read as follows:

2.02.275 Zoo Visitor Services Employees:

(a) Purpose: The purpose of this section is to establish personnel [rules] policies pertaining to the conditions of employment of Zoo Visitor Services Worker employees; to promote efficiency, economy, and public responsiveness in the operation of the Zoo Visitor Services Division; and to provide that the employees covered by this section shall be subject to proper conduct, the satisfactory performance of work, and the availability of funds.

(b) These policies do not constitute a contract of employment. In order to meet future challenges and to continue to improve the working environment for all Zoo Visitor Service Employees, the Council retains the flexibility to change, substitute, interpret and discontinue the policies and benefits described herein, at any time, with or without notice to employees. No contract of employment can be created, nor can an employee's status be modified, by any oral or written agreement, or course of conduct, except by a written agreement signed by the Division Manager, Zoo Director or his/her designee, the Personnel Manager, and the Executive Officer. Whenever a question arises as to the meaning or interpretation of any policy or practices of the Zoo Visitor Services Division, the interpretation given by the Executive Officer and/or his/her designee(s) shall be final and binding.

[(b)] (c) Definitions:

(1) The Visitor Services Worker classification is divided into two definitions, and nothing contained in this section shall be construed as any guarantee of hours worked per day or per week.

(A) Seasonal Visitor Services Worker Employee: Employees who are employed on a [year-round] seasonal 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 (i) of this section or the employee resigns. Section 2.02.045 Probationary Period of the Metro Code does not apply.~~]

The probationary period for seasonal visitor services employees is the initial thirty (30) work days of employment, and an additional probationary period shall not be required at a subsequent reinstatement, if the reinstatement is within one year of termination in good standing. Visitor service employees serving their initial probationary period may be disciplined or terminated without cause, with or without prior notice. However, nothing in this paragraph shall be construed as implying or requiring that cause must exist for the discipline or termination of a seasonal status employee who has completed the initial probationary period.

(B) Regular Visitor Services Worker Employee: Employees who are employed on a year-round basis in the Visitor Services Division of the Metro Washington Park Zoo and regularly scheduled to work [~~80~~] 20 or more hours each [~~month~~] week, as provided by the current adopted budget.

(2) Director means Director of the Metro Washington Park Zoo.

(3) Seasons are defined as April through the first week in September (Labor Day), and the second week in September through March.

[~~(e)~~] (d) Application of Personnel [~~Rules~~] Policies: All Visitor Services Worker Employees shall be subject to this section and to all other Zoo personnel policies and regulations not inconsistent with this section.

[~~(d)~~] (e) Recruitment and Appointment for Seasonal Visitor Services Worker Employees:

- (1) In-house recruitment to fill Seasonal Visitor Services vacancies is not required and is at the discretion of the Visitor Services Manager.
- (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~~] season [~~there will be~~] a general



recruitment will be initiated. The recruitment will remain open until the beginning of the following season. A list of qualified applicants will be developed, by the Visitor Services Manager pursuant to these Visitor Services Worker rules, from which Visitor Services Workers will be appointed. ~~[The Executive Officer will pre-authorize 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 seasonal list is not exhausted, those not hired but remaining on the list must go through the next [year's] season's selection process to be considered for hiring. ~~[When an emergency exists and no one on the pre-authorized, 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.

~~[(e)]~~ (1)  
Employees:

Recruitment and Appointment for Regular Visitor Services Worker

- (1) In-house recruitments to fill Regular Visitor Services Worker vacancies are open only to current seasonal visitor services worker employees which will be the first means used. ~~[unless-]~~ If no one applies, then the position may be filled ~~[by]~~ with a current seasonal employee who shall be appointed by the Visitor Services Manager.
- (2) In-house recruitments to fill vacancies as described in #1 above, shall include posting of such vacancies for at least five (5) calendar days within ~~[in]~~ the Visitor Services Division [agency].
- ~~[(3)]~~ (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)]~~ (3) Regular Visitor Services Worker employees will be eligible to apply in-house for all vacant Regular (non-Visitor Services Worker) positions within

~~[the agency.]~~ Metro.

~~[(f)]~~ (g) 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 recruitments 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.]~~

~~[(g)]~~ (h) 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]~~ 20 hours per ~~[month]~~ week.

~~[(h)]~~ (i) Performance Evaluation: Performance evaluations will be performed at least once during the initial thirty (30) work day probationary period. ~~[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.]~~

~~[(i)]~~ (j) 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.]~~

(1) Nothing contained in this Section precludes the Visitor Services Manager or Zoo Director from establishing work rules not inconsistent with this Section for efficient operations and administration of the job site, or precludes the Manager from having private discussions with employees. These discussions may be in the form of assignment, instruction, or any other job-related communication.

(2) It is appropriate, though not always necessary in every circumstance, that disciplinary actions be taken progressively. Disciplinary actions will take into consideration the degree, severity, and frequency of the offense and/or circumstances surrounding the incident. Any disciplinary action shall be done in a manner that is least likely to embarrass the employee before other employees or the public. Copies of disciplinary actions shall be placed in the employee's personnel file. Any disciplinary action may be grieved under the grievance procedure established in chapter 2.02 of the Code.

(3) ~~[Any of the following may constitute grounds for disciplinary actions:]~~ The following are some examples (but not all) of the types of conduct which will result in disciplinary action. The listing of these examples is for illustrative purposes:

- (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]~~ demonstrates an impaired ability to properly perform work for the Division;
- (M) Violation of Metro Code, ordinances, ~~[and]~~ regulations, established work rules and directives ~~[in particular,]~~ including 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.]~~

~~[(5)] (4) Dismissal. Should the actions of an employee [require] indicate [a supervisor to discharge] the dismissal of the employee may be necessary, [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] Manager, including a review of any [written] response or explanation by the employee. If [the Visitor Services Manager still believes] the [disciplinary] dismissal action is appropriate the Visitors Services Manager will seek authorization from the Zoo Director to proceed with the dismissal. [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 employee shall be notified in writing of the dismissal action. The notice will become a permanent part of the employee's personnel file. Payroll shall be notified to prepare the final check.

~~(f)~~ ~~(k)~~ Promotion: Eligibility for assignment to Visitor Services Worker 2 and 3 classifications shall be established by the [supervisor] Visitor Services Manager and shall be subject to in-house recruitment established in (f) (1-3) above upon determination that an employee has acquired or possesses the knowledge, skill and ability required for the position.

~~(f)~~ ~~(l)~~ Wage Rates:

- (1) Visitor Services Worker employees will be paid at a rate in the Pay Plan recommended by the Visitor Services Manager and the Personnel Manager and approved by the Executive Officer and 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] at the discretion of the Visitor Services Manager and after successful completion of the initial

probationary period

- (4) Section 2.02.160 of the Metro Code (Salary Administration Guidelines) shall not apply to any Visitor Services Worker employees.

~~(4)~~ (m) Reporting and Hours of Work:

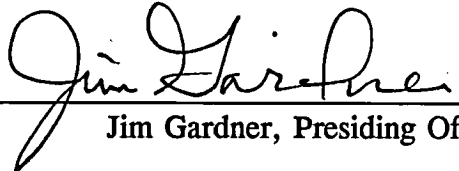
- (1) Because the number of Seasonal Visitor Services Worker employees needed at a given time depends upon weather conditions, such employees may be relieved from duty prior to the end of a scheduled workday or may be directed to not report for duty on a scheduled workday. The Director or his/her designee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


~~(m)~~ (n) 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.

(Ordinance No. 81-123, Sec. 1 and 2; amended by Ordinance No. 87-221, Sec. 1 and 2; and Ordinance No. 89-269, Sec. 1; amended by Ordinance No. 89-269)

ADOPTED by the Council of the Metropolitan Service Service District this 24th day of September.

  
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Jim Gardner, Presiding Officer

  
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Attest: Clerk of the Council



GOVERNMENTAL AFFAIRS COMMITTEE REPORT

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ORDINANCE NO. 92-467A, APPROVING THE REVISION OF METRO CODE SECTION 2.02.275, ZOO VISITOR SERVICES EMPLOYEES

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Date: September 22, 1992

Presented by: Councilor Gronke

**COMMITTEE RECOMMENDATION:** At its September 17, 1992 meeting the Governmental Affairs Committee voted 3-0 to recommend Council adoption of Ordinance No. 92-467A. Voting were Councilors Collier, Devlin, and Gronke. Councilor Wyers was absent.

**COMMITTEE DISCUSSION/ISSUES:** Personnel Director Paula Paris presented the staff report. She introduced Teresa Metke, Visitor Services Manager at the Zoo. Ms. Paris said the ordinance would revise the Code to better reflect the seasonal aspect of most Zoo Visitor Services Workers and allow greater flexibility in managing the division. In addition, most Visitor Services Workers are non-represented, but currently have a higher "just cause" standard than represented employees; the ordinance establishes a progressive discipline procedure with which the employees are familiar and comfortable. The ordinance also establishes a 30-day probationary period and allows open recruitment for Visitor Services Worker positions.

Councilor Devlin asked for a comparison of the just cause standard between Visitor Services Workers and represented employees. Ms. Paris said the just cause standard and the probationary period were tied in that represented employees have probationary periods, after which the just cause standards apply. Establishing a probationary period for Visitor Services Workers would be more in line with current practices for other employees. The Visitor Services Workers' probationary period is short - only 30 days - reflecting the seasonal nature of most of those jobs. The ordinance would make treatment of these workers more in line with others, including the addition of a grievance procedure.

Councilor Washington asked what precipitated the drafting of the ordinance. Ms. Paris said it grew from discussions she'd had with Ms. Metke regarding problems with discipline, recruitment, and procedure under the current Code. They decided to proceed with Code revision rather than continue to try to work around the Code.

Chair Collier opened the public hearing, and no one testified.

## STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 92-467A, FOR THE PURPOSE OF APPROVING THE REVISION OF METRO CODE SECTION 2.02.275 - ZOO VISITOR SERVICES EMPLOYEES.

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Date: August 19, 1992

Presented by: Paula Paris  
Teresa Metke

**Background:** As a result of discussions with Teresa Metke, Zoo Visitor Services Manager, it became apparent that the current Section 2.02.275 of the Code does not adequately or accurately reflect the needs or methods of operation of the division.

### **Highlights of Revisions:**

1) The current purpose of this section is to establish personnel rules for the Visitor Services Worker employees. The revisions establish a broader definition of purpose which gives greater flexibility to the Council, Executive Officer, Zoo Director, and Visitor Services Manager to meet the operational needs of the division particularly in the area of seasonal employment conditions that may vary greatly depending on the seasons and public responsiveness.

2) Visitor Services employees are non-represented employees who, under current Code language, have a higher standard of just cause than do our existing union-represented employees. The revisions establish a progressive discipline process currently known to employees and in use through division work rules.

3) There is no probationary period for Visitor Services employees. The revisions establish a 30 work-day probationary period.

4) The Visitor Services Manager currently has to re-open recruitments numerous times during the year for these seasonal positions when an applicant pool is depleted. The revisions establish an on-going open recruitment for two seasons per year which will enable prompter filling of positions and faster response time to Visitor Services operational needs.

**Fiscal Impact:** None

We believe these revisions to the Code are necessary for the consistent and balanced operation of the Zoo Visitor Services Division. It is, therefore, recommended by the Executive Officer that Ordinance No. 92-467A be adopted.



REVISED STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 92-467A, FOR THE PURPOSE OF APPROVING THE REVISION OF METRO CODE SECTION 2.02.275 - ZOO VISITOR SERVICES EMPLOYEES.

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Date: July 1, 1992

Presented by: Paula Paris  
Teresa Metke

**Background:** As a result of discussions with Teresa Metke, Zoo Visitor Services Manager, it became apparent that the current Section 2.02.275 of the Code does not adequately or accurately reflect the needs or methods of operation of the division.

**Highlights of Revisions:**

1) The current purpose of this section is to establish personnel rules for the Visitor Services Worker employees. The revisions establish a broader definition of purpose which gives greater flexibility to the Council, Executive Officer, Zoo Director, and Visitor Services Manager to meet the operational needs of the division particularly in the area of seasonal employment conditions that may vary greatly depending on the seasons and public responsiveness.

2) Visitor Services employees are non-represented employees who, under current Code language, have a higher standard of just cause than do our existing union-represented employees. The revisions establish a progressive discipline process currently known to employees and in use through division work rules.

3) There is no probationary period for Visitor Services employees. The revisions establish a 30 work-day probationary period.

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**Fiscal Impact:** None

We believe these revisions to the Code are necessary for the consistent and balanced operation of the Zoo Visitor Services Division. It is, therefore, recommended by the Executive Officer that Ordinance No. 92-467A be adopted.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 92-467, FOR THE PURPOSE OF APPROVING THE REVISION OF METRO CODE SECTION 2.02.275 - ZOO VISITOR SERVICES EMPLOYEES.

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Presented by: Paula Paris  
Teresa Metke

**Background:** As a result of discussions with Teresa Metke, Zoo Visitor Services Manager, it became apparent that the current Section 2.02.275 of the Code does not adequately or accurately reflect the needs or methods of operation of the department.

**Highlights of Revisions:**

1) The current purpose of this section is to establish personnel rules for the Visitor Services Worker employees. The revisions establish a broader definition of purpose which gives greater flexibility to the Council, Executive Officer, Zoo Director, and Visitor Services Manager to meet the operational needs of the department particularly in the area of seasonal employment conditions that may vary greatly depending on the seasons and public responsiveness.

2) Visitor Services employees are non-represented employees who, under current Code language, have a higher standard of just cause than do our existing union-represented employees. The revisions eliminate a just cause standard and establish a demerit system of discipline currently known to employees and in use through department work rules.

3) There is no probationary period and just cause begins on the first day of employment. The revisions establish a 30 work-day probationary period without just cause. The just cause standard is replaced by standard at-will employment which best serves this type of seasonal employment arrangement.

4) The Visitor Services Manager currently has to re-open recruitments numerous times during the year for these seasonal positions when an applicant pool is depleted. The revisions establish an on-going open recruitment for two seasons per year which will enable prompter filling of positions and faster response time to Visitor Services operational needs.

**Fiscal Impact:** None

We believe these revisions to the Code are necessary for the consistent and balanced operation of the Zoo Visitor Services Department. It is, therefore, recommended by the Executive Officer that Ordinance No. 92-467 be adopted.



BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING THE	)	ORDINANCE NO. 92-467
REVISION OF METRO CODE SECTION	)	
2.02.275, ZOO VISITOR SERVICES	)	Introduced by Rena Cusma,
EMPLOYEES	)	Executive Officer

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 2.02.275 - Zoo Visitor Services Employees, is amended to read as follows:

2.02.275 Zoo Visitor Services Employees:

(a) Purpose: The purpose of this section is to establish personnel [rules] policies pertaining to the conditions of employment of Zoo Visitor Services Worker employees; to promote efficiency, economy, and public responsiveness in the operation of the Zoo Visitor Services Department; and to provide that the employees covered by this section shall be subject to proper conduct, the satisfactory performance of work, and the availability of funds.

(b) These policies do not constitute a contract of employment. Moreover, in order to meet future challenges and to continue to improve the working environment for all Zoo Visitor Service Employees, the Council retains the flexibility to change, substitute, interpret and discontinue the policies and benefits described herein, at any time, with or without notice to employees. No contract of employment can be created, nor can an employee's status be modified, by any oral or written agreement, or course of conduct, except by a written agreement signed by the Department Manager, Zoo Director or his/her designee, the Personnel Manager, and the Executive Officer. Whenever a question arises as to the meaning or interpretation of any policy or practices of the Zoo Visitor Services Department, the interpretation given by the Executive Officer and/or his/her designee(s) shall be final and binding.

~~(b)~~ (c) Definitions:

(1) The Visitor Services Worker classification is divided into two definitions, and nothing contained in this section shall be construed as any guarantee of hours worked per day or per week:

(A) Seasonal Visitor Services Worker Employee: Employees who are employed on a ~~[year-round]~~ seasonal 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 (i) of this section or the employee~~

①

~~resigns. Section 2.02.045 Probationary Period of the Metro Code does not apply.]~~

The probationary period for seasonal visitor services employees is the initial thirty (30) work days of employment, and an additional probationary period shall not be required at a subsequent reinstatement, if the reinstatement is within one year of termination in good standing. Visitor service employees serving their initial probationary period may be disciplined or terminated without cause, with or without prior notice. However, nothing in this paragraph shall be construed as implying or requiring that cause must exist for the discipline or termination of a seasonal status employee who has completed the initial probationary period.

(B) Regular Visitor Services Worker Employee: Employees who are employed on a year-round basis in the Visitor Services Division of the Metro Washington Park Zoo and regularly scheduled to work ~~[80]~~ 20 or more hours each ~~[month]~~ week, as provided by the current adopted budget.

(2) Director means Director of the Metro Washington Park Zoo.

(3) Seasons are defined as April through the first week in September (Labor Day), and the second week in September through March.

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~~[(d)]~~ (e) Recruitment and Appointment for Seasonal Visitor Services Worker Employees:

(1) In-house recruitment to fill Seasonal Visitor Services vacancies is not required and is solely at the discretion of the Visitor Services Manager.

(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]~~ season ~~[there will be]~~ a general recruitment will be initiated. The recruitment will remain open until the beginning of the following season. A list of qualified applicants will be developed, by the Visitor Services Manager pursuant to these Visitor Services Worker rules, from which Visitor Services Workers will be appointed. ~~[The Executive Officer will pre-authorize 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 seasonal list is not exhausted, those not hired but remaining on the list must go through the next ~~[year's]~~ season's selection process to be considered for hiring. ~~[When an emergency exists and no one on the pre-authorized, 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.

~~[(e)]~~ (f) Recruitment and Appointment for Regular Visitor Services Worker Employees:

- (1) In-house recruitments to fill Regular Visitor Services Worker vacancies are open only to current seasonal visitor services worker employees which will be the first means used. ~~[unless:]~~ If no one applies, then the position may be filled [by] with a current seasonal employee who shall be appointed by the Visitor Services Manager.
- (2) In-house recruitments to fill vacancies as described in #1 above, shall include posting of such vacancies for at least five (5) calendar days within [in] the Visitor Services Department [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)]~~ (3) Regular Visitor Services Worker employees will be eligible to apply in-house for all vacant Regular (non-Visitor Services Worker) positions within ~~[the agency.]~~ Metro.

~~[(f)]~~ (g) 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 recruitments 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.]~~

~~[(g)]~~ (h) 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]~~ health and welfare 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 health and welfare benefit package when working a minimum of ~~[80]~~ 20 hours per ~~[month]~~ week.

~~[(h)]~~ (i) Performance Evaluation: Performance evaluations will be performed at least once during the initial thirty (30) work day probationary period. ~~[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.]~~

~~[(i)]~~ (j) 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.]~~

(1) Nothing contained in this Section precludes the Visitor Services Manager or Zoo Director from establishing work rules not inconsistent with this Section for efficient operations and administration of the job site, or precludes the Manager from having private discussions with employees. These discussions may be in the form of assignment, instruction, or any other job-related communication.

(2) Disciplinary actions, up to and including dismissal, will carry a point value,



as in a demerit system. A point range will be established, at the sole discretion of the Visitor Services Manager, for each specific violation, in which the degree, severity, and frequency of the offense and/or circumstances surrounding the incident will determine the points assigned. Copies of disciplinary actions shall be placed in the employee's personnel file. Any disciplinary action may be grieved under the grievance procedure established in chapter 2.02 of the Code.

(3) Notwithstanding the previous section, the Visitor Services Manager reserves the right to terminate or discipline an employee whenever:

(A) The employee's performance is unsatisfactory, or

(B) The Visitor Services Manager feels discipline or termination is appropriate for other reasons, or

(C) Whenever it is determined that such action is in the best interests of the Department.

~~[(3)]~~ (4) [Any of the following may constitute grounds for disciplinary actions:] The following are some examples (but not all) of the types of conduct which will result in disciplinary action. It may not be necessary in every circumstance that the discipline be taken progressively. The listing of these examples is for illustrative purposes, and in no way limits the Visitor Services Manager's authority and discretion to discipline or terminate employees pursuant to paragraph 3 of this section:

(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]~~ demonstrates an impaired ability to properly perform work for the Department;

(M) Violation of Metro Code, ordinances, ~~[and]~~ regulations, established work rules and directives ~~[in particular,]~~ including 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.~~

~~(5) 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.]~~

~~(k)~~ (k) Promotion: Eligibility for assignment to Visitor Services Worker 2 and 3 classifications shall be established by the ~~[supervisor]~~ Visitor Services Manager and shall be subject to in-house recruitment established in (f) (1-3) above. ~~[upon determination that an employee has acquired or possesses the knowledge, skill and ability required for the position.]~~

~~(l)~~ (l) Wage Rates:

- (1) Visitor Services Worker employees will be paid at a rate in the Pay Plan recommended by the Visitor Services Manager and the Personnel Manager and approved by the Executive Officer and 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]~~ at the discretion of the Visitor Services Manager and after completion of the initial probationary period.
- (4) Section 2.02.160 of the Metro Code (Salary Administration Guidelines) shall not apply to any Visitor Services Worker employees.

~~(m)~~ (m) 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.

~~(m)~~ (n) 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.

(Ordinance No. 81-123, Sec. 1 and 2; amended by Ordinance No. 87-221, Sec. 1 and 2; and Ordinance No. 89-269, Sec. 1; amended by Ordinance No. 89-269)

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Jim Gardner, Presiding Officer

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Attest: Clerk of the Council





**METRO**

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

# Memorandum

DATE: September 25, 1992

TO: Rena Cusma, Executive Officer

FROM: Paulette Allen, Clerk of the Council

RE: TRANSMITTAL OF ORDINANCE NOS. 92-466A AND 92-467A

Attached for your consideration are true copies of the ordinances referenced above adopted by the Council on September 24, 1992.

If you wish to veto any of the ordinances referenced above, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, October 1, 1992. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, these ordinances will be considered finally adopted.

I, Walter Sharkey, received this memo and a true copy of Ordinance Nos. 92-466A and 92-467A from the Clerk of the Council on

9-25-92.