



Multnomah Education Service District

A Regional Cooperative Opening Doors to Education

Supervisors Handbook



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INTRODUCTION

This handbook has been prepared to provide Directors, Administrators, Supervisors and Managers of Multnomah Education Service District with a summary of the policies, procedures, and practices of MESD that are particularly relevant to a supervisor's role in the agency. It does not replace or in any way alter MESD Board policies, the terms of collective bargaining agreements, or other legally binding requirements. It is important to remember that Board policies and procedures do change from time to time and this Handbook may not reflect these changes immediately.

Where appropriate, each section will identify:

- Applicable board policy and administrative rule
- Collective Bargaining reference
- Web reference

Samples of forms provided are not intended to be reproduced and will be identified as a sample with a watermark. To ensure use of the most current version of each form, click on the title to go to a web page with the correct form ready to print.

ORGANIZATION CHARTS

MESD Organizational charts are available on the MESD Web page at

<http://www.mesd.k12.or.us/admin/organizationcharts.htm>

MISSION/VISION/VALUES

The **Mission** of MESD is:

To support our local school districts and share in providing a quality education for the children and families of our communities.

Vision

We work as a team dedicated to enhancing the learning of the communities' children by designing and delivering services responsive to family and component district needs. We strive to demonstrate leadership, wise utilization of resources, cooperative relationships with component districts and other agencies and a commitment to being a learning organization.

Values

We base our mission and vision on the premises that:

- Children are our most important natural resource;
- Families should be supported in education of their children;
- Each student should reach proficiency on challenging academic standards and assessments;
- A quality staff is essential in carrying out the mission of MESD;
- Supportive, respectful working relationships that value diversity and effective communication within MESD are vital to achieving our mission;
- Community partnerships maximize resources;
- Adequate and stable financial resources are required for a quality education;
- Internal and external relationships strengthen services to children;
- Delivering effective services to schools is a process of continuous improvement;
- A strong system of public education is essential to the future of our society.

EQUAL EMPLOYMENT OPPORTUNITY

GBA

It is the policy of the board to provide equal employment opportunity and treatment to all present and prospective employees regardless of age, national origin, race, religion, sex, sexual orientation, marital status, family relationship and disability if disability does not preclude performance of bona fide requirements of the position with or without reasonable accommodations.

This equal employment opportunity policy shall be administered and supported through an affirmative action program which shall encompass all organizational rules and procedures affecting employment recruiting and advertising, hiring, job assignments, transfers, compensations, benefits, training and all other terms and conditions of employment.

In accordance with state and federal requirements the superintendent or his/her designee will develop and maintain an affirmative action plan. The board will annually review the affirmative action plan.

In the event the district is charged with a discrimination allegation, properly filed with an appropriate state or federal authority, the board shall be advised of such charge at the first regularly scheduled meeting thereafter.

The board authorizes the superintendent to pursue, with the field representative of all appropriate state and federal agencies, discussions concerning possible pre-investigatory resolutions with individuals alleging discrimination against the district.

The board shall be informed of the alternative courses of action which could lead to possible resolution of any discrimination allegation and shall decide upon which course to follow.

Related Administrative Rule:

[GBA-AR](#) Affirmative Action Plan

NON-DISCRIMINATION

AC

MESD shall not discriminate on the basis of an individual's race, color, religion, sex, national origin, sexual orientation¹, disability, parental or marital status or age or because of the race, color, religion, sex, national origin, sexual orientation, disability, parental or marital status or age of any other persons with whom the individual associates.

In keeping with requirements of federal and state law, MESD strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered students; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The Board encourages staff to improve human relations within MESD and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The Superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act, Section 504, Title VI, Title VII, Title IX and other civil rights or discrimination issues.

The Superintendent or designee will develop and make available procedures providing for prompt review and resolution of student and staff complaints.

Related Administrative Rule:

[AC-AR](#) Discrimination Complaint Procedure

AMERICANS WITH DISABILITIES ACT

[ACA](#)

The Multnomah Education Service District, in compliance with the Americans with Disabilities Act, is committed to maintaining employment practices, services, programs and activities that provide equity to qualified individuals with disabilities.

MESD will provide reasonable accommodations for the known disabilities of all applicants and current employees in all employment application procedures, hiring, advancement or discharge, employee compensation, job training, other terms, conditions and privileges of employment upon request and advance notice.

A reasonable accommodation must not present an undue hardship for MESD, be unduly costly, extensive or disruptive; nor present a direct threat to the health or safety of others in the workplace.

MESD services, programs and activities will be accessible and usable by qualified individuals with disabilities, consistent with Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Accessibility may be achieved through nonstructural as well as structural methods.

In order to achieve equal access, MESD will make available appropriate auxiliary aids and services that promote effective communications. Primary consideration will be given to the request of individuals with disabilities in the selection of appropriate aids and services. Final determination will be made by the Board. Auxiliary aids and services determinations will be based on availability, effectiveness and financial or administrative burden to MESD.

The Board directs the Superintendent to develop and implement an appropriate plan that provides for MESD compliance with the Americans with Disabilities Act, including the appointment of an ADA compliance officer and the establishment of a process for the investigation and prompt and equitable resolution of any complaint regarding noncompliance.

Related Administrative Rule:

- | | |
|-----------------------------------|---------------------------------|
| <u>ACA-AR (1)</u> | Americans with Disabilities Act |
| <u>ACA-AR (2)</u> | ADA Grievance Procedure |

SEXUAL HARASSMENT

[GBN/JBA](#)

The district will maintain a working environment that is free from any form of harassment related to a person's sex. Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other conduct or communication of a sexual nature when:

- The employee's submission to the conduct or communication is made a term or condition of employment;
- The employee's submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and assignment;
- The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance; or
- The conduct or communication has the effect of creating an intimidating, hostile or offensive working environment.

No employee will use the authority of his/her position to subject any other employee to sexual harassment, as defined above.

Administrators and supervisors are responsible for their conduct and for their employees' conduct and will take affirmative steps to stop sexual harassment by subordinates when observed or brought to their attention, including warning or disciplining the offending employee.

The superintendent will establish a process of reporting for those employees experiencing or observing acts of sexual harassment. There will be no retaliation by the district against any person who, in good faith, reports sexual harassment.

An act of sexual harassment shall subject an employee to discipline up to and including dismissal.

Related Administrative Rule:

[GBN/JBA-AR](#) Sexual Harassment

Other Related Board Policy and Administrative Rule:

[GBNA/JFCF](#) Hazing/Harassment/Intimidation/Bullying/Menacing

REPORTING OF SUSPECTED CHILD ABUSE

JHFE

Any MESD employee who has reasonable cause to believe that any child with whom he/she has come in contact has suffered abuse or neglect, as defined in state law, or that any adult with whom he/she is in contact has abused a child, will immediately notify the Oregon Department of Human Services, Child Welfare Services or the local law enforcement agency, as required by ORS 419B.010 and 419B.015. Notification should not be delayed until the end of the school day. It may be necessary for law enforcement or the Department of Human Services to interview the child before the child returns home where the abuse may be occurring. The employee shall also immediately inform his/her supervisor, building principal or superintendent.

Child abuse by MESD employees will not be tolerated, and all MESD employees are subject to this policy and the accompanying administrative regulation.

The Superintendent and Cabinet will implement such regulations and procedures as are necessary to accomplish the intent of this policy and to comply with state law. Copies of this policy, the name of the building contact person, and the procedures to follow upon receipt of a report will be posted in each MESD building and at each program site.

The initiation, in good faith, of a suspected child abuse report, will not adversely affect any terms or conditions of employment or the work environment of the complainant. The Board or any MESD employee will not discipline a student for the initiation, in good faith, of a suspected child abuse report by an MESD employee.

MESD will provide notification to the complainant upon completion of the investigation by the Department of Human Services or local law enforcement about actions taken by MESD based on the report.

Related Administrative Rule:

[JHFE-AR](#)

Reporting of Suspected Child Abuse

EMPLOYEE ETHICS

GBC

MESD employees will not engage in, or have a financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as MESD employees. This means that:

1. Employees will not solicit for financial remuneration from students, parents and other staff;
2. Any device, publication or any other item developed during the employee's paid time shall be MESD property;
3. Employees will not further personal gain through the use of confidential information gained in the course of or by reason of position or activities in any way.

No administrator or supervisor will exercise supervisory authority over a person who is a member of his/her family. Persons regularly employed by MESD prior to the inception of such relationship will not be terminated but may be transferred to another building or placed under different supervision, if necessary, to eliminate potential conflict.

No MESD employee may serve as an MESD Board member.

Family, as used in this policy and as defined by law, means the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, or stepchild of the employee.

An employee will not perform any duties related to an outside job during his/her regular working hours or during the additional time that he/she needs to fulfill the position's responsibilities; nor will an employee use any MESD facilities, equipment or materials in performing outside work unless as otherwise provided by the employee's collective bargaining agreement, Board policy EDC/KGF – Authorized Use of MESD Equipment and Materials, and such use is consistent with ORS Chapter 244.

ALCOHOL/CONTROLLED SUBSTANCE USE

GBCBA

The manufacture, delivery, possession or use of a controlled substance or alcohol by any employee, except as authorized by Oregon Revised Statutes, is prohibited at any ESD work site. In enforcing this prohibition, ESD officials may only make a search or seizure related to a violation of this policy which is permitted by law. An employee who violates this rule is subject to disciplinary action, including suspension and discharge.

The authorized use of a controlled substance by an employee at any ESD work site is not prohibited. The authorized use of a controlled substance by an employee at any ESD work site is subject to remedial action by the district where such use negatively affects job performance or creates a risk of injury to any person.

Remedial action should be corrective, not disciplinary, in nature, although suspension may be included in the action and discharge may result where an employee fails to comply with the action or correct the effect on job performance or risk of injury.

Definitions:

1. "Alcohol" means any alcoholic beverage containing more than one-half of one percent alcohol by volume, and every liquid or solid, patented or not, containing alcohol, and capable of being consumed by a human being;
2. "Authorized" means (1) that a person who manufactures or delivers a controlled substance must be registered with the State Board of Pharmacy or (2) that a person who possesses or uses a controlled substance must have a prescription that allows such possession or use;
3. "Controlled substance" means a drug or its immediate precursor as described in Oregon Revised Statutes;
4. "Deliver" or "delivery" means the actual, constructive or attempted transfer, other than by administering or dispensing, from one person to another of a controlled substance, or alcohol, whether or not there is an agency relationship;
5. "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance, or alcohol, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container;
6. "Possession" means to physically possess or otherwise to exercise dominion or control over a controlled substance or alcohol;
7. "Remedial action" is a response which attempts to eliminate the negative effect on job performance or the risk of injury;
8. "Use" means to consume by ingestion, injection, inhalation or any other means, in whole or in part, a controlled substance or alcohol, including being under the influence or either;
9. "Work site" means any building, structure, vehicle or property (including parking lots), or part thereof, owned or possessed by the district or any other location at

which an employee is to perform work for the district. "Any other location" includes the place of a district-sponsored or district-approved activity, and the employee's own vehicle when used to transport students or fellow employees to and from an activity sponsored or approved by the district and when used to transport fellow employees to and from different work sites following initial arrival at work.

Related Administrative Rule:

[GBCBA-AR](#) Alcohol/Controlled Substance Use

STAFF HEALTH AND SAFETY

GBE

The board authorizes the superintendent to take appropriate means to provide for the health and safety of all employees while engaged in the performance of their duties.

The superintendent will develop training and written procedures necessary to accomplish this goal and to meet the requirements of the law.

All employees will be trained to recognize and to respond appropriately to the presence of hazardous materials.

All employees shall conduct their work in compliance with the safety rules of the district.

Related Administrative Rule:

[GBE-AR](#) Staff Health and Safety – Safety Rules

PERSONNEL RECORDS

GBL

An individual personnel file for every employee of MESD shall be located in an area designated by the Superintendent. Personnel files shall be maintained by the Director of Human Resources.

All records containing employee medical condition information such as workers' compensation reports, FMLA/OFLA records and release/permission to return to work forms will be kept confidential, in a separate file from personnel records. Such records will be released only in accordance with the requirements of the American's with Disabilities Act or other applicable law.

The Superintendent and Cabinet will be responsible for establishing administrative regulations regarding the control, use, safety and maintenance of all personnel records. Employees will be given a copy of evaluations, complaints and written disciplinary actions to be placed in their personnel file.

The personnel file for each employee shall include materials appropriate to that individual's work performance for MESD, including employment application, resume, evaluation, letters of commendation, disciplinary action taken, payroll information, employment contracts and other information as indicated by the State Archivist guidelines for records management for school districts.

Materials received prior to a person's employment, except for application and resume, shall not become a part of the personnel file. Placement of materials into the personnel file shall be subject to regulations established by the Superintendent and Cabinet.

Removal of materials from personnel files shall be in accordance with existing federal and state laws and adopted Board policy.

All charges resulting in disciplinary action shall be considered a permanent part of an employee's personnel file and shall not be removed for any reason. Employees may submit a written response to any materials placed in their personnel file. However, material which has been placed in the personnel file by the appropriate procedure shall be expunged from the personnel file by order of law or provision of a negotiated agreement.

Except as provided below, or required by law, MESD employee personnel records may be used and reviewed by the following individuals only:

1. Superintendent;
2. Deputy Superintendent;
3. Director of Human Resources or designated employees;
4. Current or prospective supervisors of the employee;

5. Other individuals designated by the Superintendent having a demonstrated need;
6. The individual employee, or other individuals designated in writing by the employee;
7. The comptroller or auditor, when such inspection is pertinent to carrying out his/her respective duties, or as otherwise specifically authorized by the Board. Information so obtained will be kept confidential;
8. A Board member when specifically authorized by the Board. Information will be kept confidential;
9. Attorneys for MESD or MESD's designated representative on matters of MESD business;
10. The disciplinary records¹ of an MESD employee convicted of a crime listed in ORS 342.143 are not exempt from disclosure under ORS 192.501 or 192.502 and may be released to any person upon request. Prior to the release of disciplinary records, MESD shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or an MESD employee who is not the subject of the disciplinary record.
11. Upon request from a law enforcement agency, the Department of Human Services or the Teacher Standards and Practices Commission, MESD shall provide the records of investigations of suspected child abuse by an MESD employee.

Personnel files may be viewed by authorized individuals only during the regular working hours of MESD except as authorized by the Superintendent. No files will be removed from their central location for personal inspection.

¹ Disciplinary records are defined as those records related to a personnel discipline action or materials or documents supporting that action.

HIRING PROCESS GUIDELINES

This process does not cover:

- Reimbursements and requests for payments
- SubFinder procedures

There may be a need for two employment contracts, one with a contractor (Form 107) and one with the employee (Form 106).

Turnaround time for the hiring process is generally 5-10 working days. Begin the process as early as possible! Timelines are impacted by competition for candidates, cross-training issues, posting and notification requirements. It is possible to expedite the process, but it should not be a standard expectation and requires clear communication among all parties.

A. HIRING PROCESS

The individual submitting the request will receive the form back with instructions on which of the following categories the request fits.

1. IF using volunteers, parents, or others who will have unsupervised student contact, THEN go to step F – BACKGROUND/REFERENCE CHECKS.
2. IF the position will be offered to retiring staff for the duration of the fiscal/school year, THEN follow policy [GCPC-AR](#).
3. IF the position will be filled by a substitute while the permanent employee is absent, THEN first utilize SubFinder process or department subpool.
4. IF the position is temporary, including summer programs, follow the workflow found on the IFAS Dashboard for AUTHORIZATION TO FILL A VACANCY to initiate a temporary employment contract (Form 106).
 - a) Form 106 is used to hire a person as an employee:
 - (1) who performs similar work of an AFSCME member and who is in a position
 - (a) budgeted for less than 150 days or budgeted for less than four hours per day, or
 - (b) for which there is no current job description;
 - (2) who performs work similar to the work of an MESDEA member, and who is in a position
 - (a) contracted for less than 96 days, or
 - (b) for which there is no current job description.
 - (3) Complete step B. Upon approval and selection, submit Form 106 to Human Resources along with approved AUTHORIZATION TO FILL A VACANCY. (policy [GCBAA-AR](#))

- b) Form 107 is used to obtain services of a company or a person who provides the services as part of their business, not as an employee. The form shall be used for a company or person who is an independent contractor. In general, a person is an independent contractor who provides services pursuant to an independently established business (e.g. has a history of providing services to other districts pursuant to business). See instructions on the Contracting/Risk Management section in the MESD Intranet page.

5. IF the position will be permanent, THEN follow steps B through H. (policy [GAA](#))

B. AUTHORIZATION TO FILL A VACANCY

The individual submitting the request will receive the form back with instructions on which of the above categories to use when processing the request.

1. Department completes [AUTHORIZATION TO FILL A VACANCY FORM](#), submit to Human Resources. Upon review and approval, "Person Requesting Staff" will receive the original back. *Attach a copy of the approved form with Form 106.*
2. Departments comply with non-discrimination requirements. (policy [AC](#))
3. Review supervisory roles to avoid conflict of interest, nepotism, and ethics violations. (policy [GBC](#))
4. Departments must avoid having a single individual in multiple roles (interviewer, reference, supervisor).
5. Review position description. Evaluations will be based on position description. (policies [GAB](#) & [GAB-AR](#))
6. Departments review recruitment and selection process. (policies [GCDA/GDDA](#) and [GCC-AR](#))

C. POSTING/ADVERTISING POSITION

1. Review position posting requirements. (policy [GCCA](#), AFSCME Article 9 and MESDEA Article 16)
2. Human Resources will advertise and recruit. Department will contact Human Resources regarding specialty advertisements and costs.

D. SCREENING OF APPLICANTS

1. Departments will use [APPLICANT SCREENING SHEET](#) from Human Resources or similar form.

2. Department will submit interview schedule and questions to Human Resources for review prior to interviews.
3. Would it be wise to include personnel from other departments or agencies on the screening/ interviewing team?
4. Request that candidates bring their most recent evaluation and documentation of licensure to interview.

E. INTERVIEWS

1. Interview committees should discuss questions and expected responses prior to interviews to ensure common rating.
2. Interview committees shall use the [INTERVIEW RATING SHEET](#) from Human Resources or similar form (policy [GCC-AR](#)).
3. Return all rating sheets, completed questions and responses, and files to Human Resources.
4. Explain timeline and next-steps to all candidates.
5. Refer questions regarding benefit eligibility, salary placement or exceptions to posted information to Human Resources.
6. The candidate with the highest score will be forwarded to the next step(s).

F. BACKGROUND/REFERENCE CHECKS

1. Human Resources will complete Criminal History Records Check (policy [GCDA/GDDA-AR](#)).
2. Interview committee will complete [REFERENCE CHECKS](#) for the successful candidate. References should not be provided by current interview committee members.
 - a) At least two reference checks are required for hourly and contracted employees.
 - b) At least three reference checks are required for supervisory and administrative positions.

G. RECOMMENDATION TO HIRE

1. Interview committee will make request to hire and submit [RECOMMENDATION TO HIRE](#) form to Human Resources.

2. Human Resources will make formal offer of employment, work calendar, and orientation schedule to ensure agency continuity.
3. Human Resources will make final determination of placement on salary schedules. See AFSCME Article 17 and MESDEA Article 23.
4. Human Resources will assess ADA or other workplace accommodations.
5. Contracted staff is subject to final MESD Board Approval.
6. Departments complete [REQUEST FOR POSITION/ACCOUNT CHANGES](#) as needed.

H. START WORK

1. Licensure and certification status must be documented *BEFORE* employment begins. MESD contingencies will include but not be limited to agency orientation and departmental requirements.
2. Departments ensure that any contingencies and pre-employment documentation is submitted before work starts.
3. Human Resources will collect appropriate documentation from individual within the first three working days.
4. Departments ensure that new staff are familiar with and have access to proper resources, information and assistance.
5. This is the time to set expectations, describe probationary period and evaluation process.

TEMPORARY EMPLOYEES

Any employee hired to work outside of the regular hiring process or the regular work assignment is considered to be working on a temporary contract. See the attached table for guidelines. See *Hiring Process Guidelines on page 14 for instructions*.

No employee may begin working until a contract has been signed.

Temporary Employment Contracts must be completed to reflect the actual days expected to work. If the exact dates are not defined, the contract must exceed those days. If the contract ends before the work has concluded, the employee will not be paid from that contract, the department will be required to prepare an additional contract to reflect the additional days.

All temporary employees are paid from timesheets submitted to payroll. Timesheets are completed for the period of the 16th through the 15th and are due in payroll by the 2nd working day following the 15th. Employees are then paid on the last day of the same month.

Example: Employee is expected to work between March 20 and May 6.

1. At least 10 days before the first day of work – A contract is generated in the Axxerion Tracking system. A contract (form 106) is generated either for the exact dates or may be set for March 1 through May 31.
2. After the contract has processed through the Axxerion system, a representative from Human Resources will set an appointment with the employee to report on or before his/her first day to complete necessary employment and payroll documentation.
3. The employee then completes a timesheet for each of the months worked. Work completed between March 16th and April 15th will be paid on the 30th of April; and, work between April 16th and May 15th will be paid on May 31st.

If a department is aware of a large group of temporary employees or on-going need for temporary employees (i.e. summer programs, special projects, etc.), please contact the Human Resources Department to make arrangements for processing the paperwork in a timely manner.

Type of Employee	Temporary	Substitute/Pool#	Seasonal	Permanent
Duration of Employment	≤5 days	<96 days – licensed < 130 days- classified	<96 days – licensed* < 130 days- classified*	Open
Compensation	≤\$1,000	By schedule*	By schedule*	By schedule*
Frequency	Unexpected/Emergency	Unknown – on-call	Pre-planned start and stop dates	Per district calendar *
Is there a Job Description?	No	Yes	Yes	Yes
Prior Notice?	No	Pool of candidates are on-call	Every “season”	Upon vacancy
Method of Obtaining Worker	None. Notify HR and Director. Work can begin immediately and paperwork to follow before end of work.	No form necessary. Use of SubFinder or other pool. May use contract agency. #	Use Authorization to Fill a Vacancy form. Post, interview, and reference check per job description requirements.	Use Authorization to Fill a Vacancy form. Post, interview, and reference check per job description requirements.
Timekeeping	Paper timesheet with hours, rate, budget and supervisor signature.	SubFinder initiates pay, timesheet if not SubFinder, or invoice to contract agency.	By timesheet (or Timecard On-line when available).	SubFinder or Timecard On-line as appropriate for position.
Type of Employment Contract	Personal Services Agreement (106) as soon as possible.	SubFinder or Personal Services Agreement (106) if job is not available through SubFinder.	Personal Services Agreement (106) <u>before</u> work begins.	Contract or work calendar*

*Per collective bargaining agreement

#Contact Contract Manager for process to create a pool outside of SubFinder

SCENARIOS	RN/Teacher goes out for surgery; expected recovery period is 6 weeks.	Use a Substitute from the sub pool for the entire absence.
	Speech Pathologist goes out for surgery; expected recovery period is 6 weeks.	There is no substitute pool. May use Temporary help while getting substitute from a contract agency.
	Outdoor school is planning for their spring session. This activity has a defined schedule. Staff may or may not have worked in the program in past seasons.	This is a Seasonal hire. Post, interview and check references based on the job description.
	Program secretary gets in a car accident on Saturday night and will be hospitalized for an unknown period of time. There is a deadline for a project due on Thursday.	May use Temporary help for the first 5 days while a Substitute can be found and hired.
	Educational Assistant quits midyear. The position needs to be filled.	Use a Substitute from the pool while the position is posted as a Permanent position.
	Employee submits intention to retire in March but wants to finish out the contract.	Employee is hired as Seasonal to complete the school year. Posting is not necessary.
	A summer program needs to be staffed using current employees outside of their school-year schedule.	This is a Seasonal hire. Post internally, interview and check references based on the job description.
	A project has come up that current staff either do not know how to do or do not have capacity to complete within the short time it is due.	May use Temporary help if the job will last ≤ 5 days. If longer, hire a Substitute .

RECRUITING AND HIRING TIMELINES

Posting the Vacancy

- Day 1 Supervisor completes [Authorization to Fill a Vacancy](#) and forwards to cabinet member for approval.
- Day 2 HR logs in the receipt of the request. Requests received by Wednesday will be posted and advertised that weekend.
- Wednesday HR reviews the request, incomplete forms will be returned and will delay posting.
- Thursday Ad copy is sent to *The Oregonian* for advertising in the Sunday edition and to be posted to the *OregonLive* web site (www.oregonlive.com/jobs/). Advertising in other publications may have different copy deadlines.
- Friday Jobs are posted to the MESD web site.
- Week 2 & 3 External jobs are posted for two weeks; internal only may be posted for a shorter period of time.

Processing Applications

- Deadline Date Applications are accepted by the MESD Building Receptionist until 5 pm on the date due. All applications are held in a confidential file until the application deadline. If a position is listed as "Open Until Filled," applications are forwarded to the HR Director as received.
- Day 2 Applications are data entered to the Applicant Tracking System and forwarded to the HR Director for screening.
- Day 3 Applications that have met the initial screening are forwarded to the interview chairperson for further processing.

Making the Offer

- Day 1 Supervisor processes [Recommendation to Hire](#) with Director.
- First day of work should be no less than two weeks from date of offer/acceptance; *shorter timelines will create difficulty in meeting the remaining deadlines.*
- Day 2 HR Director reviews Recommendation to Hire and attached employment file and forwards to Superintendent/Chief Program Officer for approval.
- Incomplete files will be returned to hiring supervisor (see Hiring Process Guidelines for instructions) and will re-start the timeline.

- Day 3 Superintendent/CPO reviews Recommendation to Hire and returns to HR.
- Day 4 HR Director calls to offer position to candidate.
- Calls of offer often take several days to complete the transaction
 - A “Welcome to MESD” email is sent to the personal account for the new employee with preliminary information about the first day, required trainings, and benefit information.
- Day 5 HR establishes PEID# and Idap account for employee. An e-mail will be sent to supervisor and support staff to establish the working calendar. The letter of offer and contract is not sent until the calendar has been completed.
- Department of Immigration guidelines require new employees to submit I-9 documentation within the first 3 days of work, it is best to complete this at new employee orientation
 - New employee orientation and Bloodborne Pathogen training occurs on Tuesdays.
- Days 6-10 Upon completion of calendar, HR sends letter of offer to employee. Offer letter will include a copy of the calendar and contract if appropriate.

Beginning work

- Day 1 New employee orientation and Bloodborne Pathogen training is scheduled for the first day of work. It is district practice to not allow new employees to begin work until they have completed BBP training. Orientation and BBP training takes 4 hours. This is considered paid time for the employee
- Day 6 Employee returns any incomplete documentation to HR.
- End of month If starting on or before the 15th of the month, employee receives first paycheck on last working day of month. (i.e.: starting day is October 14th, first paycheck is October 31st)
- End of next month If starting on or after the 16th of the month, employee receives first paycheck on last working day of the following month. (i.e.: starting day is October 17th, first paycheck on November 30th).

Related Sources:

AFSCME Collective Bargaining Agreement Article 9
 MESDEA Collective Bargaining Agreement Article 16
 MESD Board Policy: [GCCA – Posting of all Employee Vacancies](#)
 Administrative Rule: [GCC-AR – Recruitment of Staff](#)

CRIMINAL HISTORY CHECK/FINGERPRINT PROCESS

MESD requires criminal history records checks and fingerprinting of employees and others having direct, unsupervised contact with students. Direct, unsupervised contact means contact with students that provides the person opportunity and probability for personal communication or touch. Refusal to consent to a criminal records check will cause MESD to withdraw offer of employment or volunteer opportunity.

Criminal history checks and fingerprint checks are conducted by the Oregon Department of Education. A person who has been convicted of a crime listed in ORS 342.143.

In most cases, the cost of the criminal history check/fingerprint processing is the responsibility of the individual.

From an e-mail message sent to cabinet on January 25, 2005

As a result of a conversation in Cabinet, it has been agreed that departments will only be notified when an individual is INELIGIBLE to work for MESD due to the outcome of Fingerprint/Criminal History checks. In the past, employees (regular and temporary) have started working pending the results of these checks. Then the departments were sent memos when an individual was cleared to work- often months after they started (and in many cases, had come and gone!). To reduce paperwork and for confidentiality reasons, it has been agreed that only when the results cause an employee to be ineligible to work will you be notified.

Related Sources:

AFSCME Collective Bargaining Agreement Article 17

MESD Board Policy [GCDA/GDDA](#) – Recruitment, Selection, Hiring, Criminal History Records Checks and Fingerprinting

CHILD ABUSE REPORTING AND SEXUAL CONDUCT

As defined by Oregon Legislature, all staff and volunteers are required to complete annual Child Abuse Prevention Training (CAPT). An online program takes approximately 45-60 minutes to complete and is accessible from the MESD Home page under Training: Child Abuse. Upon completion, the employee/volunteer must print off the Certificate of Completion and provide to the Human Resources Department. The direct web address is:

(<http://courses.orvsd.org/moodle/course/view.php?id=254>).

Oregon law (ORS 339.374) also required educational entities to conduct background checks on all previous educational employers to determine if the candidate was the subject of a substantiated report of child abuse or sexual conduct related to the applicant's employment with the education provider. Any knowledge the district has of activity of this nature must be reported to the Human Resources department as soon as possible.

Related Sources:

MESD Board Policy: [JHFE](#) – Reporting of Suspected Child Abuse

Administrative Rule: [JHFE – AR](#) – Reporting of Suspected Child Abuse

MESD Board Policy: JHFF - Sexual Conduct (under board consideration)

WORK CALENDAR

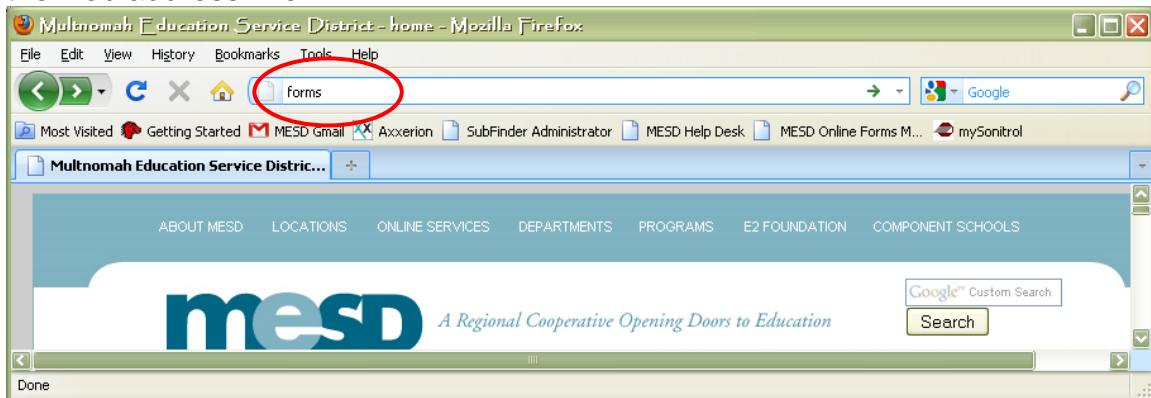
A working calendar must be developed for every employee at the beginning of the fiscal year. Each employee's work schedule will determine when the calendar is generated. Usually only employees working a full year or at least 240 days start his/her calendar in July (with the exception of the Early Intervention/Early Childhood Program that runs a year-round schedule). Those in school-based programs start his/her calendar as of September. The employee's pay year is also based on the calendar cycle.

Employees must begin work on or before the 15th of the month and work at least one half of the days of the month to begin that year's schedule and receive his/her first paycheck of the year. For instance, if an employee only works 8 days in July and begins on the 14th, they do not meet both requirements to start the process for the year.

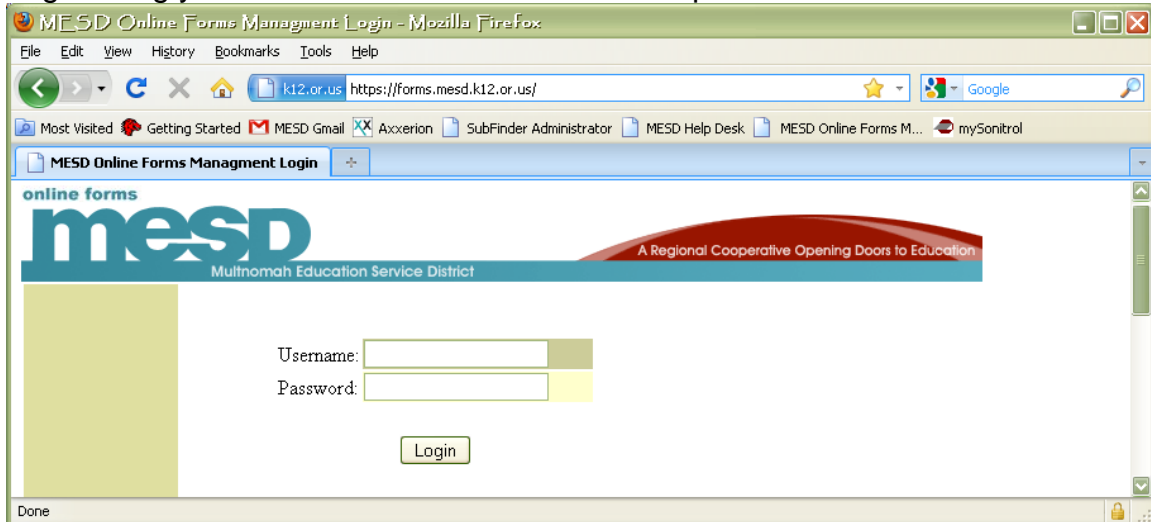
Instructions to determine FTE immediately follow this section.

Instructions

The calendar system is accessed by typing "FORMS" on the MESD Web Page in the web address line.



Login using your current network username and password



By clicking on FISCAL CALENDARS (red arrow, view 1) on the timesheet system, each supervisor will be directed to a list of employees assigned to them. To start a calendar, click on the red START button (green arrow, view 1). Be sure to note the fiscal year in which you are working.

Calendars may be changed during the year – they must be changed in the event an employee’s work schedule is permanently changed. See *Adding/Deleting Days* section of this guide for directions.

The supervisor must request HR to unlock the calendar for editing. Send an email to HR@mesd.k12.or.us to request to have the calendar reverted. The sender will receive an email that the calendar is unlocked and ready for a change. It is then the responsibility of the supervisor to notify HR that the change is complete. Note that HR will not make a change to the pay assignment of the employee until a Position Control Change Form is submitted. See *Adding/Deleting Days* section of this guide for directions.

The screenshot shows the MESD online forms interface. The navigation bar includes 'online forms', 'FORMS', 'TIMESHEETS', 'FISCAL CALENDARS', 'ADMIN', and 'LOGOUT'. The 'FISCAL CALENDARS' menu item is highlighted with a red arrow. Below the navigation bar is the 'mesd' logo and the text 'Multnomah Education Service District'. On the left side, there are links for 'List Calendar' and 'Print Calendars'. The main content area is titled 'Current Fiscal Calendars' and contains a table with the following data:

Employee	Fiscal Year	Started	Complete	View Calendar	Status	Action
Abrams, Robert	2007-2008	-	revert	color grey	A	suspend
Adams, Sally	2007-2008	start	-	-	A	suspend
Al-Khalisi, Amy	2007-2008	start	-	-	A	suspend
Allen, Noelle	2007-2008	-	revert	color grey	A	suspend
Anderson, Nancy	2007-2008	-	revert	color grey	A	suspend
Anderson, Sally	2007-2008	start	-	-	A	suspend
Andrews, David	2007-2008	-	revert	color grey	A	suspend
Andrews, Mark	2007-2008	-	revert	color grey	A	suspend
Andrews, Timothy	2007-2008	-	revert	color grey	A	suspend
Andreyuk, Jill	2007-2008	-	revert	color grey	A	suspend
Arguello, Danny	2007-2008	-	revert	color grey	A	suspend

A green arrow points to the 'start' button in the 'Started' column for Amy Al-Khalisi. A yellow arrow points to the 'grey' button in the 'View Calendar' column for Mark Andrews. The text 'View 1' is visible in the bottom left corner of the screenshot.

online forms FORMS TIMESHEETS FISCAL CALENDARS ADMIN

mespd

Multnomah Education Service District A Regional Cooperative Opening Doors to Education

List Calendar
Print Calendars

Setting up calendar for: XXXXXXXX

Normal weekly schedule

Monday

Tuesday

Wednesday

Thursday


Friday

Contract Data

FTE

Days Contracted

View 2

Create Calendar Cancel Use Template 

A blank template will pop up that requires the supervisor to document the regular working hours, FTE, and number of contracted days in the fiscal year. Once this is input, click on CREATE CALENDAR.

If a template has already been created for the working schedule, click on the USE TEMPLATE button (blue arrow, view 2).


online forms FORMS TIMESHEETS FISCAL CALENDARS ADMIN LOGOUT

mespd

Multnomah Education Service District A Regional Cooperative Opening Doors to Education


List Calendar
Print Calendars

Employee: XXXXXXXX
July 1, 2007 - July 31, 2007

 Year View Week > Month >

Sun	Mon	Tue	Wed	Thu	Fri	Sat
01 Hrs: <input type="text"/>	02 Hrs: 8	03 Hrs: 8	04 H Hrs: 8	05 Hrs: 8	06 Hrs: 8	07 Hrs: <input type="text"/>
08 Hrs: <input type="text"/>	09 Hrs: 8	10 Hrs: 8	11 Hrs: 8	12 Hrs: 8	13 Hrs: 8	14 Hrs: <input type="text"/>
15 Hrs: <input type="text"/>	16 Hrs: 8	17 Hrs: 8	18 Hrs: 8	19 Hrs: 8	20 Hrs: 8	21 Hrs: <input type="text"/>
22 Hrs: <input type="text"/>	23 Hrs: 8	24 Hrs: 8	25 Hrs: 8	26 Hrs: 8	27 Hrs: 8	28 Hrs: <input type="text"/>
29 Hrs: <input type="text"/>	30 Hrs: 8	31 Hrs: 8				

View 3

Exit Update Complete 

The system will use the information from this screen to fill a calendar for the entire year. The supervisor will now adjust the calendar by entering either a "0" or leaving the hours blank in days that are not scheduled work days.

As the calendar is being filled in, the supervisor can check the status of the calendar by clicking on YEAR VIEW (orange arrow, view 3).

When in YEAR VIEW, the Computed FTE will appear to identify how close the calendar matches the Contracted FTE. When they are within 1/100th of an FTE (but not over the stated FTE), the red number will disappear and the calendar will be ready to approve (lavender arrow, views 4 and 5)

View 4

Employee: XXXXXXXX
 PEID: XXXX
 Contracted Days: 190.00 [Edit](#)
 Contracted FTE: 1.0000

Fiscal Year: 2007-2008
 Computed Days: 261.00
 Computed FTE: 1.3737 (1.0000) ←

[Return to Calendar Update Mode](#) [Save as Template](#)

July August September October

November December January February

March April May June

When the calendar is complete it can be used to create a template for use with similar work schedules by clicking on **SAVE AS TEMPLATE** (blue arrow, view 5).

Otherwise, click on **RETURN TO CALENDAR UPDATE MODE** to COMPLETE the final calendar (black arrow, view 3).

The final calendar will move to the **VIEW CALENDAR COLUMN** on the employee list (yellow arrow, view 1).

View 5

Employee: XXXXXXXX
 PEID: XXXX
 Contracted Days: 190.00 [Edit](#)
 Contracted FTE: 1.0000

Fiscal Year: 2007-2008
 Computed Days: 190.00
 Computed FTE: 1.0000 ←

[Return to Calendar Update Mode](#) [Save as Template](#) ←

July August September October

November December January February

March April May June

HOW TO CALCULATE FTE

$$\frac{\text{Total hours in a year}}{\text{Total days contracted}} = \text{Avg. Hrs/Day} \quad \Rightarrow \quad \frac{\text{Daily Avg. Hours}}{8 \text{ (full working day)}} = \text{FTE}$$

Note: Number of days worked is not factored into this formula

Samples:

EI/ECSE Ed Assistants use a variable schedule in which the employee works:				
Mon	Tue	Wed	Thu	Fri
6.5	6.5	6.5	6.5	4
6.5	6.5	6.5	6.5	0
and other schedule during summer session (6 hour days) for a total of 1,110 hours per year:				
$\frac{1,110 \text{ hrs}}{185 \text{ days}}$		= 6 avg. hrs/day	\Rightarrow	$\frac{6}{8} = .75 \text{ FTE}$

School Health Assistants work 4 hours per day, 5 days per week for 175 days:				
$\frac{700 \text{ hrs}}{175 \text{ days}}$		= 4 avg. hrs/day	\Rightarrow	$\frac{4}{8} = .5 \text{ FTE}$

Full year clerical staff working 4 days at 10 hours:				
$\frac{2,080 \text{ hrs}}{261 \text{ days contracted}}$ (208 days worked)		= 8 avg. hrs/day	\Rightarrow	$\frac{8}{8} = 1.0 \text{ FTE}$

PT contracted for .5 FTE of 190 days. Schedule as follows:				
Mon	Tue	Wed	Thu	Fri
8	8	0	0	0
8	8	8	0	0
$\frac{768 \text{ hrs}}{190 \text{ days contracted}}$ (96 days worked)		= 4 avg. hrs/day	\Rightarrow	$\frac{4}{8} = .5 \text{ FTE}$

Definitions:

- Full time
 - AFSCME: at least 7 avg. hrs/day or FTE of .875 (no longer concerned with weekly average or number of days per week)
 - MESDEA: .9 FTE or greater
- Entitlement for full year benefits
 - 150 days contracted per year (AFSCME agreement)
 - 165 days contracted per year (MESDEA agreement)
- Level of district contribution to benefits based on FTE
- Vacation accrual for AFSCME requires Full Year status - working 260/261 days. FTE is based on 260/261 contracted days but accrued at FTE level (i.e. employee at .75 FTE earns 6 hours per month for leaves, vacation accrual is prorated).

PLANNING CALENDAR

This excel document can be found at: MESDDATA/Calendar/2011-2012



Employee Name: _____ PEID #: _____
 Position Title: _____ Position Control #: _____
 Program Name: _____ FTE: _____
 Expected days per year: _____
 Hours per day: _____

JULY					20
M	T	W	TH	F	
				1	
4	5	6	7	8	
11	12	13	14	15	
18	19	20	21	22	
25	26	27	28	29	

AUGUST					23
M	T	W	TH	F	
1	2	3	4	5	
8	9	10	11	12	
15	16	17	18	19	
22	23	24	25	26	
29	30	31			

SEPTEMBER					21
M	T	W	TH	F	
			1	2	
5	6	7	8	9	
12	13	14	15	16	
19	20	21	22	23	
26	27	28	29	30	

OCTOBER					21
M	T	W	TH	F	
3	4	5	6	7	
10	11	12	13	14	
17	18	19	20	21	
24	25	26	27	28	
31					

NOVEMBER					20
M	T	W	TH	F	
	1	2	3	4	
7	8	9	10	11	
14	15	16	17	18	
21	22	23	24	25	
28	29	30			

DECEMBER					22
M	T	W	TH	F	
			1	2	
5	6	7	8	9	
12	13	14	15	16	
19	20	21	22	23	
26	27	28	29	30	

JANUARY					20
M	T	W	TH	F	
2	3	4	5	6	
9	10	11	12	13	
16	17	18	19	20	
23	24	25	26	27	
30	31				

FEBRUARY					21
M	T	W	TH	F	
		1	2	3	
6	7	8	9	10	
13	14	15	16	17	
20	21	22	23	24	
27	28	29			

MARCH					22
M	T	W	TH	F	
			1	2	
5	6	7	8	9	
12	13	14	15	16	
19	20	21	22	23	
26	27	28	29	30	

APRIL					21
M	T	W	TH	F	
2	3	4	5	6	
9	10	11	12	13	
16	17	18	19	20	
23	24	25	26	27	
30					

MAY					21
M	T	W	TH	F	
	1	2	3	4	
7	8	9	10	11	
14	15	16	17	18	
21	22	23	24	25	
28	29	30	31		

JUNE					21
M	T	W	TH	F	
				1	
4	5	6	7	8	
11	12	13	14	15	
18	19	20	21	22	
25	26	27	28	29	

See applicable negotiated Agreement and/or Board Policy for inclusion of Holidays

Indicate special symbols for day/hour calculations here:

Building Closed
Holidays
Spring Break (per ODE) March 24-April 1, 2012

To determine FTE:

Total Hours worked per year = Avg Daily Hours × # Days per year

Avg Daily Hours = 8

OR

(Total hrs worked / # days contracted) / 8 = FTE

PAID DAYS:

253 Work Days ()

8 Holidays (H)

Inservice Days (A)

Other (specify) (O)

261 Total Days

261 Total Available Days

PAYROLL

All regular employees are paid on an equal monthly basis. The monthly gross pay is determined by calculating the annual salary and dividing into 12 equal amounts. All employees are paid on a 12 month basis; the fiscal year (July 1 through June 30); or, based on a school calendar (September 1 through August 31). Pay is disbursed on the last working day of the month.

Time Sheets

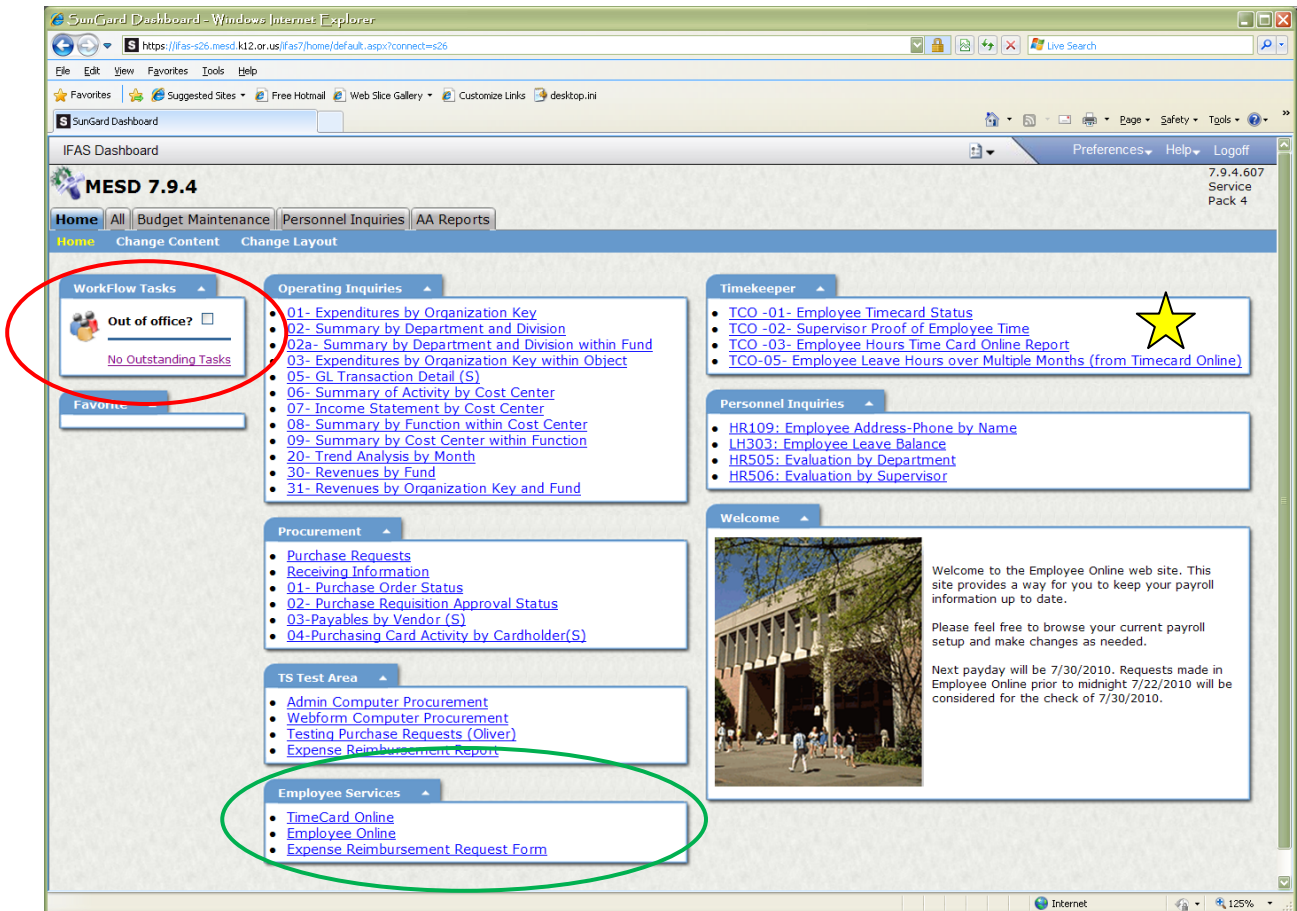
Contrary to the title of this section, Timecard On-line and SubFinder timekeeping are not the basis of pay for employees (see above). Timecard On-line and SubFinder records usage of leave and is used by the payroll department to account for leave balances and accrual. It is the responsibility of the employee to use only the amount of leave available. In the event an employee over uses their leave, pay will be docked for that month.

The timesheet period is set at the 16th through the 15th of each month. Employees must submit their time keeping record on or before the 15th of each month or before they leave for a break (except for the month of December – a reminder is sent to all supervisors as notification of the date change). If this is not done, the supervisor may complete a timekeeping record in the employee's absence. Supervisors are responsible for verifying/processing Timecard On-line and SubFinder entries. SubFinder verifications must be complete by 3:30 p.m. on the 15th of the month or the last business day preceding (if the 15th falls on a weekend). Timecard On-line approvals must be completed the 2nd business day following the 15th.

Timecard On-line Processing:

- Timecard On-line is accessed from the IFAS dashboard under the Employee Services tab. See screen print below.
- Upon completion of their "timesheet," employees will click on "Send to Supervisor."
- The supervisor then receives notification that there is a timesheet pending approval. The notification will appear as an email subject: WORKFLOW/Action TCO_APRV... and a notice will appear on the IFAS dashboard under Workflow Tasks. See screen print below for example.
- A supervisor may wish to have a designee verify this step. Simply forward the email or click on the blue arrow (in IFAS Workflow) to send it on to the verifier. This person can then notify the supervisor what the next steps need to be: approved or return to original sender for correction.
- If all is correct, the supervisor replies Y or Yes to the email, or checks the green check mark icon on the IFAS workflow.
- In the event of an error that must be corrected by the employee, the supervisor replies N or NO to the email or clicks on the red X icon on the IFAS workflow to have it returned to the employee to start the process again.

- When all timesheets have been approved, an Employee Timecard Status Report (TCO-01 on the dashboard under the Timekeeper tab) is run to verify each employee's timecard status. See screen print below at the star.
- Report TCO-05 (Employee Leave Hours over Multiple Months) provides a recap of leave usage for employees over multiple months. See screen print below at the star.



ADDING AND DELETING DAYS

The number of days and FTE for each employee is determined at the beginning of each fiscal year and is the basis for developing calendars. Individuals who are issued contracts for employment; MESDEA members, Supervisors and Administrators, must be approved by Board action. The addition of up to five days per fiscal year may be accomplished without further Board approval, the sixth day and beyond must be approved by resolution.

A request to revert the calendar must be submitted by email request to hr@mesd.k12.or.us. Any changes to the working calendar will generate a notification to HR that a change has been made. Any action that results in a change to FTE or number of days (whether increase or decrease) requires a Request for Position and/or Account Changes form. These must be completed to ensure accurate payroll processing.

The involuntary reduction of days or FTE normally constitutes a Reduction in Force (RIF) for all employee groups. Employees subject to RIF have certain rights under their collective bargaining agreements. Refer to the appropriate agreement and the Human Resources Director for specific details and instructions.

If an employee requests a reduction to his/her schedule, this must be submitted in writing and forwarded to HR with the [Request for Position and/or Account Changes](#) form.

All changes to a position must be requested through the use of the Request for Position and/or Account Changes form. Incomplete forms or requests without the appropriate form will be returned. Forms are due in Human Resources by the 10th of the month for processing in the same month.

The exception to this rule is for MESD EA employees who are paid their summer checks in three disbursements in June. Requests for payment for extra days worked in summer months must also be received before the 10th of June in order to be included with those pay dates.

Work in summer programs will be processed using a Temporary Employment Contract, Form 106 (see *Hiring Process*, A. 4. for instructions). Special arrangements may be made for intermittent work in summer months or for staff returning to work early, contact Human Resources for assistance.

Related Sources:

[Board Policy BBA](#) – Board Powers and Duties

[AFSCME Collective Bargaining Agreement](#), Article 8

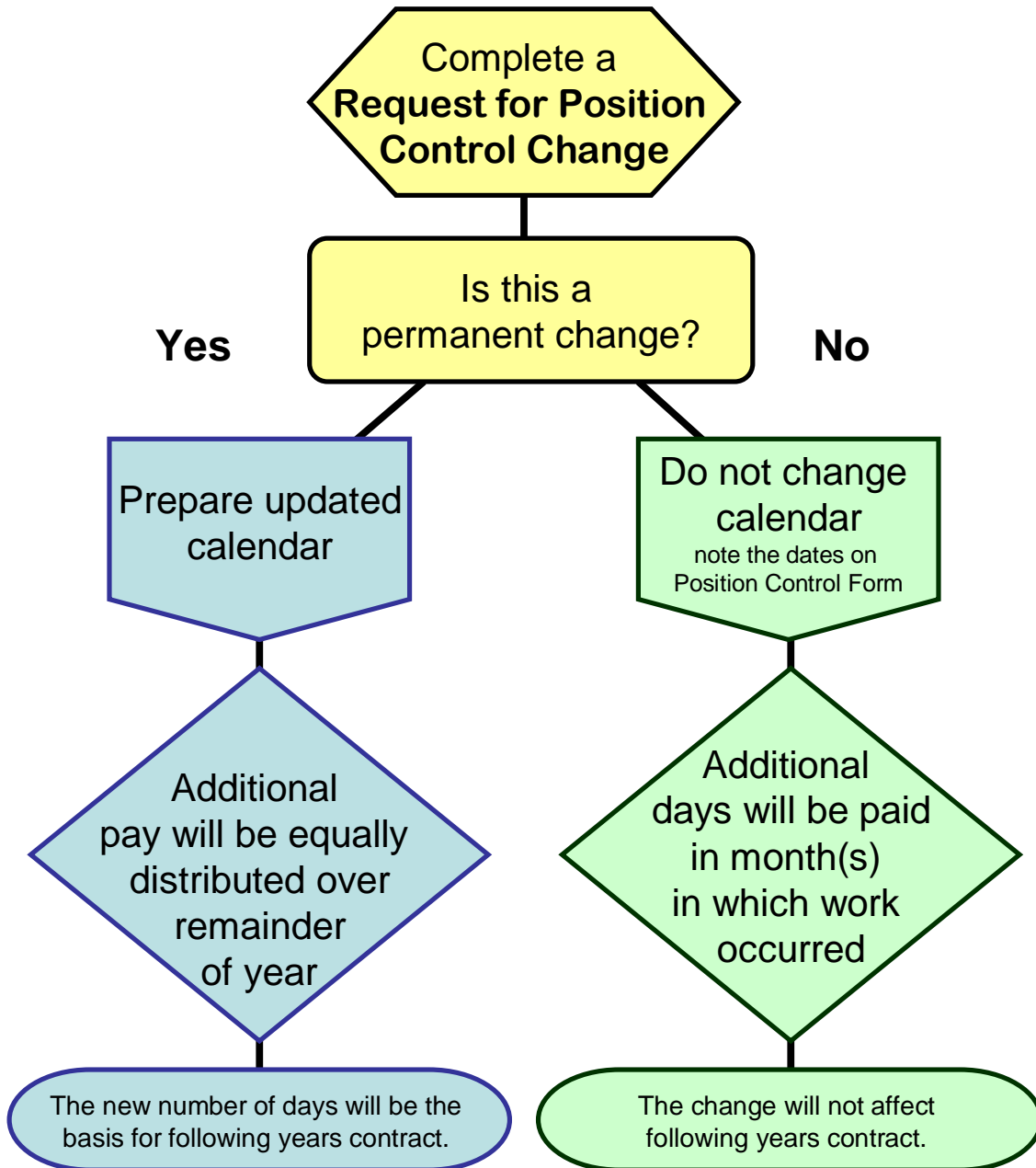
[MESDEA Collective Bargaining Agreement](#), Article 22

Adding/Deleting* Days

during the regular work year

Contracted Staff

(MESDEA and Supervisors)



*Reduction of days may result in RIF.
Exact day changes must be reported to HR

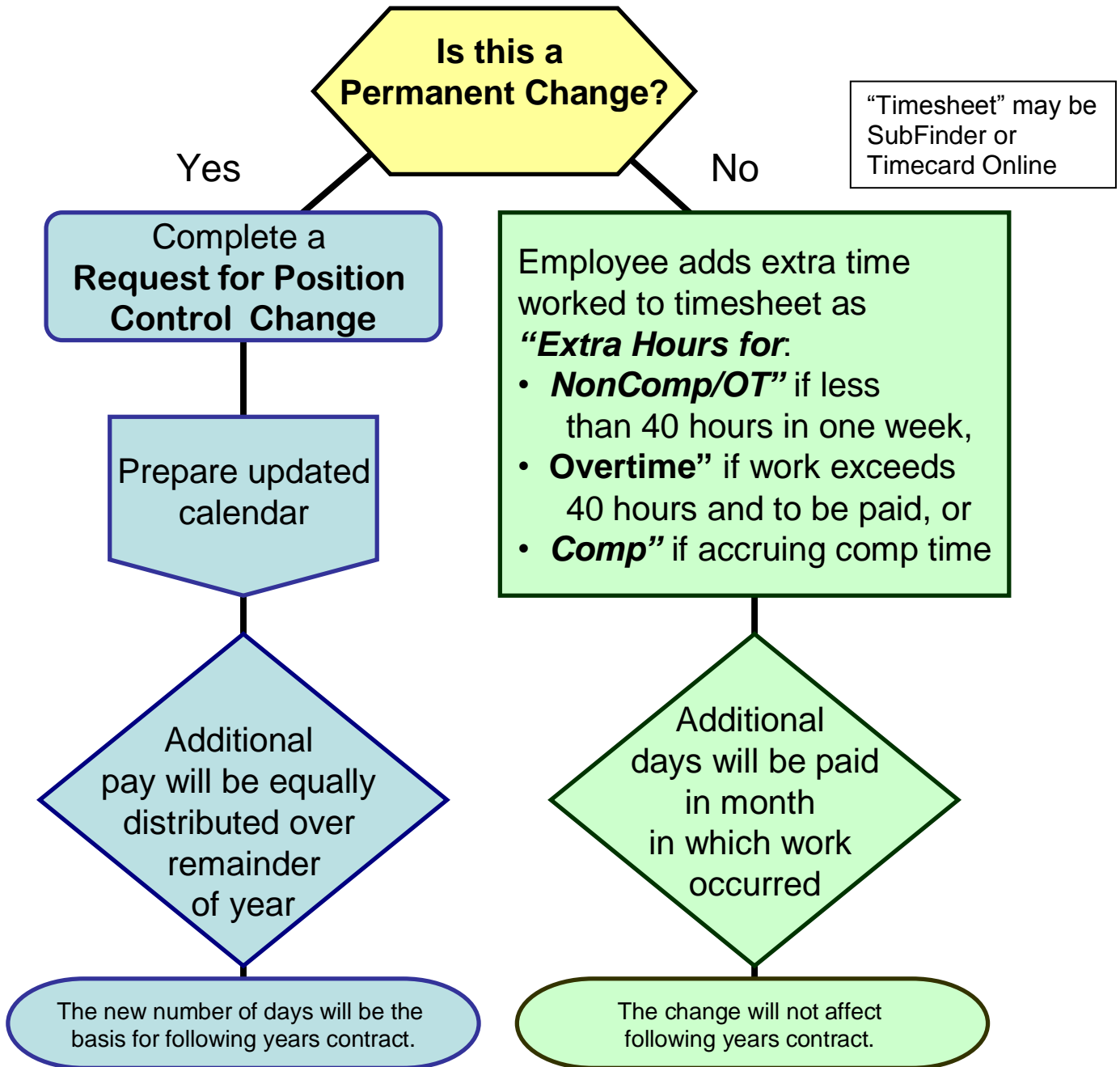
Days added outside the regular work year
are considered temporary employment.

Adding/Deleting* Days

during the regular work year

Hourly Staff

(AFSCME and Confidential)



*Reduction of days may result in RIF.
Exact day changes must be reported to HR

Days added outside the regular work year are considered temporary employment.

Request for Position and/or Account Changes

Complete this form in its entirety and forward to Human Resources, incomplete forms will be returned.
 All requests must be received in HR **by the 10th of the month** for processing in the same month.

Current (or Old) Job Name:			Person In Position (or last held by):				
New Job Name (if changing):			PEID:		Effective Date:		
Department:			Reason for Change Request (provide details as required for board action)				
Program:		Supervisor:					
Position Information							
Position Control #:			Is this a permanent change? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Original FTE:		New FTE:		If No , do not make changes to the calendar, indicate the dates to be added for salaried staff only:			
Original # Days	# Days to Add	New Total # Days					
Old Range:		New Range (per HR approval):					
<input type="checkbox"/> AFSCME		<input type="checkbox"/> MESDEA*		<input type="checkbox"/> Supervisor*		<input type="checkbox"/> Other*	
If Yes the employee's calendar has been updated. (call HR for assistance)							
Changed Budget Information (provide ALL details)							
Old Budget Information				New Budget Information			
Program #	Function Code	Object #	% FTE	Program #	Function Code	Object #	% FTE

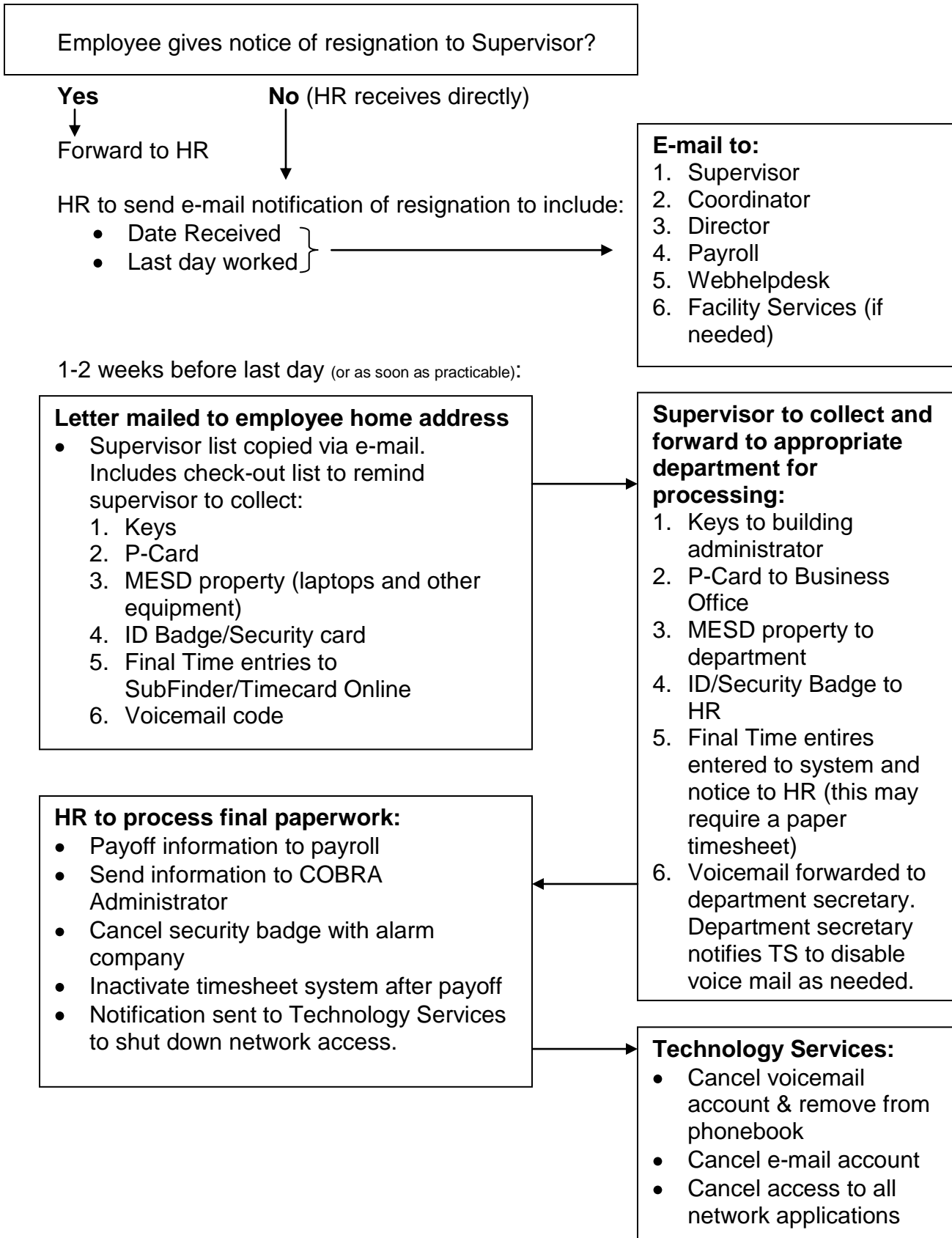
Any changes effected by this request will not be activated until this section is complete and the requesting department notified.

Requested by:		HR USE ONLY	HR Approval:		Input by:	
Cabinet Member Approval:			Date:		Payroll Date Active:	
Comments:					New Position Control #:	
					* Board Approval Date:	

MESDDATA or I Drive: HR Forms\Request for Position Account Changes

This form is sample only. Current version of the form is available at:
[MESDDATA\HR Forms\Request for Position Account Changes](#)

TERMINATION WORKFLOW



LEAVE USAGE

Leave Accrual

Paid leave accrues on July 1st of each year and is posted to the first pay stub in each year. For employees on a full year schedule, this occurs in July; staff on a school-based calendar accrues leave on his/her September pay stub. See Work Calendar for more information on determining pay year.

If an employee terminates employment with MESD during the work year, and has utilized more sick leave than accrued to the employee, the value of the used but unaccrued sick leave shall be deducted from the employee's final pay check. Notwithstanding the above, sick leave shall not accrue during any unpaid leave which exceeds ten (10) working days.

Paid Leaves

For positions which the District normally and routinely hires a substitute for the employee, leave must be used in at least four-hour increments. If no substitute is hired, sick leave may be used in one-hour increments at the discretion of the supervisor.

Sick Leave

Each employee will be granted at least 10 days sick leave at full pay for each school year or one day per month employed, whichever is greater. Sick leave shall be prorated for employees who work less than a full school year.

Sick leave will be used for absence due to illness, bodily injury, disability resulting from pregnancy, or necessary medical or dental care. Every effort will be made to schedule medical and dental appointments to minimize the impact to programs, staff and students. Employees must notify his/her supervisor of his/her intent as early as possible. Concerns about the impact of sick leave usage will first be expressed and addressed between the employee and his/her immediate supervisor.

At the option of MESD, sick leave in excess of five (5) consecutive workdays shall be allowed only upon certification of the employee's physician or practitioner warranting that the illness or injury prevents the employee from working.

Family Illness

Employees may be granted five (5) days per year excused absence with full pay for death or serious family illness in the immediate family to be used in increments of not less than one-half (1/2) day in positions for which the District normally and routinely hires a substitute employee for the absent employee. Supervisors have the authority to grant exceptions to the half-day rule on an hourly basis, when the supervisor determines that there is minimal impact on the program.

Personal Business

Each employee is eligible for up to three (3) days' leave for personal, legal, business, household, family or other unavoidable matters which require absence during working hours. Notice to the immediate supervisor for personal leave (except in cases of emergencies or other unavoidable circumstances) shall be given as early as possible, with the actual time between notice and the beginning day or days of leave being five (5) days. Leave shall be used in increments of not less than one-half (1/2) day. Supervisors have the authority to grant exceptions to the half-day rule, on an hourly basis, when the supervisor determines that there is minimal impact on the program.

Personal business leave ordinarily will not be approved to extend regular vacation or holiday periods.

Other Types of Paid Leave

There are other circumstances where an employee may receive his/her regular pay in the event of an absence. The list below is not intended to be comprehensive or exhaustive nor are all leaves available for all employee groups. For further clarification, refer to the appropriate collective bargaining agreement, board policy, or human resources.

- Conference Affiliate
- Floating Holiday
- Military Leave
- Union Leave
- Workers' Compensation
- Court Leave
- Jury Duty
- Professional Visitation
- Vacation

Unpaid Leave of Absence

An employee, upon application in writing and upon approval of the Superintendent or designee, may obtain a leave of absence without pay. Such unpaid leave may be extended by mutual agreement by the District and the employee. Each bargaining unit has negotiated a period of time for which an unpaid leave of absence may be granted. Refer to the appropriate collective bargaining agreement for specific details.

For all types of unpaid leaves for a duration of one (1) year or longer, except Military Leave, the employee shall notify the Human Resources Office in writing by March 1 of the year the leave of absence is occurring as to whether or not the employee plans to return at the start of the next school year. Failure to give such notice shall be deemed to be a resignation.

Related Sources:

[Board Policy GCBD](#) – Leaves and Absences

AFSCME Collective Bargaining Agreement, Articles 13, 14 and 16

MESDEA Collective Bargaining Agreement, Articles 25, 28 and 29

FAMILY MEDICAL LEAVE OFLA/FMLA

All employees who meet the eligibility requirements may take up to twelve weeks Family Medical Leave per rolling (12-month period measured forward from the date the employee uses any family and medical leave) year under the provisions of Oregon and federal law* as defined below. Employees are entitled to the most advantageous law available to them – laws run concurrently.

The Oregon Family Leave Act (OFLA), passed by the 1995 Legislature, requires employers to provide his/her workers, who have worked 180 calendar days, with job-protected leave to care for themselves or family members in cases of illness, injury, childbirth or adoption.

The Federal Family Medical Leave Act (FMLA) of 1993 requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to “eligible” employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months.

For the duration of FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan.” Upon return from FMLA leave, most employees must be restored to his/her original or equivalent positions with equivalent pay, benefits, and other employment terms.

Employees are required to give written notice to the employer 30 days in advance of the leave unless the leave is taken for an emergency. Employees who fail to give written notice may be subject to discipline by the employer. After the third consecutive day of absence, a supervisor may submit, on behalf of the employee, documentation to begin an OFLA/FMLA leave. The completed Leave Form (103b) will be returned to the supervisor for processing with time sheets and notification will be sent to the employee as prescribed by law.

* MESD is considered a covered employer as defined by both OFLA and FMLA requirements.

OFLA/FMLA INFORMATION:

A) Who is eligible for OFLA / FMLA leave?

- a. Workers must be employed at least 180 calendar days in order to take OFLA/FMLA leave to care for a newborn, newly adopted child or newly placed foster child (up to age 18 or older than 18 if incapable of self care).

- b. For all other leaves, workers must be employed at least 180 days and also work at least an average of 25 hours a week.

B) OFLA / FMLA QUALIFYING EVENTS LIST

- Pregnancy Leave - taken prior to birth of child.

- Parental Leave - Adoption of a child up to age 18 (or older than 18 if incapable of self care) or the newly placed foster child. Care of a new born child (birth of a child).
- Family Medical Leave:
 - Care of a spouse, parent, parent-in-law or child with a serious health condition. *(New 2007 legislation will revise the definition of this category)*
 - To care for a sick child with an illness or injury that is not a serious health condition.
- Employee’s own serious health condition (see item C below).

C) OFLA / FMLA DEFINITION OF “SERIOUS HEALTH CONDITION”

1. An illness, injury, impairment or physical or mental condition that involves :
 - a) Inpatient care in a hospital, hospice or residential medical care facility (i.e. an overnight stay); including any period of incapacity (defined as an inability to work, attend school or perform other regular daily activities), or any subsequent treatment in connection with such inpatient care; or
 - b) Continuing treatment by a health care provider that includes:
 - 1) A period of incapacity of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - (i) treatment two or more times by a health care provider, or by a nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services (e.g. physical therapist) on referral by a health care provider; or
 - (ii) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment.
 - 2) A period of incapacity due to pregnancy, or for prenatal care.
 - 3) A period of incapacity or treatment for a “chronic” serious health condition which requires periodic visits for treatment by a health care provider, continues over an extended period and may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy),
 - 4) A period of incapacity which is permanent or long-term due to a condition for which treatment is not effective (e.g. Alzheimer’s Disease, severe stroke, terminal cancer).
 - 5) A period of absence to receive multiple treatments for an injury or condition which would result in incapacitation of more than three days if not treated (e.g. chemotherapy or radiation for cancer, physical therapy for severe arthritis, or dialysis for kidney disease).

Note: Short-term conditions requiring only brief treatment and recovery are not “serious health conditions” (e.g. common cold, flu, ear aches, upset stomach, minor ulcers, headaches other than migraines, routine dental or orthodontia problems and periodontal disease).

2. An illness, disease or condition that in the medical judgment of the treating health care provider poses an imminent danger of death, is terminal in prognosis with a reasonable possibility of death in the near future, or requires constant care.

Note: All leave qualifying as family leave as defined by OFLA and or FMLA will be counted as such. Leave which does not qualify may still be taken subject to Board Policy and applicable negotiated agreements.

Related Sources:

[Board Policy GCBDA-AR](#) – Federal (FMLA) and Oregon (OFLA) Family Medical Leave

Bureau of Labor and Industries (BOLI)

CONTINUED LEAVE

In the event an employee requests to continue a leave beyond the protected FMLA/OFLA 12 week period, the employee must make his/her request in writing. The request must be submitted prior to the beginning of the leave period (except in extenuating circumstances and then as reviewed by the Program Director and HR Director).

Decisions regarding the approval of the request will be subject to the Leave Eligibility Timeline and Leave of Absence Decision Making Model attached. All requests, recommendations, and final decision making processes will be documented and retained in the HR Department.

Leave Eligibility Timeline

Weeks 0 - 12

(based on working calendar)

- Calculation of 12 weeks begins upon HR's receipt of request
- FMLA/OFLA Eligible*
- Employer paid benefits
- Employee responsible for paying "employee portion" of benefits
- Employee can use available leaves
- Guaranteed *same assignment* upon return to work
- Employee initiates *written* request (30 days prior unless emergency)
- HR sends letter to establish leave eligibility
- Employee provides physician statement to return to work

Weeks 13 - 24

(based on regular calendar) or
end of contract/school year

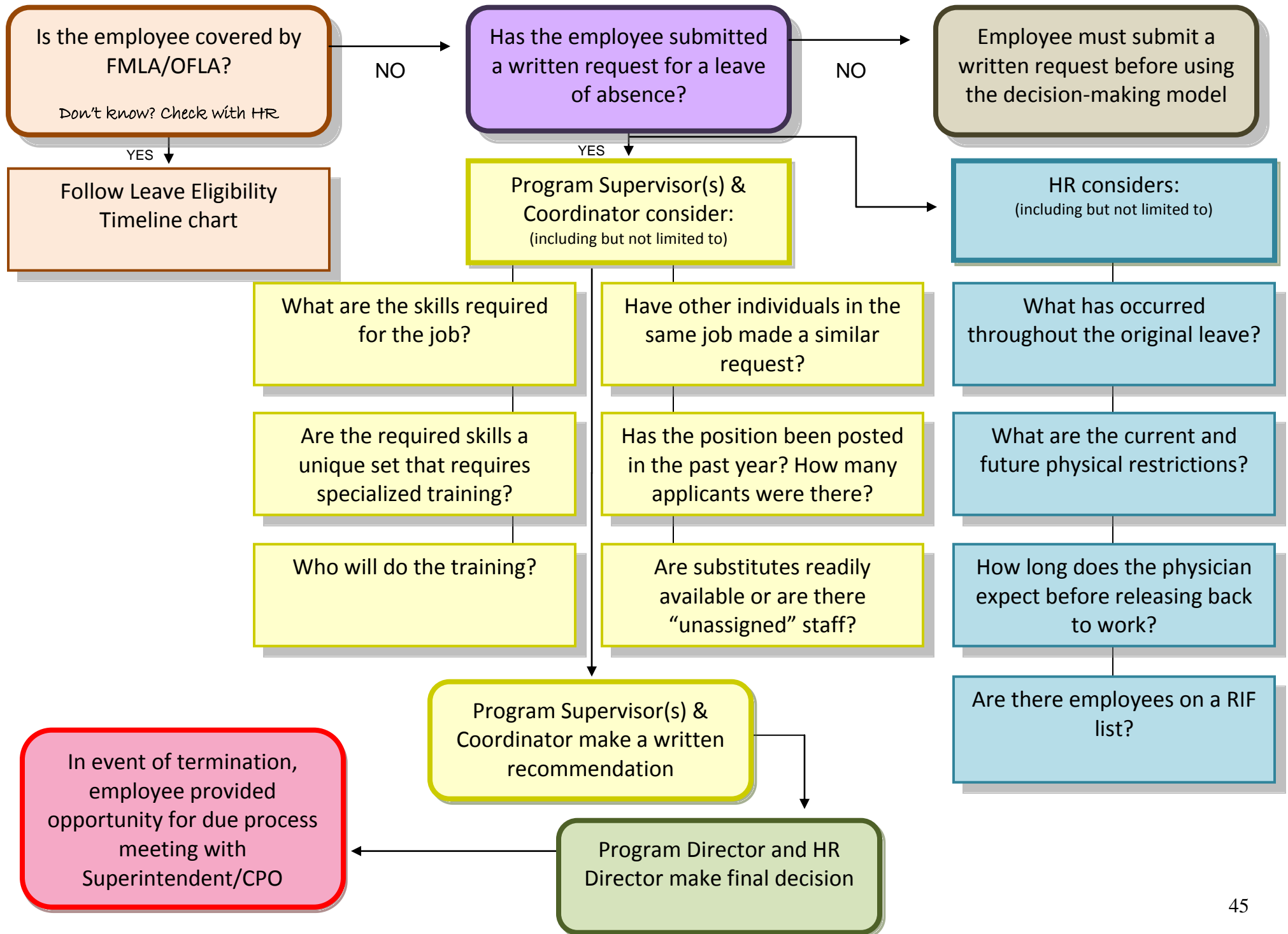
- No longer eligible for FMLA/OFLA *
- Eligible for COBRA benefits
- **After consideration, the employee may be granted** a "Leave of Absence" (LOA):
 - based on Decision Making Model
 - to exhaust leave balances
- May be able to use available leaves
- Granted *comparable* assignment upon return to work
- May be eligible for Long Term Disability and/or unemployment benefits
- Employee initiates LOA request prior to beginning of 13th week
- Program Director & HR Director determine ability to grant LOA request
- HR sends letter to communicate status of LOA request (if denied, see "upon termination" below)
- Employee continues to provide physician updates for return to work

Weeks 25 and beyond or upon termination

- Not eligible for FMLA/OFLA*
- Leave of Absence expires
- Eligible for COBRA benefits
- May be eligible for Long Term Disability and/or unemployment benefits
- No longer able to use leaves
- Employment terminated
- Termination letter generated by HR
- Employee may apply for vacancies upon their ability to return to work

*FMLA/OFLA eligibility determined by law. Some circumstances allow for coverage to last beyond one 12-week cycle. Refer to Human Resources for assistance.

Leave of Absence Decision Making Model



MESD LEAVE REQUEST FORM

Original Request Revision Cancellation

For period _____ (leave dates must match timesheet period)

Name: _____

Begin: _____ 15, 20 _____

End: _____ 15, 20 _____

Work phone number: _____

Employee ID #: _____

Employee Group: Admin AFSCME CONF/INC MESDEA Supv

INSTRUCTIONS FOR EMPLOYEES: Leave requests are required for all absences. Leave requests for sick leave qualifying under Oregon Family Medical Leave (OFLA) or Federal Family & Medical Leave Act (FMLA) must be completed on form 103b. Leave requests not qualifying for OFLA/FMLA must be completed on this form. For all leaves, sign and submit all copies of the completed leave request form to your supervisor. All leave qualifying as OFLA and/or FMLA will be counted as such. Leave which does not qualify may still be taken subject to Board Policy & applicable negotiated agreements.

Does your leave qualify for OFLA/FMLA (your own serious health condition, pregnancy and/or parental leave or to care for a family member)?

No Yes If yes, complete Form #103b Request for OFLA/FMLA Leave (OFLA/FMLA definition on reverse of Form #103b).

REQUEST FOR ABSENCE: (1-3 must be completed. Complete 4 & 5 IF APPLICABLE).

1. Work dates you will be absent: _____
Specify if less than full days
2. Types of leave(s) to be used – indicate number of hours for each type of leave.
 - ____ BR Bereavement
 - ____ C Conference Affiliate
 - ____ CT Court: Attach subpoena to leave request form and submit payment received for services to Business Services.
 - ____ FH Floating Holiday
 - ____ FI Family Illness
 - ____ J Jury: Attach summons to leave request form and submit payment received for services to Business Services.
 - ____ M Military: Attach copy of orders to leave request form.
 - ____ PB Personal Business. Reason for request may not be required.
 - ____ PV Professional Visitation: Requires reason for disapproval by supervisor.
 - ____ S Sick Leave: see reverse for details.
 - ____ UL Union Leave
 - ____ UPL Unpaid Leave
 - ____ UPML Unpaid Military leave: Attach copy of orders to leave request form.
 - ____ V Vacation
 - ____ WC/S Workers Compensation/Sick: You may select paid sick leave if available or:
 - ____ WC/UL Workers Compensation/Unpaid Leave
3. Date of return to work: _____
4. If you have already started or have completed your leave, please state emergency reason why leave form was not completed prior to leave: _____
5. Reason for leave request other than PB (refer to appropriate negotiated agreement or MESD Policy for leave usage guidelines): _____

TOTAL NUMBER OF WORK HOURS ABSENT _____
 EMPLOYEE SIGNATURE: _____ Date: _____

My signature indicates that I have verified that I am eligible to take this paid leave according to district records. If I have exhausted my eligible requested leave, the days will be charged to unpaid leave and will be reflected in my paycheck.

INSTRUCTIONS FOR SUPERVISORS:

1. Ensure all applicable parts of the form are completed. Questions? Call 503-257-1512
2. Unpaid leave for 10 or more days: Send to Human Resources IMMEDIATELY.
3. Disapproved leave: Send original to Human Resources IMMEDIATELY. Return copy to employee.

SUPERVISOR SIGNATURE: _____ Date: _____

Approved Disapproved: State reason for disapproval of PV: _____

If 10 or more days of unpaid leave are requested, the following signatures are required:

Cabinet Member
Signature: _____ Date: _____ Approved Disapproved

Human Resources Manager
Signature: _____ Date: _____ Approved Disapproved

Superintendent
Signature: _____ Date: _____ Approved Disapproved

Supervisor: Retain original for your records to match to timesheet Return copy to employee Form #103a Revised 03/05

OFLA/FMLA MESD LEAVE REQUEST FORM

For period (leave dates must match timesheet period)

Original Request Revision Cancellation

Begin: _____ 15, 20__

Name: _____

End: _____ 15, 20__

Work phone number: _____

Employee ID #: _____

Employee Group: Admin AFSCME CONFINC MESDEA Supv

INSTRUCTIONS FOR EMPLOYEES: See reverse side of this form for explanation of qualifications for Oregon Family Medical Leave (OFLA) or Federal Family and Medical Leave Act (FMLA). If you have questions, call Human Resources for assistance (503-257-1512). Leave requests must be completed if leave is used under the OFLA/FMLA. All leave qualifying as OFLA and/or FMLA will be counted as such. Sign and submit all copies of the completed leave request to your supervisor.

A REQUEST FOR ABSENCE: (1-3 must be completed. Complete 4 if applicable)

1. Type(s) of Leave to be used – Indicate number of hours for each type of leave.
- ____ FH Floating Holiday ____ FI Family Illness ____ V Vacation
- ____ PB Personal Business ____ S Sickness ____ UPL Unpaid Leave
- ____ TOTAL NO. OF WORK HOURS ABSENT

2. Work dates you will be absent: _____

3. Date of return to work: _____

4. If you have already started or have completed your leave, please state emergency reason why leave form was not completed prior to leave. _____

HUMAN RESOURCES USE ONLY

- Leave designation**
 OFLA FMLA Both
- The requested leave**
 will will not be counted against your annual OFLA/FMLA leave entitlement
- Provision leave designation (pending additional information or medical certification)**
 OFLA FMLA Both

HR will complete this box and return to employee and supervisor for timekeeping purposes.

E REASON FOR REQUESTING OFLA/FMLA LEAVE

Confidentiality: Any disclosure of medical information will be kept in a confidential file and will be used only for determining eligibility for OFLA/FMLA and tracking of leave. OFLA/FMLA leave requests must be received in HR by the 4th day of start of leave.

Please indicate the reason for leave:

- My own serious health condition Pregnancy Parental Leave Family Medical

"Was your leave to care for a sick child with an illness or injury that is not a serious health condition? Yes No

"If your leave is not for a child, state family member & nature of serious health condition: _____

Note: if you are requesting an altered or reduced work schedule for medical reasons, either for yourself or family members, please indicate your scheduling needs (Attach a separate sheet if necessary).

C EMPLOYEE SIGNATURE:

My signature indicates that I have verified that I am eligible to take this paid leave according to district records. If I have exhausted my eligible requested leave, the days will be charged to unpaid leave and will be reflected in my paycheck.

D INSTRUCTIONS FOR SUPERVISORS:

Send ALL COPIES to Human Resources IMMEDIATELY.

SUPERVISOR SIGNATURE: _____ Date: _____ Approved Disapproved

If 10 or more days of unpaid leave are requested, the following signatures are required:

Cabinet Member
 Signature: _____ Date: _____ Approved Disapproved

Human Resources Manager
 Signature: _____ Date: _____ Approved Disapproved

Superintendent
 Signature: _____ Date: _____ Approved Disapproved

Supervisor: Retain original for your records to match to timesheet Return copy to employee

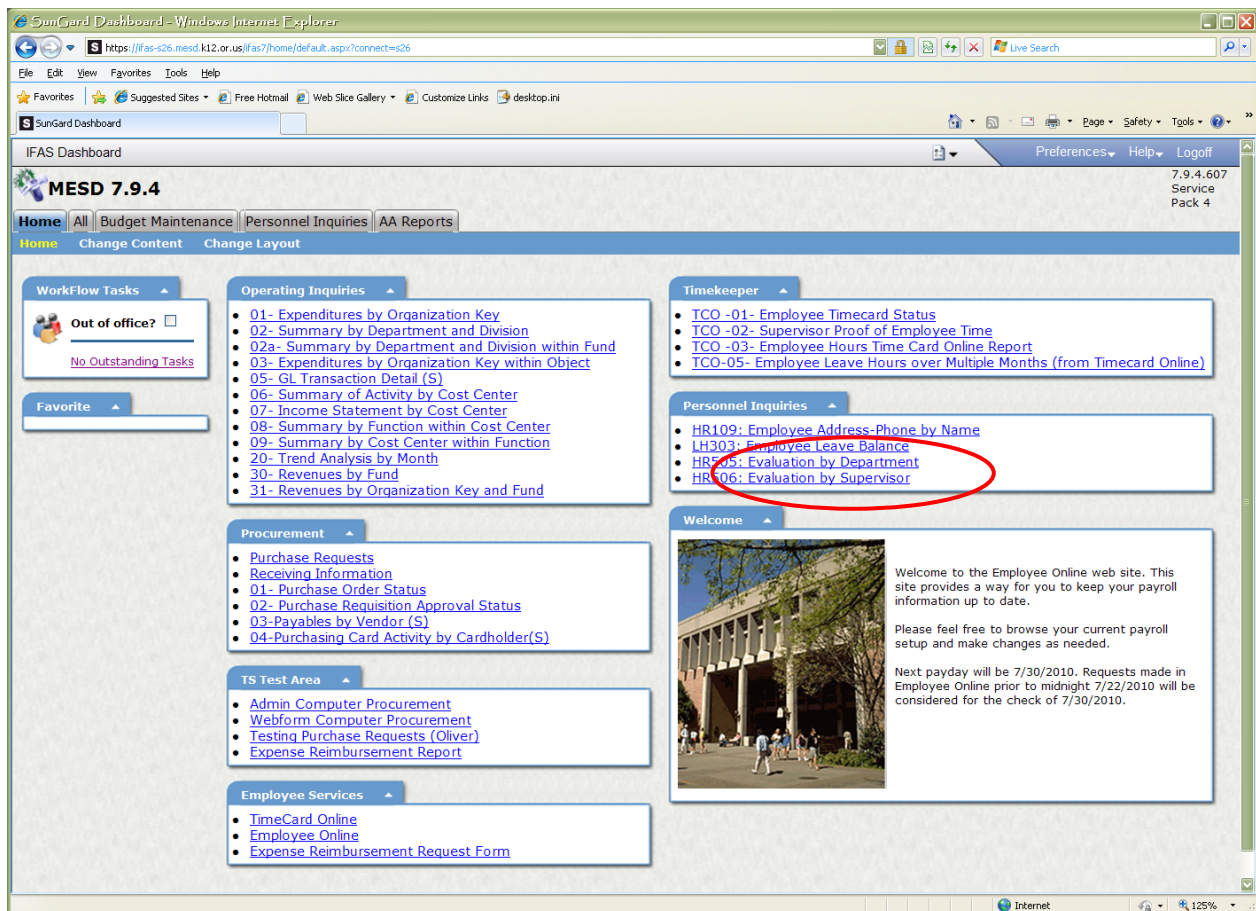
Form #103b Revised 02/05

EVALUATIONS

The purpose of the evaluation is to determine the employee's development and growth in his/her profession, to evaluate the employee's performance in meeting his/her responsibilities and to improve such performance in instruction and/or other areas of responsibility.

The evaluation shall assess the employee's performance of the duties and responsibilities specified in the job description. The evaluator will inform the employee prior to the period of performance being evaluated his/her expectation regarding the employee's performance. The evaluator will provide the employee with a copy of the evaluation document and discuss it with him/her in an effort to promote the employee's understanding of it. A signed copy will be maintained in the employee's personnel file. Evaluations may be completed more frequently than the recommended intervals.

A current listing of the status of employee evaluations can be obtained through the IFAS system. This report is on the dashboard under the Personnel Inquiries tab. Click on report HR506: Evaluation by Supervisor.



Evaluation templates can be found on the MESD Intranet. Job specific evaluation formats are kept by program, check the local network drive for documents.

Related Sources:
[Board Policy GCN](#) – Evaluation of Staff
 MESDEA Collective Bargaining Agreement Article 17

Supervisors and Confidential Contracted

Employee Group	Probationary Period	Evaluation Timeline
TSPC Licensed Probationary Administrators	Three years*	<ul style="list-style-type: none"> • 1st evaluation addressing Job Description due by January 21st of each probationary year. • 2nd evaluation addressing Key Component Areas due by June 1st of each probationary year. • Upon completion of probation
TSPC Licensed Administrators	Probationary period complete	<ul style="list-style-type: none"> • 1st year of three year contract due June 1st. • 2nd and 3rd year of three year contract due by January 21st.
Non-TSPC Licensed	One year	<ul style="list-style-type: none"> • 1st evaluation addressing Job Description due by April 1st. • 2nd evaluation addressing Key Component Areas due by June 1st. • Annual evaluation due by June 1st each year upon completion of probation.

AFSCME and Confidential Non-Contracted

Employee Group	Probationary Period	Evaluation Timeline
Educational Assistants & Classroom Assistants	One year	<ul style="list-style-type: none"> • 1st evaluation at 6 months from date of hire. • 2nd evaluation 10 days prior to probationary period end. • At least every two years from the date of 2nd evaluation.
All other classified & hourly employees	6 months	<ul style="list-style-type: none"> • 1st evaluation at 3 months from date of hire. • 2nd evaluation 10 days prior to probationary period end. • At least every two years from the date of 2nd evaluation.

MESDEA

Employee Group	Probationary Period	Evaluation Timeline
TSPC Licensed hired before November 15	Three years*	Probationary Staff: <ul style="list-style-type: none"> • All evaluations due by January 21st of each evaluation year. Non-Probationary (after 3 rd year) <ul style="list-style-type: none"> • Evaluations completed at least every 2 years and are due by May 15th of the evaluation year.
TSPC Licensed hired after November 15	Three years	<ul style="list-style-type: none"> • 1st evaluation completed 60 days after hire. • Employee will not be included with Board resolution for renewal in February. <ul style="list-style-type: none"> ○ Employee will be presented for renewal at the board meeting following the first evaluation. ○ Supervisor will deliver a letter to the employee informing him/her of his/her non-renewal status. • 2nd evaluation due by January 21st of the following year. • 3rd evaluation due by January 21st of the third year of work. • Upon completion of probation, evaluations are completed at least every 2 years and are due by May 15th of the evaluation year.
Non-TSPC Licensed	Three years	<ul style="list-style-type: none"> • All evaluations due by May 15th of each evaluation year. • Upon completion of probation, evaluations completed at least every 2 years.

* TSPC Licensed staff who have successfully completed a probationary period in a district in the State of Oregon may be eligible to move to non-probationary status after completing his/her first year. Recommendation for this must be submitted by the department director.

INCIDENT ANALYSIS REPORT (IAR)

In the event an employee encounters a work place safety incident, either a near-miss or an actual accident, an Incident Analysis Report (IAR) must be completed. IAR forms are available on the MESD intranet. Instructions and links to access the system can be found on the MESD Intranet/Safety Committee page, at: <http://www.mesd.k12.or.us/MESDsafety/Index2.shtml>. Click on *Work Injury or Illness Reporting Packet* and follow the *Work Injury* section for IAR and 801 information.

IARs should be completed by the employee by the end of the work day in which the incident occurred. The supervisor will be notified by e-mail that an Incident Analysis Report has been submitted. Supervisors are responsible for completing a full analysis of the situation and completing the documentation.

If the incident requires medical attention, either immediately or following the event, a Form 801 must also be submitted to the Human Resources Department (the safety committee page includes the full Incident Packet with instructions and forms). Failure to submit this form within 5 days of the incident may result in a delay in processing the employee’s claim; may cause the ESD to lose its ability to dispute a claim; and, may result in a fine from Oregon OSHA.

All IARs are compiled and analyzed by the Risk Management Oversight Committee and the Agency Safety Committee.

12 QUESTIONS TO ASK DURING AN INVESTIGATION

Any investigation should begin within 24 hours of the incident (or as soon as possible). A worksheet to document the investigation can be found as a Word document at: [MESDDATA\HR Forms\Incident Investigation Worksheet.doc](#)

	Question/Inquiry	Why we need this information	Action Taken
1.*	When did this happen?	Employees must report all incidents to supervisor immediately. Supervisor may complete this in the event the staff member is unable to.	Supervisor directs staff to complete on-line Incident Analysis Report (IAR).
2.*	Do you need medical attention?	Must complete form 801. SAIF requires this within 5 days of knowledge of the claim. Notification to the supervisor is considered “knowledge of the claim.” Supervisor may complete this in the event the staff member is unable to.	Supervisor may complete this in the event the staff member is unable to. If not completed in a timely manner, supervisor may be disciplined.
3.*	What happened?	Do not rely on the IAR. Get it down in his/her own words again. Look for inconsistencies.	
4.	Have employee demonstrate the situation.	Look for environmental hazards or issues that need to be addressed (ie: tripping hazard, not using elevator or ramp with full arms, taking “short-cuts” etc.). Was weather, noise, visual impairment, etc. a factor?	May require changes to the environment or directive not to do that again.

5.	Who was involved?	If there were students, is there a Student Behavior Incident report to complete? If other adults, are they witnesses?	Ask the witnesses to write down their recollections of the incident or get a copy of their documentation. Look for inconsistencies and clarify.
6.	Was there a 3 rd party?	Looking for other participants that also need to be considered.	Other insurance companies, other vendors (ie: other car drivers, bus drivers, etc.) may own part of the resolution. Be sure to get a copy of the (police) accident report.
7.	Who else was in the vicinity?	In addition to witnessing the incident, there may be someone else who “owns” part of the incident – such as classroom teacher, other staff, drivers, etc.	May require changes to classroom procedure. May require disciplinary action. †
8.	Is this the first time this kind of incident has occurred?	Supervisor may have to look in history (available in the IAR page or by asking HR staff). This may be a symptom of negligent or recurrent behavior.	If this has occurred before, supervisor may need to document. Even if it's the first time for such incident, it may be a disciplinary issue if safety protocol was not followed. †
9.	Was employee wearing appropriate safety gear (ie: glasses, sleeves, shoes, etc.)?	Ensure the employee is adhering to district procedures and guidelines.	May require disciplinary action. †
10.	Were OIS/CPI/Nursing guidelines or other protocol being followed?	Ensure the employee is adhering to district procedures and guidelines.	May require disciplinary action. †
11.	If receiving IAR or notification after the fact: Why did you wait to report this?	Looking for suspicious claims.	See #1 above. All incidents are to be reported immediately. May require disciplinary action. †
12.	Why does the employee think this happened? What would they do differently?	The employee knows best what went wrong and what should have happened or should be fixed. Encourage self reflection/self correction.	Document and implement appropriate & necessary changes.

* Questions 1, 2, & 3 should be asked as soon as the supervisor is notified of the incident (may be over the phone and recorded as part of the Supervisor's Report.

† Remember, an employee cannot be disciplined for getting hurt on the job. However, disciplinary action can be taken for not following safety protocol or reporting a workplace injury in a timely manner.

WORKERS' COMPENSATION

On the job injuries resulting in absence of an employee due to a compensable injury as defined in Oregon Revised Statutes will be compensated at the employee's discretion in one of the following ways:

1. The employee may receive an MESD check equal to the difference between the workers' compensation payments for the pay period and the normal pay and be charged with sick leave on a pro rata basis;

OR

2. The employee may keep the workers' compensation check and receive no MESD check and be charged no sick leave.

To qualify for Worker's Compensation benefits, the employee must first complete an Incident Analysis Report (see prior section) and a Form 801. The medical provider for the employee as well as the HR department will submit the necessary documentation to SAIF to open the claim. Determination of the validity of the claim is the responsibility of SAIF. In the investigation of the incident, SAIF may request additional information from the employee, the employee's supervisor, and/or Human Resources.

If the claim is accepted by SAIF, workers' compensation benefits do not become effective until after the 3rd day of missed work. The Human Resources department will also initiate OFLA/FMLA leave after the 3rd day of absence.

When on a Workers' Compensation leave, the employee may note WC-Sick on his/her Leave Form and timesheet (or SubFinder). If the employee runs out of sick time, they will then be required to use unpaid leave for the remainder of his/her leave.

Related Sources:

AFSCME Collective Bargaining Agreement Article 20

MESDEA Collective Bargaining Agreement Article 25

Return to Work

An employee must receive a release from a medical professional before returning to work. All releases must be submitted to Human Resources prior to the employee returning to work. Human Resources will work with the program director/coordinator/supervisor to determine if modified duties can be accommodated. HR will notify the employee when clearance is given.

A third party evaluation may be required before an injured employee (either work related or not) will be allowed to return to his/her work assignment. HR will work with the department to determine "Return to Work" arrangements.

CONDUCTING INVESTIGATIONS

There will be times when a supervisor will need to conduct an investigation. Situations may include events that involve student incidents, safety incidents, complaints, or other situations. Effective investigations are critical as they can promote employee satisfaction; help limit the employer from liability; ensure that legitimate and appropriate discipline “sticks”; and, help resolve issues at the lowest possible level.

Not all situations require assistance but there will be times when an investigation involving an employee(s) is necessary. Contact Human Resources or Legal Services before beginning an investigation.

Employee Representation During Investigations

Supervisors and employees daily discuss a wide range of issues. Occasionally a supervisor will need to meet with an employee to investigate complaints made by others, dispel rumors or correct behavior the supervisor personally observed. This section discusses when an employee may request and have union representation during a particular meeting and the role of the union representative. The rules come from administrative law cases decided in the early 1990s.

The employee's right to representation does not arise during most meetings or discussions with employees. The right to representation arises *only* when an employee *reasonably* believes the purpose of the meeting is to obtain information from the employee which could provide a basis for imposing discipline on the employee or for justifying already-determined discipline. The employer is not specifically required to notify the employee that the employee may have representation. Best practice, however, is to notify the employee of the right when you set the time and place for the meeting. The employee may waive the right to representation. Document this specifically in your meeting notes.

The choice of who the union representative will be is made by the employee. The employer must be flexible in scheduling the meeting to accommodate the representative's schedule. The employee must also be reasonable and flexible when choosing a representative. Usually the person is a local union representative who is also an employee. Sometimes the field representative attends. Sometimes both people attend as representatives. Most meetings with MESD employees can be scheduled from within a few hours to two or three days out at the latest since local union representatives are easily available.

The role of the representative has been clearly defined:

1. The representative may inquire, at the outset of the interview, regarding its purpose, including inquiring about the general subject matter of the questioning to follow.

2. The employer has the right initially to hear the employee's own account of the matter under investigation.
3. During the questioning of the employee by the employer, the representative may participate only to the extent of seeking clarification of questions.
4. After the employer has completed the questioning of the employee, the representative may ask the employee questions designed to clarify previous answers or to elicit further relevant information.
5. Before the end of the meeting, the representative may suggest to the employer other witnesses to interview and may describe relevant practices, prior situations, or mitigating factors that could have some bearing on the employer's deliberations concerning discipline.
6. The employee interview is not a hearing or an adversarial debate. It is not a time to "bargain" over proposed disciplinary measures. It is a time to gather information and hear directly from the employee anything the employee wishes to say.
7. The employee may choose to say nothing at all. This is the employee's prerogative. The supervisor or decision-maker will proceed based on the information collected from other sources. An employee's silence will not stop the discipline process.

Most union representatives understand and follow these rules. If you encounter a situation in which the union representative becomes disruptive or combative, terminate the employee interview and contact Human Resources for assistance.

The supervisor should also have a partner in the meeting. Like the union representative, this person should not take an active role in the meeting, rather, his/her function is to observe, act as a second pair of ears, and take notes.

STAFF RESOLUTION OF CONFLICT PROCESS

That human differences exist in all organizations is a fact of life. Different approaches to an issue lead to problem solving. Innovation and constructive change, but may also serve a deterrent to organized effort. For this reason, the following procedure is strongly suggested.

1. The party should schedule a meeting between the people directly involved in the conflict.
2. The party may arrange to have a representative from their local association (MESDEA) present at the meeting(s) if desired.
3. Meet and outline the concern on the Resolution of Conflict form.
4. Discuss possible resolutions.
5. Close meeting by writing either:
 - a. An agreement upon resolution – both parties circle accept and sign;
 - b. If no agreed upon resolution, the initiating person writes a resolution, circles accept and signs; the other person circles reject and signs.
6. If a resolution has not been reached in a timely manner (2 weeks), arrange a meeting with immediate supervisor, who will attempt to facilitate a resolution. Local association representatives may be present at this meeting as well of the party so desires.
7. The supervisor renders a decision based upon the best interests of the students and/or the program.

Related Sources:

MESDEA Collective Bargaining Agreement Article 14

RESOLUTION OF CONFLICT PROCESS

Date: _____ Persons Attending: _____

Concern:

Resolution:

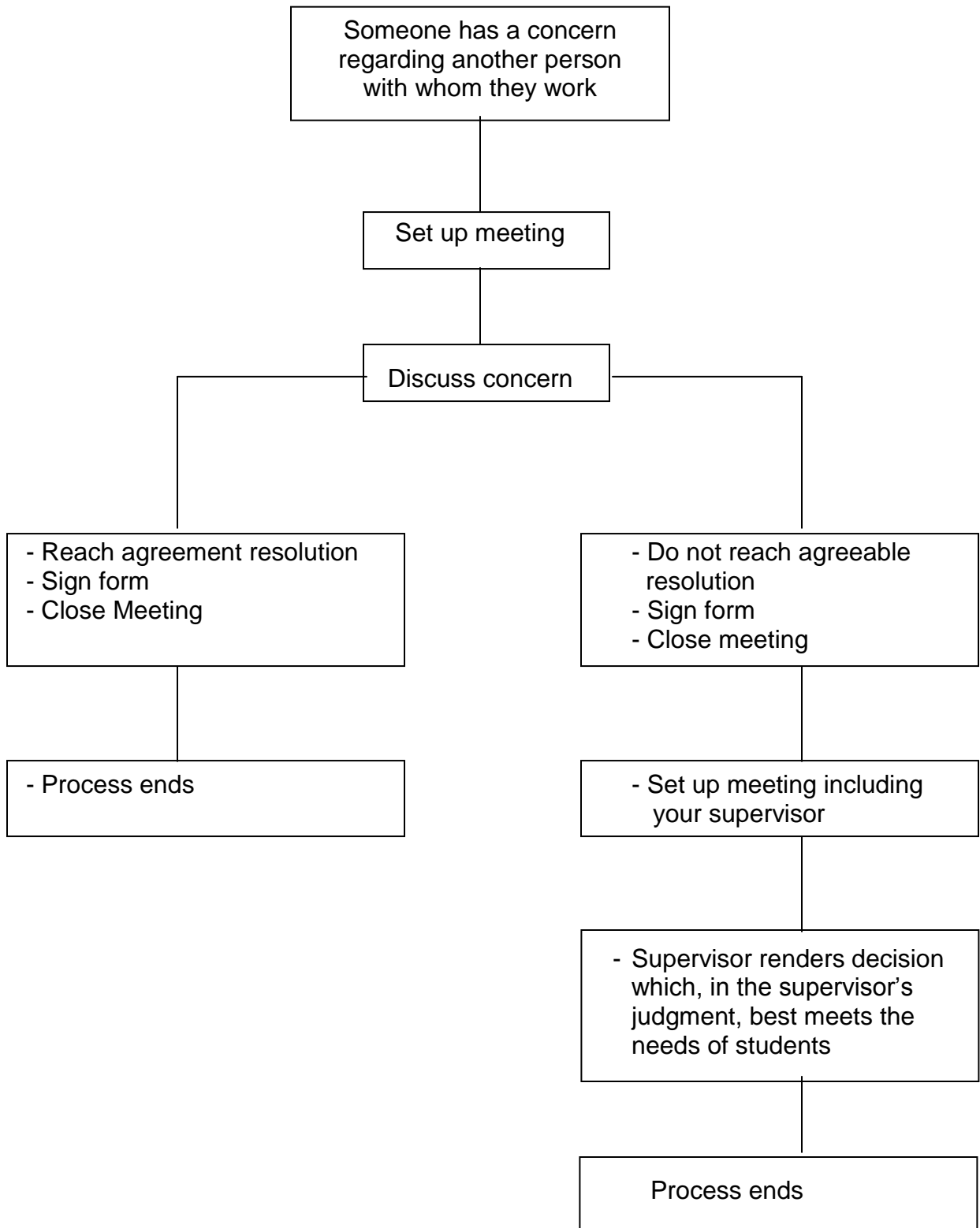
I accept/reject (circle one) the resolution as described above.

Signature

I accept/reject (circle one) the resolution as described above.

Signature

RESOLUTION OF CONFLICT FLOW CHART



RESOLUTION OF CONFLICT PROCESS MEETING SUGGESTIONS

1. Take turns talking without interrupting.
2. Keep language and tone respectful.
3. Use “I” messages. Give information about how the person’s behavior affects you.
4. Stick to the facts.
5. Listen to the other person’s side of the conflict.
6. If feelings escalate to unprofessional communication, end the meeting and reschedule for another time when it can be more productive.

GLOSSARY

ADA - Americans with Disabilities Act.

AFSCME – American Federation of State, County and Municipal Employees. MESD's classified staff are represented by Council 75 and are members of Local 1995.

Bureau of Labor and Industries (BOLI) - The Bureau of Labor and Industries promotes and protects the rights of workers and citizens to equal, non-discriminatory treatment; encourages and enforces compliance with state laws relating to wages, hours, terms and conditions of employment.

BBP – Bloodborne Pathogens.

Calendar – Schedule of work for a regular employee for a fiscal year.

Collective Bargaining Agreement (CBA) – Contract between MESD and employee groups; AFSCME and MESDEA.

Confidential Non-Contracted – MESD hourly employees not subject to collective bargaining. Eligibility for inclusion in this group is defined by ORS 243.650.

EEO - Equal Employment Opportunity.

FTE – Full time equivalency. The ratio of an employee's schedule compared to an 8 hour day or 40 hour work week.

FMLA – (Federal) Family Medical Leave Act – Federal law that requires employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons.

Form 106 – Temporary Employment Agreement. Generally an employment agreement entered in to with an individual.

Form 107 – Contracted Services Agreement. Generally a contract for services rendered by an independent contractor or company.

Immediate Family Member – for the purposes of OFLA/FMLA, immediate family includes wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, or stepchild of the employee.

For leaves of absence for MESD employees, immediate family is defined as the employee's spouse, children, parents, grandparents, grandchild, brothers, sisters or parents, or grandparents of spouse or those in loco parentis to the employee or employee's spouse, or any person residing within the household.

IAR - Incident Analysis Report – MESD’s on-line reporting process for workplace safety incident reporting.

Idap – Account established for employees to access MESD computer network including email account and network access. HR approval is required to establish an account.

MESDEA – Multnomah ESD Education Association - this is the exclusive representative of licensed staff employed by MESD. Local associations are typically affiliated with the Oregon Education Association.

OAR – Oregon Administrative Rule - A regulation or statement of general applicability that implements, interprets or prescribes law or policy, or describes the procedure or practice requirements of any agency.

OEA – Oregon Education Association – See MESDEA.

OFLA - Oregon Family Leave Act - an Oregon law that requires employers to provide workers with job-protected leave to care for themselves or family members in cases of illness, injury, childbirth or adoption.

ORS – Oregon Revised Statute – Laws of the State of Oregon.

PEID – Personal Employee Identification number. A 6 digit number unique to each regular and temporary employee.

Position control number (PCN) – a budgetary number assigned to each position for budgetary planning purposes.

Probation – When an employee is first hired, the employee serves a period of time "on probation". A probationary employee may be dismissed or have the employment contract non-renewed at the discretion of the District.

Regular employee – An employee hired by MESD to fill a regular position. If at or over .5 FTE, and meets the minimum number of days per the appropriate collective bargaining agreement, the employee is eligible for benefits.

SAIF – State Accident Insurance Fund – Workers’ Compensation insurance provider for the State of Oregon and MESD.

Temporary employee – An employee hired by MESD to fill a short term position (less than one year). May include those hired via Form 106 and substitutes.

Worker’s Compensation - insurance that provides medical care and compensation for employees who are injured in the course of employment.

HR Staff List and Duties

The screenshot shows a Mozilla Firefox browser window displaying the HR Staff List page for the Multnomah Education Service District (MESD). The browser's address bar shows the URL <http://www.mesd.k12.or.us/hr/hrhme/stafflist.shtml>. The page has a blue header with navigation links: ABOUT MESD, LOCATIONS, ONLINE SERVICES, DEPARTMENTS, PROGRAMS, E2 FOUNDATION, and COMPONENT SCHOOLS. Below the header is the MESD logo and the tagline "A Regional Cooperative Opening Doors to Education". A search bar is located on the right side of the header. On the left side, there is a "HELPFUL LINKS" sidebar with links to various resources. The main content area contains a table with three columns: Job Duty, Link for Email, and Phone Number. The table lists 25 different job duties and their corresponding staff members and phone numbers.

Job Duty	Link for Email	Phone Number
AFSCME Maintenance	Jamie Bonnett	503-257-1578
Benefits	Bridget Hartman	503-257-1507
Building Receptionist	Gail Wheeler	503-255-1841
Compliance Reporting Tracking	Carmen Stover	503-257-1501
Confidential/Non-Contracted Maintenance	Jamie Bonnett	503-257-1578
Contract Tracking	Janine Forehand	503-257-1512
Employee Record Management	HR	503-257-1585
Employment Verification - Permanent Employee	Chris Guy	503-257-1526
Employment Verification - Temporary Employee	Carmen Stover	503-257-1501
Finger Print Requests - Permanent Employee	Bridget Hartman	503-257-1507
Finger Print Requests - Temporary Employee	Chris Guy	503-257-1526
Job Descriptions	Bridget Hartman	503-257-1507
Leaves - FMLA Others	Janine Forehand	503-257-1512
License Tracking	Chris Guy	503-257-1526
MESDEA Maintenance	Janine Forehand	503-257-1512
New Employee Orientation	Bridget Hartman	503-257-1507
Payroll - Last name starts with A-M	Denise Treadway	503-257-1799
Payroll - Last name starts with N-Z	Rosalyn Freedland	503-257-1792
Recruitment Processing	Bridget Hartman	503-257-1507
SubFinder System Help Desk	Carmen Stover	503-257-1501
Supervisors/Administrators Maintenance	Janine Forehand	503-257-1512
Temporary Employee Processing	Jamie Bonnett	503-257-1578
Terminations	Janine Forehand	503-257-1512
Tuition Reimbursement	Chris Guy	503-257-1526
Unemployment	Chris Guy	503-257-1526
Workers Compensation	Janine Forehand	503-257-1512

General Inquiries

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