

Confidential Employee Handbook

January 2018

Dear Confidential Employee,

Your Salem-Keizer Public Schools Confidential Employee Handbook contains information about benefits, policies, procedures and special programs related to your employment with the District.

Your handbook was designed to provide you with a summary of the benefits available to you and to provide a reference to many of the District's employment policies and procedures.

Salem-Keizer Public Schools is committed to providing you and your eligible dependents with a generous employee benefit package. Our comprehensive benefits plan affords our confidential employees an opportunity to plan financially for both the present and the future. There is a selection of benefits available to you. You should read the benefits section of your handbook carefully to determine the best options for you and your family.

Questions you may have regarding these policies or procedures should be referred to the Human Resources department. Questions regarding benefits should be directed to the Employee Programs and Benefits office.

We hope that this handbook will provide a valued reference throughout your employment with Salem-Keizer Public Schools.

Sincerely,

A handwritten signature in black ink that reads "John Beight". The signature is written in a cursive style with a large initial "J".

John Beight, Executive Director
Human Resources
Salem Keizer Public Schools

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Confidential Employee

The following Oregon Revised Statute defines confidential employee:

ORS 243.650

- (6) "Confidential employee" means one who assists and acts in a confidential capacity to a person who formulates, determines and effectuates management policies in the area of collective bargaining.

It is the policy of the District to maintain and administer a formal salary plan for confidential employees which recognizes the relative value of positions within the District when compared with each other, and which compensates an employee based upon the work of the position.

Confidential employees receive many of the same benefits afforded to administrators such as Early Retirement Incentive (ERI), life insurance, long term disability and leave days. Confidential employees do not pay association dues.

The District considers some confidential employees to be exempt from overtime based on the Fair Labor Standards Act (FLSA) and Oregon law, therefore, paid compensation will not be provided to exempt employees for overtime. The FLSA definition of exempt is as follows:

The Fair Labor Standards Act, 29 USC Section 201-219 applies to employees of the State and its political subdivisions, including school districts. (29 USC 203 (e)(2)). The FLSA establishes requirements relating to minimum wages, payment and computation of overtime, and defines working hours. Oregon law also governs minimum wages and the payment of overtime for Oregon employees. ORS 653.017.

Both the FLSA and ORS 653 exempt certain employees from overtime compensation requirements. Oregon law exempts four major categories of public employees from overtime provisions. These exemptions under ORS 653 and the FLSA are based upon job duties, minimum salaries and being paid on a salary basis.

Employees exempt from overtime compensation generally include individuals engaged in administrative, executive or professional work who:

- a) Performs predominately intellectual, managerial or creative tasks;
- b) Exercises discretion and independent judgment; and
- c) Earns a salary and is paid on a salary basis.

Under the FLSA, an employer may provide an exempt employee with additional compensation without losing the exemption in the form of a flat sum, bonus, straight hourly or time and one-half payment. It may also include paid time off. (29CFR 541.064(a)).

Please talk with your supervisor or contact Human Resources to confirm whether or not your position is exempt or non-exempt. As a confidential exempt employee, you can expect your work hours per week to vary, but it will not be uncommon to work over 40 hours a week or even up to 50 hours per week.

Under extraordinary circumstances and with prior written approval from a supervisor, an employee may be granted additional compensation if they are working out of classification or on a special project not normally associated with their regular job duties. These are determined in advance on a case-by-case basis.

No overtime will be paid for work over 40 hours a week for confidential exempt employees.

Salary Plan

The specific objectives of the salary plan include the following:

- To pay competitive salaries as part of the overall compensation and benefit package in order to attract and retain competent and well-qualified personnel.
- To compare salaries with the salaries paid by other school districts, governmental bodies, and private companies in order to maintain a salary schedule that takes into consideration the cost of living changes as reflected by current community wage and salary rates.
- To establish and maintain salary ranges for all positions, which encourages growth and movement within grade levels.
- To comply fully with provisions of all government regulations regarding compensation.
- To communicate to all employees the compensation policy and methods used to administer this policy.

Cost of living adjustments (COLA) may be reviewed on a consult and confer basis with the Executive Director of Human Resources and the District's Superintendent.

A longevity stipend was established for confidential employees in 2004. A confidential employee would receive this longevity stipend once every three years in October of the year he/she qualifies. The stipend will be a single payment equal to the increment received by persons moving to the top of the respective salary grade. Qualified means any confidential employee who is repeating at the 7th step of any salary grade and has 10 or more years of continuous service with the District in a bargaining unit or confidential position.

Rates of Pay

Confidential Employees

Salary Grade	Classification	Title #
(509)	Management Assistant 1	784
(512)	Employee Relations Specialist	788
(513)	Human Resources Mgmt. Analyst	791

Salary Schedule

CONFIDENTIALS
SCHOOL DISTRICT 24J, MARION COUNTY, OREGON
2016-2017 FISCAL YEAR
EFFECTIVE JULY 1, 2017 - JUNE 30, 2018

2.00% Inc.

Title	SALARY GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
Management Asst. 1 (0784)	509	49,012	51,496	54,096	56,719	59,662	62,583	65,712
Employee Relations Specialist (0794)	513	59,662	62,583	65,782	69,094	72,545	76,182	79,990
Management Analyst HR (0791)	515	65,782	69,094	72,545	76,182	79,959	84,055	88,258

Evaluation

Each confidential employee is evaluated annually by their supervisor using the classified employee performance evaluation form(s).

A Confidential employee who is new to the District will serve a six-month probationary period. The employee's supervisor is responsible for conducting an evaluation following the end of the probationary period.

Scheduled Time Away from Work

Flex Time

Employees should consult with their supervisors prior to making changes in their work schedules or using flex time.

- Prior to using flex time, arrangements must be approved by the respective supervisor.
- Flex time is not accruable.

Holidays – Paid

(District Code of Policies and Rules: HUM-M006)

The following holidays are paid provided the confidential employee is on the active payroll and works on the last regular District workday prior to and the first regular District workday after the occurrence of the holiday, or are on a paid leave on such days.

Independence Day	Christmas Eve Day
Labor Day	Christmas Day
Veterans' Day	New Year's Day
Thanksgiving Day	Martin Luther King Day
Day following Thanksgiving	Memorial Day

Holiday pay is prorated based on daily work schedules for less than eight-hour employees.

Leaves of Absence

Immediate supervisors should always be made aware of any type of leave request. All leaves of absences must be approved at least 3 days prior to leave date. The following is a description of the different type of leave requests, and who is responsible for consideration of approval.

1. Vacation time, outside of an approved FMLA/OFLA leave, will be approved by immediate supervisor
2. All personal leave will be approved by immediate supervisor, unless it is during a date when personal leave is not available. Personal leave during this period will be approved by Human Resources
3. All unpaid leave requests will be approved by Human Resources only.
4. All FMLA/OFLA and Contractual leaves of absences will be approved by Human Resources only.

Legal Leave

(District Code of Policies and Rules: HUM-M006)

Confidential employees appearing in court on their own behalf are required to notify their immediate supervisor prior to such absence. Personal leave is appropriate for this type of leave.

If a confidential employee is called for jury duty or is subpoenaed as a witness for a reason related to work or for a reason that is not personal, no salary deduction will be made. If the employee is subpoenaed for personal reasons then use of personal leave would be appropriate.

Family/Medical Leave

FMLA – Family and Medical Leave Act

OFLA – Oregon Family Leave Act

FMLA and OFLA are provided in accordance with State and Federal law. These regulations provide eligible workers with protected leave to care for themselves or family members in cases of death, illness, injury, childbirth, adoption and foster placement.

Requesting Medical Leave

To request a medical leave, please contact Human Resources. Forms for FMLA/OFLA (application for FMLA/OFLA, medical certification, medical release and FMLA/OFLA handbook) are under QAM on the District website. Employees are required to give at least 30 days notice if the need is foreseeable, or as much notice as practical under the circumstances surrounding the need for leave.

Military Leave

Military leave will be provided in accordance with State and Federal law currently listed as ORS 408.290, ORS 659a.093, ORS 659a.171 and USERRA, 38 USC § 4301 et seq. May have up to 15 days of paid, military, leave provisions per federal fiscal year (10/1-9/30). If requested, may use vacation and personal leave only while on leave.

Personal Leave Days (Paid)

Funeral Leave	8 hours per funeral
Personal/Emergency	3 days per year
Family Illness Leave	5 days per year
Bereavement Leave (immediate family member)	5 days per occurrence

Sick Leave

(District Code of Policies and Rules: HUM-M006)

Twelve Month confidential employees earn one day per month up to 12 days per year.

Sick leave shall accumulate without limit. Sick leave will be earned and accrued on a monthly basis at rate of one (1) day per month. A confidential employee who was previously employed by an Oregon school district may transfer up to 75 days of unused sick leave from that employer.

Sick leave may only be used for personal illness and medical appointments.

Sick Leave Bank

The purpose of the Sick Leave Bank shall be to extend a confidential employee's paid sick leave days should an illness or injury exhaust the employee's accumulated sick leave and vacation leave. At initial enrollment, each confidential employee wishing to participate contributes a minimum of eight hours up to a maximum of 40 hours of their sick leave to a common bank.

New employees shall have 30 days to make a contribution. Such contributions are irrevocable. Only employees who have contributed hours to the bank may apply for hours from the bank. Participation in the bank shall be voluntary. The initial contribution is a one-time contribution unless the bank should be depleted. At such time, enough hours will be deducted from each member of the bank to bring the total back to 1,000 hours. An employee who has been a member of either the Licensed or Classified Sick Leave Banks and moves to the Administrator/Confidential Sick Leave Bank must re-enroll in that group's bank by contributing the appropriate number of hours.

To request paid sick days from the bank, an employee must first deplete all personal accumulated sick leave and vacation leave, obtain a physician's verification that they are medically unable to work, and request Sick Leave Bank hours. Request forms may be obtained from the Benefits office. A committee composed of three members representing the administration will act immediately upon the request. The committee shall grant the request if (1) District records show that the member has exhausted their accumulated sick leave, (2) the member is not eligible for lost time compensation under Workers' Compensation, under PERS eligibility, or under the District's long-term disability insurance, (3) the member is a contributing member to the Sick Leave Bank and, (4) there are sufficient days in the Sick Leave Bank to cover the request.

If the request is approved, the committee shall notify Human Resources. If Sick Leave bank hours are denied, the member shall be informed in writing as to the reason for the denial. The action of the committee shall not be subject to appeal. In no case will more than a total of 50 days of sick leave from the Sick Leave Bank be approved per individual member in any one school year.

Family Illness Leave

Family illness leave may be utilized for absence due to critical illness or injury of a member of the immediate family. A critical illness/injury means any illness/injury requiring the employee's presence. The immediate family is defined as blood relations and in-laws, to include spouse, children (including step-children and children towards whom the employee stands in loco parentis), parents (including step-parents), grandparents and grandchildren, brother and sister (including step-brother and sister), uncle, aunt, nephew and niece. When the family member resides outside the employee's household, the illness must be critical in order for the employee to take leave.

Vacation Leave

Twelve-month confidential employees receive 20 days paid vacation annually based on a fiscal year. Vacation hours are accrued on a monthly basis. Vacation time must be requested in advance and be pre-approved by the supervisor. Approval is subject to District peak work periods.

Vacation normally cannot be taken during the first six months of employment if the confidential employee is new to the District. If the confidential employee has accrued vacation from a prior District position, they would be permitted to take vacation subject to approval by their immediate supervisor.

Confidential employees hired after July 1 shall have their vacation accrual prorated by the proportion of term of employment to a 12-month period. Any unused portion of the vacation period shall not be carried beyond June 30 of the fiscal year following the year in which the vacation was earned except under special written arrangements with the supervisor and the Executive Director of Human Resources.

BENEFITS

Medical, Dental, Vision Insurance Benefits

Confidential employees are grouped with administrators for medical, dental and vision benefits. You may choose from several health plan options provided through the Oregon Educators Benefit Board. All plans include medical, dental, and vision benefits for the employee and family members. The District contributes a maximum amount for each full-time employee. For each part-time employee the amount is pro-rated based on the percent of FTE the employee works. For all plans there will be a monthly out-of-pocket premium expense for the employee based on the plan selected. The confidential employee must select their insurance program within 31 days of employment. In addition, they may change insurance plans annually during the open enrollment period.

Flexible Spending Plan – Section 125

This program allows for pre-tax dollars to pay for dependent care costs, medical expense costs, and insurance premiums deducted on a pre-tax basis. (American Fidelity is the FSA Administrator, employees need to set up an appointment through the Benefits Department to set up an FSA account.

Life Insurance

A \$100,000 life insurance policy is provided as part of the insurance package. The coverage also includes accidental death and dismemberment benefits.

Long-Term Disability (LTD)

The District offers eligible employees income protection if the eligible employee becomes totally disabled from a pregnancy, a covered illness, or accidental bodily injury. After a 90-day waiting period, you are entitled to receive a monthly LTD benefit of up to 60% of your insured earnings. The premium for LTD insurance is paid by the employee through payroll deduction.

Short-Term Disability (STD)

Short term disability is also offered to confidential employees. This plan has a 14-day waiting period and covers 60% of the employee's pre-disability salary for up to 90 days. The premium for STD is paid for by the employee with after tax dollars.

Oregon Public Employees Retirement System (PERS)

The District shall not withhold from employee's monthly salaries the contributions required by ORS 238.200; and shall continue to "pick up", assume, and pay a six percent (6%) employee contribution to the Public Employee Retirement Fund for the employee members then participating in the Public Employees Retirement System. Such "pick up" or payment of employee member monthly contributions to the system shall continue until the termination of this agreement. The full amount of required employee contributions "picked up" or paid by the District on behalf of the employees pursuant to this agreement shall be considered as "salary" within the meaning of ORS 238.005(8) for the purpose of computing an employee member's "final average salary" within the meaning of ORS 238.055(12) but shall not be considered as "salary" for the purposes of determining the amount of employee contributions required to be contributed pursuant to ORS 238.200. Such "picked up" or paid employee contributions shall be credited to employee accounts pursuant to ORS 238.200(2) and shall be considered to be employee contributions for the purpose of ORS 238.005 to 238.325.

After six months of full-time employment with the District, employees will become a member of the Public Employees Retirement System. The District will then begin paying the employee's contribution as well as the District/employer contribution. PERS Members Handbooks are available in the Employee Programs and Benefits office as well as on line at the PERS web site at www.pers.state.or.us

Insurance after Retirement

A confidential employee who retires from the District may self-pay premiums for medical, dental, vision and life insurance until age 65. The retiree will self-pay the premium to a designated third party administrator or through a deduction from the early retirement incentive (ERI) payment if applicable and as long as the premium amount is less than the ERI payment.

Tax Sheltered Annuities (TSA), Deferred Compensation, and US Savings Bonds

These programs provide ways to set aside money from your paycheck for savings purposes. Tax sheltered annuities and deferred compensation are pre-tax deductions and can be a great way to save. Please call the Payroll Department at 503-399-3016 for a list of companies that are approved for payroll deduction. Payroll can provide information about the rules, regulations and limits on saving through these programs.

Employee Assistance Program (EAP)

Recognizing that employees experience a variety of personal concerns that may affect work performance, Salem-Keizer Public Schools contracts with Reliant Behavioral Health to provide confidential counseling. The Employee Assistance Program is available to all confidential employees and their families. The program is totally

confidential. The employee arranges for his/her own appointments at through the RBH website www.MyRBH.com or by phone at 1-866-750-1327. The District pays the monthly premium so there is no cost to the employee to participate in this great program.

In addition to counseling services the EAP also provides work/family/life benefits helping with legal issues, financial planning, childcare provider selection, and elder care assistance. They also provide assistance in selling and purchasing a home.

Special Programs

Personal Liability – Indemnification

What does it mean?

If an employee is sued for an act committed while performing his/her job, the District has a process in place to provide legal defense for that employee. The process is called indemnification. Indemnification means an act to secure someone against loss or damage. In this case, it means the District uses indemnification to secure its employees against loss or damage when any employee is sued for performing his or her job. The following is a summary of when the District will or will not indemnify (defend) an employee.

How does indemnification apply to District employees?

The District is required by Oregon law to indemnify its employees in certain circumstances, ORS 30.285 states the District “..shall defend, save harmless and indemnify” any of its employees against legal claims “arising out of alleged acts or omissions occurring in the performance of duty.” In most circumstances, the District will indemnify and provide a legal defense for an employee who is sued for an act occurring in the performance of their job duties.

When the District will not indemnify an employee.

The District will not indemnify an employee in the following situations:

- For an act not arising out of the performance of duty.
- For malfeasance (professional misconduct) while on the job.
- For willful or wanton (malicious) neglect of duty.

Right to counsel.

If an employee is sued while performing his/her job duties, in addition to indemnifying the employee, the District will also hire an attorney to defend the employee as long as the act being challenged is within the scope of employment.

What is considered acting within the scope of your employment?

As long as an employee is performing the normal and customary duties of the job, their actions will fall within the scope of employment. Certain actions such as criminal activity cannot be considered within the scope of employment. For example, this situation is most easily illustrated with a school bus accident. If a bus driver is sued by another driver for causing an accident, the District will indemnify the bus driver and provide legal defense. On the other hand, if that same bus driver decided to intentionally

ram a pedestrian, that is certainly outside the bus driver's job duties and the District will neither indemnify nor provide legal defense for the bus driver.

In summary, in most situations if an employee is sued because of an act that occurs while working for the District, the District will defend the employee and pay any settlement or judgment obtained against the employee. For more information, contact Risk Management at 503-399-3070.

Conferences and Visitations

Attendance at in-District professional meetings may be allowed without loss of salary if approved by your immediate supervisor. To attend out of District professional meetings without loss of salary, you must also obtain the approval of your level or program director.

Professional Development funds

The District determines the amount of professional development funds each school year. Employees receive \$750 per year or \$1,500 for two years. These funds can be spent in any amount or at any time between July 1 of a new biennium and June 30 at the end of the biennium. Any funds left in the employee's account at the end of a biennium period will not be available for the employee to use the next year.

Confidential employees receive their full \$1500 at the beginning of each biennium. New biennium's begin on July 1 of 2006, 2008, 2010, etc. If an employee is hired during the second year of a biennium, the benefit will be for one year only, or \$750. They will then receive the full \$1,500 at the start of the first biennium in which they work. Benefits will be pro-rated when an employee begins on or after January 1 of a given year.

Please use the following guidelines in determining how to use these funds. Staff will be responsible for expenses that are not authorized expenditures.

The appropriate uses for these funds are:

1. State professional dues.
2. Registration paid for professional development courses.
3. Civic organization dues such as Rotary.
4. Meals eaten when attending civic organization meetings.
5. Other dues and fees of a professional/educational nature.
6. Other (must relate directly to one's job assignment)
 - a. Travel expenses related to professional development/education related conferences.
 - b. Publications, periodicals and books of a professional/educational nature.
 - c. Software/compact discs of a professional/educational nature.
 - d. Work related calendar supplies, such as Franklin Planners.
 - e. Administrative/professional licenses.

Examples of inappropriate use of professional development funds include, but are not limited to:

1. Equipment. Capital items such as computers (including laptops) and printers cannot be purchased. This also includes minor electronic devices such as palm pilots, scanners, calculators, electronic dictionaries, cellular telephones, modems, etc. Additionally, the hardware that accompanies electronic equipment, e.g. keyboards, is not an appropriate expense.
2. Office furnishings and supplies such as lamps, clocks, furniture, pictures, paper, notebooks, pens, etc., are generally not appropriate. We understand that there may be times when circumstances deem otherwise, but please call for approval prior to making the purchase.
3. Personal expenses such as meals at social events, donations, gifts, etc.
4. Purchases for other staff members, classroom/library use, or the office.
5. Any type of conference/travel expense for other district staff members. This includes registration, lodging, meals, etc.
6. Personal growth or “self-help” items (e.g. meditation devices, yoga, etc.)

This list encompasses those items that are generally requested (or denied). The main thing to remember is that any use of these funds must be directly related to your **professional growth or position.**

Questions regarding the use of professional development funds, or the purchasing/reimbursement process, should be directed to Business Services, x 3036.

Outside Employment

(District Code of Policies and Rules: HUM – A024)

Outside employment should not interfere with District responsibilities.

Preventing Sexual Harassment

(District Code of Policies and Rules: HUM – M003, HUM – M007)

All District employees are mandated to receive annual Sexual Harassment Prevention training. Supervisors are responsible for ensuring that their staff have received and understand the information contained in the booklet, *Preventing Sexual Harassment Policies and Rules*. Contact Human Resources for more information.

Child Abuse Reporting

(District Code of Policies and Rules: PAP-A001, PAP-W003)

District employees are mandatory reporters of child abuse and play a vital role in helping to ensure the health and safety of children. Oregon Revised Statutes (ORS) 419B.005, 419B.010 and 419B.015 require that school employees immediately report suspected child abuse or neglect to DHS/Child Welfare or a law enforcement agency. Failure to report or delayed reporting could result in criminal charges, civil fines and/or disciplinary action.