

CHARTER EMPLOYEE COMPLAINT REPORTING PROCEDURE

PURPOSE

To establish the notification procedure for the Mayor and City Commission in the event of allegations of misconduct, harassment or illegal / unethical conduct against the City Manager or Municipal Court Judge.

APPLICABILITY

This policy applies to employees of the City of Oregon City.

REFERENCES

- A. Personnel Policy 030 – Equal Employment Opportunity and Harassment Policy
- B. Personnel Policy 410 – Standards of Conduct

PROCEEDURE

The City Manager and Municipal Court Judge are City employees appointed and serving at the pleasure of the City Commission. The City Manager and Municipal Court Judge are subject to employee Personnel Policies and Procedures. Allegations against any City employee are treated seriously, promptly investigated and resolved timely.

The reporting requirements of references A and B apply to the City Manager and the Municipal Court Judge, subject to the following modification in the procedure which shall be followed whenever a complaint against the City Manager or Municipal Court Judge is received.

Immediately upon receipt of an allegation (including any available documentation or evidence to the support the complaint) of misconduct, harassment or illegal / unethical conduct committed by the City Manager or Municipal Court Judge, or concerning which either is in any way complicit, the Human Resources Director will notify the Mayor and the City Commission immediately upon determining that the elements of the complaint are reliably ascertained. ("Reliably ascertained" means that a written complaint has been received by the Human Resources Director, or the basis of the allegations has been provided verbally to the Human Resources Director by the complainant or other source which the Human Resources Director deems sufficiently credible and specific as to be susceptible to investigation.) The official accused shall be informed of the nature of the complaint and the actions the City will take when the Human Resources Director has determined that notification is appropriate and the content of the notification. In every case, notification shall follow a determination that the allegations are not potentially criminal. If potentially criminal, then the Human Resources Director will consult with the City's attorney, make recommendations to the Mayor and Commission and keep the Commission fully informed.

Upon receipt of a notification of charges against the City Manager or Municipal Court Judge, the Mayor will determine the need to call an Emergency Executive Session to discuss the complaint and, if an Executive Session is needed, will notify the City Recorder's Office to make the notifications required by the Open Meetings Law. The Human Resources Director will provide the Mayor and Commission a recommended course of action relating to completing requirements of an appropriate investigation, whether the official should be placed on administrative leave with pay, and other matters appropriate for consideration and action by the Commission. The Human Resources Director shall oversee the scope of work of investigation.

This policy was adopted by the City Commission on January 20, 2016.