

FILED
JAN 12 1983
RECEIVED
GLOUCEL A. MCEWEN CLERK
JAN 15 1983

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF LINCOLN
ORDINANCE # 189

Lincoln County Legal Counsel

AN ORDINANCE AMENDING ORDINANCE #155, CHAPTER SEVEN, GENERAL ADMINISTRATION, SECTION 7.295(4), SECTION 7.300 BY DELETING (4) AND RE-NUMBERING SUBSEQUENT SUBSECTIONS, AND DECLARING AN EMERGENCY

WHEREAS the legislature and court opinions have stated in effect that if an employer has a sick-leave policy, incapacitation due to pregnancy is to be treated as any other type of physical incapacitation; and

WHEREAS it is in the public interest to update the Code to reflect changes made by the legislature;

NOW, THEREFORE, the Lincoln County Board of Commissioners ORDAINS as follows; deleting subsection (4) of section 7.300 and amending section 7.295(4):

"7.295(4) Employees may use their allowance of sick leave when unable to perform their work duties by reason of illness of injury, pregnancy, necessity for medical or dental care; exposure to contagious disease under circumstances by which the health of the other employes or the public would be engangered by the employe's attendance; or by serious illness or death of an immediate family member. Absence to attend an ill family member shall be limited to the time the employe's presence is actually required. Employes have the obligation to make other arrangements within a reasonable period of time for the attendance upon immediate family members. A physician's statement regarding the nature of the illness, the need for the employe's absence, and the estimated duration of the

1 Ordinance # 189

Lincoln County Legal Counsel
Lincoln County Courthouse, Room 201
225 W. Olive Street
Newport, OR 97265
Phone: 265-5341 ext. 265

1 absence may be required at the option of the appointing power for
2 absences over three days."

3 "7.300(4) Any temporary interruption of employment be-
4 cause of adverse weather conditions, shortage of supplies, or for
5 other unexpected or unusual reasons beyond the control of the em-
6 ployee, not to exceed 10 days, shall not be considered a layoff if,
7 at the termination of such conditions, employes are to be returned
8 to employment. Such interruptions of employment may be charged to
9 accrued vacation leave or may be recorded as leave without pay.

10 "(5) Any employe who has been granted leave of absence
11 and who, for any reason, fails to return to work at the expiration
12 of said leave of absence, shall be considered as having resigned,
13 and the position shall thereupon be declared vacated, unless the
14 employe, prior to the expiration of such leave of absence, furnishes
15 acceptable evidence of inability to return to work by reason of
16 sickness, physical disability, or other factor beyond the control
17 of the employe.

18 "(6) Absence of an employe from duty, including an ab-
19 sence for a single day or part of a day, not authorized by a spe-
20 cific grant or leave of absence by the appointing power shall be
21 deemed to be an absence without leave. Such absence shall be
22 without pay and may cause the employe to be subject to disciplinary
23 action."

24 (Underlined portions are the changes.)

25
26

Lincoln County Legal Counsel
Lincoln County Courthouse, room 201
225 W. Olive Street
Newport, OR 97365
Phone: 265-5341 ext. 265

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

That this ordinance, being necessary for the immediate preservation of public peace, health, and safety, an emergency is declared to exist and this ordinance takes effect upon its adoption

DATED this 12th day of January, 1983.

LINCOLN COUNTY BOARD OF COMMISSIONERS

~~Excused~~
G.E. Stuart, Chairman

R.D. Jantzi
R.D. Jantzi, Commissioner

Bob Deskins
Bob Deskins, Commissioner

Virginia Kamp
Secretary

Lincoln County Legal Counsel
Lincoln County Courthouse, room 201
225 W. Olive Street
Newport, OR 97365
Phone: 265-5341 ext. 265