



PERSONNEL POLICIES FOR METRO AND MERC UNPAID INTERNS

Updated Apr. 2014

Welcome to your internship with Metro. This manual contains the following Metro policies and procedures, which apply to you as an intern:

Policy	Page#
Conduct and Discipline	1
Discrimination and Harassment (includes complaint procedures)	4
Restriction of Weapons/Workplace Violence	9
Drug and Alcohol Use	12
Code of Ethics	20
Information Technology: Acceptable Use	23
Social Media	30
Religious Accommodation	38
Americans with Disabilities Act	41
Criminal Background Check	46
Whistleblowing (Reporting Improper Conduct)	50
Internships	54

You are responsible for familiarizing yourself with these policies and complying with them during your internship. The policies included in this packet are the most important for you to know as an intern, but Metro also maintains agency-wide policies on a variety of other topics that may arise. If you have questions about topics not covered by the policies included here, please ask your supervisor or contact the Human Resources Department. Current personnel policies are available for reference on the Intramet (Metro's internal internet system). Your department may also have specific work rules for you to follow in addition to these policies.

At this time, please read and sign the attached **Acknowledgement: Personnel Policies for Metro and MERC Unpaid Interns** and return it to Human Resources. If you have not done so already, please also complete and submit an **Acknowledgment of Unpaid Internships**, also attached. If you have questions or concerns regarding any Metro or MERC policies or procedures, you may talk with your supervisor or contact Antoinette Gasbarre, Human Resources Manager, at (503) 797-1571.

Thank you!

 Metro | *Policies and procedures*

Subject Conduct and Discipline
Section Human Resources
Approved by Office of the Executive

EXCERPT FROM EXECUTIVE ORDER 88 (2005)

Policy is under review. Numbering has been changed from original manual; content is from former Sections 32-33, E.O. 88 (2005).

PREAMBLE: CONDUCT, DISCIPLINE, TERMINATION AND APPEAL

Nothing contained in these policies precludes a supervisor from establishing work rules not inconsistent with these policies for efficient operation and administration of the job site, or precludes a supervisor from having private discussions with employees. These discussions may be in the form of assignment, instruction or any other job-related communication. Any disciplinary action may be grieved by non-represented employees under the grievance procedure established in these policies.

DISCIPLINARY ACTIONS

1. Disciplinary actions shall include only the following:
 - a. Oral or written reprimand;
 - b. Suspension;
 - c. Reduction in pay;
 - d. Transfer;
 - e. Demotion; and
 - f. Termination from employment.
 - i. Any of these disciplinary actions may be utilized. It may not be necessary in every circumstance that the discipline be taken progressively. Disciplinary actions shall occur in a manner that is least likely to embarrass employees before other employees or the public, although it is recognized that this may not always be possible depending on the circumstances.
2. Metro reserves the right to discipline or terminate an employee whenever:
 - a. The employee's performance is unsatisfactory; or

- b. Metro feels discipline or termination is appropriate for other reasons; or
 - c. Whenever it is determined that such action is in the best interests of Metro.
3. The following are some examples (but not all) of the types of conduct which will result in disciplinary action. The listing of these examples is for illustrative purposes and in no way limits Metro's authority and discretion to discipline or terminate employees pursuant to paragraph (A) of this section:
- a. Abandonment of position.
 - b. Absence from duty without leave.
 - c. Abuse of leave privileges.
 - d. Below standard work performance.
 - e. Discourteous treatment of the public or other employees, including but not limited to intentional tortious conduct.
 - f. Possessing, using, transferring, offering or being under the influence of any intoxicants or narcotics during working hours.
 - g. Fraud in securing appointment or promotion.
 - h. Insubordination, including but not limited to, refusal or failure to follow the directive of a supervisor or other designated management staff, failure to comply with an established work rule or procedure, or discourteous behavior toward members of management.
 - i. Misuse of Metro property, funds or records.
 - j. Neglect of duty.
 - k. Willful deceit.
 - l. Any conviction by a court of law which demonstrates an impaired ability to properly perform work for Metro, or which would cause embarrassment or inconvenience for Metro.
 - m. Violation of Metro ordinances, regulations and directives.
 - n. Willful violation of established safety policies.
 - o. Inability to get along with fellow employees.
 - p. Any falsification of information during the employment application or employment appointment process, regardless of when discovered.
 - q. Unlawful harassment or discrimination.
 - r. Theft, including personal or public property.
 - s. Sleeping on the job.

- t. Gambling on Metro premises, including but not limited to card games, dice games.
 - u. Violation of these policies, established work rules, or other management directives.
4. **Procedure for Suspension, Reduction in Pay, Transfer, Demotion or Termination.** The supervisor will review information gathered with the office of human resources prior to the supervisor taking any suspension without pay, reduction in pay, transfer, demotion or termination action. If a basis for discipline exists:
- a. An employee may be suspended with pay, by the Department Director, pending disciplinary action.
 - b. A written notice of contemplated disciplinary action (suspension, reduction in pay, transfer, demotion, or dismissal) shall be delivered to the affected employee in person or by mail. This notice shall state the reasons for the proposed action and will include:
 - i. The alleged conduct by the affected employee.
 - ii. The violation(s).
 - iii. A date, time, and place for the affected employee to have an opportunity to address the violation(s) at a pre-disciplinary meeting. Employees may, at their expense, be represented by an attorney or other person of their choice in a pre-disciplinary meeting.
 - c. Upon completion of the pre-disciplinary meeting, a written notice of the actual disciplinary action taken, if any, shall be delivered to the affected employee in person or by mail. This notice shall state the disciplinary action taken, the violation(s), and the effective date of the disciplinary action. This notice shall be a permanent part of the affected employee's personnel record.
 - d. No failure by Metro to follow any of the procedures described herein shall be grounds for invalidating disciplinary action, including termination, which is otherwise deserved on the merits. Additionally, the Human Resources Director may, in his/her discretion, dispense with all or part of these procedures, with or without notice to the employee.
5. The affected employee may grieve the final disciplinary action pursuant to the grievance procedure established in this policy. In the case of a termination action the grievance shall be filed at Step 2 of the Grievance Procedure in these policies with the Department Director, with a copy to the Human Resources Director.

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Subject Discrimination and Harassment
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

Metro is committed to promoting and maintaining a work environment that is free from all forms of discrimination, harassment, intimidation, hostility and offensive behavior.

Applicable to

All employees, elected officials, interns, volunteers, visitors, contractors and vendors.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.

Definitions

Discrimination: An act having adverse effect on one or more individuals because of race, color, religion, sex, national origin, age, marital status, familial status, gender identity, sexual orientation, veteran status, disability or perceived disability, or any other status protected by law. It may be intentional or unintentional.

Harassment: Behavior which is reasonably perceived by the recipient as unwelcome and includes, but is not limited to, the use of verbal/written derogatory or discriminatory statements, denigrating jokes, unwelcome touching, offensive remarks, put-downs, epithets, slurs or negative stereotyping, displays, objects or materials which create an offensive work environment. Harassment has the purpose or effect of creating an intimidating, hostile, abusive or offensive work environment; unreasonably interfering with an individual's work performance; or otherwise adversely affecting an individual's employment and employment related opportunities.

Harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, offensive, fails to respect the rights of others, lowers morale, and/or interferes with work effectiveness.

Unlawful Harassment: Any harassment as defined above that is based on a protected class status or singles someone out because of their protected class, and where: 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Retaliation: Treating someone negatively or differently because that person has filed a complaint under this policy, exercised his or her rights under state or federal law, or participated in a harassment investigation.

Protected Class: Any individual or group of individuals for whom there is an established law prohibiting discrimination, harassment, or retaliation. Examples of protected classes are race, color, religion, sex, national origin, age, marital status, familial status, gender identity, sexual orientation, veteran status or disability.

Guidelines

1. Any practice or behavior which acts to discriminate against or harass an employee, intern, volunteer or applicant because of his or her race, color, religion, sex, national origin, age, marital status, familial status, gender identity, sexual orientation, veteran status, disability or perceived disability, or any other status protected by law, is in direct conflict with Metro's commitment to ensuring a discrimination and harassment-free work environment. Such behavior, or tolerance of such behavior, on the part of management or employees violates Metro's policy and may result in disciplinary action up to and including termination, even if the conduct does not necessarily constitute a violation of the law.
2. This policy applies to all conduct on any of Metro's premises and to conduct off Metro's premises that has an effect on an employee's work environment.
3. No employee, elected official, intern, volunteer, visitor, contractor or vendor may engage in any of the following conduct (this list represents examples and is not intended to be all-inclusive):
 - a. Making unwelcome sexual advances, requesting for sexual favors, or engaging in other inappropriate verbal or physical conduct of a sexual nature.
 - b. Making stereotypical offensive comments, jokes, innuendo or threats about a person's protected class status (e.g. race, color, religion, sex, national origin, age, marital status, familial status, gender identity, sexual orientation, veteran status or disability).
 - c. Bringing suggestive or offensive objects or pictures, cartoons, or graphics onto Metro premises, either electronically or otherwise.
 - d. Making suggestive or insulting sounds or obscene gestures, leering, staring, or whistling.
 - e. Making unwanted physical contact with others, such as touching, grabbing, pinching, brushing the body, neck or back rubs, coerced sexual intercourse or assault.
4. Management and elected officials must demonstrate by their own conduct that they support and enforce Metro's policy. For example, managers must take prompt action when they observe inappropriate conduct or when a complaint is made, and are expected to provide leadership in carrying out the policy's intent. If a manager learns of any potential discrimination or harassment in the workplace, they must immediately contact the Metro Human Resources department.

Procedures

Complaint Procedure

1. Any employee, intern, volunteer or elected official subjected to discrimination or harassment is encouraged to proceed under the Complaint Procedure in this policy. Individuals who observe or who are aware of situations involving discrimination or harassment should immediately notify their supervisor, the Human Resources Director, or any other manager at

Metro. Discretion will be used during the investigation in order to maintain as much confidentiality as is possible without compromising the ability to effectively complete the investigation.

- a. If a complaint, whether informal or formal, is concerning a Councilor, the complaint shall be forwarded to the Council President or Human Resources Director. If the complaint, whether informal or formal, is about the Council President, the complaint shall be forwarded to the Deputy Council President or Human Resources Director.
 - b. If a complaint, whether informal or formal, is about the Chief Operating Officer, the complaint shall be forwarded to the Council President or Human Resources Director.
 - c. If a complaint, whether informal or formal, is about the Auditor, the complaint shall be forwarded to the Chief Operating Officer or Human Resources Director.
 - d. If a complaint, whether informal or formal, is concerning the Human Resources Director, the complaint shall be forwarded to the Chief Operating Officer.
 - e. If a complaint, whether informal or formal, is about the Metro Attorney, the complaint shall be forwarded to the Council President or Human Resources Director.
2. Formal Complaint Procedure: A formal complaint alleging an act of discrimination or harassment by an employee, elected official, intern, volunteer, visitor, contractor or vendor may be submitted in writing to the Human Resources Director.
- a. A written complaint should include the following information:
 - i. the complainant's name and protected class status (e.g., race, religion, sex, national origin, disability, age, veteran status, sexual orientation, etc.) if applicable;
 - ii. the nature of the complaint, the date the alleged violation occurred, the name of the person who is the subject of the complaint, and the names of any witnesses present; and
 - iii. if the complaint is in regard to a vendor, contractor or subcontractor, the name of that organization.
 - b. The Human Resources Director or his or her designee shall:
 - i. thoroughly investigate the complaint and establish a file of findings;
 - ii. submit the findings with a recommendation to the Department Director or his or her designee;
 - iii. inform the alleged harasser of the determination and any action to be taken; and
 - iv. notify the complainant that the investigation has been completed and relevant avenues of appeal, if appropriate.
3. Informal Complaint Procedure: Some individuals alleging an act of unlawful discrimination or harassment may wish to go through an informal process. The following informal procedure is established to address that need; however, a person making a complaint is not required to use this procedure either in lieu of or prior to proceeding with a formal complaint.

- a. Any person alleging an act of discrimination or harassment by another employee, elected official, intern, volunteer, visitor, contractor or vendor has occurred, may verbally request an informal investigation of the allegation by either his or her Manager/Director, or the Human Resources Director.
 - b. The Manager/Director, or Human Resources Director or his or her designee shall, after appropriate investigation of the complaint, determine what informal remedial action, if any, shall be taken. The Manager/Director, or Human Resources Director or his or her designee shall inform the complainant and alleged harasser of the determination and any action to be taken. The details of any disciplinary action taken against the alleged harasser will not be disclosed to the complainant.
 - c. If the complainant does not feel that the informal procedure satisfactorily resolves his or her complaint, or if the complainant does not want to initiate the informal procedure, he or she may proceed with the formal complaint procedure described above.
 - d. All management and supervisory personnel who have received a report or complaint of discrimination or harassment shall immediately inform Metro's Human Resources Director. The Human Resources Director shall make arrangements for the prompt and proper investigation of such report or complaint.
 - e. Discretion will be used during the investigation in order to maintain as much confidentiality as possible while still being able to effectively complete the investigation.
4. Job Applicant Complaint Procedure: Any individual who has made application for employment and alleges that an act of unlawful discrimination has occurred may file a complaint in writing to the Human Resources Director as set forth in the formal procedure outlined above.

Retaliation

5. An employee, intern or volunteer who files a complaint of discrimination or harassment, participates in the investigation of a complaint, or reports or opposes harassing or discriminatory behavior shall not be subject to adverse treatment as a result of such activity. In addition, any individual who is the subject of, or is aware of, a complaint must refrain from taking any retaliatory actions against the person who complained, or against others participating in the investigation.
6. Any form of retaliation related to a discrimination or harassment complaint may result in discipline up to and including termination.
7. Any employee, intern or volunteer who believes he or she has been retaliated against for filing a complaint or otherwise participating in any investigation under this policy should immediately report the circumstances to the Human Resources Director.

Responsibilities

Employee/Intern/Volunteer:

- Demonstrate support of the policy by your own conduct; refrain from engaging in behaviors which constitute harassment, discrimination or retaliation.

- If you are comfortable doing so, tell employees or other individuals who violate this policy to stop the offensive behavior.
- Immediately notify your supervisor, Human Resources Director or any Metro manager if you observe or are aware of situations involving discrimination, harassment or retaliation in the workplace.

Director/Manager/Supervisor:

- Monitor and ensure that the work environment is free from discrimination, harassment and retaliation.
- Demonstrate support and enforcement of the policy by your own conduct, and provide leadership in carrying out this policy's intent.
- Take all complaints of discrimination or harassment seriously.
- Immediately notify Human Resources if you learn of any actual or potential discrimination, harassment or retaliation in the workplace.

Human Resources:

- Upon notification of potential discrimination, harassment or retaliation in the workplace, immediately conduct a thorough investigation.
- Take appropriate action in order to end discrimination, harassment or retaliation in the workplace.

References

Title VII of the Civil Rights Act of 1964 (Pub. L. 88-352) (Title VII), as amended, 42 U.S.C. § 2000e *et seq.*

ORS 659A.030

2013 Oregon Laws Ch. 379 (House Bill 2669)

Additional information can be obtained from the Oregon Bureau of Labor and Industries (www.boli.state.or.us) or the Equal Employment Opportunity Commission (www.eeoc.gov).

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Subject Restriction of Weapons
Section Human Resources
Approved by Office of the Executive

EXECUTIVE ORDER 78 (2000)

Policy is under review. Numbering is from the original Executive Order. See also: all-staff memo on workplace violence (1998), attached.

PURPOSE

The purpose of this Executive Order is to set forth policies restricting weapons at Metro facilities.

I. General

Metro is committed to providing all employees with a safe workplace, free from prejudice, harassment, intimidation, and violence. This policy is an important part of ensuring a safe workplace.

II. Policy and Procedures

A. General Rule. No member of the public while on Metro property, including Metro-owned or leased parking areas, or Metro employee while on duty, whether on Metro owned property or not, shall:

1. Possess a loaded or unloaded firearm. "Firearm" means a weapon, by whatever name known, including pistol, revolver, gun, or rifle, which is designed to expel a projectile by the action of an explosive, compressed air, or spring.
2. Possess a dangerous weapon. "Dangerous weapon" means metal knuckles, straight razor, weapon of the type commonly known as a nunchaku, blackjack, sap or sap glove, slingshot, bomb or bombshell, and any type of knife other than an ordinary pocketknife with a blade not longer than three and one-half inches. When carried with intent to use the same unlawfully against any other, "dangerous weapon" also includes any instrument or device capable of inflicting injury to the person or property of another.
3. Possess or discharge fireworks or explosives of any nature.

B. Exceptions. The general rule set forth in Section II(A) shall not apply to:

1. Persons not employed by Metro who are authorized by ORS 166.370 to possess a firearm or dangerous weapon in a public building; or

2. Metro employees who have been authorized specifically and in writing by the Metro Executive Officer or Chief Operating Officer to possess firearms or dangerous weapons as part of their job duties; and
3. Metro Oregon Zoo employee who have been authorized by the Zoo Director to possess and use firearms in accordance with the Metro Oregon Zoo's Emergency Firearms Policy. Possession of firearms or dangerous weapons shall be governed by Metro Code Section 4.01.060(m).

M E M O R A N D U M

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METRO

April 17, 1998

To: All Metro Employees

From: Mike Burton, Executive Officer

Subj: Workplace Violence

Because of the recent occurrences of workplace violence that have been in the media, I would like to take this opportunity to clearly state Metro's policy on workplace violence.

Nothing is more important to Metro than the security of its employees. As stated in the introduction of Executive Order No. 64, (Restriction of Weapons at Metro Facilities) threats, threatening behavior, or acts of violence against employees, visitors, customers, or the public, will not be tolerated. Such threats to the safety of visitors, customers, employees, or the public while on Metro property or engaged in Metro related business will be treated seriously. A violation of this policy by a Metro employee may lead to disciplinary action including suspension and termination. In addition, criminal charges will be filed if indicated.

Any employee who makes substantial threats, exhibits threatening behavior, or engages in violent acts on Metro property shall be removed from the premises as quickly as safety permits, and shall remain off Metro property pending the outcome of an investigation.

All Metro employees are responsible for notifying their manager or the Human Resource Director of any threat which they have witnessed, received, or have been told that another employee has received. Even without an actual threat, employees should report any behavior that they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out at a Metro site, or is connected to employment.

All employees who apply for or obtain a protective or restraining order which lists Metro locations as being protected areas, must provide the Office of General Counsel (OGC) a copy of the petition and declarations used to obtain such an order, a copy of any temporary restraining order which is granted, and a copy of any permanent restraining or protective order which is granted. OGC will be responsible for informing the appropriate staff, i.e. Security at Metro Regional Center or at the Zoo.

Please be assured that Metro takes these matters seriously. If you feel that you need to discuss actual or potential threats with a confidential counselor, whether arising from work or your private life, please remember that assistance, at no charge, is available from CAPE. If you have any questions regarding this policy please contact your manager or Human Resources.

Training on workplace violence awareness and prevention is available from Laurie Wulf at Metro Regional Center and from Terri Dill-Simpson at the Zoo. Please contact your supervisor if you have an interest in this training.

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Subject Drug and Alcohol Use
Section Human Resources
Approved by Metro Council

EXCERPT FROM METRO CODE

Policy is under review; numbering is from original Code provision.

See also: Human Resources Administrative Guidelines for Metro's Drug and Alcohol Policy, attached.

METRO CODE § 2.02.080 - Drug and Alcohol Policy

- (a) Purpose: The purpose of the Drug and Alcohol Policy is to assist Metro in providing and maintaining a safe, healthy, and productive work environment for employees. The Metro Drug and Alcohol Policy is applicable to all Metro employees. This policy authorizes drug and alcohol testing if there is reasonable suspicion of drug or alcohol impairment, as well as return-to-duty and follow-up testing. Drug testing shall be conducted in accordance with procedures established and administered by the Human Resources Director.
- (b) Employee Conduct:
- (1) All employees are prohibited from engaging in the unlawful possession, dispensation, distribution, manufacture or use of alcohol or any controlled substance at any time while on duty, or in a Metro owned or operated vehicle(s).
 - (2) It is the responsibility of any employee with a substance abuse problem to seek assistance, including any resources which may be required from Metro or Metro's employee assistance program, before drug and alcohol problems adversely affect the ability to perform his or her job or lead to violations of this policy.
 - (3) All employees shall report to work in an appropriate mental and physical condition to work safely and effectively. No employee shall report to work or engage in work while under the influence of alcohol, or having the presence of illegal drugs, or any other disabling or controlled substance in his or her system.
 - (4) Any employee who observes or has knowledge of another employee on duty in violation of this policy, and in a condition which poses a hazard to the safety or welfare of others, shall report the information to his or her immediate supervisor, the employee's supervisor, or the Human Resources Director.
 - (5) This policy is not violated when an employee possesses and uses a physician-prescribed medication in accordance with the prescription.

- (c) Drug and Alcohol Testing: Metro may require a current employee to undergo drug and alcohol testing if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during work hours. "Reasonable suspicion" means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of drugs or alcohol. Testing shall be conducted pursuant to standards and procedures administered by the Human Resources Director.
- (d) Definitions: For the purposes of this policy:
- (1) An employee has a controlled substance "in his or her system" when the employee tests "positive" in any blood or urine test administered if the result of such test meets or exceeds the level set forth in 49 CFR Part 40.
 - (2) An employee is "under the influence" of alcohol when the employee has an alcohol test with the result showing an alcohol concentration level of 0.02 or greater.
 - (3) The term "controlled substance" means marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP), as specified in Schedule 1 or Schedule II of the Controlled Substances Act (21 USC § 812).
- (e) Drug Related Convictions: As required by the Drug-Free Workplace Act of 1998, Metro employees shall notify Metro of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- (f) Refusal to Consent; Employees: An employee who refuses to consent to drug and alcohol testing when reasonable suspicion of drug or alcohol use has been identified is subject to disciplinary action up to and including termination. The reasons for the refusal shall be considered in determining the appropriate disciplinary action.
- (g) Program Administration: The Drug and Alcohol Policy and program are administered by the Human Resources Director.

(Ordinance 03-993A, Sec. 3. Renumbered by Ordinance No. 05-1082, Sec. 1.)

Metro Code version eff. 8/10/2011

HUMAN RESOURCES ADMINISTRATIVE GUIDELINES FOR METRO'S DRUG AND ALCOHOL POLICY

The following are the administrative guidelines for Metro's Drug and Alcohol Policy (Metro Code 2.02.215 and 20.02.477). Details of the policy can be found within the specific codes and any related labor agreements. This purpose of this document is to provide details regarding the administration of this policy in the following areas:

1. PROGRAM HISTORY

The Drug and Alcohol Policy was implemented in order assist Metro in providing and maintaining a safe and healthy work environment for employees and a safe and dependable service delivery system for the public.

Accordingly, Metro expects and requires all employees to report to work in an appropriate mental and physical condition to work safely and effectively.

2. EMPLOYEE CONDUCT

- (1) All employees are prohibited from engaging in the unlawful possession, dispensation, distribution, manufacture or use of alcohol or any controlled substance at any time while on duty, or in a Metro owned or operated vehicle(s).
- (2) It is the responsibility of any employee with a substance abuse problem to seek assistance, including any resources which may be required from Metro or Metro's employee assistance program, before drug and alcohol problems adversely affect the ability to perform his or her job or lead to violations of this policy.
- (3) All employees shall report to work in an appropriate mental and physical condition to work safely and effectively. No employee shall report to work or engage in work while under the influence of alcohol, or having the presence of illegal drugs, or any other disabling or controlled substance in his or her system.
- (4) Any employee who observes or has knowledge of another employee on duty in violation of this policy, and in a condition which poses a hazard to the safety or welfare of others, shall report the information to his or her immediate supervisor, the employee's supervisor, or the Personnel Director.
- (5) This policy is not violated when an employee possesses and uses a physician-prescribed medication in accordance with the prescription.

3. EMPLOYEE ASSISTANCE PROGRAM (“EAP”)

Employees are encouraged to voluntarily seek assistance in dealing with emotional, physical, or mental health problems, including drug use and/or alcohol misuse that may adversely affect their job performance. Very often, the health benefits provided to full time employees are a resource for employees with a drug or alcohol problem. In addition, the EAP may also be a resource for employees seeking counseling and referral assistance for a drug or alcohol problem.

4. EMPLOYEE RESPONSIBILITY

Employees shall support the effort to provide a drug-and alcohol-free work environment. An employee who observes or has knowledge of another employee in a condition while on duty and which impairs his/her ability to perform his/her job duties or who poses a serious hazard to the safety and welfare of others, has a responsibility to report the information to his/her immediate supervisor, the employee’s supervisor, or the Personnel Director.

5. DRUG RELATED CONVICTIONS

Any Metro employees convicted for a violation of a criminal drug statute may be determined to have violated Metro Code and may be subject to discipline.

6. RIGHT TO INSPECT

Metro reserves the right to search, without employee consent, all areas and property over which Metro maintains joint or full control. All Metro vehicles, equipment, offices, desks and lockers are subject to search by management. Searches, which are undertaken specifically to investigate violations of this rule, shall be conducted in the presence of the employee if practical. If the employee is not available, or if the employee so requests, a reasonable time will be allowed for a representative to be present before a search is conducted. The limitation on Metro’s right to examine Metro property does not apply to property used jointly by more than one employee. Metro personnel may not search an employee’s person or personal property (car, purse, backpack) without the employee’s permission.

If there is reason to believe a crime may have been committed, *e.g.* possession of illegal drugs or driving with an open container of alcohol in the vehicle, management should secure the Metro property in question and immediately notify the police and either Human Resources or the Office of the Metro Attorney. Searches which could result in criminal prosecution should be conducted only by law enforcement personnel.

When Metro has reasonable suspicion to believe an employee is in improper possession of drugs and/or alcohol on Metro property supervisors should secure any Metro property/premises in question and notify the police.

7. TRAINING

All supervisors and managers who are responsible for determining when it is appropriate to administer reasonable suspicion drug and/or alcohol tests will be required to attend a training regarding the physical, behavioral, and performance indicators of probable drug use and alcohol misuse.

8. TESTING

All employees may be required to submit to drug and alcohol testing as a condition of employment with Metro.

All drug and alcohol testing will be conducted in a manner which assures a high degree of accuracy and reliability by using the techniques, chain of custody procedures, and equipment and laboratory facilities which have been approved or comparable to those approved by the U.S. Department of Health and Human Services (“DHHS”).

9. TYPES OF TESTING

Reasonable Suspicion:

- a. Employees may be required to submit to urine testing for drugs and/or alcohol breath testing when there is a reasonable suspicion to believe that the employee is under the influence of a prohibited drug or alcohol during work hours.
- b. The determination to require a reasonable suspicion drug and/or alcohol test will be made by a supervisor or manager trained to identify the signs and symptoms of drug use and alcohol misuse. The determination will be based on the supervisor’s or manager’s specific observations concerning such indicators, as a means of illustration and not by limitation, appearance, behavior, speech, body odor of the employee, or the occurrence of a workplace accident. Such a determination must be supported by the concurrence of a second supervisor or manager trained to identify the signs and symptoms of drug use and alcohol misuse. If the event precipitating a consideration of conducting a reasonable suspicion test is a workplace accident, the second supervisor must concur that drugs or alcohol are suspected as a factor in the accident. A represented employee subject to a sequestered observation conducted under this provision shall be informed of a right to representation by an authorized agent of the involved labor organization. However, the securing of such a representative, if requested, shall not unreasonably delay said sequestered observation being conducted.
- c. When an employee has been notified that he/she will be required to submit to reasonable suspicion drug and/or alcohol testing, he/she must report immediately to the collection site designated by Metro. The employee will be transported to and

from the collection site by Metro. The employee will not be permitted to use rest room facilities, consume beverages, or smoke until specimen collection is completed.

- d. Any employee who has had a verified positive drug test, an alcohol test result of 0.04 or greater, or a refusal to submit to a test may be referred to a Substance Abuse Professional (“SAP”) for evaluation. Refusal to accept a SAP referral or to cooperate with a SAP-recommended course of treatment may be considered as an aggravating factor in any disciplinary action arising out of the employee’s violation of Metro’s drug and alcohol policy.

10. TESTING LABORATORIES

All alcohol and drug testing will be completed in a laboratory selected by Metro. Immunoassay screening will be used as the initial test for the testing of the primary specimen. If any prohibited drug registers above the cutoff level, a confirmation test using gas chromatography/mass spectrometry (“GC/MS”) will be conducted.

11. RESPONSIBILITY OF EMPLOYEES

Compliance with the Metro’s Drug and Alcohol Policy is a condition of employment for all employees. For employees who are represented by labor organization, a violation of any part of the Drug and Alcohol Policy may result in discipline as provided in the applicable Labor Agreement. For all other employees, a violation of any part of the Metro’s Drug and Alcohol Policy may result in discipline, up to and including suspension and/or discharge.

An employee must:

- a. Notify his/her supervisor before beginning work, when taking any prescription or non-prescription medications which may interfere with the safe and effective performance of duties or operation of Metro equipment.
- b. Consult with the supervisor if there is any question concerning whether the use of a particular prescription or non-prescription medication is covered by this rule. Note: This rule is not intended to prohibit the safe and legal use of prescription and non-prescription medications.
- c. Provide, as soon as possible and no later than within 48 hours of a request, proof of a valid prescription for any medication identified by the employee as the cause of his/her behavior. The prescription must be in the employee’s name.
- d. Notify Metro of any criminal drug statute conviction.
- e. Notify Metro of any criminal drug conviction for acts occurring on Metro premises or on duty no later than five days after such conviction.

12. RESPONSIBILITY OF MANAGEMENT

Managers and supervisors are responsible for consistent enforcement of this policy. Any supervisor who knowingly permits a violation of this policy by employees under his/her direct supervision shall be subject to disciplinary action.

Managers and supervisors must:

- a. Notify and provide a copy of this policy to all current employees.
- b. Investigate any question which arises about an employee's fitness to work due to use of prescription or non-prescription medications.
- c. Investigate any employee who appears to be in violation of this policy.
- d. Advise an employee of his/her right to have either an available union representative (if any) or another employee present during an investigatory interview.

13. RETURN TO WORK AGREEMENT

Employees who test positive on a drug test, have a confirmed breath alcohol concentration level of 0.04 greater, and who elects to enter drug and/or alcohol treatment, may be allowed to enter into a return to work agreement in lieu of termination or other severe discipline. The agreement may include, but is not limited to the following requirements:

- a. A release to work statement from an approved treatment specialist.
- b. A negative test for drugs and/or alcohol.
- c. An agreement to follow-up testing.
- d. A statement of expected work-related behaviors.
- e. An agreement to follow specified aftercare requirements.
- f. An expressed understanding that violation of the return to work agreement may result in discipline, up to and including suspension and/or discharge.

14. CONFIDENTIALITY

Laboratory reports or test results will be retained in an employee's or applicant's confidential medical file. The reports or test results may be disclosed to Metro management on a strictly need-to-know basis and to the tested employee upon request. Disclosures, without patient consent, may

also occur when: (1) the information is compelled by law or by judicial or administrative process; (2) the information has been placed at issue in a formal dispute between the employer and employee or applicant; (3) the information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.

15. PROGRAM ADMINISTRATION

The Drug and Alcohol Testing Policy and program are administered by the Personnel Director or the designated Drug and Alcohol Program Administrator within Human Resources. **Metro's policy for drugs and alcohol testing for employees assigned duties requiring the possession of a Commercial Drivers License is contained in a separate document.** Contact Human Resources for a copy of the policy.

 Metro | *Policies and procedures*

Subject Code of Ethics
Section Human Resources
Approved by Office of the Executive

EXECUTIVE ORDER 66 (1997)

Policy is under review. Numbering is from the original Executive Order.

PURPOSE

The purpose of this Executive Order is to provide a statement of ethical principles that shall serve as guideposts for Metro officials.

For the purpose of this Order:

1. "Metro official" means the Executive Officer and Executive Officer's staff; any Metro employee other than employees of the Council, Auditor or Metro Exposition-Recreation Commission (MERC); and any appointee to a board or commission, or citizen volunteer authorized to act on behalf of Metro, who was appointed by the Executive Officer.
2. "Ethics" means positive principles of conduct. Some ethical requirements are enforced by federal, state, or local law. Others rely on training, or on individuals' desire to do the right thing. The provisions of this Order which are not elsewhere enforced by law shall be considered advisory only.

GENERAL PRINCIPLES

The following statements regarding trust, objectivity, accountability and leadership should be considered as moral and ethical guideposts for actions by Metro officials.

TRUST

The purpose of Metro is to serve the public. Metro officials should treat their office as a public trust.

1. Metro's powers and resources are used for the benefit of the public rather than any official's personal benefit.
2. Metro officials ensure public respect by avoiding even the appearance of impropriety.
3. Policymakers place long-term benefit to the public as a whole above all other considerations, including important individuals and special interests. The public interest includes protecting the rights of under-represented minorities.

4. Administrators implement policies in good faith, as equitably and economically as possible, regardless of their personal views.
5. Whistle-blowing is appropriate on unlawful or improper actions and should be done with no threat of reprisals.
6. Citizens have a fair and equal opportunity to express their views to Metro officials.
7. Metro officials do not give the appearance or impropriety of personal gain by accepting personal gifts. Individuals should refer to relevant law regarding acceptance of gifts in current Oregon statutes, and/or review the propriety of any anticipated action with the Office of General Counsel.
8. Metro officials devote Metro resources, including paid time, working supplies, and capital assets to benefit the public.
9. Political campaigns will not be conducted on Metro time or property. Relative federal and state statutes apply.

OBJECTIVITY

Metro decisions are based on the merits of the issues. Judgment is independent and objective.

1. Metro officials avoid financial conflict of interest and do not accept benefits from people wanting to affect decisions.
2. If an individual official's financial interests will be specifically affected by a decision, that official will give written notice to be placed on file with the Office of General Counsel and will then withdraw from further participation on the matter.
3. Metro officials avoid bias or favoritism and respect cultural differences as part of decision-making.
4. Intervention on behalf of constituents or friends is limited to assuring fairness of procedures, clarifying policies or improving service for citizens.

ACCOUNTABILITY

Open government allows citizens to make informed judgments and to hold officials accountable.

1. Metro officials exercise their authority with open meetings and accessible public records.
2. Officials who delegate responsibilities also follow up to make sure the work is carried out efficiently and ethically.
3. Campaigns for election should allow the voters to make an informed choice on appropriate criteria.
4. Each Metro official is encouraged to improve Metro systems by identifying problems and proposing improvements.
5. Metro government systems are self-monitoring, with procedures in place to ensure appropriate actions.

6. All Metro departments and work teams will develop detailed ethical standards, training, and enforcement procedures, and submit work plans to the Executive Officer concurrent with the annual budget year.

LEADERSHIP

Ethical leadership sets a good example and treats all citizens with respect.

1. Metro officials obey both the letter and the spirit of all laws and regulations.
2. Leadership facilitates, rather than blocks, open discussion.

EXAMPLES AND EXPLANATORY STATEMENTS

Past experience has shown that certain activities by Metro officials may create the appearance of ethical conflicts. This section of this Executive Order sets forth examples of questionable behavior that should be avoided where possible. The use of these examples is not intended to be exhaustive or to limit the scope of the standards expected and created by the adoption of the statement of principles by this Executive Order.

- Maintain a clear separation of your personal life and your Metro activities. The work space you are provided at Metro is where you work. Personal activity should not be centered here. Many Metro officials work after hours on Metro business. Evening or weekend use of Metro facilities for personal use should be avoided.
- The use of telephone equipment, computers, email, or other Metro-owned devices is limited to Metro business. Metro officials should refer to pertinent Metro Code, Executive Orders and other directives (such as the Computer User's Handbook) that may be issued regarding use of these types of devices.
- Don't let friendships create the appearance of favoritism. Your friends, coworkers and former coworkers may be considered by some of Metro's citizens and stakeholders to represent special interests. Metro officials should avoid creating the appearance that their friendships will result in biased decisions or disparate treatment.
- Avoid the appearance that the personal, political or social agenda of non-elected officials is a substitute for Metro's policy decision process. Metro policymakers are elected by the public. Some Metro officials are delegated discretionary authority as well, subject to approval and supervision of elected officials. All Metro officials should be careful to act only within the authority for decision-making they have. Personal involvement with political or social activities by Metro officials is acceptable. However, all Metro officials should avoid taking actions on behalf of Metro that create the impression that their own personal agendas are guiding their official actions at Metro, rather than being subject to Metro's policymaking procedures.

CONCLUSION

From time to time the Executive Office may supplement this Executive Order with further principles and examples. This Executive Order is not intended to limit the authority of the Executive or supervisors to take disciplinary action where they deem it appropriate.

Metro | Policies and procedures

Subject Information Technology: Acceptable Use
Section Information Services; Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

Information, computer systems and devices are made available to users to optimize employee productivity in support of Metro's business processes. The purpose of this policy is to inform technology users of the appropriate and acceptable use of information, computer systems and devices.

Applicable to

All employees and other users of Metro agency information-related technology, services or systems.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.

Definitions

Access: To instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, computer system or computer network.

Computer Software: Computer programs, procedures and associated documentation concerned with the operation of a computer system.

Encryption: Use of a process to transform data into a form in which the data is unreadable or unusable without the use of a confidential process or key.

Information System: Computers, hardware, software, storage media, networks, operational procedures and processes used in the collection, processing, storage, sharing or distribution of information within, or with access beyond ordinary public access to, Metro's shared computer and network infrastructure.

Technology Asset: A data processing device that performs logical, arithmetic or memory functions, including the components of a computer and all input, output, processing, storage, software or communication facilities that are connected or related to such a device in a system or network. Technology assets include, but are not limited to, computers, tablets, telephones, and other messaging devices.

Technology Services: Information systems that are functioning on the public network subscribed to by Metro, including services found on the Internet that hold and process mail, files or streams of information.

Users: All Metro employees, volunteers, vendors and contractors who access Metro information assets, and all others authorized to use Metro information technology for the purpose of accomplishing Metro's business objectives and processes.

Guidelines

- 1. Users have no right to expect that any information created on, kept on, or transmitted through the Metro information system is private.**
 - a. All information created or kept on Metro information systems, including email, is subject to review for compliance with public records law, regardless of whether the content is business-related or personal.
 - b. Metro documents, communications and work products stored on personally owned devices are also subject to public records law. The use of personally owned electronic devices such as home computers, laptops, smart phones and tablets to access Metro's internal networks may subject the personal device to review and possible disclosure.
 - c. Metro may monitor all electronic communications and information contained on its systems. Metro may monitor any and all email traffic passing through its email system as well as website visits, other computer transmissions, and any stored information created or received using Metro's information systems.
 - d. Metro will disclose or maintain the confidentiality of information in accordance with applicable law.
2. Metro information systems and devices are provided for business purposes only; however, Department Directors may approve limited, incidental personal use consistent with the terms of this policy.
3. Metro expects employees to comply with normal standards of professional and personal courtesy and conduct in their use of email and other electronic communications.
4. The Information Services Department is responsible for issuing guidance, consistent with this policy, to address changing technology or business needs. At a minimum, newly issued guidance will be posted on the IS intranet page and notification will be emailed to employees with Metro email addresses.
5. Violation of terms of this policy may result in the limitation, suspension or revocation of access to Metro information systems and can lead to other disciplinary action up to and including termination.

Procedures

General security protocols

1. All users must be authorized by Information Services to use Metro technology assets.
2. Users are responsible for the security of their passwords and accounts. Users must keep their passwords confidential. Passwords must be changed on a regular basis and should be complex enough that they cannot be easily discovered.

3. Users of Metro information systems shall respect the confidentiality of other users' information. Users shall not attempt to:
 - a. access third-party systems without prior authorization by the system owners;
 - b. obtain other users' login names or passwords;
 - c. attempt to defeat or breach computer or network security measures;
 - d. intercept, access, or monitor electronic files or communications of other users or third parties without approval from the author or responsible business owners;
 - e. review the files or information of another user without a specific business need to do so.
4. **Remote access:** Users may access Metro networks and email from remote locations only with proper authorization and through the use of agency-approved and agency-provided remote access systems or software.
 - a. Telecommuting is subject to applicable Metro policies and collective bargaining agreements.
5. **Software:** Non-approved software, including but not limited to desktop and workgroup applications, screen savers, browsers, application plug-ins and games, may not be downloaded or installed from the Internet, portable computer and storage devices, or other external sources without prior approval from Metro Information Services.
 - a. Approved software is listed on the IS Department intranet page.
 - b. Employees who have an ongoing business need to download non-approved software may request an exception from the requirement to obtain prior approval each time. Such requests must be supported by the employee's supervisor and submitted to the IS Department in writing. IS will evaluate the request with due consideration to the employee's business need, Metro's operational readiness, and the potential security impact. If the request is granted in whole or in part, IS will provide a written description of the expanded approval.
 - c. The IS Director has final authority over software approval decisions.
6. **Privately owned electronic devices:** Privately owned devices may not be connected to Metro networks, wireless access points, computers or other equipment without prior approval from Metro Information Services.
 - a. Privately owned devices such as laptops, smart phones and tablets may be connected to the email server over the public internet in accordance with IS Department guidance.
 - b. Hardware devices that are not required for assigned work must not be attached to a Metro-provided computer. All hardware attached to Metro systems must be appropriately configured, protected and monitored so it will not compromise Metro technology assets.
7. **Instant messaging and streaming video/audio:** Departments may allow the use of Instant Messaging (IM) and other communications or messaging alternatives for business purposes. Departments may also allow the use of streaming video/audio for business purposes. However, these uses must be approved, documented, and adequately secured and must comply with Metro records and information management policies. The IS Department is authorized to monitor IM communications and video/audio streams as needed for business or legal reasons.

8. Technology assets must not be used in a manner that impairs the availability, reliability or performance of Metro business processes and systems or unduly contributes to system or network congestion.
9. Users are required to report evidence of computer viruses, security breaches, or unauthorized access to the IS help desk as soon as possible.
10. Metro-provided email systems and Internet access for the public must be secured appropriately in order to protect Metro technology assets.
11. Metro may employ additional security controls, such as limited workstation access, in order to protect Metro technology assets and maintain a secure environment.
12. Information Services is responsible for monitoring the use of information systems and assets. At a minimum, IS will monitor on a random basis and for cause. Monitoring systems or processes will be used to create usage reports and the resulting reports will be reviewed by Information Services management for compliance.

Restriction of personal use of Metro technology assets

13. Internet use increases the risk of exposing Metro technology assets to security breaches. Metro can only accept this risk for business uses.
 - a. Business use includes accessing information related to employment with Metro, such as accessing benefit-related information. Approved sites for this purpose are the Oregon Public Employees' Retirement System (PERS), Employee Assistance Program (EAP), Oregon Savings Growth Plan and union contract information.
 - b. Department Directors may determine whether to allow limited incidental personal internet use, such as to check weather conditions or in case of emergency.
 - c. Metro has discretion to determine if an employee's use is personal or business. Employees will not be disciplined for personal use without an opportunity to explain any business reasons for the use.
14. Email is to be used for Metro-related business only, except as follows:
 - a. Department Directors may allow employees limited, incidental personal use as long as it does not violate other requirements of this policy and there is no significant cost to the agency.
 - b. Email may be used for union business to the extent allowed in the applicable collective bargaining agreement.
15. Metro employees are responsible for exercising good judgment regarding the reasonableness of personal use of Metro's technology assets. No personal use of Metro information systems shall interfere with staff productivity, pre-empt any business activity, consume more than a trivial amount of resources, or be used for personal gain.
 - a. Users may not use Metro technology systems to play computer games, regardless of whether Internet-based, personal, or included with approved software applications.
 - b. Metro systems may not be used for hosting or operating personal Web pages; non-business-related postings to Internet groups, chat rooms, or list services; or creating, sending or forwarding chain emails.

- c. Metro information systems, other than the intramet bulletin board, may not be used for personal solicitation. Systems may not be used to lobby, solicit, recruit, sell or persuade for or against commercial ventures, products, religious or political causes, or outside organizations.

Prohibited uses

16. Metro networks and systems shall not be used to intentionally view, download, store, transmit, or retrieve any information, communication or material that:
 - a. is harassing or threatening; is obscene, pornographic or sexually explicit;
 - b. is defamatory;
 - c. fosters hate, bigotry, discrimination or prejudice or makes discriminatory reference to race, age, gender, sexual orientation, gender identity, religious or political beliefs, national origin, health or disability;
 - d. is untrue or fraudulent;
 - e. is illegal or promotes illegal activities;
 - f. is intended for personal profit;
 - g. facilitates Internet gaming or gambling; or
 - h. contains offensive humor.
17. Under certain circumstances, there may be legitimate business reasons to access materials that are otherwise prohibited. Employees should obtain supervisor approval before accessing such materials.
18. Users shall not intentionally destroy data in an attempt to misrepresent data in Metro information systems.
19. Personal hardware or software may not be used to encrypt any Metro-owned information except with express prior permission and direction from Information Services.
20. Users shall not send email or other electronic communication that attempts to hide the identity of the user or represent the user as someone else. Users shall not utilize proxy devices or servers to hide their identity or to circumvent existing security. No use of scramblers, remailer services, drop-boxes or identity-stripping methods is permitted.

Additional legal requirements

21. All information created on or stored within Metro's applications, systems, devices and networks, whether on or off-premises, is the sole property of Metro and subject to its sole control, except as required by contract. In addition, all Metro documents, communications and work products are the sole property of Metro, regardless of whether the information is stored, accessed or transmitted via Metro-owned or personally owned devices such as computers, tablets, and cell phones.
 - a. No part of Metro agency systems or information is or may become the private property of any system user.
 - b. Metro owns all legal rights to control, transfer, or use all or any part or product of its systems.

- c. Metro is under no obligation to store or forward the contents of an individual's email inbox, outbox or contact list either during or after their employment.
22. Use of Metro information systems must comply with copyrights, licenses, contracts, intellectual property rights and laws associated with data, software programs and other materials made available through those systems.
23. Users must comply with Metro's records retention policies.

Responsibilities

Employees:

- Take reasonable steps to ensure the physical security of Metro technology assets and passwords and report missing, lost or stolen Metro technology assets to their supervisor immediately.
- Use Metro technology assets in a manner consistent with the Acceptable Use Policy, seeking answers to any questions about the policy from their supervisor or the IS help desk as needed.

Supervisors:

- Ensure that authorized users have received training on acceptable use through the Metro Learning Center software or have received and signed a hard copy of the policy.
- Submit new account request forms for new employees.
- Review and update employee access when requested.
- Ensure employees are using Metro technology assets in a manner consistent with the Acceptable Use Policy and guard against inappropriate use of such assets by employees.
- Coordinate with the agency's Information Services and Human Resources Departments on violations of acceptable use of Metro technology assets.

Department directors:

- Ensure that department purchases for Metro technology assets are restricted to only those necessary for the conduct of official business and that standards for hardware and software are followed.
- Ensure appropriate usage of Metro technology assets and compliance with applicable rules and policies.

Information Services:

- Implement firewall, anti-virus, role provisioning, password controls, web surfing and Email filtering mechanisms, ensure their maintenance, and monitor logs and reports for system performance and compliance.
- Report policy violations to the Human Resources Department and/or supervisory staff as appropriate.

- Create hardware and software standards with the help of a technical standards committee and publish hardware and software standards on at least an annual basis.
- Review policy annually to determine applicability. Publicize new guidance on the intramet and by email.
- Update filters by employee or group to include items required as part of the job when directed by a manager.

Human Resources Department:

- Alert Information Services of policy violations when appropriate.

Related References

- Information Services Department intramet page:
<http://imet.metro-region.org/index.cfm/go/by.web/id=3265>
- Social Media policy

Metro | *Policies and procedures*

Subject Social Media Policy
Section Communications; Human Resources
Approved by Martha Bennett, Chief Operating Officer

POLICY

Metro recognizes the value of social media in connecting with the citizens of the Metro region. Metro finds social media to be a valuable tool to further the goals of the Metro Compass. This policy establishes expectations for employee use of social media. Metro has an overriding interest in what is "spoken" on behalf of Metro on social media sites.

Applicable to

All employees.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of the collective bargaining agreement will prevail.

Definitions

Social Media: Primarily internet and mobile-based tools for sharing and discussing information. The term most often refers to activities that integrate technology and social interaction. Examples include but are not limited to:

- a. Weblogs: blogs, vlogs, microblogs
- b. Wikis
- c. Social bookmarking
- d. Social networking
- e. Podcasts
- f. Videos

Social Media Site: A website that leverages social media tools for its visitors. Examples include but are not limited to:

- a. Facebook
- b. Twitter
- c. LinkedIn
- d. YouTube
- e. MySpace
- f. Flickr
- g. Wikipedia

Moderator: A Metro employee authorized to moderate public comments on a Metro social media account.

User: A Metro employee authorized to post or publish to a Metro social media account.

Public Record: As defined by Oregon Revised Statutes (ORS) 192.005(5), a public record is “a document, book, paper, photograph, file, sound recording or machine-readable electronic record, regardless of physical form or characteristics, made, received, filed or recorded in pursuance of law or in connection with the transaction of public business, whether or not confidential or restricted in use.”

Guidelines

1. All Metro social media users and moderators shall comply with this policy and the laws cited herein as well as the Metro Charter, Code and other applicable policies. Applicable policies include but are not limited to the Metro Email/Voicemail Policy, Network Access Policy, Restrictions on Political Campaigning by Public Employees, Discrimination and Harassment Policy, and the Code of Ethics.

Personal Use of Social Media

2. Metro employees using social media for personal use outside of work are cautioned not to give the false impression that they are speaking on behalf of Metro. The intention of this provision is to avoid misleading the public.
 - a. Employees shall avoid using Metro-generated content, including Metro’s logo, venue logos, or other Metro branding, in a way that may lead a reader to believe they are viewing Metro’s official website.
 - b. Employees who are known by the public to be Metro employees are encouraged to include a disclaimer on their personal social media accounts stating that the opinions and posts contained there are personal and are not endorsed by Metro.
3. Metro employees using social media shall have no expectation of privacy for any data posted during work time or while using Metro equipment.
4. Metro employees using social media for personal use outside of work may be subject to discipline for posts on personal blogs, profiles, and other social media accounts that are related to Metro and adversely impact the Metro work environment. Examples of social media conduct for which an employee may be disciplined include disclosing confidential information or threatening, harassing, or violating the privacy of others at Metro.

For the purposes of this provision, confidential information includes the following:

- a. Other employees’ identifiable personal information, such as medical information and social security numbers, unless permission is specifically granted by the employee;
- b. Information about confidential personnel matters, such as disciplinary information or information about job applicant performance during the selection and hiring process, unless permission is specifically granted by the employee;

- c. Information about interview or test questions used in the selection process that may provide an unfair advantage during the hiring process;
 - d. Information about security measures in place to protect employees, the public, and/or Metro assets;
 - e. Information that is subject to attorney-client privilege;
 - f. Any other information that is required to be kept confidential by law or Metro policy.
5. This policy is not intended to restrict employees from legally protected speech, such as engaging in concerted labor activity or speaking as a private citizen on matters of public concern. Employees will not be disciplined for such conduct. Determinations under this provision will be made by the Office of Metro Attorney in accordance with applicable law.

Procedures

Using Metro's Social Media Channels

1. A department or venue may enter into an agreement with a social media site to create a forum for interacting with the public when there is a proven need to do so and staff capacity to regularly update and moderate the online conversation.
2. To request permission for access to a social media site, employees must fill out the attached Social Media Access Request form and submit it, with supervisor and manager approval, to the Communications Director. If the Communications Director authorizes the Social Media Access Request, social media content management will be formally added to the individual employee's job description.
3. Users must familiarize themselves and comply with all Terms of Use of the social media host site. Each user shall retain a copy of the host's Terms of Use and be alert to any modification to those terms. Departments may establish their own procedures for monitoring changes to host sites' Terms of Use.
4. Whenever possible, all Metro social media accounts will display the Metro logo and tag "Making a great place" for consistency and authenticity. Metro has ownership of the Metro logo, which can only be used by Metro for Metro business. Venues that choose to display their own venue logo instead of the Metro logo shall ensure the registration of their trademark logo with the State of Oregon.
5. Users who are authorized to establish or maintain a Metro social media account shall ensure that all public comment capabilities are disabled unless they are essential to the purpose of the social media account. If public comments are enabled, the following steps must be taken:

- a. If possible, use a “click to agree” disclaimer that includes the Social Media Terms of Use, Prohibited Content and Disclaimer statement.
 - b. If there is no “click to agree” function available, the Social Media Terms of Use, Prohibited Content and Disclaimer statement must be posted in a conspicuous location on the profile or information page for the social media site.
 - c. If the formatting of the social media site cannot accommodate the full text of the Social Media Terms of Use, Prohibited Content and Disclaimer statement in a prominent location on the account, the user must include a hyperlink to the full disclaimer in a prominent location on the site.
6. Each Metro social media account shall prominently post one of the two following Terms of Use, Prohibited Content and Disclaimer statements:

Metro - Social Media Terms of Use, Prohibited Content and Disclaimer

We welcome you and your comments to Metro’s [Social Media account type]. The purpose of this site is to [mission / purpose of page]. We encourage you to submit your questions, comments, and concerns, but please note this is a moderated online discussion site and is not a public forum.

Metro reserves the right to delete submissions that contain vulgar language, personal attacks of any kind, or offensive comments that target or disparage any ethnic, racial, sexual or religious group. Further, Metro also reserves the right to delete comments that are: (i) spam or include links to other sites; (ii) off topic; (iii) advocate illegal activity; (iv) promote particular services, products, or political organizations or campaigns; (v) contain personal attacks; (vi) contain confidential or proprietary information; (vii) raise privacy concerns; (viii) identify a minor; or (ix) infringe on copyrights or trademarks.

Metro does not endorse or sponsor any comment made on this site by parties other than Metro. Such comments do not reflect the opinions and position of the Metro regional government or its officers and employees. If you have any questions concerning the operation of this online moderated discussion site, please contact _____ at phone/email_____. The comments made on this site may be considered public records and may be maintained and reproduced.

or

Metro - Social Media Terms of Use, Prohibited Content and Disclaimer

We strive to provide our guests with a positive experience when visiting our venues and websites. Please post respectfully.

This site is for your comments, questions, and concerns relating to [insert

specific mission/purpose of the applicable Visitor Venue's page]. We encourage your input, but please note this is a moderated online discussion site and not a public forum.

[Applicable Visitor Venue] reserves the right to remove submissions that contain vulgar language, personal attacks of any kind, or offensive comments that target or disparage any ethnic, racial, sexual or religious group.

[Applicable Visitor Venue] also reserves the right to delete comments that are: (i) spam or include links to other sites; (ii) off topic; (iii) advocate illegal activity; (iv) promote particular services, products, or political organizations or campaigns; (v) contain personal attacks; (vi) contain confidential or proprietary information; (vii) raise privacy concerns; (viii) identify a minor; or (ix) infringe on copyrights or trademarks.

The comments expressed on this site do not reflect the opinions and position of the [applicable Visitor Venue] or its officers and employees. If you have any questions concerning the operation of this online moderated discussion site, please contact _____ at phone/email_____.

The comments made on this site may be considered public records and may be maintained and reproduced by [insert Visitor Venue].

7. If outside links are permitted, the Metro social media account shall prominently post the following "Links Disclaimer":

Metro – Outside Links Disclaimer

Links to external Internet sites do not constitute Metro's endorsement of the content of those sites, policies, or statements contained therein. Web links are often updated or deleted, and the user is cautioned to conduct his/her own research before following a link contained herein or elsewhere.

8. Metro's social media channels are designed to be moderated discussion sites rather than public forums. A moderator shall delete, in their entirety, any comments that violate the Social Media Terms of Use and Prohibited Content statement. A copy of all deleted comments shall be retained for Metro's records, including the date, time, and identity of the poster, when available, and a brief description of why the comment violates the Metro comment policy.
9. Moderators shall not discriminate against public speech based on content or viewpoint except as provided in the Social Media Terms of Use and Prohibited Content statement.
10. Users shall establish social media accounts using a Metro or venue email address. Using a Metro or venue email address will ensure that:
 - a. Personal and professional communications are separated;
 - b. Metro is able to back up public conversations because of Metro's ownership and control of the email address;

- c. Metro has access to the social media account when the employee is out on vacation or otherwise away from the office; and
 - d. Metro and the public can determine that the social media account is legitimately Metro's (and not a rogue site generated from a private email address).
11. All users shall be trained on appropriate and effective use of social media in order to meet Metro's goals. Only those employees who are both authorized and trained shall engage in social media activities on Metro's behalf.
 12. Users shall not make any posts on Metro's social media sites that include the following:
 - a. Confidential information;
 - b. Nonpublic or otherwise sensitive information;
 - c. Defamatory, libelous, offensive or demeaning material;
 - d. Inaccurate or misleading information;
 - e. Information that would invade the privacy of others;
 - f. Information or opinions related to legal matters, litigation or parties involved in legal or litigation matters;
 - g. Statements promoting or opposing election petitions, candidates, political committees or ballot measures in violation of restrictions on political campaigning by public employees;
 - h. Personal matters regarding yourself or others;
 - i. Illegal or banned substances and narcotics;
 - j. Pornography or other offensive or illegal materials; or
 - k. Uncivil, tactless, incendiary or combative statements.
 13. Each user is responsible for publishing accurate and clear information to social media accounts and quickly making corrections or clarifications as needed. Users must clearly indicate corrections and clarifications and include the time and reason for the correction or clarification.

Records Retention Requirements

1. Users and moderators must maintain and preserve records in compliance with Oregon public records law, ORS 192.001 *et seq.* Metro is required to maintain records for the period provided in the retention schedule for that type of record.
 - a. In some instances, individual departments have their own records retention schedules for their records. These must be approved by the State where they

differ from what is found in the state statute. Users and moderators must be familiar with their department's record retention schedules and preserve records in accordance with those schedules.

- b. The public records law applies whether the site is hosted by Metro or a third party.
2. **Managing Social Media Content that is Officially Maintained Elsewhere.** Under the ORS definition, a public record does *not* include: "Extra copies of a document, preserved only for convenience of reference" (ORS 192.005(5)(d)). Users can greatly simplify their retention responsibilities by using Social Media applications exclusively to provide the public with links or references to content that is officially maintained elsewhere. Using this approach, the links or references posted on Social Media sites would be considered convenience copies that need to be retained only "as needed" or "until superseded."
3. **Managing "Original" Social Media Content.** It is possible that users will publish original content via social media, and that content requires retention. Public comments to Metro social media sites may also constitute a public record. Almost all of this "original" content will fall into one of the categories below.
 - a. **Speeches/Statements/News Releases/Program Activity Records:** For retention purposes, a Metro blog posting (for example) is the equivalent of a public speech. An on-the-spot written or photographed account of a Metro event or summary of Metro activities pushed out via any social media will be considered a "report." If any of these statements or reports contains policy or historically significant content, they must be retained permanently. Otherwise, they have a two-year retention from the time they are "published."
 - b. **Correspondence:** Incoming messages from the public that arrive via a Metro social media site will be treated as correspondence. For correspondence that originates on a Metro social media site and that merits a response to an individual (as opposed to a public posting), the user would be advised to take that correspondence "offline" and, if possible, communicate directly with the individual and maintain that correspondence using established procedures for correspondence management. Much of the correspondence between elected officials and the public is considered "policy and historical" and warrants permanent retention.
 - c. **Content Associated with a Specific Function or Activity:** If a user establishes a social media site as a public entry point to solicit specific information (e.g. conducting a poll) or launch a process (e.g. placing an order), the information received must then be retained along with other records associated with that function or activity using the appropriate retention schedule.
4. **Preserving Social Media Content – Technology.** Metro does not currently endorse a single, preferred method of capturing and preserving social Media content. Before activating a social media account, users must consult with Information Services and the Metro Records Officer to create a plan for managing any content that constitutes an official Metro record.

Responsibilities

Employees:

- Become familiar with this policy and comply with its terms.
- Refrain from representing comments on a non-Metro site as Metro-endorsed or as acting in the capacity of a Metro representative.

Supervisors and Managers:

- Oversee employee compliance with this policy.
- Provide preliminary approval of Social Media Access Requests before they are submitted to the Communications Department.
- Consult with the Office of Metro Attorney before disciplining an employee for personal social media use.

Communications Department:

- Approve or deny Social Media Access Requests.
- In consultation with the Office of Metro Attorney, provide guidance to social media users and moderators as needed.

References

Record Retention Policy: Executive Order No. 91
Oregon public records laws, ORS 192.001 *et seq.*
Oregon restrictions on political campaigning by public employees, ORS 260.432.

Attachment

Social Media Access Request Form and Policy Compliance Agreement

Attachment removed - copies available from Human Resources or on the HR intranet page.

Metro | *Policies and procedures*

Subject Religious Accommodation
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

It is Metro's policy to provide reasonable accommodation for an employee's sincerely held religious beliefs, observances and practices unless such accommodation would cause an undue hardship to Metro's operations. Metro will not discriminate on the basis of religion.

Applicable to

All employees and interns.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.

Definitions

Religious Beliefs, Observances and Practices: The definition of "religious beliefs, observances and practices" that Metro applies will be in accordance with the constitutional definition of those terms as determined by applicable law. A general guideline is that religious beliefs are moral or ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views, even though the beliefs themselves may be nontraditional, if those beliefs concern "ultimate ideas" about "life, purpose, and death." Social, political, or economic philosophies, as well as mere personal preferences, are not "religious" beliefs protected by law.

Undue Hardship: A significant difficulty or expense. Undue hardship is determined on a case-by-case basis in accordance with applicable law. Co-workers' or supervisors' mere dissatisfaction with the requested accommodation is not an undue hardship. Factors influencing a determination of undue hardship include, but are not limited to:

- a. Business necessity;
- b. Safety and health concerns;
- c. Financial cost and overall financial resources available; and
- d. Resulting personnel problems, such as staffing needs, interference with other employees' rights, or the effect on seniority systems mandated by union contract.

Guidelines

1. The intent of this policy is to provide reasonable accommodation for employees' and interns' sincerely held religious beliefs, observances and practices, consistent with state and federal law.
2. Common examples of religious accommodation include:

- a. Accommodation or time off to engage in religious practices, attend religious services, or observe a holy day as required by the employee's religion.
 - b. Accommodation of religious dress or grooming practices (e.g. required hairstyles or facial hair).
3. There is no prescribed manner of providing reasonable accommodation. Metro will consider all possibilities as they apply to its operational requirements. Criteria for determining whether an employee's requested accommodation is reasonable include:
 - a. The nature of the job;
 - b. The number of employees who can do that job;
 - c. The effects of transferring the employee;
 - d. The effects of accommodation on other employees;
 - e. The requirements of applicable collective bargaining agreements; and/or
 - f. Scheduling and overtime problems.
4. The Human Resources (HR) Department may request verification that the request is based on a sincerely held religious belief. Metro is not required to accommodate requests that are based merely on an individual's personal preference. Determinations of whether a requested accommodation pertains to a sincerely held religious belief, whether verification is necessary, and what verification may be appropriate will be made on a case-by-case basis consistent with applicable law.
5. It is unlawful to harass, discriminate against, or take any adverse employment action in regards to an individual because of his or her religion or because he or she has requested or received an accommodation under this policy. Anyone who experiences or observes discrimination, harassment, or retaliation on the basis of religious beliefs or requests for religious accommodation should report the offending conduct using the procedures specified in Metro's Discrimination and Harassment Policy.

Procedures

1. An employee or intern may initiate a request for religious accommodation by contacting his or her supervisor or the HR Department.
2. Upon receipt of a request for accommodation, the supervisor shall notify the HR Benefits Manager. The HR Department, in consultation with the Office of Metro Attorney, will be responsible for determining whether a requested accommodation is reasonable and whether it will result in undue hardship to Metro.
3. The HR Benefits Manager will contact the employee or intern to discuss the requested accommodation, and will consult with the supervisor and other managers as needed to determine the impact of the requested accommodation on Metro operations.
4. If it is determined that the requested accommodation would pose an undue hardship, the HR Benefits Manager will coordinate an interactive process to determine whether a mutually acceptable alternative accommodation is available.
5. The HR Benefits Manager may require additional information to verify that the requested accommodation is based on a sincerely held religious belief and/or a religious requirement.
6. Failure to timely submit verification may result in the delay of accommodation approval.

7. After receiving sufficient verification, the HR Benefits Manager will inform the employee or intern of whether a requested or alternative accommodation will be granted.
8. The employee or intern is required to comply with all applicable policies and work rules while the request for accommodation is under consideration, or if the request is denied.
9. If special circumstances make it necessary to expedite the approval process, the HR Benefits Manager may grant an accommodation on a provisional basis before receiving verification, with the understanding that there is no guarantee the requested accommodation will be granted permanently.
10. Anyone with concerns about the religious accommodation process may contact the Director of Human Resources or Office of Metro Attorney to discuss the matter.

Responsibilities

Employee/Intern:

- Notify the immediate supervisor or HR Department if religious accommodation is needed.
- Provide additional information as requested by the HR Benefits Manager.
- Be willing to discuss mutually agreeable alternative accommodations if necessary to avoid undue hardship to Metro's operations.
- Continue to follow all employment policies and work rules until accommodation is approved.

Supervisor:

- Notify the HR Benefits Manager of any requests for religious accommodation.
- Work with the HR Benefits Manager to determine the impact of the requested accommodation on operations.

Human Resources Department:

- Contact the employee or intern and engage in an interactive process to determine whether a reasonable accommodation is appropriate.
- Request documentation as necessary to certify eligibility for accommodations and/or protected leave.
- Work with the supervisor and other managers as needed to determine the impact of the requested accommodation on operations.
- Determine whether the requested accommodation poses an undue hardship.
- Notify the employee or intern of the decision and discuss possible alternative accommodations if the requested accommodation is denied.

References

ORS 659A.030; ORS 659A.033

2013 Oregon Laws Ch. 379 (House Bill 2669)

Title VII of the Civil Rights Act of 1964 (Sections 701 and 702)

29 CFR §1605.1 (definition of sincerely held religious belief; codifies federal case law)

Metro Discrimination and Harassment Policy

Metro | Policies and procedures

Subject Americans with Disabilities Act (ADA)
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

Metro complies with the Americans with Disabilities Act and corresponding state law. In keeping with Metro's commitment to equal opportunity, Metro will not discriminate against any individual based on disability and will ensure that reasonable disability accommodation is provided to allow qualified individuals with disabilities to perform the essential functions of their positions and enjoy equal benefits and privileges of employment.

Applicable to

All employees, interns and applicants.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.

Definitions

Americans with Disabilities Act (ADA): A federal law designed to protect individuals with disabilities from discrimination. For purposes of this policy, the focus will be on the employment-related portion of the ADA.

Disability: A substantial impairment of a major life activity. Temporary impairments of short duration, such as colds, flu, sunburn, or broken bones that heal normally, are typically not disabilities.

Essential function: The fundamental duties of a position that an individual with a disability holds or desires. Considerations in determining essential functions include the time it takes to perform the function; the consequences of not performing that function; whether the position exists to perform that function; and whether there are others who can perform that function.

Genetic information: For the purposes of this policy, genetic information includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Interactive process: An informal process between an individual with a disability and an employer in an effort to identify potential reasonable accommodation.

Major life activity: Major life activities include, but are not limited to: caring for oneself; performing manual tasks; seeing; hearing; eating; drinking; sleeping; walking; standing; lifting; bending; twisting; speaking; breathing; cognitive functioning; learning; education; reading; concentrating; remembering; thinking; communicating; operation of a major bodily

function, including but not limited to functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions; working. To be substantially limited in the major life activity of working, an individual must be significantly restricted in the ability to perform a class of jobs or a broad range of jobs in various classes as compared to the ability of an average person with comparable skill, experience, education or other job-related requirements needed to perform those same positions.

Qualified individual: An individual who is able to perform the essential functions of his or her position with or without reasonable accommodation.

Reasonable accommodation: Any modification or adjustment to a position or the work environment that will enable a qualified individual with a disability to participate in the application process or perform essential job functions. Reasonable accommodation also includes adjustments to provide a covered individual the same employment rights and privileges enjoyed by those without disabilities.

Substantially limits: Restricts one or more of an individual's major life activities as compared to most people in the general population. This analysis is made without regard to whether the individual can reduce the effects of the impairment through the use of mitigating measures, with the exception of ordinary eyeglasses and contact lenses.

Undue hardship: A significant difficulty or expense.

Guidelines

1. Metro will not discriminate against any employee, intern or applicant because the individual has a disability or a record of disability; is regarded as having a disability; is associated with a person with a disability; or has inquired about, received, or requested reasonable accommodation.
2. Metro will provide reasonable accommodation to employees, interns and applicants with disabilities unless to do so would result in an undue hardship. When an otherwise qualified employee or intern has a disability, Metro will engage in an interactive process to determine whether he or she can perform the essential functions of his or her position with reasonable accommodation.
3. In accordance with the Genetic Information Non-Discrimination Act of 2008, no genetic information, including family medical history, will be requested or considered as part of the accommodation process.

Procedures

Applicants for employment or promotion

1. Reasonable accommodation will be provided to disabled applicants for employment, internship or promotion if necessary to complete the application process.
 - a. If a physical capacities test is necessary before beginning regularly scheduled work, the test will be required only after a conditional offer of employment has been made, consistent with the requirements of the ADA.
 - b. If the results of a physical capacities test indicate that an employee is unable to perform essential functions of the position, Metro will initiate an interactive process with the employee to determine whether disability accommodation is appropriate.

Current employees and interns

2. An individual with a disability may request an accommodation if needed to perform the essential functions of his or her position.
 - a. The individual should initiate the request by contacting his or her supervisor or the Human Resources Benefits Manager.
 - b. Upon receipt of a request for accommodation, the supervisor shall immediately notify the HR Benefits Manager.
3. The employee or intern will be asked to meet with the HR Benefits Manager to engage in an interactive process to discuss the disability in relation to the essential functions of the position and to identify reasonable adjustments or changes that may allow the individual to perform these essential functions.
 - a. Prior to the meeting, HR will inform the individual that they may have a union representative, family member, or other appropriate person present during interactive process meetings.
 - b. An employee or intern may choose to decline participation in the interactive process at this point or at any other time. This decision will suspend Metro's further assessment of potential disability accommodations until the employee or intern re-initiates a request. HR will twice seek to initiate such a dialogue before closing the matter due to non-participation. A closure of this nature will not prevent the employee from initiating the ADA process at a later date for the same or different medical reasons.
 - c. The HR Benefits Manager will write a letter outlining the duties of the position to the employee's or intern's health care provider and will request a signed medical release from the employee or intern. The release will authorize the health care provider to provide a medical opinion and relevant medical information as to whether the individual can perform the full scope of the essential duties of the position and what, if any, accommodation(s) are recommended.
 - d. Metro will reimburse the employee or intern for out-of-pocket costs for providing medical documentation required under this policy in accordance with applicable law.
 - e. The HR Benefits Manager will review the health care provider's responses. If the documentation is insufficient to establish the existence of a disability and the need for accommodation, the HR Benefits Manager will explain why the documentation is insufficient and allow an opportunity to provide the missing information.
 - i. With the employee's or intern's written consent, the HR Benefits Manager may request follow-up information directly from the employee's health care provider.
 - ii. If necessary to confirm or clarify the need for accommodation, Metro may require the employee or intern to go to a second health care provider chosen by Metro for an independent medical opinion at Metro's expense.

- f. The HR Benefits Manager, the employee or intern, and the supervisor will meet to discuss the requested accommodation and, if appropriate, other potential accommodations that may allow the employee or intern to perform the essential functions of his or her position. HR and the employee's supervisor will jointly determine if a reasonable accommodation is available, and if so, they will arrange for timely implementation.
4. If a reasonable accommodation cannot be made so that an employee may continue to successfully perform in his or her current position, the HR Recruitment and Selection Manager will conduct a thorough review of available positions to determine if there is an available, suitable position for which the employee may be eligible.
5. If the suggested accommodations will create an undue hardship to Metro's operations as defined by the ADA, the HR Benefits Manager will meet with an employee to determine if any other benefit options may be appropriate. If no other options are found, Human Resources will meet with the department Director and Office of Metro Attorney to determine if a termination is necessary due to inability to perform the job.
6. Metro will provide reasonable accommodation to help employees meet performance and conduct standards; however, Metro is not required to waive performance or conduct standards that are job-related and consistent with business necessity or to rescind discipline or an evaluation warranted by poor performance if the employee has not requested accommodation.
 - a. An employee who has a disability that may cause performance or conduct problems is encouraged to seek reasonable accommodation before problems arise.
 - b. Consistent with the ADA, Metro will not accommodate or extend job protections based on current use of illegal drugs.
7. Information obtained regarding an individual's medical condition or history will be kept in separate medical files and treated as confidential, except as follows:
 - a. Supervisors and managers may be informed regarding necessary restrictions on the individual's duties and necessary accommodations.
 - b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.
 - c. Officers and employees of the Equal Employment Opportunity Commission and the Bureau of Labor and Industries investigating compliance will be provided relevant information upon request.
8. Anyone with concerns about the ADA process, including the outcome of the interactive process, may contact the Director of Human Resources or Office of Metro Attorney to discuss the matter.
9. Anyone who experiences or observes discrimination, harassment, or retaliation related to disability should report the offending conduct using the procedures specified in Metro's Discrimination and Harassment Policy.

Responsibilities

Employee/Intern:

- Notify the supervisor or HR Benefits Manager that an accommodation is being requested.
- Meet with the HR Benefits Manager to begin the ADA interactive process and follow up as requested.
- Provide a medical release for Metro to obtain relevant medical information.
- Report any discrimination, harassment, or retaliation related to disability using the procedures specified in Metro's Discrimination and Harassment Policy.

Supervisor:

- Timely respond to all ADA requests by notifying HR.
- Participate in a discussion with the employee or intern and HR regarding reasonable accommodation.
- Coordinate with the Human Resources Department and the employee or intern to implement any necessary accommodations.
- Refer any reports or observations of discrimination, harassment, or retaliation related to disability to the HR Department.
- Maintain the confidentiality of medical information.

HR Benefits Manager:

- Provide the employee or intern with the appropriate forms to obtain medical documentation.
- Obtain necessary medical information from the applicable health care professional(s) in order to verify the need for accommodation and identify potential solutions.
- Ensure that genetic information is not requested or considered during the accommodation process.
- Work with the employee or intern and the supervisor to determine if reasonable accommodation(s) can be made.
- Coordinate implementation of any necessary accommodations.
- Maintain medical information in a confidential file separate from the personnel file.

References

Americans with Disabilities Act of 1990 (ADA) as amended- 42 U.S.C. 12101 et seq., 29 C.F.R. 1630 et seq.

ORS 659A.103 – 659A.142; OAR 839-006-0200 – 839-006-0265 (Oregon disability law).

2013 Oregon Laws Ch. 379 (House Bill 2669)

Genetic Information Nondiscrimination Act of 2008 (GINA) - Pub.L. 110-233, 122 Stat. 881 (2008).

Metro | Policies and procedures

Subject Criminal Background Check
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

In order to protect the wellbeing of its employees and the public and safeguard agency assets, Metro will conduct criminal background checks on all internal and external applicants selected as finalists for Metro positions, including internships and volunteer positions. In addition, this policy provides that current employees have an ongoing duty to disclose certain criminal convictions and other information as described below. The criminal background check is intended to assess individuals' fitness for complying with the job requirements. This policy is administered by the Human Resources Department with oversight by the Office of Metro Attorney.

Applicable to

Current employees and internal and external applicants for Metro positions, including internships and volunteer positions.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.

Definitions

Arrest: A criminal charge that may or may not have resulted in immediate incarceration or a subsequent conviction.

Child Care Division Central Background Registry: A registry maintained by the State of Oregon to ensure that all individuals working in or associated with childcare facilities and education programs receive criminal history and child protective services record checks.

Direct Unsupervised Access: Contact with children that provides an employee, volunteer or intern with the opportunity for personal communication or touch when not under the direct supervision of a childcare provider or another employee. *OAR 414-061-0020.*

Fair Credit Reporting Act (FCRA): FCRA is a federal law that regulates how consumer-reporting agencies use personal information.

Guidelines

1. A criminal background check will be conducted for all applicant finalists for Metro jobs. Individuals who do not disclose all convictions requested on the application form may

be denied employment due to falsification of the application, as well as denied other employment opportunities for six months afterwards. Omissions discovered after employment may result in termination.

2. Finalists for positions with direct unsupervised access to children will be required to register with the State of Oregon's Child Care Division Central Background Registry.
3. Current employees are required to disclose criminal convictions that are drug-related or that relate to the qualifications or duties of their position. Current employees whose essential functions include driving, safety and security, financial and fiduciary responsibility, or direct unsupervised access to children must also disclose arrests that relate to these functions.

Procedures

1. A criminal conviction will not necessarily bar an employee from hire or continued employment with Metro. HR will consider the following criteria when reviewing a conviction record:
 - a. Nature, gravity and frequency of the offense;
 - b. Duties of the position the employee holds or for which the candidate is applying;
 - c. Age of the individual at the time of conviction;
 - d. Time that has passed since the conviction;
 - e. Rehabilitation and/or other court-ordered treatment completed, if any;
 - f. Employee's entire work record or the applicant's work qualifications in total, rather than only one aspect of the individual's history.
2. An applicant who is still on probation or parole may be denied employment based on the above criteria. If a pre-employment arrest leads to a conviction after hire, it will be evaluated by Human Resources and the Office of Metro Attorney.
3. In addition to convictions, finalists for positions that involve financial or fiduciary responsibilities, safety and security, or direct unsupervised access to children may be denied a position because of underlying conduct leading to arrest in certain very limited circumstances. While an arrest itself is not a bar to employment, employment may be denied if the conduct underlying the arrest makes the individual unfit for the specific position. A consultation with the Office of Metro Attorney is required prior to rendering a no-hire decision based on an arrest record or an "open case" with Child Protective Services.
4. Metro may conduct a criminal background check for current employees who transfer or promote to, or work out of class in, positions with responsibilities that include safety and security, financial or fiduciary duties, or direct unsupervised access to children. A criminal background check may also be conducted if there is reason to believe that an arrest or undisclosed conviction has occurred that may be relevant to the safety of employees and customers or to the integrity of the organization.
5. All finalists will be provided a disclosure and will be required to sign a consent form for a background check. Metro will contract with an outside vendor to conduct criminal

background checks. All background checks will comply with Fair Credit Reporting Act (FCRA) requirements. If a finalist is not hired due to the background check, he or she will receive an “adverse action letter” including a notice of the individual’s right to obtain a free copy of the report from the agency and to dispute with the agency the accuracy or completeness of the information. The agency can then conduct a reasonable reinvestigation to determine whether the disputed information is inaccurate. If it is determined that the initial information was inaccurate, Metro may choose to hire the finalist.

6. Current employees must self-report criminal convictions that are drug-related or that relate to the qualifications or duties of the employee’s position. Reports should be made to Human Resources or the Office of Metro Attorney within 5 calendar days of conviction. This requirement is consistent with the Drug-Free Workplace Act, which imposes specific reporting requirements on federal grantees and contractors for drug-related convictions.
7. At the time of the standard pre-employment background check procedures, Human Resources will complete a driving record check. Finalists whose primary and essential duty will be driving a vehicle for Metro must successfully pass the driving record check. If the driving record does not meet Metro standards, Human Resources will reject the applicant.
8. An employee who drives for Metro as a primary function of his or her position must report all driving-related arrests and suspensions (in addition to convictions) within 5 calendar days.
9. An employee whose essential functions include safety and security, financial and fiduciary responsibility, or direct unsupervised access to children must report all arrests (in addition to convictions) related to these functions within 5 calendar days.
10. If a current employee’s background check or self-report discloses a conviction or arrest that is relevant to the employee’s ability to perform in his or her current position, the employee’s employment in that position may be impacted. OMA and HR will evaluate such situations and determine the appropriate outcome.

Expunged records

11. Applicants and employees shall not report convictions that have been expunged by a court.

Responsibilities

All applicants are required to disclose convictions and sign a background check authorization form in order to proceed in the hiring process. Applicants may be asked to provide supplemental information and should do so in a timely manner to be considered further for employment.

Employees:

- Report any criminal convictions that are drug-related or that relate to the qualifications or duties of the employee’s position to Human Resources or the Office of the Metro Attorney within 5 calendar days of conviction.
- Report driving-related arrests, suspensions and convictions within 5 calendar days if the employee drives for Metro as a primary function of his or her position.

- Report arrests within 5 days if they relate to the employee's essential functions related to safety and security, financial and fiduciary responsibility, or direct unsupervised access to children.
- Refrain from conducting their own unofficial background checks on potential employees.

Supervisors:

- Make offers contingent upon passing background checks and other pre-employment screenings.
- Hire a finalist only after receiving notification from HR that the finalist has successfully passed all applicable background checks.
- Ensure confidentiality of information.

Human Resources:

- Be responsible for the background check process. HR staff are the only persons authorized to administer the process and obtain information related to background checks.
- Provide finalists with information about their rights under FCRA and disclose that a "consumer report" will be obtained for employment purposes, when applicable.
- Ensure confidentiality and prompt processing of the information.

Office of Metro Attorney:

- Provide legal counsel to Human Resources to guide decision-making under this policy.
- Determine applicants' suitability for employment based on the information obtained through the recruitment process and forward recommendations to HR.

Metro | *Policies and procedures*

Subject Whistleblowing (Reporting Improper Conduct)
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

It is Metro's policy to promote ethical behavior and to comply with Oregon's Whistleblower Law. Employees, interns, volunteers and contractors are encouraged to report improper or unlawful conduct and may do so anonymously. Such reports serve the public interest and assist Metro in meeting high standards of public accountability. No employee or intern will be subject to disciplinary action or retaliation for making a good faith report or disclosure under this policy or for initiating or aiding in a criminal or civil proceeding.

Applicable to

All employees, interns and contractors performing services for Metro.

Volunteers are also encouraged to report improper or unlawful conduct using the procedures described in this policy.

Definitions

Disclosure: A formal or informal internal or extra-agency communication.

Employees: For the purposes of the Oregon whistleblower law, "employees" include contractors and their employees in addition to individuals who are employed directly by Metro.

Good faith: A sincere belief or motive.

Reckless disregard for truth or falsity: A conscious disregard of a substantial and justifiable risk that the information disclosed is false.

Reporter: An individual who makes a report or disclosure under this policy.

Guidelines

1. Metro encourages its employees, interns, volunteers and contractors to notify Metro of improper or unlawful government action by Metro or its officials or employees.
2. No employee or intern will be subject to discipline or other retaliation for disclosing information he or she reasonably believes is evidence of:
 - a. A violation of any federal or state law, rule, or regulation by the agency;

- b. Serious agency misconduct that could undermine Metro’s ability to fulfill its public mission;
 - a. Gross misuse or waste of public resources or funds;
 - b. Abuse of authority in connection with the administration of a public program or the execution of a public contract; or
 - c. A substantial and specific danger to public health or safety resulting from agency action.
- 3. No employee or intern will be subject to discipline or other retaliation for initiating or aiding in criminal, civil, or administrative legal proceedings in good faith.

Procedures

Reporting improper or unlawful conduct:

1. Employees, interns, volunteers and contractors are encouraged to notify Metro of improper or unlawful actions in any Metro facility or department.
 - a. Reports may be made to any Metro manager, the Human Resources (HR) Department, and/or the Office of Metro Attorney (OMA).
 - b. Reports also may be made confidentially using Metro’s Ethics Line, which can be accessed online at metroethicsline.org, or by calling (888) 299-5460.
 - i. The Ethics Line is administered by the Metro Auditor’s Office. The auditor contracts with a hotline vendor, EthicsPoint, to maintain the reporting system and ensure confidentiality. EthicsPoint does not reveal the reporting party’s identity to Metro.
2. Metro will not discipline or retaliate against an employee or intern for making a good faith report under this policy. Employees will be subject to discipline only if:
 - a. The information disclosed is known by the employee or intern to be false, or is disclosed with reckless disregard for its truth or falsity; or
 - b. The disclosed information relates to the employee’s or intern’s own violations, mismanagement, gross waste of funds, abuse of authority, or endangerment of the public health or safety, in which case the employee or intern may be disciplined for the underlying conduct.
3. During its investigation of any disclosure listed above, Metro will not identify the individual making the disclosure without his or her written consent unless such identification is necessary to an investigation or legal process and allowable by law. In that case, Metro will protect the reporter’s confidentiality to the greatest extent possible without impairing the investigation or legal process.

Initiating or Aiding Administrative, Criminal or Civil Proceedings

4. Metro will not discriminate or retaliate against an employee or intern because he or she has in good faith:
 - a. Reported criminal activity (or activity he or she believes to be criminal) to any person or caused criminal charges to be filed against any person;
 - b. Cooperated with a criminal investigation or testified at a criminal trial;

- c. Initiated, cooperated with, or testified at a civil administrative or court proceeding;
- d. Opposed harassment, discrimination, or other conduct prohibited by civil rights laws;
- e. Discussed, inquired about, or brought a claim for unpaid wages.

Legislative Testimony

- 5. Metro will not prohibit, discourage, or otherwise interfere with an employee or intern responding to a legislative request to discuss the activities of Metro or any other political subdivision of the state.
 - a. An employee or intern is not required to inform Metro before engaging in the requested legislative discussion, unless the legislative request for information is directed to Metro and the employee or intern is responding on behalf of Metro.
 - b. Notwithstanding this policy, employees and interns are not permitted to:
 - i. Represent their personal opinions as the opinions of the agency;
 - ii. Disclose information required to be kept confidential by law;
 - iii. Disclose records exempt from disclosure, except as provided by law;
 - iv. Disclose information of an advisory nature to the extent that it is preliminary to any final agency determination of policy or action and covers other than purely factual materials.
 - c. Absences to testify before a legislative committee will be excused. Employees may take unpaid leave or use any type of accrued paid time off other than sick leave. Employees and interns are not required to disclose the purpose of the absence. Employee testimony on behalf of Metro is paid work time.

Whistleblowing in general

- 6. Employees and interns are not required to notify Metro before engaging in activities protected under this policy and will not face discipline if they choose not to do so; however, Metro encourages individuals to bring problems to its attention so they can be addressed promptly. As noted above, reports may be made confidentially using the Ethics Line.
- 7. Discrimination, harassment, and retaliation are prohibited for activities undertaken in good faith under this policy even if the underlying complaint or report is ultimately not substantiated.
- 8. Anyone who experiences or observes discrimination, harassment, or retaliation on the basis protected activity under this policy should report the offending conduct using the procedures specified in this policy or in Metro's Discrimination and Harassment Policy.

Responsibilities

Employee/Intern/Volunteer:

- Report illegal and unethical conduct by notifying a Metro manager, the Human Resources Department or the Office of Metro Attorney, or by using Metro's Ethics Line.

- Notify a Metro manager, the Human Resources Department, or the Office of Metro Attorney if you observe or become aware of any conduct that may constitute discrimination, harassment or retaliation for protected activity under this policy.

Supervisor/Manager/Department Director:

- Ensure that no employee or intern is subject to discipline, harassment or other retaliatory action for engaging in protected activity under this policy. Contact Human Resources immediately if you observe or become aware of any conduct that may constitute harassment or retaliation for protected activity under this policy.
- Cooperate with ethics investigations while protecting the reporter's confidentiality.

Human Resources Department:

- Cooperate with ethics investigations while protecting the reporter's confidentiality.
- Investigate any complaints of retaliation in violation of this policy.

References

ORS 659A.199 – 659A.236 (Oregon Whistleblower Law)

ORS 659A.030(1)(f) (prohibiting retaliation for opposing unlawful conduct)

OAR 839-010-0000 – 839-010-0140 (BOLI administrative rules)

ORS chapter 244 (Oregon Government Ethics Law)

OAR chapter 199 (Oregon Government Ethics Commission Administrative Rules)

Metro Ethics Hotline: metroethicsline.org; (888) 299-5460

Metro Ethics Employee Q&A (on Intranet)

Metro | *Policies and procedures*

Subject Internships
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

Metro offers internships to promote community engagement and provide training opportunities for students and other members of the public. Internships may be paid or unpaid.

Applicable to

All departments.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.

Definitions

Internship: A training opportunity for the educational benefit of the intern. Internships may be paid or unpaid; however, unpaid internships must comply with legal requirements to ensure that an employment relationship is not created under state and federal wage and hour laws.

Guidelines

1. Metro departments may offer internships for students and/or other members of the public. Internships must provide educational experiences to the intern, and may be paid or unpaid.
2. Paid interns are employees of Metro and are subject to all applicable Metro personnel policies, work rules and procedures.
3. Unpaid interns are subject to Metro's personnel policies only where noted in the policies or otherwise provided by law. Unpaid interns may also be required to follow department procedures applicable to their work.
4. Interns are expected to meet the performance and conduct standards applicable to the internship opportunity and to fulfill their agreed commitments.

Procedures

1. A department may offer internship opportunities at the discretion of the Department Director in consultation with the Human Resources Department.

- a. Relevant considerations include the department's supervisory capacity, the availability of educational work assignments, and the potential benefits to Metro and its constituent communities, such as promoting interest in Metro and increasing the diversity of applicant pools for regular employment.
 - b. An internship may be offered in collaboration with a school or other partner organization as long as the collaboration is consistent with Metro's mission and the internship complies with applicable law and Metro policies.
 - c. The Department Director or other designated hiring manager will determine whether the internship will be paid or unpaid. For paid internships, the rate of pay will be determined in consultation with HR.
2. The hiring manager must consult with the HR Recruitment Analyst before offering an internship. Recruitment and selection of interns will typically be in accordance with Metro's Recruitment and Selection policy.
 - a. The HR Department may approve modified procedures if appropriate, consistent with applicable law. For example, modified procedures may be necessary to facilitate collaboration with a school or other partner organization.
 - b. Interns who are over 18 years old must receive a background check.
 - c. Unpaid interns must sign an Acknowledgment of Unpaid Internship form on or before the date the internship begins.
3. Unpaid internships must comply with state and federal legal requirements. By law, unpaid internships must meet the following criteria:
 - a. The internship must supplement training that would be given in an educational environment, even though it includes actual Metro operations;
 - b. The internship experience must be for the benefit of the intern;
 - c. The intern must not displace regular part-time or full-time employees;
 - d. The intern must work under close supervision of existing staff;
 - e. Metro should derive no immediate advantage from the intern's activities, and on occasion its operations may actually be impeded;
 - f. The intern is not entitled to a job at the conclusion of the internship (he or she may apply for future opportunities in accordance with regular procedures);
 - g. Metro and the intern agree in writing that the intern is not entitled to wages for the time spent in the internship.
4. Paid interns are subject to all applicable Metro personnel policies, work rules and procedures. Departments are responsible for ensuring that paid interns review Metro's personnel policies, consistent with policy review and acknowledgment requirements for all Metro employees.
5. Departments are responsible for providing unpaid interns with an opportunity to review all applicable policies, work rules and procedures, including but not limited to the following:
 - a. Americans with Disabilities Act policy;
 - b. Criminal Background Check policy;
 - c. Discrimination and Harassment policy;
 - d. Domestic Violence, Sexual Assault, Criminal Harassment and Stalking Protections;
 - e. Driving and Vehicle Use policy (if applicable);
 - f. Information Technology: Acceptable Use policy (if applicable);
 - g. Military Servicemembers and Families – Leave Rights and Accommodation policy;

- h. Religious Accommodation policy
 - i. Whistleblowing (Reporting Improper Conduct) policy;
 - j. Workplace Violence policy;
 - k. All safety rules and procedures applicable to the assignment;
 - l. All conduct and performance standards, procedures, and other information applicable to the assignment.
6. Metro is legally restricted from providing direct or indirect compensation to its unpaid interns. Supervisors must request review from the Office of Metro Attorney (OMA) before offering new discounts, privileges, or other benefits to unpaid interns.
 7. Supervisors are required to track unpaid interns' work hours and report this information to the HR Department Payroll Division no later than 10 calendar days after the end of each quarter for workers' compensation purposes.
 8. An intern may be removed from his or her assignment with or without notice for any lawful, non-discriminatory reason. Removal may be appropriate in the event of conduct or performance problems or changing operational needs. Supervisors of interns must consult with the HR Department and/or OMA before removing an intern.
 9. Interns may contact their supervisor or HR with any questions or concerns.

Responsibilities

Supervisors and Managers:

- Consult with the Department Director and HR Recruitment Analyst before offering an internship.
- Work with Information Services and Facilities staff to arrange appropriate work space, equipment, and network access for the intern.
- Manage internships in accordance with applicable law and Metro policies. Consult with HR and OMA as needed and/or as directed by this policy.
- Ensure that unpaid interns have signed an Acknowledgment of Unpaid Internship and submitted it to HR on or before the date the internship begins.
- Provide interns with all applicable policies and procedures.
- Track unpaid interns' work hours and report this information to the HR Department Payroll Division no later than 10 calendar days after the end of each quarter.

Human Resources Department:

- Advise staff and interns on policies as needed.
- Conduct appropriate background checks on potential interns.
- Obtain interns' signatures on Acknowledgment of Unpaid Internship forms and maintain files.
- Evaluate practices for consistency with the values and goals of the Metro Diversity Action Plan and advise hiring managers accordingly.

- Provide Equal Employment Opportunity disclosure and track demographics and other data as outlined in the Diversity Action Plan.

Interns:

- Sign and submit an Acknowledgment of Unpaid Internship on or before the first day of your internship.
- Comply with all applicable policies and procedures.
- Promptly advise your supervisor or his/her designee of any changes to your availability.
- Contact your supervisor or the HR Department with any questions or concerns.

References

Fair Labor Standards Act

Oregon House Bill 2669 (2013)

Americans with Disabilities Act policy

Criminal Background Check policy

Discrimination and Harassment policy

Domestic Violence, Sexual Assault, Criminal Harassment and Stalking Protections;

Driving and Vehicle Use policy

Information Technology: Acceptable Use policy

Military Servicemembers and Families – Leave Rights and Accommodation policy

Religious Accommodation policy

Whistleblowing (Reporting Improper Conduct) policy

Workplace Violence policy

Attachment

Acknowledgment of Unpaid Internship form



METRO

Acknowledgement of Unpaid Internship

To: Human Resources Department
 Name of Intern: _____
 Department: _____
 Beginning Date of Internship: _____

I understand and agree to the following:

- a. As an unpaid intern, I am not entitled to wages or any other compensation for the time spent in this internship.
- b. I do not have an employment relationship or employment rights with Metro except as required by law.
- c. I am not entitled to a job at the conclusion of the internship. I may apply for future opportunities through Metro’s regular recruitment and selection process.

Intern Signature

Date

INTERN'S COPY

ACKNOWLEDGMENT:

PERSONNEL POLICIES FOR METRO AND MERC UNPAID INTERNS

Updated Apr. 2014

By signing below, I acknowledge and agree to the following:

- I have received a copy of Personnel Policies for Metro and MERC Unpaid Interns (updated Apr. 2014). I am responsible for familiarizing myself with these policies and complying with them during my internship at Metro. Failure to do so can result in the termination of my internship. It is my responsibility to ask my supervisor or the Human Resources Department if I have any questions.
- Metro reserves the right to change or replace these policies at any time. During my internship with Metro, it is my responsibility to remain informed about the policies as revisions, updates and new policies are issued. Current personnel policies can be found on the Intramet (Metro's internal internet system) or obtained from Human Resources.
- These personnel policies are not an employment contract and are not intended to give me any express or implied right to employment or to any term or condition of employment.
- Metro is committed to providing a workplace free from unlawful harassment, discrimination and retaliation. Metro's Discrimination and Harassment policy is available on the Intramet and upon request from Human Resources or my supervisor. I will promptly notify a manager if I become aware of situations involving discrimination, harassment or retaliation in the workplace or if I have any concerns about these matters.

Please complete the information below and return this form to the Human Resources Department.

First and last name (printed) _____

Signature _____

Date _____

INTERN'S COPY



METRO

Acknowledgement of Unpaid Internship

To: Human Resources Department
Name of Intern: _____
Department: _____
Beginning Date of Internship: _____

I understand and agree to the following:

- a. As an unpaid intern, I am not entitled to wages or any other compensation for the time spent in this internship.
- b. I do not have an employment relationship or employment rights with Metro except as required by law.
- c. I am not entitled to a job at the conclusion of the internship. I may apply for future opportunities through Metro's regular recruitment and selection process.

Intern Signature

Date

HR COPY

ACKNOWLEDGMENT:

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- These personnel policies are not an employment contract and are not intended to give me any express or implied right to employment or to any term or condition of employment.
- Metro is committed to providing a workplace free from unlawful harassment, discrimination and retaliation. Metro's Discrimination and Harassment policy is available on the Intramet and upon request from Human Resources or my supervisor. I will promptly notify a manager if I become aware of situations involving discrimination, harassment or retaliation in the workplace or if I have any concerns about these matters.

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First and last name (printed) _____

Signature _____

Date _____

HR COPY