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### A. Employment of Retirees

The Auditor's Office adopts HRAR 3.06 regarding "Employment of Retirees" in its entirety with the following modifications.

1. The following definitions are changed::

- "City of Portland" should be read as "City of Portland, including the Auditor's Office," except in reference to "City of Portland City Code";
- "Director of Human Resources" should be read as "Business Operations Manager";
- "Bureau Director" should be read as "City Auditor";
- "HRAR 8.04" should be read as "ARA 3.08"; and
- "HRAR 6.03" should be read as "ARA 3.06."

2. The "Eligibility Section" is modified to be:

Reemployment of such employees is solely at the discretion of the Auditor, or the Auditor's designee, and subject to the following conditions:

- a. Reemployment shall be to a classification in which the retiree previously held status.
- b. The retiree shall not have the benefit of any previously acquired seniority.
- c. No permanently appointed employee shall be displaced by reemployment of a retiree.
- d. Must be approved by the Auditor or the Auditor's designee.
- e. No reemployed retiree may work for the City for more than five (5) years, without approval by the Auditor.

The Auditor's Office may re-employ a Public Employee Retirement System (PERS) or Oregon Public Service (OPSRP) retiree who has applied for retirement benefits and is receiving a monthly pension benefit / service retirement allowance or who has submitted the appropriate paperwork documenting their intention to retire from the

~~City as of a specific date. Reemployment of such an employee is solely at the discretion of the City Auditor and is subject to the following conditions:~~

- ~~• Reemployment must be approved by the City Auditor or a designee;~~
- ~~• Reemployment will be to a classification in which the retiree previously held status;~~
- ~~• No permanently appointed employee may be displaced by reemployment of a retiree;~~
- ~~• No reemployed retiree may work for the City, including the Auditor's Office, for more than two years without approval by the City Auditor;~~
- ~~• Retirees have no seniority rights, including for purposes of layoff and recall; and~~
- ~~• Just cause is not required for discipline or removal of a reemployed retiree from a position.~~

### **~~B. Salary of Retiree Appointments~~**

~~A retiree's salary will be at the step or position on the salary range for the classification of the position they previously held. If the appointment is to a different classification from which the employee retired, the applicable pay rate must comply with the provisions set forth in Auditor's Office Administrative Rule 3.08 – Classification and Compensation and the City's Pay Equity Policy. Retirees are not eligible for annual salary increases other than cost of living (COLA) increases granted to all employees in the particular classification.~~

### **~~C. Limitations of Retiree Status~~**

- ~~1. Working for the Auditor's Office after retirement constitutes a new employment relationship. See Guidance for Employment of Retirees. An employee returning as a retiree to the position they held at the time of retirement:~~

- a. ~~Will not accrue or be eligible to receive paid vacation or additional retirement benefits, nor are they eligible for management leave or any other form of City paid leave such as jury duty or funeral leave.~~
  - b. ~~May be eligible for paid sick time under City Code or State law. See Auditor's Office Administrative Rule 3.06 – Leaves, Chapter V: Sick Leave and Protected Sick Time.~~
  - c. ~~May receive holiday pay if they are in pay status on the scheduled workday before and the scheduled workday following the holiday. If a retiree classified as exempt under the Fair Labor Standards Act is required to work on an observed holiday, they are entitled to a postponed holiday, with pay, to be taken at the mutual convenience of the retiree and the Auditor's Office.~~
  - d. ~~Must be paid for overtime hours worked if the retiree is in a covered (non-exempt) position under the Fair Labor Standards Act. Retirees may not accrue compensatory time off but may be awarded up to 80 hours of management leave each calendar year.~~
2. ~~If a retiree applies for reemployment in a different classification than what they held at the time of their retirement and is appointed to the different classification from a certified Eligible List, the retiree will not be subject to the abovementioned hours or benefit limitations and may only be distinguished from an initial permanent appointment to the extent that is required by law.~~

#### **D. ~~Retiree Healthcare Benefits~~**

~~Retirees who retire from a benefits-eligible position and who return to work a schedule of at least 40 hours per pay period within 30 days of their effective retirement date are eligible for City-paid health insurance benefits at the appropriate employer contribution for a maximum of one year from the date of retirement. Application of eligibility rules for working retirees are subject to the federal Affordable Care Act (ACA) guidelines.~~

This Chapter was adapted from:

[City Human Resources Administrative Rule 3.06 – Employment of Retirees](#). Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January ~~13~~, ~~2020~~2024.

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## **CHAPTER VII: COLLEGE WORK STUDY PROGRAM**

### **A. Program Objectives**

The Auditor's Office may hire work study employees through the City's established Work Study Program. The Work Study Program is a federally funded program authorized by the Higher Education Act of 1965. It provides employment to college students who otherwise may not be able to complete their education. Work Study Program appointments are used to enable students to gain practical knowledge and further prepare a student for a particular occupation. The program is not intended to supplant or replace City positions.

### **B. Who Pays for Work Study?**

The Auditor's Office is responsible for paying a percentage of an Auditor's Office work study employee's gross wages (depending on the student's school), plus an estimated five percent for other payroll expenses. Colleges finance the remaining portion of the wages.

### **C. Creating Positions; Wages**

1. The Auditor's Office has discretion to create work study positions, interview and hire work study employees, and set wages, within an hourly compensation range set by the respective colleges, within federal guidelines.
2. To create a work study position, the hiring manager will work with Operations Management to develop a job description and submit it to Human Resources. Human Resources will post the job description at participating colleges and assist with the marketing of student positions.
3. Human Resources will notify the Auditor's Office if colleges do not approve the position. Generally, four-year colleges do not allow positions involving teaching and instruction-related tasks.

## D. Hiring Work Study Employees

1. Work study employees are hired as follows:
  - a. Students interested in the work study position will contact the Auditor's Office hiring manager directly for interviews.
  - b. The hiring manager will notify Human Resources of the names of the applicant(s) the Auditor's Office wishes to hire.
  - c. Human Resources will execute a contract with the college on behalf of the Auditor's Office and provides administrative support for the Work Study Program, including payroll, personnel action processing, grant tracking, and billings.
  - d. The student(s) must submit their letter showing a work study award to Human Resources and complete hiring paperwork. Human Resources will need the following documents to confirm the hire:
    - A letter from the Auditor's Office indicating the desire to hire the student
    - Proof of work study grant (i.e., certificate of eligibility or authorization referral)
    - A copy of the student's valid I.D.
    - Wage rate and effective date of the hire
    - Authorized position title the student will to be hired into
    - Cost center code
  - e. The hiring manager must receive confirmation from Human Resources before a work study employee may begin work.
  - f. The hiring manager must develop a suitable plan for training the work study employee under close supervision.

2. Work study employees serve at will, do not accrue status in the class in which they have been hired, and have no appeal rights upon demotion, suspension, or termination from the class.
3. Work study employees do not receive leave, service credit, or retirement or healthcare benefits, and are not eligible for priority reemployment under [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment](#).
4. All work study grants expire at the end of spring term and are terminated on or before June 15. All students awarded summer work study grants must be rehired on June 16 after receiving a certification or authorization from their school.

#### **E. Hours of Work; Time Sheets**

1. The hiring manager and work study employee will determine a schedule for the work study employee.
  - a. The hours that work study employees can work vary, but generally, work study employees work 40 hours per week if they attend a four-year college, 20 hours per week if they attend a two-year college, and up to 40 hours per week during breaks. A written request to work during breaks may be required by the college.
  - b. Work study employees may work no more than eight hours per day, no more than 40 hours per week, and no more than five consecutive days. No overtime is permitted.
2. Work study employee time sheets are processed through SAP. Human Resources will compute City earnings to date where necessary and send the Auditor's Office a copy of the time sheet sent to the school.



## **F. Raises**

The Auditor's Office may give raises to work study employees at its discretion, subject to the hourly compensation range set by the respective college. Raises can be given any time but can only be retroactive to the beginning of the current pay period. If the Auditor's Office issues a raise, Operations Management will contact Human Resources via memo indicating the new wage rate. Human Resources will notify Operations Management if additional paperwork is needed to implement the raise.

## **G. Grant Tracking**

Human Resources is responsible for tracking work study grant amounts, but supervisors are expected to regularly communicate with students to track their grant balance. The Division must compensate the student directly for any earnings beyond their grant.

## **H. Termination**

The Auditor's Office must immediately notify Human Resources if a student is released from Work Study Program employment. Human Resources will notify the college.

## **I. Injuries**

Work study employees on the City's payroll are covered by the City's Workers' Compensation Program. In the event of an injury, the student's supervisor should consult Operations Management as soon as possible. Reporting must comply with [Auditor's Office Administrative Rule 3.06 – Leaves, Chapter VII: Supplemental Workers' Compensation Benefits](#).

This Chapter was adapted from:

[City Human Resources Administrative Rule 3.14 – College Work-Study Program.](#)

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