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## State of Oregon LEGISLATIVE BRANCH PERSONNEL RULES

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### Legislative Branch Personnel Rule 2: Definitions

**APPLICABILITY:** This rule applies to members of the Legislative Assembly and all employees of the Legislative Branch.

The following definitions apply to the Legislative Branch Personnel Rules unless otherwise noted in a specific rule:

(1) “Agency head” means the Legislative Administrator, the Legislative Counsel, the Legislative Fiscal Officer, the Legislative Revenue Officer, ~~or the Executive Director of the Legislative Commission on Indian Services, or the Legislative Policy and Research Director or the Legislative Equity Officer.~~

(2) “Appointing authority” means the person who has authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge or discipline an employee. “Discharge” includes dismissal and termination.

(3) “At-will employee” means an employee who may be terminated without cause at the discretion of the appointing authority or designee. All Legislative Branch employees are at-will employees throughout their service, regardless of the duration of the position or the funding for the position, including service during an introductory period.

(4) “Caucus leader” means the Democratic or Republican Leader of the Senate or the Democratic or Republican Leader of the House of Representatives.

(5) “Caucus office” means the office of the Democratic or Republican Leader of the Senate or the office of the Democratic or Republican Leader of the House of Representatives.

(6) “Class,” “classification” or “class of positions” means a group of positions sufficiently alike in duties, authorities and responsibilities that similar qualifications and schedules of compensation may be applied to the group of positions.

(7) “Class specifications” means a document setting forth, for each class, a class title, distinguishing features, characteristic duties and necessary knowledge, skills and abilities.

(8) “Compensation” means wages, salary, bonuses, benefits, fringe benefits and equity-based compensation. Compensation does not mean tips or reimbursement for any actual costs incurred including, but not limited to, relocation reimbursements, mileage, and out-of-pocket expenses.

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(8)(9) “Compensation plan” means the schedule of rates of pay for the various classes and titles in legislative service.

(9)(10) “Compensatory time” means paid time off instead of cash payment for overtime worked.

(10)(11) “Continuing status” means a position of indefinite, ongoing duration as opposed to a session- only status position or other position with the Legislative Branch that is filled on a temporary or limited duration basis.

(11)(12) “District office” means any office facility operated for more than 30 days for the benefit of one or more members of the Legislative Assembly that is not located within the physical

structure of the State Capitol building.

~~(12)~~(13) “Employee” means an individual appointed to a position in the Legislative Branch. This definition also includes officers elected by the Legislative Assembly but does not include officers elected by popular vote or independent contractors. It includes interns and temporary status employees, when noted in rule.

(14) “Employee Services” means the division of Legislative Administration charged with employment and human resources administration for the Legislative Branch. The manager of Employee Services is the Human Resources Director.

(15) “Equal pay analysis” means an evaluation process to assess and correct wage disparities among employees who perform work of comparable character. A branch-wide analysis shall be performed at least once every three years.

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~~(14)~~(16) “Flexible work schedule” means a work schedule that varies from a regular work schedule in the number of hours worked, the number of days worked or the starting or stopping times of work.

~~(15)~~(17) “Human Resources Director” means the manager of Employee Services.

~~(16)~~(18) “Introductory period” means the six month period following the initial appointment to a position in the Legislative Branch, a change in positions within the Legislative Branch or an appointment to a permanent position in the Legislative Branch that follows a break in legislative service of at least 12 months’ duration. Limited duration or temporary appointments do not serve an introductory period.

~~(17)~~(19) “Leadership chiefs of staff” means the Chief of Staff of the Office of the Senate President and the Chief of Staff of the Office of the Speaker of the House of Representatives.

~~(18)~~(20) “Leadership office” means the Office of the Senate President or the Office of the Speaker of the House of Representatives.

~~(19)~~(21) “Legislative agency” means Legislative Administration, the Legislative Counsel Office, the Legislative Fiscal Office, the Legislative Revenue Office, ~~or~~ the Legislative Commission on Indian Services, or the Legislative Policy and Research Office or the Legislative Equity Office.

~~(20)~~(22) “Legislative Branch” means members and employees of the Legislative Assembly, the parliamentary offices, Legislative Administration, the Legislative Counsel Office, the Legislative Fiscal Office, the Legislative Revenue Office, and the Legislative Commission on Indian Services, and the Legislative Policy and Research Office and the Legislative Equity Office.

~~(21)~~(23) “Limited duration status” means an employment status that terminates at the end of a specified period, and that exists to complete work of certain or limited duration or when position reduction is anticipated.

~~(22)~~(24) “Member of the Legislative Assembly” or “member” means a Senator or Representative.

~~(23)~~(25) “Mobile work” means work performed on a regular basis at a work site other than the employee’s regular work location.

~~(24)~~(26) “Parliamentarian” means the Secretary of the Senate or the Chief Clerk of the House of Representatives.

~~(25)~~(27) “Parliamentary office” means the Office of the Secretary of the Senate or the Office of the Chief Clerk of the House of Representatives.

~~(26)~~(28) “Personal staff” means an employee working directly for a legislative member and paid from the member’s services and supply budget.

~~(27)~~(29) “Presiding officers” means the Senate President and the Speaker of the House of

Representatives.

~~(28)~~(30) “Reclassification” means a classification change based on a significant change of position duties, authority and responsibilities, but with continuation of the same general knowledge and skills.

~~(29)~~(31) “Recognized service date” means the date reflecting an employee’s initial appointment to state service ~~\_, and that is~~ used to determine the employee’s vacation accrual rate.

~~(30)~~(32) “Red-circled” means, when a position is allocated to a lower classification, retention of the employee’s salary rate at the higher classification if the salary rate is above the maximum of the new, lower classification, ~~or. Red-circled can also occur when an equal pay equity analysisassessment finds that an employee’s salary is inequitable to the employee’s favor and is frozen until equity is established by work of a comparable character. A red-circled salary does not receive cost of living increases.~~

~~(31)~~(33) “Regular work schedule” means a work schedule of eight hours per day, 40 hours per week.

~~(32)~~(34) “Salary eligibility date” means the date on which an employee is eligible for consideration for a merit increase.

~~(33)~~(35) “Session-only status” means an employment position that occurs during a period that begins on or after December 1 preceding a regular session and ends on or before the end of the month following the month in which that regular session adjourns sine die.

~~(34)~~(36) “Telecommuting” or “performing mobile work” means performing the employee’s work on a regular basis at a work site other than the employee’s regular work location.

~~(35)~~(37) “Temporary status” means a noncompetitive employment status established to cope with short-term or unexpected workload demands when the establishment of a permanently funded position is inappropriate or unfeasible.

~~(36)~~(38) “Underfill” means employment of a person in a classification lower than the allocated level of the position, when there is a reasonable expectation that the employee will meet minimum qualifications of the allocated level within 24 months of appointment.

~~(37)~~(39) “Work out of class” means a temporary assignment of an employee to assume essentially all of the duties, authorities and responsibilities of a position classified at a higher salary level, for a period of 10 or more days.

Approved: ~~1-16-2016~~DRAFT