

JUDGE,

continued from Page 1

During the hearing, KPD's sergeants contended that their roles do not amount to supervisory positions and are eligible for inclusion in the union. If they are successful in making the case, it could lead to a different pay schedule and less personal contribution to their healthcare plans.

"If the sergeants were to become part of the bargaining unit, the city and Keizer Police Association would be obligated to bargain any change in compensation and other terms and conditions of employment (benefits, hours, etc.) with the association. The city would conduct a salary survey to determine what compensation employees who perform similar duties for comparable agencies are earning," DePina said.

For the time being, Administrative Law Judge Martin Kehoe has rejected the sergeants' arguments overall but found merit in some

aspects. At the heart of the issue is whether the sergeants' roles in the field, and not their actual job descriptions issued by the city human resources department, rise to the level of supervisory authority within Oregon Revised Statutes.

According to statute, a supervisory employee is: "any individual having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively recommend such action, if in connection therewith, the exercise of the authority is not of a merely routine or clerical nature but requires the use of independent judgment."

While sergeants can decide who to place in special units of the department, which can result in higher pay, an "officer remains fundamentally an officer," Kehoe concluded. On the other hand, sergeants oversee a wide variety of duties and independent authority, he added.

The most common intervention initiated by sergeants is "coaching and counseling." Keizer's sergeants

contended that it does not equate to supervisory action, Kehoe disagreed.

Sergeants "can also make a formal record of it in an officer's digital personnel file and warn that repeat offenses or failure to comply with the coaching and counseling will result in progressive discipline. Sergeants can also issue verbal or written reprimands and enter those into an employee's record, with or without a superior's permission," Kehoe wrote in his decision.

While it is common practice for sergeants to consult with superiors regarding coaching and counseling and other types of intervention for officers on their shifts and units, they have the authority to conduct such action without a superior's input.

Additionally, Kehoe cites the union's collective bargaining agreement that recognizes a sergeant's "responsibility to ensure that counseling and appropriate discipline occurs."

Kehoe ends the dismissal stating, sergeants can "assign, discipline, direct and effectively recommend the same with independent judgment ... and that they exercise that authority in the interest of management."

KAA goes purple in March

Submissions for Keizer Art Association's March show, Annual Color Show: *Purple*, will be accepted on Wednesday, Feb. 27 at the Enid Joy Mount Gallery.

Each entry is required to include the color purple and can be 2D, 3D, photography, digital art and kids' art.

Entry fees for the show are (for association members): \$10 for the first piece, \$15 for two pieces; \$15 for diptychs and triptychs; \$20 for three pieces and \$25 for four pieces.

Entry fees for non-association members are: \$20 for first piece, \$25 for two pieces, \$25 for diptychs and triptychs; \$30 for three pieces and \$35 for four pieces.

Youth art fees are \$5 for two pieces. All work must be original to the artist.

Annual Color Show: *Purple*, juried show, will run from Feb. 28 to March 26. An artists' reception will be held at the gallery from 2 to 4 p.m. on Saturday, March 2.

ROLES: Recent actions conflict with claims

(Continued from Page A1) a supervisory one when he applied for the position 19 years ago, he replied simply, "I did."

Sgt. Jeff Goodman said sergeants routinely participate in performance evaluations, but that he often consulted with lieutenants, his direct superiors, when issuing oral or written reprimands to officers on his shifts. While consulting with superiors regarding reprimands is common practice within the department, Kehoe later determined sergeants had the authority to issue them without going to supervisors first.

Sgt. David LeDay testified on another common theme

throughout the hearings: whether coaching and counseling rose to the level of supervision.

"Counseling is not supervision. We all have areas to improve. There can be 20 ways to do something and there still be a better way," LeDay said. "It's not discipline."

In the end, Kehoe disagreed with that assessment as well.

All the sergeants whose time in the position spanned other eras of department leadership said that the culture of the department has changed over time and there has, generally, been less need for verbal and written warnings.

Wenning said that only

matters leading to some sort of monetary penalty – loss of an assignment that warranted additional pay or a loss of step increases – would constitute a supervisory action, but "I've never done it and haven't been subjected to it."

Another core contention of the appeal for union membership was the ability of sergeants to act on "independent judgment." But, most of the sergeants arguments stood in contrast to recent action.

When an officer assigned to the traffic unit did not perform up to expectations, the sergeant in charge of the unit did not renew his assignment in the job after two years. The officer was placed back in the patrol unit and lost a 5 percent pay increase that went along with the special assignment. Then, when a new sergeant took over the traffic unit, he placed the same officer who had been taken out of the unit back on it with the expectation that he could improve the officer's performance. The new sergeant did so despite consulting with his supervisors who counseled against the action.

CROWN MEMORIAL CENTERS CREMATION & BURIAL
A New Tradition™

Salem
412 Lancaster Drive NE
Salem, OR 97301
(503) 581-6265

Low Cost Cremation & Burial Funerals & Memorials

Simple Direct Cremation \$595
Simple Direct Burial \$895
Traditional Funeral \$2,965

Discount priced Caskets, Urns and other Memorial items.

Privately owned cremation facility.
Locally owned and operated by Oregon families.
www.ANewTradition.com

Your Family Deserves The **BEST** Technology... Value... TV!...

\$69.99 MONTH for 24 months
190 Channels America's Top 120

Add High Speed Internet **\$14.95** /mo.

CALL TODAY Save 20%!
1-866-373-9175

Subject to availability. Restrictions apply. Internet not provided by DISH and will be billed separately. Offer ends 2/15/19. See website for details. *Lowest available price. Offer good on new service only. Tax and other fees apply. ©2019 Dish Network. All rights reserved.

DENTAL Insurance
Physicians Mutual Insurance Company

A less expensive way to help get the dental care you deserve

- ✓ If you're over 50, you can get coverage for about \$1 a day*
- ✓ Keep your own dentist! You can go to any dentist you want
- ✓ NO annual or lifetime cap on the cash benefits you can receive
- ✓ No wait for preventive care and no deductibles – you could get a checkup tomorrow
- ✓ Coverage for over 350 procedures including cleanings, exams, fillings, crowns... even dentures

FREE Information Kit
1-877-599-0125
www.dental50plus.com/25

*Individual plan. Product not available in MN, MT, NH, NM, RI, VT, WA. Acceptance guaranteed for one insurance policy/individual of this type. Contact us for complete details about this insurance solicitation. This specific offer is not available in CO, NY, call 1-800-999-4781 or respond for similar offer. Certificate C250A (ID: C250E; PA: C250I); Insurance Policy P150 (GA: P150GA; NY: P150NY; OK: P150OK; TN: P150TN) 699E-0917 MB17-NM080E

Imagine The Difference You Can Make

DONATE YOUR CAR
1-844-533-9173

FREE TOWING
TAX DEDUCTIBLE

Help Prevent Blindness
Get A Vision Screening Annually

Heritage for the Blind

Ask About A FREE 3 Day Vacation Voucher To Over 20 Destinations!!!

ATTN: Investment Property Owners

Right now is a crucial time to **take advantage of a 1031-Exchange** to optimize capital gains tax reduction, increase your base, and optimize your cash flow.

Act before investment tax laws change

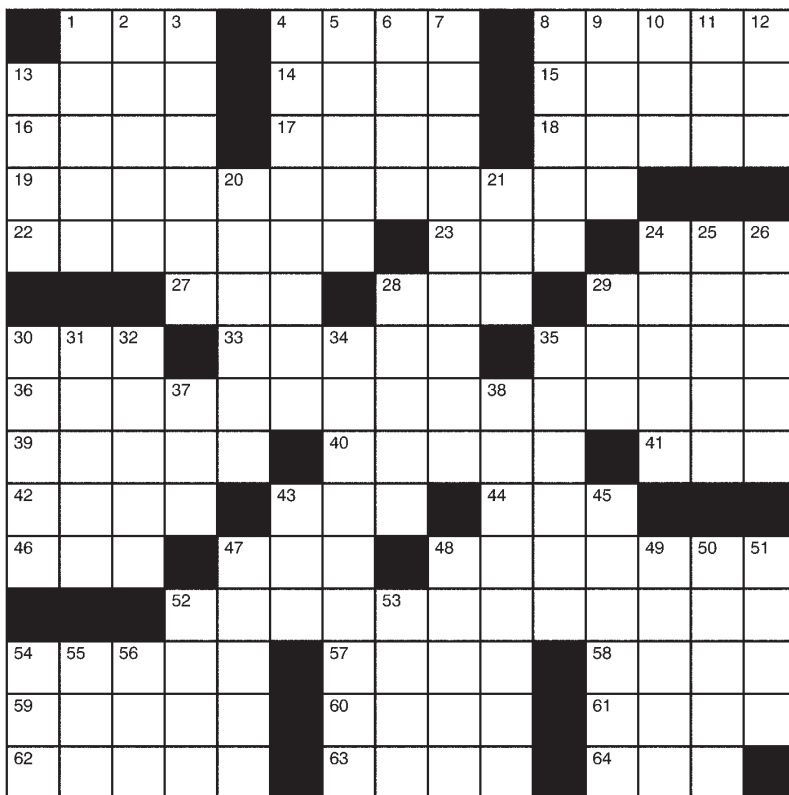
Kristine Jacobsen
Principal Broker / Owner

Call me at 503.504.7330 for a FREE market analysis of your investment property

Elite Realty Group

crossword

More or Less



CREATORS NEWS SERVICE

By Charles Preston

ACROSS

- 1 "Today I ___ man"
- 4 Fabulous fabler: var.
- 8 Serf
- 13 Served perfectly
- 14 Arias
- 15 Fight site
- 16 Standard
- 17 Bounders
- 18 Copland ballet
- 19 Smoker's resolution
- 22 Cure-alls
- 23 Law's long member
- 24 Fleming
- 27 Deck
- 28 Bot. or biology
- 29 Run in neutral
- 30 Balm site
- 33 Pentateuch
- 35 Join
- 36 Dieter's resolution
- 39 University of Maine locale
- 40 Bar seat
- 41 Eds. reading matter
- 42 Platte Indian
- 43 Ingrid's firstborn
- 44 Life story, briefly
- 46 I finisher
- 47 Owned

DOWN

- 1 Nathaniel Benchley's ___ Million
- 2 Thanks, in Tours
- 3 Blended, old style
- 4 Snail
- 5 Flies
- 6 Adjective for shoppe
- 7 Ice-cream choice
- 8 Seraglio
- 9 Piccadilly Circus sight
- 10 Wielded a baton
- 11 Quarter of four
- 12 The way, in China
- 13 Ms. Boleyn

- 20 *Enthroned Madonna* painter
- 21 Pod start
- 24 Dialect
- 25 Choir section
- 26 Requires
- 28 Yule visitor
- 29 Rubinstein's *Melody* ___
- 30 Fifties fashion feature
- 31 ___ Bello, Panama
- 32 In the works
- 34 Home owners
- 35 More like a certain duckling
- 37 Dieppe donkey
- 38 ___ oblige
- 43 Golfer's goal
- 45 Mysterious
- 47 Hailey novel
- 48 Ooze
- 49 Fungus disorder
- 50 Wickerwork material
- 51 Offensive odor
- 52 Not stereo
- 53 Of the dawn
- 54 Jungle swinger
- 55 Undisciplined
- 56 Ignited

KEIZER CLASSIFIEDS

MUSIC LESSONS
Beginning Acoustic guitar lessons @ \$25 per 30 min session. For more info Contact Debi @ 503-404-3900 0215

HELP WANTED
Tidewater Contractors, Inc. Seeking Road Construction Superintendent. Min. 3 yrs. Experience. Wage DOE. Benefits incl. Tidewater Contractors is an EEO Company. Email resume to: info@twcontractors.com. 0NAC

LAWN SERVICES
Jim's Lawn Service – Complete lawn and garden care. Yard cleanups, mowing, pruning, bark dusting. Serving Keizer since 1984. Voted "Best in Keizer!" 503-990-2752. 0F

SERVICES
DENTAL INSURANCE. Call Physicians Mutual Insurance Company for details. NOT just a discount plan, REAL coverage for 350 procedures. 844-239-9335 or http://www.dental50plus.com/25 Ad# 6118. 0NAC

DIRECTV NOW. No Satellite Needed. \$40/month. 65 Channels. Stream Breaking News, Live Events, Sports & On Demand Titles. No Annual Contract. No Commitment. CALL 1-844-269-0236. 0NAC

DONATE YOUR CAR, TRUCK OR BOAT TO HERITAGE FOR THE BLIND. Free 3 Day Vacation, Tax Deductible, Free Towing, All Paperwork Taken Care Of. CALL 1-844-533-9173. 0NAC

SERVICES
A PLACE FOR MOM. The nation's largest senior living referral service. Contact our trusted, local experts today! Our service is FREE/no obligation. CALL 1-888-651-5669. 0NAC

DIRECTV & AT&T. 155 Channels & 1000s of Shows/Movies On Demand (w/SELECT Package.) AT&T Internet 99 Percent Reliability. Unlimited Texts to 120 Countries w/AT&T Wireless. Call 4 FREE Quote- 1-855-502-2578. 0NAC

DISH Network \$69.99 For 190 Channels. Add High Speed Internet for ONLY \$14.95/month. Best Technology. Best Value. Smart HD DVR Included. FREE Installation. Some restrictions apply. Call 1-866-373-9175. 0NAC

Earthlink High Speed Internet. As Low As \$14.95/month (for the first 3 months.) Reliable High Speed Fiber Optic Technology. Stream Videos, Music and More! Call Earthlink Today 1-855-977-9436. 0NAC

SERVICES
Applying for Social Security Disability or Appealing a Denied Claim? Call Bill Gordon & Assoc., Social Security Disability Attorneys, 1-855-548-1237! FREE Consultations. Local Attorneys Nationwide [Mail: 2420 N St NW, Washington DC. Office: Broward Co. FL (TX/NM Bar.)]. 0NAC

Become a Published Author. We want to Read Your Book! Dorrance Publishing-Trusted by Authors Since 1920. Book manuscript submissions currently being reviewed. Comprehensive Services: Consultation, Production, Promotion and Distribution. Call for Your Free Author's Guide 1-844-803-4427 or visit http://dorranceinfo.com/Oregon. 0NAC

SERVICES
Get a SMARTPHONE for \$0 DOWN* with AT&T Next@ and AT&T Next Every Year #8480 1) Pick Your New Phone. 2) Pick Your Plan. (*Req's well-qualified credit. Limits & restr's apply.) CALL 1-855-593-4474. 0NAC

Frontier Communications Internet Bundles. Serious Speed! Serious Value! Broadband Max - \$19.99/mo or Broadband Ultra - \$67.97/mo. Both Include FREE Wi Fi Router. CALL For Details! - 1-855-972-6641. 0NAC

Medical-Grade HEARING AIDS for LESS THAN \$200! FDA-Registered. Crisp, clear sound, state-of-the-art features & no audiologist needed. Try it RISK FREE for 45 Days! CALL 1-866-799-5056. 0NAC

Craftmatic Adjustable Beds for less! Up to 50% Off Leading Competitors. #1 Rated Adjustable Bed. Trusted Over 40 Years. All Mattress Types Available. Shop by Phone and SAVE! CALL 1-877-808-3466. 0NAC

MISCELLANEOUS
GOT AN OLDER CAR, VAN OR SUV? Do the humane thing. Donate it to the Humane Society. Call 1-877-246-1527. 0NAC

DONATE YOUR CAR FOR BREAST CANCER! Help United Breast Foundation education, prevention, & support programs. FAST FREE PICKUP - 24 HR RESPONSE - TAX DEDUCTION 1-855-252-2579. 0NAC

AUCTIONS
ESTATE Auction Milwaukie, OR, Sun, Feb 17, 10am. Contents 3 bdrm house, garage/woodshop. Furn, tools, gold & silver jewelry, coins, antiques, vintage. List, photos, address at montesinc.com. 0NAC