

UNION COUNTY

PERSONNEL POLICY MANUAL

2023

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DISCLAIMER**SECTION 1.01**

The policies set forth and adopted within this manual supersede all previous written and unwritten county personnel policies. These policies have been structured to comply with any applicable laws and agreements. In the event there is a conflict between the matters expressed in this manual and any applicable laws or agreements, the applicable law or full text of the written agreement will prevail.

This manual is not an employment contract, express or implied. It is presented as a matter of information only. Union County reserves the right to modify, revoke, suspend, terminate, or change these policies with or without prior notice. No representative of the employer/appointing authority has the authority to enter into an agreement with an employee that is contrary to the foregoing.

To the extent the appointing authority is not prohibited from doing so by law, the appointing authority retains the right to hire, discharge, set compensation, and manage unclassified employees without restriction, and the employer reserves the same rights regarding probationary employees. Union County appointing authorities reserve the right to delete, modify, or amend the policies contained herein or to establish new policies as needed; however, appointing authorities agree to maintain as much consistency as possible. The Auditor's and Commissioners' Office shall be notified of any policy that varies from the board of county commissioners' adopted manual.

CONFLICT WITH LAW**SECTION 1.02**

The policies and procedures as contained in this manual are subject to all applicable federal and state laws, civil service rules and regulations, and shall be interpreted wherever possible so as to comply fully with such laws, provisions, or any judicial interpretations. If any article or section of this manual or any amendments thereto shall be held invalid by operation of law or by a tribunal or competent jurisdiction, or compliance with or enforcement of any article or section of this manual shall be restrained by such tribunal, the remainder of this and any amendments thereto shall not be affected and shall remain in full force and effect.

POLICIES**SECTION 1.03**

This manual contains policies set forth by the appointing authorities of Union County.

Policies are defined as the basic rules which guide administrative action for accomplishing an organization's objectives. Comprehensive and clearly defined policies, consistently and fairly administered, are essential to the success of any organization. All personnel charged with the responsibility of administering policy must be thoroughly knowledgeable of its contents. Furthermore, it is essential these policies are administered in a systematic, consistent, fair, and impartial manner.

Undoubtedly, there will be situations which shall require administrative interpretations of the policies set forth herein. Every effort must be made to ensure that such decisions are made objectively, with the general intent of the policy in mind.

As conditions shift within the structure, it may be necessary to add, delete, or revise specific policies affected by such change. Updated policies must be issued to all manual holders and communicated to all affected employees.

This policy manual is a guide to be utilized by management to ensure uniformity and nondiscriminatory application of the conditions of employment.

OBJECTIVES**SECTION 1.04**

- A. Union County appointing authorities recognize that competent, dependable personnel are indispensable to effective government.
- B. The policies and procedures set forth in this manual are designed to:
 - 1. Promote high morale and foster good working relationships among employees by providing uniform personnel policies for advancement, and consideration of employee needs.
 - 2. Maintain recruitment and internal promotional practices which will enhance the attractiveness of a career with the county and encourage each of its employees to give his or her best efforts to the county and the public.
 - 3. Encourage courteous and dependable service to the public.
 - 4. Provide fair and equal opportunity for qualified persons to enter and progress in service based on merit and fitness determined through objective and practical personnel management methods.
 - 5. Ensure that all departmental operations are conducted in an ethical and legal manner to promote the county's reputation as an efficient, progressive body in the community and the state.
 - 6. Establish standards of performance which are to be applied fairly, consistently, and uniformly.

SCOPE OF COVERAGE**SECTION 2.01**

These policies generally apply to all classified and unclassified employees employed by Union County. Some employees serve in the unclassified civil service (see section 3.3) or occupy positions which have been exempted from the classified service. Such employees serve at the pleasure of the employer. Whenever used in this manual, the employer is defined as the appointing authority for that office. None of these policies establish for employees tenure rights or contractual rights that are not required by law. Although Union County subscribes to these policies, the employer may waive irregularities in policies or procedures.

Each appointing authority may have additional policies and procedures which each employee is required to follow. These policies will be in addition to the policies in this manual. Any additional policies will be posted or otherwise made available to all affected employees.

These policies supersede any previous conflicting policies. Also, some previous policies may have been deliberately omitted because the employer intends, they no longer be in effect.

To the extent not prohibited from doing so by law, the employer retains the right to hire, fire, set compensation, and manage unclassified and probationary employees without restriction, and the employer retains all such rights regarding classified employees as allowed by law.

In the event there is a conflict between these policies and procedures and the provisions of a collective bargaining agreement, the collective bargaining agreement shall prevail. To the extent this manual confers benefits not granted by a collective bargaining agreement, the policy shall not apply to these employees covered by the collective bargaining agreement.

In the event of a conflict between this manual and any applicable law, the law shall prevail, except where the board of county commissioners or the appointing authority may supersede them and has intentionally done so as a matter of policy.

POLICY AMENDMENTS**SECTION 2.02**

- A. As conditions warrant, these policies may be amended, revised, or deleted by act of the individual appointing authorities. The Union County board of county commissioners may amend, revise, or delete policies by resolution and such amendments shall also apply to employees of those appointing authorities who adopt the amendments; however, appointing authorities agree to maintain as much consistency as possible. The Auditor's and Commissioners' Office shall be notified of any policy that varies from the board of county commissioners' adopted manual.
- B. When the participating appointing authorities adopt a new policy or procedure, the policy or procedure shall be reviewed to determine whether it amends, revises, or deletes a section of this manual. If so, the effected manual section shall be entirely rewritten.
- C. The board of county commissioners shall maintain a master copy of the manual with each of the appointing authorities' changes and amendments. An electronic copy of the manual may be utilized by the board of county commissioners or participating appointing authorities.

- D. Each time an appointing authority amends their manual a copy of the new section shall be given to the Board and the auditor, and to each participating appointing authority the policy applies to. Each appointing authority shall give a copy of the new section to each supervisor with a hard copy or by electronic means to be added to the manual.

DEFINITION OF TERMS	SECTION 2.03
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Unless otherwise indicated in these policies, the following definitions apply.

Absent without leave: Failure to report for work without authorization from the appointing authority or designee to be absent.

Absenteeism: The practice of a worker in failing to report for work for a period of one (1) or more days or report within the prescribed time when he or she has been assigned to or scheduled for work. Misuse or abuse of sick leave regulations can be considered absenteeism.

Active pay status: Except where otherwise defined in this manual, active pay status is a period when an employee is eligible to receive pay directly from the employer and includes: hours worked, vacation leave, sick leave, holidays, paid administrative leave, compensatory time, paid military leave, and paid court leave. For the purpose of determining overtime or compensatory time for an employee who is eligible for overtime compensation, only hours actually worked count towards the calculation of overtime, unless otherwise specified by the appointing authority.

Appointing authority: The officer, commission, board, or body having the power of appointment to, or removal from, positions in any department, office, commission, board, or institution.

Classification: A group of positions that involve similar duties and responsibilities, require similar qualifications, and which are properly designated by a common descriptive title indicating the general nature of the work. A class may include only one (1) position in some circumstances.

Classified employee: An employee who, after serving a probationary period, may only be disciplined for cause and pursuant to ORC section 124.34.

Compensatory time: Paid time off in lieu of monetary overtime compensation, at a rate of one and one-half (1½) hours of compensatory time for each hour of overtime worked. In addition, office holders may offer non-FLSA compensatory time.

COBRA: Consolidated Omnibus Budget Reconciliation Act.

County: The county of Union, state of Ohio.

DAS: Abbreviation for the Ohio Department of Administrative Services.

Department: A county organizational unit directed and controlled by an appointing authority.

Discourteous treatment of the public: Failure by an employee to treat any member of the general public with respect, in a polite and courteous manner; this would include in person, on the phone, electronic, and in written form.

Dishonesty: The disposition to lie, cheat, or defraud; untrustworthiness; lack of integrity.

Distribution: An act of distributing goods, materials, and/or written materials or literature.

Employee: Any person holding a county position subject to appointment, removal, promotion, demotion, or reduction by an appointing authority.

Employer: May also be defined as the appointing authority.

Exempt employee: An employee determined to be exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act, and who, therefore, does not have to legally be paid the statutory minimum wage and/or to be compensated, at premium rates, for excessive hours worked in the workweek.

Excused absence: Being absent from work with the approval of the appointing authority or designee (e.g., vacation, holiday, compensatory time, unpaid leave of absence, etc.).

Fines: A form of disciplinary action whereby the appointing authority imposes a monetary penalty as a disciplinary measure aimed at improving the employee's conduct. Such fine shall not exceed five (5) days' pay and shall not reduce the employee's pay below the minimum wage established by the FLSA. Fines may also be assessed against accrued leave time when appropriate.

Flex time: Adjustment of an employee's work hours to avoid the employee working in excess of 40 hours in one (1) workweek or any other standard work period established in accordance with the FLSA.

FLSA: Abbreviation for the Fair Labor Standards Act.

Failure of good behavior: Failure by an employee to accept, adhere to, or maintain the expected levels of performance and/or conduct required by the employer.

Immoral: Contrary to good morals; inconsistent with the rules and principles of morality; harmful or adverse to public welfare according to the standards of a given community, as expressed in law or otherwise.

Immoral conduct: Conduct which is willful, flagrant, or shameless, and which shows a moral indifference to the opinions of the good and respectable members of the community.

Incompetency: Lack of ability, legal qualification, or fitness to perform tasks required of an employee.

Inefficiency: Quality of being incapable or indisposed to perform the tasks required of an employee.

Insubordination: State of being unwilling to do the things required of an employee. Refusal to obey an order issued by the employee's administrative superior (supervisor).

Intoxication: The condition of a person affected by the use of intoxicating drinks or other substances; the state of one who is under the influence of alcohol or controlled substances. The effect produced upon the person by drinking intoxicating liquors or ingesting another intoxicating

substance to such an extent that the normal condition of the individual is changed and the person's capacity for rational action and conduct is substantially lessened.

Malfeasance: The commission of some act which is unlawful; the doing of an act which is wholly wrongful and unlawful; the doing of an act which a person ought not to perform.

Misfeasance: The improper performance of some act which a person may lawfully do; the improper doing of an act which a person might lawfully do.

Neglect of duty: Omission or failure to do a thing that can be done, or that is required to be done; an absence of care or attention in the doing; an omission of a given act; a designed refusal or unwillingness to perform one's duty.

Nonexempt employee: An employee who is entitled to be paid the federal minimum wage and to be paid at the rate of one-and-one-half (1½) times their regular rate of pay for all hours worked in excess of 40 in an established workweek.

Nonfeasance: Nonperformance of some act which ought to be performed, omission to perform a required duty at all, or total neglect of duty. "Nonfeasance" means the total omission of an act which a person ought to do.

Non-work area: Those areas of the employer's property such as the employee's lounge and parking lot, or other areas where no official employer business nor operations are conducted.

Non-work time: Any time during an employee's workday where the employee is totally relieved of work duties, such as break time or lunch time; whether an employee is in active pay or no-pay status during these times is immaterial to the designation of non-work time.

O.A.C.: Ohio Administrative Code.

OPERS: Ohio Public Employees Retirement System.

ORC: Ohio Revised Code.

Overtime: Compensation paid to an employee at a wage rate of one and one-half (1½) times the employee's regular rate of pay for hours worked in excess of 40 hours in the established workweek. Union County has elected to compute eligibility for overtime (including compensatory time) based on all hours actually worked. Each appointing authority can set its own standard or count no active pay status hours as hours worked for overtime purposes so long as they notify the board of county commissioners and the Auditor (exception DJFS).

Position: Any specific employment, or job calling for the performance of certain duties, and the exercise of certain responsibilities by an individual. All of the slots in the organizational chart constitute the positions within the department. The arrangement of these positions under different supervisors, sections, or crews constitutes job assignments. Positions can be rearranged or reassigned, but the employee's classification remains the same unless reclassified.

Probationary period: A period of time (one hundred and eighty (180) days) at the beginning of an original appointment or immediately following a promotion, which constitutes a trial or testing

period for the employee, and during which he may be terminated (in case of original appointment) or reduced (in case of promotion). (Applies to classified appointments, not to unclassified.)

Promotion: The movement of an employee from one position to a vacant position which is assigned to a different classification and a higher pay range, or higher salary where pay ranges do not exist. For the purposes of this definition, a higher pay range is determined by comparing the step one rates of the relevant pay ranges.

Reduction: A change of the classification held by an employee to one having a lower base pay range, a change to lower step within a salary range, or any decrease in compensation for an employee. For purposes of layoff, a "reduced employee" is one serving in a classification lower than the one from which the employee was laid off or displaced.

SERB: State Employee Relations Board.

SPBR: State Personnel Board of Review.

Seniority: The uninterrupted length of continuous service with the county. No employee shall acquire county seniority rights, however, until he has been continuously employed by a department for 180 calendar days, unless otherwise provided by law. An authorized leave of absence does not constitute a break in service, and seniority time continues to accumulate during the term of the approved leave, provided that the employee complies with the rules and regulations governing his or her leave of absence.

For the purposes of layoffs, seniority is defined as a continuous service with the county, state, state-supported college or university, or health district within Ohio so long as a break in service does not occur. "Break in service" means an employee has had a separation from service of 31 days or more. An authorized leave of absence or any separation from service that carries with it the right to reinstatement, or reemployment as a result of a layoff, shall not constitute a break in service, provided the employee is reinstated or reemployed within the allowable time. The time the employee was separated shall not be counted toward the calculation of retention points for continuous service.

Employees who are reinstated from layoff within one (1) year of the layoff date will retain previously accumulated seniority but will not be credited with seniority for the time spent on layoff.

Seniority for the purposes of determining retirement benefits is defined by the provisions of the retirement system in which the employee participates.

For all other purposes other than those specified above, seniority shall be defined as set forth in the provisions of the Ohio Revised Code.

Sick leave abuse: The use of sick leave for any purpose other than as provided by applicable law: calling in sick when the employee is able to work; reporting illness in the immediate family when such illness does not exist; reporting off sick to participate in some other activity or take care of personal business; setting a pattern of reporting off sick on certain days of the week or following regular days off over an extended period of time; failure to follow the rules and regulations regarding use of sick leave and reporting procedures.

Solicitation: An act of requesting an individual to purchase goods, materials, or services, or a plea for financial contribution.

State service: Includes states, counties, and general health districts. State service does not include cities, city health districts, or city school districts (see "Service of the State").

Supervisor: An employee appointed by the appointing authority to direct and have responsibility over a group of employees or a department.

Suspension: Relieving an employee from duty without pay as a disciplinary measure aimed at improving the employee's conduct. A predisciplinary conference must be held prior to issuing a suspension. (See sections 8.3, *Predisciplinary Conference*, and 8.4, *Guidelines for Disciplinary Action and Penalties*.)

Transfer: The movement of an employee from one (1) position to another where there is no change in level of responsibility, classification, or salary.

Unclassified service: The civil service status of employees appointed without competitive examination to positions that are not subject to the discipline or removal provisions contained in R.C. section 124.34. This includes employees who receive intermittent, or temporary appointments pursuant to R.C. section 124.30, those employees appointed to administrative staff positions for which an appointing authority is given specific statutory authority to set compensation, and the deputies and assistants of elective or principal executive officers authorized to act for and in the place of their principals or holding a fiduciary relation to their principals, clerical and administrative support employees exempted pursuant to R.C. section 124.11(A)(8), and other positions specifically exempted pursuant to R.C. section 124.11(A) or other sections of the Ohio Revised Code. Such employees serve at the pleasure of the appointing authority.

Vendor: Any individual or group engaged in or desiring to engage in the supply of goods, materials, or services to the employer and/or its employees, which goods, materials, or services are utilized in the conduct of public business.

Verbal warning: The discussion a supervisor holds with an employee in which the supervisor disciplines the employee for his or her conduct and impresses upon him or her the need for improvement. This type of warning is also called an "instruction and cautioning." This method of discipline can eliminate misunderstandings immediately and set and maintain desired standards of conduct and performance. A notation of date, time, and reason for a verbal warning must be kept in the employee's personnel file by the appointing authority. In the event the conduct of the employee does not improve, more severe disciplinary action is required (Form V).

Work area: Any office, room, vehicle, equipment, work site, or physical location where official employer business is transacted and/or operations of the employer are being conducted.

Work time: All the time when an employee's duties require that the employee be engaged in work tasks, not including meal periods, scheduled breaks, and time before or after work.

Work unit: A division of an appointing authority's office, usually directed by a supervisor and charged with a specific work function, which contributes to the accomplishment of the office's public service function.

Working suspension: A disciplinary action in which an employee is required to report to work and receive compensation, but such period shall be recorded as a suspension.

Workweek: Seven (7) consecutive 24-hour periods.

Written reprimand: This is the written record of disciplinary action, usually issued after a verbal reprimand has failed to improve an employee's conduct. It is placed in the employee's personnel file and remains part of the employee's record (Form W).

DISSEMINATION

SECTION 2.04

- A. The appointing authority has the exclusive right and authority to create and issue policies and procedures.
- B. All employees shall be required to be familiar with the policies and procedures contained in this manual.
- C. All supervisory personnel responsible for administering policy shall receive or have electronic access to and be thoroughly familiar with this manual, administer each policy contained herein, and ensure that subordinate personnel do likewise.
- D. This manual shall remain the exclusive property of the appointing authority and is available to others upon request.
- E. Each participating appointing authority may adopt or modify this edition of the manual in writing and, thereafter, sign and date each section of the manual.
- F. Each appointing authority shall make and distribute a copy (hard copy or electronic) of the manual to each of the department heads and maintain a list of each department head receiving a copy and the date issued.
- G. Department heads shall make and distribute a copy (hard copy or electronic) of the manual to each of their supervisors and maintain a list of each supervisor receiving a copy.
- H. Each appointing authority shall have the right to require each employee to sign an acknowledgment (or the electronic equivalent) evidencing that he or she has been given notice of the existence of these policies and has been informed of the right to review them.

MANAGEMENT AUTHORITY**SECTION 3.01**

- A. Union County appointing authorities maintain the authority to establish, interpret, and administer policies, to set compensation in accordance with the 2013 compensation plan, and to direct the operation of their respective offices. Policies established by Union County appointing authorities shall be consistent with all state and federal laws, and applicable agreements. These policies include, but are not limited to:
1. To manage and direct employees including the right to select, hire, promote, transfer, assign, evaluate, lay off, or to reprimand, suspend, discharge, or otherwise discipline according to law.
 2. To manage and determine the location, type, and number of physical facilities, equipment, programs, and the work to be performed.
 3. To determine goals, objectives, programs, and services, and to utilize personnel in the manner designed to effectively meet these purposes.
 4. To determine the size and composition of the work force, and the organizational structure.
 5. To determine the hours of work and work schedules required to most efficiently operate.
 6. To determine when job vacancy exists, the duties to be included in all classifications, and the standards of quality and performance to be maintained.
 7. To determine the necessity to schedule overtime and the amount required thereof.
 8. To maintain the security of personnel and financial records and other important data or information.
 9. To maintain and improve the efficiency and effectiveness of the operations.
 10. To determine and implement necessary actions in emergency situations.
 11. To enforce ethics laws.
- B. The exercise of any such right, power, authority, duty, or responsibility by the appointing authority and the adoption of such rules, regulations, or policies as may be deemed necessary, shall be limited only by the specific express terms of applicable law and any contractual agreement with employees under Ohio's collective bargaining law and also by the appointing authority's approved budget appropriations.

EMPLOYEE STATUS**SECTION 3.02**

- A. The appointing authority shall set the hours to be worked for both full-time and part-time employees. The appointing authority shall notify the auditor of such designation.

- B. Full-time employees and part-time employees working at least 20 hours per week shall be entitled to all benefits provided by the county including sick leave, vacation, funeral leave, civil leave, military leave, holiday pay, and other benefits as explained in this policy manual. Only those year-round employees working an average of 30 hours per week will be eligible for health insurance. Only full-time employees are eligible for life insurance.
- Temporary, part-time working less than 20 hours per week, seasonal, and intermittent employees shall be entitled to only sick leave, civil leave, funeral leave, and holidays as outlined in section 6.10, and military leave.
- C. Temporary and student employees shall sign a statement, prior to employment with the county, which indicates that he/she understands the temporary nature of the position. Likewise, a seasonal employee must also sign a statement indicating that he/she understands that the position is seasonal.
- D. A temporary appointment may be made by the appointing authority. Except as otherwise provided in this section, the temporary appointment may not continue longer than one hundred twenty days, and in no case shall successive temporary appointments be made. A temporary appointment longer than one hundred twenty days may be made if necessary, by reason of sickness, disability, or other approved leave of absence of regular officers or employees, in which case it may continue during the period of sickness, disability, or other approved leave of absence, subject to the rules of the director.

The Engineer's Employee Status Policy is located in Appendix B.

CLASSIFIED AND UNCLASSIFIED EMPLOYMENT	SECTION 3.03
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- A. All county employees are presumed to be classified civil servants unless the position they occupy has been exempted from the classified service by a lawful request of the appointing authority, or by operation of law. After completion of a 180-day probationary period¹ classified employees may only be disciplined for cause, and by following the procedures set forth in Chapter 124 of the ORC, the rules and regulations of the State Personnel Board of Review, and applicable rules of the Department of Administrative Services. Classified status does restrict an employee's ability to participate in partisan politics (see Political Activity).
- B. Some county employees are in the unclassified civil service and serve at the will of the appointing authority. Some unclassified employees are those persons employed by and directly responsible to an appointing authority, and who hold a fiduciary or administrative relationship to such official, as defined in ORC section 124.11(A)(9). Other unclassified employees may be exempted by 124.11(A)(8) or by other operation of law. Unclassified employees are not prohibited from partisan political activity on their own time and away from areas in public buildings where official business is transacted or conducted.
- C. Some employees may be classified civil servants who occupy positions which have been exempted from classified service. Such employees shall maintain the same civil service

¹The probationary period may be longer for specific classifications. Employees will be notified if there is a different probationary period for their classification.

protection as employees who occupy positions which have not been exempted. However, the next person to accept the unclassified position will serve in the unclassified service, providing the appointing authority informs him or her, in writing, that he or she is accepting an unclassified position as a condition of employment.

- D. Employees appointed to positions on a temporary or intermittent basis are unclassified and serve at the pleasure of the appointing authority and therefore have no right to appeal any suspension or removal to the SPBR.

EQUAL EMPLOYMENT OPPORTUNITY**SECTION 4.01**

- A. Union County is an equal opportunity employer. No personnel decisions concerning any term or condition of employment shall be based upon race, color, religion, sex, national origin, age, military status, veteran's status, ancestry, disability, or genetic information except where such criteria constitute a bona fide occupational requirement.
- B. The human resources director is the county's EEO coordinator. The EEO coordinator is responsible for providing information regarding anti-discrimination laws to employees and others, and for reviewing and resolving complaints involving alleged discrimination.
- C. The EEO coordinator shall be responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity, including training. Appointing authorities and department heads/supervisors shall maintain responsibility for their actions in regard to offering equal opportunity to each department employee or job applicant and for attempting to resolve discrimination complaints within their respective departments not personally involving the department head.
- D. No inquiry shall be made as to religious, racial, or ethnic origin of an applicant, except as necessary to gather equal employment opportunity or other statistics that, when compiled, will not identify any specific individual. Disclosure of this information by the employee is a voluntary action on the applicant's part.

AMERICANS WITH DISABILITIES ACT**SECTION 4.02**

- A. The employer supports the intent and purposes of the Americans with Disabilities Act (ADA), as amended from time to time, and will not discriminate against qualified individuals with disabilities because of the disability of such individual in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment. The employer will provide a reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would cause an undue hardship.
- B. The EEO coordinator is responsible for providing information about the ADA to employees and others, and for reviewing and resolving complaints involving alleged discrimination against the disabled.

PREGNANT WORKERS FAIRNESS ACT**SECTION 4.03**

- A. The employer will provide temporary and reasonable accommodations to pregnant employees and applicants with known limitations relating to pregnancy, childbirth, or related medical conditions, unless doing so would impose an undue hardship. For purposes of this policy, "known limitations" include both physical and mental conditions related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions.
- B. The employer will not 1) deny employment opportunities to pregnant applicants in order to avoid providing a reasonable accommodation; 2) require qualified employees to take

paid or unpaid leave if reasonable accommodation can be provided; or 3) retaliate against an employee who requests or uses a reasonable accommodation.

- C. The EEO coordinator is responsible for providing information about the Pregnant Workers Fairness Act to employees and others, and for reviewing and resolving requests for accommodations or related complaints.

DISCRIMINATORY HARASSMENT

SECTION 4.04

It is the policy of Union County to maintain an environment free from all forms of discrimination, including sexual harassment. In order to maintain this environment harassment of any nature, whether committed by supervisors, coworkers, or members of the public, is strictly prohibited and will not be tolerated.

A. Definitions:

1. Discrimination: Occurs when individuals are treated less favorably in their employment because of their protected class or status. An employer may not discriminate against an individual with respect to the terms and conditions of employment, such as promotions, compensation, and other job opportunities, based upon that individual's membership in a protected class or status.
2. Harassment: Deliberate or repeated conduct directed by an individual to an employee, and that conduct is (1) based on the employee's protected class or status, (2) unwelcome, and (3) is severe and pervasive enough that a reasonable person would consider the work environment to be intimidating, hostile, or abusive
3. Sexual harassment: Can take the form of making acceptance of unwelcome sexual conduct or advances or requests for sexual favors as a condition for hire, promotion, pay increase, favorable evaluation, treatment assignment, or continued employment.

B. Prohibited Conduct.

Prohibited conduct includes but is not limited to sexual comments, suggestions, jokes, leering, pats, squeezes, or other similar contact, and posting of sexual pictures, cartoons, photos, or other graphics.

Employees are advised that this policy applies regardless of the timing and/or location of the conduct (e.g., a violation can occur after work hours and/or outside the workplace).

C. Examples.

For purposes of this policy some examples of harassment include, but are not limited to:

1. Jokes and comments of a sexual or discriminatory nature whether directed at a particular individual or told within an apparently friendly group;

2. Any touching, leering, pursuing or other attention that is unwelcome whether by the person who is the focus of the attention or others within view;
 3. Direct propositions of a sexual nature or pressure for sexual activity which is unwelcome; and
 4. Display of sexually oriented materials in a location where others can see it.
- D. Responsibility:
1. It is the responsibility of all employees to aid the employer in maintaining a work environment free from discrimination, including unlawful harassment. Therefore, it is the responsibility of each employee, including supervision and management, to immediately report any instances of discriminatory harassment to the proper authority (see reporting procedure below). Any employee who observes any conduct that may constitute discriminatory harassment of a coworker, but fails to report same, may be subject to disciplinary action. Moreover, any employee who receives a complaint alleging conduct which may constitute discriminatory harassment of any county employee, but fails to report same, may be subject to disciplinary action.
 2. It is further the responsibility of each supervisor to ensure that all employees who report to the supervisor are aware of the policy against discriminatory harassment, that they are aware of the complaint and reporting procedures, and that they are aware of the consequences of engaging in discriminatory harassment.
 3. It is the responsibility of management to maintain an environment free from discriminatory harassment. Management shall ensure that its supervisors are sufficiently trained in recognizing discriminatory harassment, the complaint and reporting procedures, the proper methods of investigating complaints of discriminatory harassment, and the disciplinary procedure regarding discriminatory harassment.
 4. Management shall also ensure that all employees are aware of this policy and will ensure that all employees receive sufficient training to maintain an environment free from discriminatory harassment. Additionally, each newly-hired employee will receive training in this policy as a part of their employee orientation.
- E. Any employee who is found, after appropriate investigation, to have maliciously or intentionally filed a false claim of discriminatory harassment of another employee or member of the public shall be subject to disciplinary action, up to and including termination.
- F. Any employee who believes that he or she has been the subject of or witness to discriminatory harassment should immediately report the alleged act(s) as described in the Equal Employment Opportunity/ADA/Discriminatory Harassment Complaint Procedure, Section 4.04.

**EQUAL EMPLOYMENT OPPORTUNITY / ADA /
DISCRIMINATORY HARASSMENT COMPLAINT PROCEDURE****SECTION 4.05**

- A. Employees are strongly encouraged to file a complaint if they believe that another person has unlawfully discriminated against them, another employee, or any other individual in any way affiliated with Union County under any local, state, or federal anti-discrimination law, including a violation of the ADA or conduct involving discriminatory harassment.
- B. All complaints alleging illegal discrimination shall be immediately reported to the employee's immediate supervisor, the Appointing Authority, EEO Coordinator, or County Prosecutor and filed on the Discriminatory Harassment Complaint form. This form shall be filed as soon as possible.
- C. Investigation:
1. After the complaint form has been completed, the complaint will promptly be investigated by the employee's EEO Coordinator or appointing authority. If the EEO Coordinator or appointing authority is the subject of the complaint, the investigation shall be conducted by the county prosecutor or designee. If the county prosecutor is the subject of the complaint, the investigation shall be conducted by the county coroner or the board of county commissioners. Notwithstanding, the EEO coordinator and/or county prosecutor shall be notified of any such complaint.
 2. The employer may place the charged party on paid administrative leave pending the investigation.
 3. If the investigation reveals that the complaint is valid, prompt remedial action will be taken to end the harassment immediately.
- D. The EEO coordinator shall investigate all complaints and respond to the complainant within a reasonable timeframe of the filing. If the complainant is not satisfied with the EEO coordinator's response, he or she may file a complaint with the appointing authority. The appointing authority will investigate and respond within a reasonable timeframe of the filing.
- E. When reviewing complaints alleging a violation of the ADA, as may be amended from time to time, the EEO coordinator and the appointing authority, if applicable, will determine whether the complainant is a "qualified person with a disability," whether the employer may have discriminated against the complainant, and if so, whether the employer can "reasonably accommodate" the complainant or otherwise resolve his or her complaint.
- F. Any employee who has been found by the appointing authority, after appropriate investigation, to have committed an act of illegal discrimination against another employee, job applicant, or other person will be subject to appropriate disciplinary action, up to and including termination.
- G. The general public (non-employees) found to have committed an act of illegal discrimination or harassment against an employee will be dealt with appropriately by law.

- H. No one shall in any way retaliate against an individual for filing a complaint, reporting harassment, participating in an investigation, or engaging in any other protected activity. Any employee who feels that he or she has been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of his or her relationship with an individual who took action under this policy, shall report such conduct to the EEO Coordinator immediately. Any person found to have retaliated against an individual for engaging in activity protected by this policy will be subject to discipline.
- I. Although legitimate complaints made in good faith are strongly encouraged, false complaints, or complaints made in bad faith, will not be tolerated. False complaints are considered a violation of County policy and an employee who makes a false complaint will be subject to discipline. Failure to prove unlawful discrimination or harassment will not constitute a false complaint without further evidence of bad faith. Disciplinary action for the filing of a false complaint shall not be considered a retaliatory act.

VACANCIES: ANNOUNCEMENT AND APPLICATION**SECTION 4.06**

- A. Vacancies in positions above the lowest classification in a classification series shall be filled, insofar as it is practicable, by promotion of current employees.
- B. Vacancies are typically posted externally, in an effort to attract a diverse, qualified applicant pool. When appropriate, appointing authorities may post internally vacancies above the entry level in classified positions which occur or are imminent within the organization, except in those cases where an employee is eligible for reinstatement from layoff to the vacant position.
- C. Each announcement, insofar as practicable, shall specify the title, salary range, nature of the job, required qualifications, type of selection procedure to be used, and the deadline for and method of application.
- D. During the posting period, any employee wishing to apply for the vacant position shall submit a written application to the appointing authority, or designee, and shall follow any other application instructions described in the announcement.
- E. The appointing authority or designee shall not be obligated to consider any applications submitted after the close of the posting period.
- F. An application must be properly completed and submitted before an applicant will be considered for employment.
- G. Each department head or designee is responsible for documenting that the person selected for employment is legally authorized to work in the United States.
- H. Unclassified appointments are exempt from this section.

EVALUATION OF APPLICANTS**SECTION 4.07**

- A. The appointing authority, or designee, shall evaluate all job applicants. Applicants must submit to reference checks, interviews, background checks, and/or other job-related evaluation procedures. An applicant shall be required to provide any non-medical information, upon request, insofar as such information is job-related. For classified positions it is recommended the appointing authority use some sort of structured process where practicable.
- B. The employer may also require a selected applicant to pass an appropriate examination as a condition of employment to determine whether the applicant can physically and/or mentally perform the essential functions of the job, with reasonable accommodation where necessary. Preemployment tests to determine current use of illegal drugs and alcohol that may affect the applicant's ability to perform the duties of the job in question may be conducted before a conditional offer of employment only for safety-sensitive positions.

BASIS FOR SELECTION / DISQUALIFICATION**SECTION 4.08**

- A. Appointments to vacant positions, either from internal promotion or selection from outside job applicants, shall be made based solely on the applicant's knowledge, skills, and abilities, and other job-related practical selection methods.
- B. An applicant shall be eliminated from consideration if he or she:
1. Does not possess the knowledge, skills, and abilities necessary to effectively perform the duties of the vacant position.
 2. Has made a false statement of material fact on the application form or supplements thereto.
 3. Has committed or attempted to commit a fraudulent act at any stage of the selection process.
 4. Is an alien not legally permitted to work.
 5. Has been previously terminated for just cause except in unusual circumstances to be determined by the appointing authority or designee after review with the previous supervisor.
- C. An applicant may be eliminated from consideration upon other reasonable and legal grounds relating to job requirements.
- D. If an employee is hired and it is subsequently learned that any of the above disqualifying criteria apply, the employee may be terminated.

- E. Each appointing authority is responsible for documenting that the person selected for employment is legally authorized to work in the United States (see section 4.17). All I-9 forms must be maintained in a file separate from the employee's personnel records.
- F. Once the applicant is hired as an employee, the appointing authority, department head, or designee must provide a position description within 30 days to any such employee who is newly hired and unclassified.

**PHYSICAL OR MENTAL EXAMINATIONS OF APPLICANTS
FOR HIRE OR PROMOTION****SECTION 4.09**

- A. If the employer requires a physical or mental examination of applicants for hire or promotion, the employer will only require the physical or mental examination after selecting preferred applicant or applicants for appointment.
- B. The person who sends the applicant for such an examination should send a job description to the licensed, qualified practitioner conducting the examination, and request that the practitioner indicate in writing whether the applicant can perform the essential functions of the job identified on the job description; and if not, what accommodation, if any, the applicant would require in order to do the job.
- C. If the employer requires an employee or applicant to take a medical examination, the employer will pay for the cost of that examination.
- D. The appointing authority shall select the licensed practitioner to administer the examination and shall pay the cost. Applicants may obtain, with approval of the appointing authority, a waiver of the medical examination requirement for the following reasons:
 - 1. Verified religious opinion or affiliation.
 - 2. Reinstatement within one (1) year of separation.

Any applicant requesting to waive the examination requirement for one (1) of the above reasons shall submit a written affidavit describing the applicant's state of health at the time of employment.

- E. After hire, employees may be legally required to submit to medical examinations for certain purposes during their period of employment with the county. Such an examination is intended to ensure that the incumbents continue to be physically and mentally able to perform the duties of their position. Examples include examination to certify eligibility for family and medical leave or other leaves of absence, examination to assess eligibility for workers' compensation, examination required by occupational safety and health programs, etc. A medical examination may also be required to determine an employee's ability to return to work following a medically related leave of absence.
- F. The appointing authority shall include GINA "safe harbor" language directed to the health practitioner conducting the medical examination.

TRANSFER**SECTION 4.10**

A transfer may be defined as the movement of an employee from one (1) job to another where there is no change in level of responsibility, classification, or salary. There are two (2) types of transfer:

1. Intra-departmental transfer: A transfer from one (1) position to another bearing the same classification title within the appointing authority's office is considered an intra-departmental transfer.
2. Inter-departmental transfer: A transfer from one (1) position to another bearing the same classification title between one (1) appointing authority's office and another appointing authority's office is considered an inter-departmental transfer.

Requests for transfer will be granted based upon the needs of the departments' availability of positions and the approval of the affected appointing authorities. See section 6.03 for vacation payout provisions when the transfer involves employment with another appointing authority.

TEMPORARY ASSIGNMENTS**SECTION 4.11**

A temporary assignment is defined as the assignment of an individual employee to a classification different from his or her own, which has substantially different duties than the employee would normally perform. A temporary assignment shall be made by the appointing authority to meet the operational needs of the department due to illness, emergencies, or special circumstances, and shall not be done for disciplinary purposes.

All temporary assignments of classified employees shall be accomplished by a written letter of assignment delivered to the employee with copies to the auditor (if a pay adjustment is necessary).

Classified employees temporarily assigned to a position with a higher rate of pay for more than 10 consecutive workdays shall receive the lowest rate of pay for that position which represents an increase in pay to the employee, beginning on the eleventh (11th) consecutive workday. This temporary increase in pay does not apply to employees who are actively involved in training.

Classified employees temporarily assigned to a position with a lower rate of pay shall continue to receive their current rate of pay.

PROMOTION**SECTION 4.12**

- A. It is the policy of Union County to train and develop entry level employees for promotion to higher level classifications, whenever possible.
- B. Factors to consider for promotion include an employee's completion of required training courses, general performance evaluation ratings, and the employee's knowledge, skills, and abilities to perform the essential functions of the vacant position.
- C. Employees accepting promotions to a classified position will be required to successfully complete a probationary period.

- D. All promotions must be made in accordance with the Union County equal employment opportunity policy as set forth in section 4.1 of this manual.
- E. No promotion shall be final until the employee has successfully completed the probationary period; or in the case of an employee promoted without competitive examination to a classified position under section 124.30 of the Ohio Revised Code, until the employee successfully completes the probationary period or six (6) months of continuous service in the position, whichever is longer.

TRAINING**SECTION 4.13**

- A. Appointing authorities or their designees shall ensure that both probationary and non-probationary employees receive sufficient training to effectively perform their jobs to the prescribed performance level. New employees will be provided with personnel policy requirements and will receive a complete tour of their department in order to acquaint the employee with the facilities and work rules.
- B. Appointing authorities or their designee shall periodically examine current and proposed training programs to ensure the program's relevance to both the individual employee and organizational training needs.
- C. Appointing authorities or their designees shall maintain an inventory of current skill and ability levels of employees in order to identify persons in need of additional job training. The appointing authority shall provide such training, insofar as practicable, in order to upgrade individual job performance levels or to prepare employees for anticipated position vacancies. Appointing authorities may cross-train employees within their department in order that employees are qualified to fill in during the absence of a fellow employee.
- D. Employees may be required to attend job-related training programs, courses, workshops, seminars, etc.
- E. An employee may request that the appointing authority provide additional job training to upgrade performance levels in his or her current position or in preparation for anticipated position vacancies. Such training may be considered by the appointing authority. In all cases, however, such additional paid training shall be subject to the approval of the appointing authority.
- F. If such training is required by the appointing authority, the expenses incurred shall be paid by the appointing authority. The appointing authority will not, however, pay for training when it is taken voluntarily by the employee and not required by the appointing authority. Any absence due to training taken voluntarily by the employee shall be subject to the prior approval of the appointing authority.
- G. Travel time, which occurs all on the same day, will be counted as hours worked when such travel is required by the employer to attend job-related required training. Travel time will not be counted as hours worked when the employee is attending training not required by the employer (see F above). However, when travel time is compensable, the employee's normal travel time to and from work will be deducted from the compensable travel time.

- H. Employees approved to attend out-of-town training are required to be in attendance for the entire program.

PROBATION PERIOD**SECTION 4.14**

- A. Each person entering county service in a full-time or part-time classified position with Union County shall be required to successfully complete a probationary period of at least 180 calendar days, with its effective date beginning the effective date of the appointment. Part-time employees who work less than the normal number of working days per week shall serve a probationary period of 1000 hours. Temporary and intermittent appointments do not serve a probationary period as they are in the unclassified service. Some departments will have a longer probationary period for certain classifications.
- B. If an employee is granted a leave of absence or is removed from active pay status for any period of time during his probationary period, the time of such leave is not counted as part of the probationary period.
- C. The appointing authority shall retain only those employees who meet acceptable standards. A probationary employee may be separated at any time during the probationary period. Removal during the probationary period is not appealable to the State Personnel Board of Review.
- D. Employees appointed to unclassified positions do not serve a formal probationary period since they continuously serve at the pleasure of the appointing authority.
- E. Any newly promoted classified employee shall also be subject to a probationary period. Such employee shall be returned to his or her former position, or a similar position, when in the judgment of the appointing authority, the employee's fitness and/or quality of work are not such to merit continuation in the higher-level position. If the same or similar position is not vacant, then the probationary reduced employee shall be treated as if his former position (position to which he is being demoted) has been abolished (such employee will be offered the appropriate displacement rights). Such action shall not be considered disciplinary, nor shall it eliminate the employee from consideration for later advancement. No additional probationary period is required following such a demotion.

PERFORMANCE EVALUATION**SECTION 4.15**

- A. Written performance evaluation provides supervisors with an effective mechanism to measure and communicate levels of job performance to employees. It provides the employee with documented, constructive feedback concerning current job performance. Documented performance evaluation serves as a basis for important management decisions regarding training needs, job assignments, promotion, and retention of employees. The work performance of each permanent employee shall be evaluated in accordance with established procedures.
- B. Employees serving initial or promotional probationary periods shall receive a probationary evaluation during the course of such periods. Should a new employee be given a

- probationary removal before the end of his or her probationary period, a final evaluation may be made, as warranted, at the time of removal.
- C. Employees not serving in probationary periods shall receive at least one (1) annual evaluation per year.
 - D. Special evaluations may be made if authorized by the appointing authority. Such evaluations may not be used for the purposes of influencing the order of layoff.
 - E. Employees dissatisfied with their performance evaluations may seek reconsideration through use of the complaint procedure specified in this manual. Such appeal rights shall not apply to employees serving in a new-hire probationary period.

DRUG FREE WORKPLACE POLICY**SECTION 4.16**

The following is the employer's Drug Free Workplace Policy:

A. Notice Upon Hiring:

1. All employees, upon hire, will receive a copy of the *Union County Drug Free Workplace Statement and Policy*, and *Drug Testing Policy*, and will be required to sign a receipt which will become a permanent part of the employee's personnel file.
2. In addition, as a further condition precedent to hiring, all prospective employees will be required to sign a written statement to the effect that:
 - a. They understand and support the Union County Drug Free Workplace Policy.
 - b. They agree to refrain from violating this policy while employed by the employer.
 - c. They acknowledge, in advance, that they understand that the penalty for breach can be discharge and agree that the penalty is appropriate when supported by evidence.
 - d. They acknowledge that they have been warned that alcohol and drug testing of employees will be conducted in accordance with the county's policy where there is individualized reasonable suspicion of alcohol or drug use or drug impairment.

B. Distribution of Drug Free Workplace Policy:

1. All current employees will receive a copy of the county's drug free workplace statement and policy and will be required to sign a receipt for it, which will become a permanent part of the employee's personnel file.
2. All current employees will be asked to voluntarily sign a statement supporting the strict enforcement of this policy.

3. All current employees will be given notice that the county reserves the right to order employees to submit to alcohol or drug testing where supported by an individualized reasonable suspicion of alcohol or drug use or drug impairment.

C. **Drug Free Workplace Policy definitions:**

1. **Alcohol:** The intoxicating agent in beverage alcohol, ethyl alcohol, or other lower molecular weight alcohols including methyl and isopropyl alcohol.
2. **Controlled substance:** Any controlled substance contained in Schedules I through V of section 202 of the Controlled Substance Act (21 U.S.C. 812), or as defined in R.C. 3719.01.
3. **Conviction:** Any finding of guilt, including a plea of nolo contendere (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal, state, or municipal criminal drug statutes.
4. **Criminal drug statute:** A criminal statute which states that a person may not manufacture, distribute, dispense, use, possess, provide, or administer any controlled substance.

For purposes of this policy all definitions will be consistent with R.C. 3719.01 *et seq.*

- D. It is the policy of Union County to maintain a safe and productive workplace free of alcohol and drugs and free of those individuals who use drugs and alcohol.
- E. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance by any employee which takes place in whole or in part in the workplace is strictly prohibited and will result in criminal prosecution and employee discipline which may include termination from employment.
- F. Any employee convicted of any federal, state, or municipal criminal drug statute must notify the employer of that fact within five (5) calendar days of the conviction. Notification of the employee does not excuse that employee from possible disciplinary action under the county's personnel policy manual.
- G. Any employee who reports for duty in an altered or impaired condition which is the result of the illegal use of controlled substances, or the abuse of legal substances will be subject to disciplinary action or discharge. Any decision to take such action may be held in abeyance pending the completion by the employee of a drug rehabilitation program.
- H. Any employee convicted of a drug offense, who fails to report the conviction as required by the above, will be:
 1. Terminated from employment.
 2. Forever barred from future employment with Union County.

3. Held civilly liable for any loss of federal funds resulting from the failure to report the conviction.
- I. The County has a zero-tolerance policy for employees who are under the influence of drugs or alcohol while at work. Employees who are using medical marijuana as authorized by Ohio law are not exempt from this policy in any way. The use of marijuana in any form for any purpose, authorized for medicinal purposes or unauthorized, will be treated the same as the use of all other Schedule 1 controlled substances, illegal drugs, or the abuse of legal drugs. Employees using Schedule 1 controlled substances or illegal drugs, including medical marijuana authorized by and in accordance with Ohio law, are still subject to all provisions of this policy and may be subject to discipline including termination for such use.

DRUG AND ALCOHOL TESTING POLICY**SECTION 4.17****A. Drug Testing Policy:**

1. Applicant drug testing: Applicants for full- or part-time, year-round safety-sensitive positions shall be required to sign a written waiver and consent form and take a drug test as a condition of employment. Additional rules apply specifically for commercial driver's license (CDL) holders.
2. Employee drug testing: The employer reserves the right to set standards for employment and to require employees, as a condition of continued employment, to submit to physical examinations including breath or urine tests for alcohol, illegal drugs, or the misuse of legal drugs where there is reasonable suspicion that an employee's work performance is, or could be, affected by the condition.
3. In cases in which the employer has a reasonable suspicion to believe that the employee is in an altered or impaired condition as the result of the influence of alcohol or the controlled substances referenced in Paragraph C above, the employer may require the employee to go to a medical clinic, at the employer's expense, to provide breath or urine specimens. For purposes of this policy, "reasonable suspicion" means suspicion based on personal observation by an employer representative. Employer representatives should document such reasonable suspicion by making written notations which may include descriptions of inexplicable or abnormal behavior, appearance, speech, or breath.
4. Any employee involved in a workplace accident may be subject to post accident drug/alcohol testing.
5. If requested, the employee will sign a waiver and consent form authorizing the clinic to examine a specimen of breath or urine and release the test results to the employer.
6. A refusal to sign a waiver and consent form or to provide either specimen will constitute insubordination and a presumption of impairment and may result in discharge.

7. Any employee tested in accordance with the above procedure may request, in advance of the original test, that a portion of the original specimen be delivered to a third party for testing at the employee's expense.
8. The results of any such test will constitute medical information and will remain confidential, to the extent provided by state law.
9. Employees who refuse to submit to the required testing shall be subject to disciplinary action up to and including discharge. A refusal to test for purposes of this policy include:
 - a. Failure to provide a sufficient sample provided there does not exist a valid medical explanation as to why the employee was unable to do so.
 - b. Any conduct that attempts to obstruct the testing process such as unavailability, leaving the scene of an accident without proper authorization, delay in providing a sample, adulterating, substituting, or attempting to adulterate or substitute a specimen during the testing process, regardless of whether such attempt results in a negative or positive diluted sample.
 - c. Failure to execute or release forms required as part of the testing process.
10. Employees must inform the County if they are taking any medication that may impair their ability to perform their job functions. Employees on such medications must provide a written release from their treating licensed medical practitioner indicating that they are capable of performing their essential job functions, with or without reasonable accommodation. Employees are prohibited from performing any County function or duty while taking legal drugs that adversely affect their ability to safely perform any function or duty.

Employee use of prescription or over-the-counter drugs must be utilized for medical reasons, taken at the dosage and frequency of use prescribed on the label, and in the case of prescription drugs, prescribed to employees for medical reasons by a licensed medical practitioner. An employee's use of prescription or over-the-counter drugs shall not affect the employee's job performance, threaten the safety, productivity, public image or property of the County or its employees, or result in criminal behavior.

An employee taking over the counter or prescribed medications which could impair his or her ability to perform the essential functions of his or her position safely may be referred by the appointing authority to a medical review officer for such a determination. A copy of the employee's job description should be sent to the medical review officer. A "medical review officer" is a licensed physician with certification and experience with substance abuse, diagnostic, or occupational health work. If the employee is unable to work, he or she shall be placed on the appropriate leave.

IMMIGRATION REFORM AND CONTROL ACT POLICY**SECTION 4.18**

- A. **In general:** In accordance with the provisions of the Immigration Reform and Control Act of 1986, as amended by the Immigration Act of 1990, and as further amended from time to time, the employer has adopted the policy set forth below.
1. The employer shall not knowingly hire or recruit or continue employment of any alien hired after November 6, 1986, without substantiating and documenting that alien's eligibility in accordance with provisions established by this policy.
 2. The employer has established an employment verification system and shall retain appropriate records establishing that each employee hired after November 6, 1986 is lawfully authorized to work in the United States as either a U.S. citizen or as a properly "documented alien."
 3. As a condition of continued employment, the employer shall verify both the identity and the employment eligibility of all applicants considered for employment in accordance with procedures set by USCIS.
- B. **Post-hiring requirements:**
1. Within three (3) business days after the appointment of the applicant, the employer shall physically examine the documentation presented by the new employee, ensure that the documents presented appear to be genuine and relate to the individual, then complete the remaining portions of Form I-9.
 2. The employer shall retain Form I-9 and photocopies of the supporting documentation for three (3) years after the effective date of hire or for one (1) year from the date of the employee's separation from service, whichever is later.
 3. Form I-9 and copies of supporting documentation shall not be used for any purpose or provided to any employer or person other than for the purpose of complying with the requirements of the Act.
 4. Should an employee be rehired or reinstated by the employer within one (1) year of the date of separation, the employer may use the original I-9 form and supporting documentation for the purpose of complying with the Act.
 5. If an employee's authorization to work expires, the employer must immediately re-verify that the employee is still authorized to work, based on the employee's documentation of continuing eligibility or new authority to work. The employer must review the document, and verify on the I-9 form, noting the document's ID number and expiration date.
- C. **Anti-discrimination policy:** The employer will not unlawfully discriminate against any citizen or national of the United States or against any alien authorized to work in the job at issue.

NEW HIRE REPORTING**SECTION 4.19**

- A. **Generally:** In accordance with ORC 3121.89-3121.8911, the county auditor shall report certain information about employees who are newly hired, rehired, or who return to work after a separation of employment. This information will be used by the Ohio Department of Jobs and Family Services (ODJFS) to help locate parents who owe child support, to make adjustments in public assistance benefits, and to identify persons who are fraudulently receiving benefits. In addition, new hire reporting information is available to other state agencies to help detect and prevent erroneous unemployment or workers' compensation payments.
- B. **Employee definition:** The statute defines employee as any individual who is employed to provide services to an employer for compensation and includes an individual who provides services to an employer under a contract as an independent contractor and who is an individual, the sole shareholder of a corporation, or the sole member of a limited liability company.
- C. **Deadline:** Information regarding newly hired, rehired, or returning employees shall be submitted within 20 days of the hire or rehire date.
- D. There are a variety of ways to report new hires, including online reporting, electronic reporting, and by mail or fax. These options for reporting are discussed in detail on the Ohio New Hire Reporting Center's website at: www.oh-newhire.com.
- E. If the county auditor prefers to submit the Ohio New Hire Reporting Form by mail or fax the county auditor shall complete and forward the form to the address or fax number contained in the top left-hand corner of the form. A copy of this form can be obtained from the above-listed website.
- F. For questions or technical assistance regarding the new hire reporting process employers can contact the Ohio New Hire Reporting Center at (614) 221-5330 or call the toll-free number (888) 872-1490.

REEMPLOYMENT OF RETIREE**SECTION 4.20**

- A. **Generally:** Based upon the appointing authority's operational needs, the appointing authority or designee at his or her discretion may initiate discussions with a retiree or a potential retiree regarding reemployment with the county.
- B. **Definition:** Reemployment of a retiree occurs when such retiree returns to work in an OPERS-covered or another Ohio retirement system-covered position after retiring under OPERS or another Ohio retirement system retirement plan.
- C. **Notification by reemployed retirees:** Reemployed retirees shall notify the appointing authority that they are receiving an Ohio retirement system benefit. Retirees shall complete and submit to OPERS a Notice of Reemployment of an OPERS Benefit Recipient or a Notice of Reemployment of an Elected Office, if applicable. These notices can be found at www.opers.org.

- D. **Certification by county:** The notice forms described above in (B) shall be certified by the appointing authority. Such forms serve as an official notification to OPERS of the hiring of a reemployed retiree.
- E. **Effect on retirement benefits:** If a retiree who is receiving benefits from one (1) of Ohio's retirement systems is reemployed in an OPERS-covered position, his or her retirement benefit may be affected. (Pursuant to Ohio law, if an OPERS retiree begins reemployment during the first two (2) months in which he/she receives a retirement allowance from OPERS, the OPERS retiree forfeits his/her retirement allowance for any month of reemployment during the two (2) month period. After the first two (2) months of retirement, the retiree will receive his or her OPERS retirement benefit.) Any employee who is considering reemployment with the county after retirement should contact the appropriate retirement system for clarification on how reemployment will affect his or her retirement benefits.
- F. **County and employee contributions to OPERS:** Such contributions shall begin on the first day of employment with the exception of contributions remitted during the first two (2) months after retirement. Reemployed retirees will contribute toward a money purchase plan . Specific provisions relating to OPERS benefits under this policy are meant only to be informative and provide guidance. OPERS is a state agency, and questions relating to OPERS benefits should be directed to OPERS.
- G. **Public notice and public hearing:**
1. **Public notice:** The Union County board of county commissioners (hereinafter "board") must provide public notice for a person returning to the same position that is customarily filled by a vote of members of a board or commission or by the legislative authority of a county at least 60 days before the reemployment begins, that an individual is seeking to retire, draw a pension, and return to work in a position under the board.
 2. **Public hearing:** The board must also hold a public hearing 15 to 30 days before the reemployment is to begin to discuss the issue of such retiree being reemployed. The date, time, and location of the public hearing must be included in the public notice as described in (1) above.
- H. Rehired employees will start a new period of classified/unclassified service for the purpose of calculating service credits in the event of layoff or other action affecting their employment.
- I. **Benefits following reemployment:** A reemployed retiree of any retirement plan offered by the state shall be permitted to earn vacation leave, sick leave, and longevity pay in accordance with county policies, as if he or she is a new employee with no prior service time. Such reemployed retiree shall also be eligible to receive select other county-provided benefits in accordance with the terms and conditions of the policies, which control such benefits.
1. **Vacation leave:** For purposes of computing vacation leave, an employee who has retired under the Ohio Public Employees Retirement System, and who is

reemployed by a county after July 5, 1987, will not receive credit for prior years' service in determining the vacation accrual rate. In other words, when rehired, the employee will begin accruing vacation as a new employee.

2. Sick leave: If the retiree is hired by the County after May 1, 2008, he or she will not be eligible for payout of any accumulated, unused sick leave upon separation from employment unless the board adopts an alternative policy pursuant to R.C. 124.39(C). Retirees who are hired before May 1, 2008, will be eligible for payout of any accumulated, unused sick leave upon separation from employment with Union County, in accordance with the provisions of Section 6.02 of this policy manual.
3. Longevity pay: Longevity pay (if applicable) for a reemployed retiree shall be calculated based upon the retiree's date of reemployment.
4. Health care: If the retiree qualifies for the county's health care coverage, the county must make appropriate coverage available to the reemployed retiree.

WHISTLEBLOWER POLICY	SECTION 4.21
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- A. In accordance with R.C. 124.341, if an employee in the classified or unclassified civil service becomes aware, in the course of employment, of a violation of state or federal statutes or the misuse of public resources, and the employee's supervisor or appointing authority has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the supervisor or appointing authority, the office of internal auditing, or with the Auditor of the State's fraud reporting system under R.C. 117.103.

If the employee reasonably believes that the violation or misuse of public resources is a criminal offense, the employee, in addition to or instead of filing a written report with the supervisor, appointing authority, the office of internal auditing, or the state auditor, may report it to the county prosecutor.

- B. Except as otherwise provided in division (C) of this section, no appointing authority shall take any action as prescribed in R.C. 124.341 against an employee in the classified or unclassified civil service for making any report authorized by division (A) of this section.
- C. An employee in the classified or unclassified civil service shall make a reasonable effort to determine the accuracy of any information reported under division (A) of this section. The employee is subject to disciplinary action, including suspension or removal, as determined by the employee's appointing authority, for purposely, knowingly, or recklessly reporting false information under division (A) of this section.
- D. If an appointing authority takes any disciplinary or retaliating action against a classified or unclassified employee for filing a report or complaint in accordance with R.C. 124.341 or this section, the employee's sole, and exclusive remedy, notwithstanding any other provision of law, is to file an appeal with the State Personnel Board of Review within 30 days after receiving actual notice of the appointing authority's action.

FRAUD REPORTING**SECTION 4.22**

The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll-free number, the auditor of state's website, or through the United States mail.

Auditor of State's fraud contact information:

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215

Web: www.ohioauditor.gov

LIMITED ENGLISH PROFICIENCY**SECTION 4.23**

- A. Pursuant to the Ohio Attorney General's recommendation, and Title VI of the Civil Rights Act of 1964, 28 C.F.R., 42.401 *et seq.*, Union County has adopted the following policy.
- B. Union County will take reasonable steps to ensure that persons with limited English proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs, and other benefits. The policy of Union County is to ensure meaningful communication with LEP clients and their authorized representatives involving their medical conditions and treatment. The policy also provides for communication of information contained in vital documents including, but not limited to, waivers of rights, consent to treatment forms, financial and insurance benefit forms, applications for employment/services, etc. All interpreters, translators, and other aids needed to comply with this policy shall be provided without cost to the person being served, and clients and their families will be informed of the availability of such assistance free of charge.

Language assistance will be provided through use of competent bilingual staff, staff interpreters, contacts or formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals and will be trained in effective communication techniques, including the effective use of an interpreter.

Union County will conduct a regular review of the language access needs of our patient population, as well as update and monitor the implementation of this policy and these procedures, as necessary.

- C. **Procedures:**

1. Identifying LEP persons and their language: Union County will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or “I speak cards,” available online at www.lep.gov) or posters to determine the language. In addition, when records are kept of past interactions with clients or family members, the language used to communicate with the LEP person will be included as part of the record.
2. Obtaining a qualified interpreter: The appointing authority or designee is responsible for:
 - a. Maintaining an accurate and current list showing the name, language, phone number, and hours of availability of bilingual staff.
 - b. Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret.
 - c. Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person’s file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children and other clients will not be used to interpret, in order to ensure confidentiality of information and accurate communication.

3. Providing written translations:
 - a. When translation of vital documents is needed, each appointing authority in Union County will submit documents for translation into frequently encountered languages to the designated individual. Original documents being submitted for translation will be in final, approved form with updated and accurate legal and medical information.
 - b. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.
 - c. Union County will set benchmarks for translation of vital documents into common additional languages over time.

4. Providing notice to LEP persons: Union County will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, notices and signs will be posted and provided in intake areas and other public areas. Notification will also be provided through one (1) or both of the following: outreach documents and websites.
 5. Monitoring language needs and implementation: On an ongoing basis, Union County will assess changes in demographics, types of services, or other needs that may require reevaluation of this policy and its procedures. In addition, Union County will regularly assess the effectiveness of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, feedback from patients and community organizations, etc.
- D. Any complaints shall be directed to the appointing authority or designee.

CLASSIFICATION PLAN POLICY**SECTION 5.01A**

The appointing authority has the right to create and maintain a county-wide class plan and the discretion to assign job duties and responsibilities to each employee and to assign a working title to each employee's position when necessary.

A job classification includes one (1) or more positions within the employer's organization that are so similar they can be described by a common job classification title, even though each position within a job classification may have its own working title and its own job description. Classifications are used for order of layoff and for carrying certified status.

When creating or changing jobs, the employer will draft job descriptions based on an analysis of the duties, responsibilities, essential functions, and qualifications of the positions affected.

CLASSIFICATION PLAN PROCEDURE**SECTION 5.01B**

- A. Each appointing authority has the responsibility to make changes in requirements of positions under his or her jurisdiction. This is necessary to ensure that the classification plan properly reflects the duties, knowledge, skills, and abilities required for each position. Factors which may necessitate an appointing authority to make revisions in a position description include:
1. An addition of a new function or responsibility to the organization.
 2. An abolishment or elimination of a current function or responsibility of the organization.
 3. A reorganization of a function resulting in the consolidation of various work activities.
 4. A gradual growth of a position by addition, deletion, or change in duties and responsibilities.
 5. A new or revised licensure or certification requirement.
- B. Whenever such a change occurs in a position, a position description shall be completed and submitted to the appointing authority. Upon each occasion where a department or division is reorganized, position descriptions for all affected employees shall be developed and maintained in the appointing authority's file. Additionally, whenever there is change in reporting relationships, a current table of organization for the restructured department or division shall be maintained.
1. All employees shall be made aware of and given a copy of their classification title and job requirements specified in their class specifications. A copy of an employee's class specification shall be maintained in the employee's personnel file. An employee may request that his or her position be reviewed for proper classification.

2. Any changes which are made in position descriptions, class specifications, or tables of organization should be communicated in writing to all affected employees, no later than 14 calendar days after such change was made.
3. Approved classification title changes, reclassifications, and any other related changes must be reflected on all applicable payroll, personnel, and operational records.

COMPENSATION	SECTION 5.02
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Compensation practices in Union County shall comply with sound personnel management principles and practices. Efforts will be made to compensate personnel fairly and equitably in accordance with federal and state laws, sound personnel practices, and merit and fitness. Each appointing authority will be responsible for setting compensation for their employees.

Employees shall review their pay stubs. If an error has been made or an employee feels an improper deduction has occurred, the employee shall report such to the appointing authority. The appointing authority shall correct errors in compensation.

WORK SCHEDULING / OVERTIME	SECTION 5.03
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- A. **Work scheduling:** Each appointing authority shall establish the standard workday, workweek, and starting and quitting times for their employees and their offices in consideration of current and anticipated workload, public service needs, and other factors. No established schedule shall be construed as a guarantee of work hours or as a restriction on the employer's right to restructure the workday or workweek.

There are many different jobs in the county requiring different hours of work. An employee's work schedule will depend upon the department to which they are assigned and their particular classification within the department. The appointing authority may publish a schedule showing the working hours of each employee in the department. Employees are expected to work their designated work schedule unless they receive prior authorization from their supervisor.

- B. **Starting time, lunch period, quitting time:** Nonexempt employees are not expected to perform assignments prior to the beginning or after the end of the regular scheduled workday unless previously approved by the employee's supervisor.

The lunch period is intended to be a non-work period; however, some employees may be required to stay in or around their work area. Nonexempt employees who choose to remain at their desk or work area are not expected to perform any work assignments during this time and will not be compensated for any work performed during the lunch period unless previously approved by the employee's supervisor or an emergency situation.

Nonexempt and exempt employees must receive prior approval to work their lunch period. Employees are not permitted to work their lunch period and leave early unless they receive prior approval from their supervisor.

- C. **Overtime hours computation:** Union County has elected to compute eligibility for overtime (including compensatory time) based upon all hours actually worked. Hours actually worked does not include any form of paid leave or compensatory time. Appointing authorities who have adopted a different standard shall notify the commissioners and the auditor.

Example: An employee who actually works four (4) eight (8) hour shifts with an eight (8) hour shift of sick leave during the workweek will only have 32 hours towards computing overtime.

1. Employees whose regular scheduled workweek is less than 40 hours per week shall receive straight time pay or compensatory time off at straight time for all hours worked between their scheduled hours and up to 40 hours per week.
2. Any employee who actually works in excess of 40 hours per week shall receive compensation at one and one-half (1½) times his regular hourly rate or shall receive compensatory time off at one and one-half (1½) hours for each hour worked in excess of 40 hours per week.

Examples: An employee who actually works five (5) eight (8) hour shifts and also uses eight (8) hours of vacation during the workweek will earn 48 hours at straight time because they did not actually work in excess of 40 hours. An employee who actually works 44 hours during the workweek will receive 40 hours at straight time and four (4) hours at one and one-half (1½) times his regular hourly rate or may choose compensatory time off at the rate of one and one-half (1½) hours for each of the four (4) hours worked in excess of 40 hours.

- D. **Overtime authorization:** Overtime and compensatory time shall usually be authorized by the appointing authority or designee prior to being worked. The method of compensation for overtime worked in unusual or emergency circumstances without prior authorization, shall be at the discretion of the appointing authority or designee.
- E. **Employee classifications qualifying for overtime pay:** The overtime compensation provisions of the Fair Labor Standards Act only apply to hourly employees and those salaried employees who have been determined to be "nonexempt." Certain administrative, executive, professional, and other employees are exempt or non-covered from the FLSA and are not entitled to overtime compensation.

Any questions regarding an employee's status concerning overtime should be directed to the employee's appointing authority.

- F. **Compensatory time:** With the approval of the appointing authority, a nonexempt employee may elect/choose to earn compensatory time (in lieu of being paid overtime) pursuant to FLSA rules. Appointing authorities may limit the total number of hours of compensatory time which may be accumulated.

Compensatory time must be used within 180 days unless the appointing authority has, by rule or resolution, adopted a different standard. If a different standard is adopted, the appointing authority must provide written notice to each employee 10 days prior to the

effective date pursuant to ORC 4111.03(D). Any compensatory time not used within the stated timeframe will be paid to the employee. Compensatory time must be used at a time mutually convenient to the employee and the appointing authority, in not less than one (1) hour increments. Employees are not permitted to use compensatory time unless they have received advanced written approval.

- G. **Compensation for holidays:** Any employee required to work on one (1) of the recognized holidays will receive time and one-half (1½) their regular rate of pay for all hours worked on a holiday in addition to receiving their holiday pay (see Section 6.10 holidays).
- H. **Recordkeeping required:** Each nonexempt employee who is governed by this overtime policy is required to execute a biweekly time sheet. At the end of each biweekly work period, such employee is required to sign his or her own time sheet indicating that the hours reflected on the time sheet are the actual hours worked by the employee. This time record must indicate the actual times the employee started work and stopped work each day. Upon completion and signature of the time sheet, each employee must submit the original to his or her immediate supervisor for approval.
- I. **Employment in more than one (1) county position:** If an employee holds more than one (1) position in county government, he or she must notify the appointing authorities or designee in writing. Furthermore, the employee must notify both employers and the county auditor when the employee's total number of hours actually worked for one (1) week approaches 40. The purpose of this policy is to ensure compliance with proper overtime payments when an employee is in a joint-employment relationship.
- J. **Overtime application to exempt positions:** Employees in positions designated as exempt are not governed by this policy.
- K. **Compensatory time for exempt positions:** Exempt employees are paid a salary and therefore are not eligible for compensatory time. However, each appointing authority may allow exempt employees hour-for-hour compensatory time for all hours worked beyond 40 hours per workweek with the advanced written approval of the appointing authority.
- L. **Public accountability for exempt employees:** For purposes of public accountability, exempt employees may be required to maintain a record of the hours they work, and any paid leave utilized. Exempt employees may be absent, with approval of the employer, for part of a workday without a deduction from their accrued paid leave.

INCLEMENT WEATHER**SECTION 5.04**

- A. Whenever county offices are officially closed due to weather or other emergency conditions, employees will be paid for those hours they were scheduled to work.
- B. Employees who are tardy, leave work early, or fail to report for work on days when county offices are not officially closed due to weather or other emergency conditions, shall be required to so notify the appointing authority and will not receive compensation for the duration of the unexcused absence. Upon the approval of the appointing authority, such absences may be charged to the employee's available vacation or compensatory time.

- C. Inclement weather is not a valid reason for the use of sick leave.
- D. Employees not scheduled to work, and employees on sick leave, a scheduled vacation, or leave of absence, are not entitled to pay for the hours county offices are closed due to weather or other emergency conditions.
- E. This policy does not apply to departments that operate on a continuous 24-hour basis (i.e., engineer's office, sheriff's office, COYC, facilities, and EMA).
- F. **Level 3:** When the sheriff issues a Level 3 emergency before 8:00 a.m., all county offices, with the exception of the engineer's office, the sheriff's office, facilities, and the EMA department, will be closed and employees are not to report to work.

If the Level 3 emergency is changed to a Level 2 or 1 before 12:00 p.m., employees are to report at noon or whenever possible.

If Union County is not at a Level 3 and the county that an employee lives in declares a Level 3, the employee should not report and may use vacation or personal leave to cover their absence.

- G. **Level 2 – Discretionary:** Decision must be made on a case-by-case basis by employee and appointing authority.
- H. Pursuant to Attorney General Opinion 86-023, the sheriff of a county may declare a snow emergency and temporarily close county and township roads. Ohio sheriffs have adopted guidelines for the purpose of issuing such declarations. The policy is:

Level 1: Roadways are hazardous with blowing and drifting snow. Roads are also icy. Drive very cautiously.

Level 2: Roadways are hazardous with blowing and drifting snow. Only those who feel it is necessary to drive should be out on the roadways. Contact your employer to see if you should report to work.

Level 3: All roadways are closed to non-emergency personnel. No one should be out during these conditions unless it is absolutely necessary to travel. All employees should contact their employer to see if they should report to work. Those traveling on the roadways may subject themselves to arrest.

PAY PERIOD	SECTION 5.05
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- A. There are normally 26 pay periods per year. All employees are to be paid every other Friday for the two (2) week pay period immediately preceding payday.
- B. If a holiday occurs on a Friday on which a payday falls, paychecks will be issued on the preceding Thursday.
- C. Appointing authorities are to receive any questions regarding an employee's pay and are responsible for making the necessary explanations or inquiries to resolve the matter.

- D. Paychecks may not be distributed prior to the regularly scheduled payday without written authorization from the appointing authority and the county auditor. Pay advances of any kind are not permitted.
- E. Union County requires all employees to use direct deposit.

PAYROLL DEDUCTIONS	SECTION 5.06
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Certain deductions are made from an employee's paycheck as required by law, in accordance with employee benefit plans or as requested by the employee. All deductions must be approved by the appointing authority and the county auditor. These deductions are itemized on the employee's pay statement which accompanies his or her biweekly paycheck. Deductions include:

- A. **OPERS:**² All employees must contribute to the Ohio Public Employees Retirement System rather than Social Security. The employer shall also make contributions as required by law. Reduced salary and/or fringe benefit pick-up may be implemented by the appointing authority in conjunction with OPERS.
- B. **Income taxes:** Federal, state, and city governments, and some school districts may require that income taxes be withheld from each salary payment. The amount of tax to be withheld is determined from tables furnished by the treasury department and the Ohio Department of Taxation and may vary according to the amount of salary and number of dependency exemptions. Employees are required to complete withholding tax certificates upon initial employment and to inform the appointing authority or designee of any dependency change whenever such change occurs.³
- C. **Medicare health insurance:** A deduction of 1.45% will be required from each employee who is hired after April 1, 1986. The 1.45% pay-in will be contributed to Medicare along with the employer's share of an additional 1.45%.
- D. **Miscellaneous deductions:** Examples include garnishments, deferred compensation, health insurance, and other approved deductions.⁴ The auditor may refuse to make deductions below certain prescribed minimum amounts, or at regular intervals, or for other cause.

PAYROLL DEDUCTIONS FOR EMPLOYEE ORGANIZATION AND PROFESSIONAL ASSOCIATION	SECTION 5.07
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Union County through its agent, namely the Union County Auditor, will deduct regular employee organization and/or professional association dues from the pay of any county employee upon

²Membership in the system is compulsory upon being employed except those employees specifically exempted under the provisions of section 145.012 and 145.03 of the Ohio Revised Code.

³Residents of certain municipalities and school districts are required to have income tax withheld from earnings. It is the employee's responsibility to notify the county auditor's office of the need for the deduction.

⁴All requests for payroll deductions must be presented in writing to the appointing authority or designee for authorization.

receiving written authorization signed individually and voluntarily by the employee, provided that the procedures and requirements specified in this policy have been followed.

- A. An employee desiring to have organizational dues deducted from their paychecks must complete the appropriate payroll deduction notification form. The employee must complete a new form on each occasion where the employee requests to change the amount authorized to be deducted and when the employee wishes to cancel his total authorization. Once an employee organization or professional association has complied with Paragraph (B) under this procedure, the auditor will deduct the authorized dues on a monthly basis.
- B. When the auditor receives a request for payroll deductions for an employee organization or professional association, the auditor will notify said organization that it must place on file with the Union County Auditor the following statements and information:
 1. A statement that the organization has no restriction on membership based on race, color, ancestry, religion, disability, sex, age, national origin, military status, or genetic information.
 2. A statement, signed by the organization's chief executive officer or designee, that the organization holds the county of Union harmless from any claims, actions, or proceedings by any employee arising from deductions made by the county. In addition, the employee or professional organization, must submit a statement of agreement specifying that once the funds are remitted to the organization, their disposition thereafter shall be the sole and exclusive obligation and responsibility of the employee or professional organization.
 3. The address of the organization where the warrant for the aggregate deductions is to be forwarded. An organization is required to comply with section (B)(1), (B)(2), and (B)(3) of the procedure one (1) time only.
- C. The auditor shall forward a payroll statement, in the aggregate of the deductions made once each month for those deductions made in the previous month.
- D. No deductions will be made when: (1) an employee is in layoff status; (2) an employee is on a leave of absence; (3) the authorization has been canceled by the employee; or (4) the employee's total wages are insufficient to cover the amount of the deduction.

EXPENSE REIMBURSEMENT, TRAVEL, AND MEAL POLICY**SECTION 5.08**

County employees are to receive reimbursement for allowable expenditures made for a proper public purpose that are incurred while traveling on official county business. Types of travel eligible for reimbursement include:

Routine Business Travel: Travel that occurs in the performance of job-related duties and does not include overnight lodging. This type of travel typically supports attendance at a meeting with other government officials or stakeholders, business community members, or professional organization meetings.

Training Travel: Travel that allows an employee to participate in educational workshops or staff development programs separate from a conference or convention which does not include overnight lodging. (This does not include travel for post-secondary education courses).

Conference/Convention Travel: Travel that involves an employee traveling out of the area on county business (typically requiring overnight lodging), or the employee attending a conference or convention of a job-related professional association or organization.

Employees are eligible for expense reimbursement only when travel has been authorized in writing prior to the trip/travel by the appointing authority and with appropriate receipts documenting claimed expenses. Such expenses may include transportation costs, mileage, meals, lodging and incidentals. Expenses that are not known before the travel shall be reported promptly upon the employee returning to the office, so the appointing authority may also consider reimbursement of any such reasonable expenses. Overnight travel expense reimbursement requires the advance approval of the employee's appointing authority. When traveling on official county business, employees are to use the most economic and efficient means of transportation possible.

The following items are reimbursable, subject to the regulations contained herein and compliance with the procedures:

- A. **Commercial air flights:** Reimbursement is available for air flight expenses only when the automobile mileage reimbursement would be more costly than the airfare, or where travel time is of significance. When airfare is appropriate employees shall make all reasonable efforts to obtain cost-effective flights. No first-class flights will be permitted and reimbursement for luggage shall be reasonable.
- B. **Taxi Use, Ride Share, or Transfers:** Employees will be reimbursed for the actual cost of taxis, ride shares, transfers (bus, train, subway, etc.) while on official county business. Employees must provide documentation of such use. A reasonable gratuity, not to exceed fifteen percent (15%) may be reimbursed if the gratuity is included on the receipt.
- C. **Automobile:** Whenever possible, the appointing authority will assign a county vehicle for travel to and from meetings, conferences, and conventions. If no county vehicle is available and an employee is required to use his or her privately-owned vehicle, he or she shall be reimbursed at a rate determined by the county commissioners. Such payment is considered to be total reimbursement for all vehicle-related expenses (e.g., gas, oil, depreciation, insurance, etc.). Mileage reimbursement is payable to only one (1) of two (2) or more employees traveling on the same trip, in the same vehicle. Rental of a vehicle is not reimbursable without prior approval of the appointing authority.
- D. **Meals:** Upon the approval of the appointing authority, expenses incurred for meals while on official business will be reimbursed at actual cost, up to the maximum meal reimbursement amounts set by the board of county commissioners. Such approval must be granted prior to the employee incurring the expense. An employee is eligible for such reimbursement only when travel has been authorized in writing by the appointing authority, and when travel extends overnight.

Employees will generally not be reimbursed for meals if the employee is not traveling overnight, away from Union County, unless:

1. The meal qualifies pursuant to IRS Reg. § 1.274-2(c) and (d). Examples of such meals are:
 - a. A meal where the main purpose is the active conduct of business, business is actually conducted, and there is more than a general expectation of income or some other specific business benefit in the future.
 - b. Meals at a hospitality room sponsored by the county at a convention.
 - c. A meal that is associated with the active conduct of the county's business and occurs directly before or after a substantial business discussion.
2. Occasional meals that meet the *de minimis* exclusion pursuant to IRS Reg. § 1.132-6 (d)(2), such as infrequently providing coffee, donuts, or soft drinks. Also, occasional parties or picnics, such as a holiday luncheon.

Any meal provided to employees that is not excluded from taxable income herein will be reported to the auditor's office by the department as a taxable meal. This notification will include the fair market value of such meal (may not be the actual cost) and will be included on the last payroll worksheet of each month.

- E. **Lodging:** Employees will be reimbursed, as approved by the appointing authority, for reasonable and necessary lodging expenses at the single room rate. Employees will request the government rate and obtain a sales tax exemption certification from the auditor's office prior to payment of the lodging.
- F. **Phone calls:** Phone calls necessary for official county business are reimbursable.
- G. **Parking and tolls:** Expenses for parking, highway, bridge, and tunnel tolls are reimbursable. Parking expenses incurred within, and outside Union County are reimbursable providing the employee is on official county business.
- H. **Frequent flier miles/credit card points:** Pursuant to the Ohio State Auditor's office, employees are prohibited from taking advantage of frequent flier miles or credit card points for personal use when scheduling flights or hotel accommodations related to county business.
- I. Per diem meal reimbursement and the mileage reimbursement rate shall be established by the board of county commissioners or as otherwise prescribed by the appointing authority.

The following items are not subject to reimbursement:

1. Tips in excess of 15% of the meal cost.
2. Alcoholic beverages.
3. Entertainment.
4. Laundry and dry cleaning.
5. Room service charge.
6. Expenses of spouse traveling with employee.
7. Any allowable expense where no receipt is provided as documentation by the employee.

Expense reports shall be filed by employees detailing all costs with receipts attached monthly or as set by the appointing authority. Such detailed documentation will include the amount, date, time, place, and business purpose.

RETIREMENT PLAN	SECTION 5.09
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- A. All employees are required by law to participate in the Ohio Public Employees Retirement System (OPERS) or the State Teachers Retirement System (STRS). Both the employee and the employer are required to contribute to OPERS or STRS, in amounts set by state law. The employee's contribution is paid by payroll deduction. The employer may elect to "pickup" or pay the employee's share on a "pretax" basis. Questions regarding STRS should be directed to the State Teachers Retirement System.

Questions regarding OPERS should be directed to:

Ohio Public Employees Retirement System
277 East Town Street
Columbus, Ohio 43215
(614) 466-2085

B. **OPERS pickup:**

1. Internal revenue law makes it possible for an employer to pay (pickup) employee contributions for members of OPERS. At the current time, only "reduced-salaried" pick-up is available.
2. This enables employees to designate employee contributions picked up by the employer as an employer contribution. The federal law currently states that employer contributions to a qualified pension plan are non-taxable to the employee until such time as the contributions are received as a refund or as retirement benefits.
3. When the designed employer-picked-up contributions paid by the employer are received by OPERS, they are credited to the individual member's account in the same manner as if the funds had been withheld from the member directly. In the event of service termination, these contributions are available for refund to the employee, along with any member-paid contributions, in the usual manner. The amount of the refund payable to the member is the total amount credited to the individual's account. In addition, the member would receive a form indicating the amount of money that was refunded to the member that had been designated as employer-picked-up contributions. This amount is currently taxable in the year in which the member receives the refund. A copy of the form will also be sent to the Internal Revenue Service. Lump sum payments are currently eligible for favorable tax treatment such as "five (5) year forward averaging" and "rollover."
4. For an employee who retires, the employee's cost in the retirement contract excludes the amount of the employer-picked-up contributions. Generally, the only effect will be that the retiree will begin paying tax at an earlier date on the benefit.

OHIO DEFERRED COMPENSATION PROGRAM**SECTION 5.10**

Eligible county employees may join the deferred compensation programs at their option and defer up to 25% of their income. Deferred income is not taxable for federal income tax purposes until the deferred money is received by the employee, therefore, possible tax benefits may result. Additionally, interest earned on deferred income is not taxable. Employees should contact their appointing authority and the auditor's office should they choose to participate in this program.

INSURANCE COVERAGE**SECTION 5.11**

- A. Only full-time and qualifying part-time employees, as defined in section 3.02 of this manual are eligible for participation in the county medical insurance coverage program (health, vision, dental, cafeteria plan, etc.). Union County offers various coverage options for eligible employees. Employees electing to participate in county medical insurance plans shall be required, through payroll deduction, to pay a portion of the monthly premium.
- B. The county offers paid life insurance coverage to each eligible full-time employee. This policy is a term life insurance and is in effect only as long as the full-time employee is employed with the county.
- C. Employees are responsible for keeping the insurance carrier current on any changes affecting their coverage, by notifying the county Human Resources Department of such (e.g., marriages, divorces, births, etc.).
- D. Employees on an unpaid leave of absence that does not qualify as family medical leave, will not be covered by county medical insurance or life insurance, effective the last day of the month in which the unpaid leave of absence begins. Such employee may, however, at his or her option, continue the coverage by assuming responsibility for payment of the insurance premium, through COBRA as described below.

Employees interested in continuing coverage in this manner should contact his or her appointing authority or the county Human Resources Department for details.

- E. The county Human Resources Department will initiate COBRA notices and continue coverage subject to the requirements of the law and can provide additional information regarding COBRA coverage and insurance coverage during family and medical leave.

PUBLIC RECORDS POLICY**SECTION 5.12**

- A. Union County will prepare and make available for inspection and/or copying "public records," as defined in ORC 149.43, upon the request of any member of the general public.
 - 1. Public records inspection, release, and retention are subject to Union County's public records policy and will be processed accordingly.
 - 2. Questions of whether or not a record is a public record as defined in ORC section 149.43 should be determined by the county prosecutor.

3. Self-help to records prohibited:
 - a. Employees may not copy or remove any record or writing, even those regarded as “public records”, without first obtaining advanced written permission from their appointing authority, or without going through the process for obtaining public records outlined in section B. This does not prohibit work related activity.
 - b. No employee may copy or use any agency writing, document, or record in any grievance, appeal, or legal action without having first obtained the written permission of the appointing authority or making a valid public records request. This particular policy does not apply to matters obtained through formal “discovery” under the Rules of Civil Procedure.
 - c. In order to ensure confidentiality of certain issues and promote open communication between employees and management, no employee shall tape record any meeting, hearing, or appeal involving the county or representative of the county without the advanced written permission of the appointing authority. This policy is not intended to prohibit protected activity.
 4. Penalty for breach of this policy: Any employee who is discovered to have violated any of the above enumerated policies will be subject to removal. Any former employee who is discovered to have obtained an unauthorized document or produced any unauthorized tape recording will be barred from reemployment by the county and may be subject to civil or criminal penalties.
- B. Union County and its employees must follow Ohio law on responding to public records requests.
1. Providing access to public records for the public is part of the obligations and duties of each department. It should be given as much priority as possible.
 2. Each department must make this policy readily available to any member of the public requesting to review it. Copies of this policy, like other public records, will be provided promptly upon request.
 3. Public record requests can be made by any member of the public during regular business hours of the department.
 4. Each department must post a poster describing its public records policy in a conspicuous place available to the public in its office and each of its branch offices.
 5. Each department head will designate at least one (1) person in that department to be the custodian of the records for that department. All employees handling public records requests must sign a written acknowledgment that he or she has been given a copy of this policy. The department head will ensure that employees handling public records are well informed of the public records law and ensure that each

employee completes training as required by law as necessary to ensure that the employees are kept well-informed of department obligations under the law.

6. All department records, public or non-public, must be maintained pursuant to a Records Retention Schedule (RC-2) that has been approved by the county records commission, the Ohio Historical Society, and the state auditor. Each department head will create only those records required by Ohio law to be kept, and those that are necessary for adequate documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the department and for the protection of the legal and financial rights of the county and persons directly affected by the department's activities.
7. All records are the property of the department and must not be removed, destroyed, mutilated, transferred, or otherwise disposed of, in whole or in part, except as provided by law or under the rules adopted by the county records commission. Violations of the section of the policy may subject the county and its employees to a civil lawsuit. Each proven violation is subject to a \$1000 fine.
8. Elected officials are required to attend or designate someone to attend three (3) hours of certified public records training for each term that the official serves in office. Under Ohio law certified training at this time means that it has been approved by the Attorney General's office and that it has been approved for CLE credits by the Ohio Supreme Court.

C. **Procedure for inspection and release:** Each department will prepare, make available, and copy at cost, the public records of that department upon the request of any member of the public, as follows:

1. Anyone wanting to inspect or obtain copies of records maintained by the department must reasonably identify the records they wish to inspect or have copied.
 - a. When a request is made, employees are not permitted to request a person's identification making the written request for public records or the reason for the request unless that information is necessary to fulfill the request or unless it will assist in responding to the request. WHEN THE INFORMATION IS REQUESTED TO HELP IN IDENTIFYING, LOCATING, OR DELIVERING THE RESPONSE, THE EMPLOYEE MUST INFORM THE PERSON THAT THE INFORMATION IS NOT REQUIRED.
 - b. When a request is not reasonably clear, the county employees must explain how the records are accessed in the ordinary course of business so that the person may revise the request. The employee may also assist the person to formulate the request so that it reasonably identifies the records.
 - c. If the employee knows that the records requested are held by another county department, the employee should direct that person to the department responsible for those records.

- d. Redaction: (obscuring of information on a copy of a record to be provided pursuant to a public record requests because it is exempt from the public records law) redaction is considered a violation of a public records request unless the information is exempt from disclosure under the law. The person providing the public record to the requester should confer with the county prosecuting attorney's office regarding what to redact if anything.
 - (1) Redaction is not to be done to the department original but is done to a copy of that record in preparation for a response to a public record request.
 - (2) All redactions should either be clearly visible to the requesting person, or the person should be informed of what type of information was redacted.
 - (3) Legal authority for a redaction must be provided. If the request was made in writing, the reason in legal authority must be given in writing. The legal authority must be accurate and can be supplemented in the future if necessary.
 2. To protect the records from potential damage, no person is to be permitted to make their own copies of the records requested. Employees wanting copies of public records are subject to the same policy as any other citizen. The employee should make his or her requests to another employee while not on working time. Employee self-help to records is grounds for discipline up to and including termination.
 3. Providing access to public records for the public is part of the obligations and duties of each department. It should be given as much priority as possible. Responses to public records requests should be provided promptly based upon all the facts and circumstances of the request.
 4. The county is not required to create a public record. If, however, the computers used by the department in question are capable of printing a "report" through its current software that satisfies a public records request, then the "report" is a record that is considered to exist already under Ohio Public Records law.
- D. **Format of response:** The person making the request is allowed to request the records be produced in:
1. Paper format.
 2. The same way that the department keeps it.
 3. Any other medium that the department determines it reasonably can be copied as an integral part of the normal operations of the department.
- E. **Transmission by mail:**
1. At the request of a person seeking public records, the department will transmit a response to a public records request via mail or other delivery service reasonably

available to the office, but only upon prior payment of the actual costs of such delivery.

2. Mail requests are strictly limited to 10 per month unless the person making the request certifies in writing that he or she is not intending to use or forward the information on to be used for commercial purposes. Commercial purposes do not include:
 - a. Reporting or gathering news.
 - b. Reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government.
 - c. Nonprofit educational research.
- F. **Waiver of policy:** The department head may waive any or all provisions under this policy if a request to inspect or obtain copies is made:
1. By another government agency or its representative.
 2. In complying with a court order.
 3. In complying with the requirements of state laws or regulations.
 4. As otherwise allowed by law.
- G. **Retention schedule for electronic mail and other records:**
1. A department Records Retention Schedule (RC-2) is required by Ohio law. Each department is responsible for maintaining its records and maintaining an updated records retention schedule. Retention periods for records should be determined by evaluating the historical, administrative, legal, and fiscal (hereinafter "HALF") value of the records being scheduled. Care should be taken to title and description of each type of department record on a retention schedule. As the types of records are identified, the types of records should be added to the department retention schedule.
 2. Because of the constant changes in technology, even the most current forms of electronic records preservations may be insufficient for long-term reliability. The retention schedule should be set based upon "HALF" value of the records. If the department cannot realistically maintain that record in electronic form for that period of time, that record should be maintained in paper or other appropriate format for the remainder of the retention period. Departments that maintain records in electronic format should have a detailed written documentation that supports the basis for its belief that technology and funding will remain sufficiently stable to satisfy the requirements of the retention period and public record law, and if possible, have a written plan for how the electronic information will migrate to a different technological system when necessary.

3. Whenever feasible, continually updated documents should be scheduled as such and the annual copy should be printed and retained for the appropriate retention, under "HALF."
 4. Particular care should be taken to ensure that electronic records are scheduled for destruction and destroyed pursuant to schedule. While this is also true of other formats of records, because of software and technology changes, the expense involved in attempting to comply with a public records request for an electronic copy that could have been destroyed, but was not, could be substantial.
 5. E-mail and voicemail. Because the costs of preserving electronic mail of enduring administrative value is cost-prohibitive, any e-mail records with enduring administrative values should be printed and retained in paper format in the appropriate paper file. Care should be taken to ensure that electronic mail and other documents are appropriately scheduled on the records retention schedule. In extraordinary circumstances, when the agency, in its opinion, believes a voicemail has enduring value, the agency should have it transcribed verbatim and record it in the form of an affidavit by the employee, and it should be appropriately notarized as to its accuracy. E-mails from and to private e-mail accounts involving the conduct of public business are public record. Each employee is responsible for ensuring that these types of the e-mails are preserved according to the e-mail retention policy.
 6. The Electronic Mail Retention Schedule can be found in Section 7.17 of this Manual.
- H. **Public record exceptions:** The law allows some records not to be, and in some cases prohibits, certain records from being released to the public. Determining the status of certain records can be difficult. The following is the list of more common exceptions to the public records law:
1. Medical records.
 2. Probation and parole records.
 3. Adoption proceedings.
 4. Information in the putative father registry.
 5. Trial preparation records.
 6. Confidential law enforcement investigatory records.
 7. Mediation communication.
 8. Records involving the collection of a disbursement of child support.
 9. Peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, or EMT residential and familial information.

10. Information pertaining to the recreational activities of a person under the age of 18.
11. Most records of the child fatality review board.
12. All records prohibited from release by state or federal law.
13. Social Security number.

There are many other exceptions. Employees uncertain of the status of the record that has been requested should consult with the Union County Prosecutor's office. When calling, the employee should specify whether there is a current public records request involving that record.

- I. **Cost of copies of public records:** By law, departments may only charge actual costs for copies of public records. "Actual costs" means the cost of depleted supplies; records storage, media costs; actual mailing, alternative delivery costs, or other transmitting costs; and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services. It does not include labor costs for the public employee to respond. Costs of copies for bulk commercial extraction will be provided as allowed by law.
- J. **Discipline:** Employees violating this policy may be subject to discipline, up to and including termination.
- K. **Changes and amendments:** This policy is subject to change without notice.

PERSONNEL FILES	SECTION 5.13
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- A. The appointing authority shall maintain official personnel files for all employees. Such files may include, but are not limited to: individual employment records; payroll information; work item schedules; records of additions or deductions paid; application forms; records retaining to hiring, promotion, demotion, transfer, layoff, discipline, termination, etc.
- B. Information determined by law to be confidential may not be used or divulged except for a lawful purpose when authorized by the appointing authority, or with the written consent of the affected employee. (Personnel files access is governed by ORC 149.43 and Chapter 1347).
- C. Examples of confidential records include:
 1. Social Security number.
 2. Medical records.
 3. Records pertaining to adoption, probation, and parole proceedings.
 4. Trial preparation records.
 5. Confidential law enforcement investigatory records.
 6. Other records that may be confidential under a specific section of law.
 7. Form I-9 completed for compliance with the Immigration Reform and Control Act.
 8. Home addresses of employees.

- D. An employee has the right of reasonable inspection of his official personnel file as authorized by the appointing authority. All records in the personnel files which are governed by law as not accessible to the public (adoption records, parole records, etc.) are to be removed prior to public inspection. The employee shall be permitted to review his file and copy any reviewable document in the file and to attach letters of explanation to documents where the employee feels such explanation is necessary. The appointing authority need not permit the inclusion of explanations which are defamatory or scurrilous attacks upon any employee, any supervisor, or the appointing authority.
- E. Employees must advise their immediate supervisor in writing of any change in: name, address, marital status, telephone number, number of exemptions for tax purposes, citizenship, selective service classification, or association with any government military service organization. Failure to report a change of address or telephone number may be cause for disciplinary action.
- F. Each employee, following appointment, shall furnish his correct and legal birth date. If a birth date is to be corrected for any reason other than clerical error, such change must be submitted by the employee by authorized affidavits. Any deliberate falsification of birth date shall be subject to appropriate disciplinary action. Submission of an incorrect birth date may also jeopardize certain retirement system benefits.

SICK LEAVE POLICY**SECTION 6.01A**

- A. An employee may request sick leave for absences resulting from illness or funeral purposes as described below, provided they follow the "Notification of Absence" policy outlined in section 6.01B of this manual. Sick leave can only be used as described below and is not intended to be "extra days off." Sick leave may be requested for the following reasons:
1. Illness, injury, or pregnancy-related condition of the employee.
 2. Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees.
 3. Examination of the employee, including medical, psychological, dental, or optical examination, by an appropriate licensed practitioner.
 4. Death of a member of the employee's immediate family. Such usage shall be limited to a reasonably necessary time beyond any bereavement leave benefit, not to exceed five (5) days.
 5. Illness, injury, or pregnancy-related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member.
 6. Examination, including medical, psychological, dental, or optical examination, of a member of the employee's immediate family by an appropriate licensed practitioner where the employee's presence is reasonably necessary.
 7. Donation of leave to a coworker in accordance with leave donation programs established pursuant to Section 6.13 of the Personnel Policy Manual.

For purposes of sick leave, the "immediate family" is defined as only: mother, father, brother, sister, child, spouse or significant other (one who stands in place of the spouse and resides with employee), grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, stepparents, stepchildren, stepsiblings, legal guardian, or other person who stands in the place of a parent.

- B. The appointing authority maintains the right to investigate any employee's absence. The physician certification must be signed personally by the treating physician, state the nature of the illnesses, and verify that the employee was unable to work during the absence, and not simply an excuse stamped by the nurse or receptionist which states the employee was under a doctor's care.
- C. For each completed hour in active pay status, an employee earns .0575 hours of sick leave. For purposes of this policy active pay status is defined as hours worked (including overtime), hours on vacation, hours on holiday leave, and hours in paid sick leave. Sick leave is not accrued during an unpaid leave of absence.
- D. Part-time employees accrue sick leave on a proportionate basis to the hours paid each pay period.

- E. The amount of sick leave time any one (1) employee may accrue is unlimited.
- F. Sick leave shall be charged in minimum amounts of one-quarter (¼) hour.
- G. Employees absent on sick leave shall be paid at the same basic hourly, daily, or biweekly rate as when they are working.
- H. An employee requesting sick leave for the purpose of medical, dental, or optical examination appointments shall notify the appointing authority of the fact as far in advance as possible, in order that scheduling, and work priorities might be adjusted accordingly. An employee requesting sick leave for other legal purposes shall inform their supervisor or designee of the fact and the reason by his or her scheduled starting time. The employee must speak with the supervisor personally by telephone. Employees assigned to a department with 24-hour operations shall be required to notify their supervisor or designee at least two (2) hours prior to the employees' scheduled starting time. Failure to comply with these minimum notification requirements or other sick leave policy may result in denial of sick leave. Prior to starting work, the employee shall formally request sick leave approval by completing his or her portion of the county's "application for sick leave." If medical attention was required, the employee may be required to submit a physician's certificate statement stating the nature of the illness and verify that the employee was unable to work during the absence.
- I. For the purpose of attending to ill or injured family members, employees may be required to present a physician's statement specifying that such attention was reasonably necessary. Failure to provide such documentation upon request will result in denial of sick leave. Subsequent notification beyond the first day of absence will be governed by the nature of the circumstances and requirements established by the appointing authority. If the appointing authority believes an employee is abusing sick leave or shows a patterned use, the appointing authority may require a physician statement for the use of any sick leave.
- J. Employees must submit to any medical examination, nursing visit, or other inquiry that the county deems necessary in order to verify the proper use of sick leave, and the county will pay for such examination.
- K. Vacation leave may be used for sick leave purposes, at the employee's request and the approval of the appointing authority, after sick leave is exhausted. Employees who have exhausted all sick leave, family medical leave, and vacation leave credits, may, at the discretion of the appointing authority, be granted a personal leave of absence without pay for a period not to exceed six (6) months. Illnesses exceeding six (6) months will be treated as disability leave as outlined in section 6.09 of this manual. Employees on extended sick leave or leave of absence, in excess of 30 days, shall give a status report to the appointing authority at least every 30 days.
- L. An employee fraudulently obtaining sick leave, or anyone found falsifying sick leave records, shall be subject to disciplinary action in accordance with policies outlined in this manual. Employees found guilty of fraudulently obtaining such leave shall be required to reimburse the county the sick leave paid to them and will be subject to appropriate discipline up to and including termination.

- M. Altering a physician's certificate or falsification of a written, signed statement shall be grounds for immediate dismissal.
- N. **Adoption leave:** An employee may use sick leave to cover an absence due to the placement of a child with the employee for adoption for up to 10 working days. When necessary and upon the approval of the appointing authority, additional sick leave may be used by the employee for this purpose. An employee shall fill out the appropriate "request for sick leave form and receive approval prior to taking such leave.
- O. **Credit for prior public service:** Employees who transfer between county departments or agencies, or who were previously employed by another public agency, or who are reappointed or reinstated, will be credited with the unused balance of accumulated sick leave, provided the time between separation, reappointment, or transfer does not exceed 10 years and provided the employee has not cashed in any portion of that balance under ORC 124.39. The words "public agency" as used above means those entities required to provide sick leave under R.C. 124.38 and 124.382, including the state, counties, municipalities, all boards of education, civil service townships, etc., within the state. Villages, private industry councils, non-civil service townships, libraries organized as nonprofit corporations, and other entities not required to provide sick leave under R.C. 124.38 or 124.382 are not "public agencies" for purposes of this policy. Notwithstanding the above or the Sick Leave Conversion Policy herein, if any "person removed for conviction of a felony" within the meaning of R.C. 124.34 is "subsequently reemployed" by the county, such person is only qualified to accrue sick leave as if the individual were a new employee receiving no credit for prior service.

The requirements for allowing sick leave transfers have been the subject of differing interpretations and legislative revisions. Therefore, to the extent the employer has already allowed employees to transfer in sick leave credit prior to the adoption of this policy, that credit is not negated with respect to employees already credited as of the adoption of this policy or revision.

SICK LEAVE PROCEDURE	SECTION 6.01B
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- A. The employee is responsible for promptly notifying his or her immediate supervisor of the need for sick leave and shall follow the established procedure for requesting such leave.
- B. Upon return to work, the employee shall immediately complete the appropriate request for sick leave form (either in hard copy or electronic format, depending on the agency's practices), and should attach any supporting documentation such as doctor's slips, etc.
- C. The appointing authority or designee shall review the completed request form and the circumstances surrounding the absence and then shall either approve or deny the sick leave. The appointing authority or designee will note, in writing, whether the requested sick leave is approved or denied.
- D. In the event that sick leave is denied, the appointing authority or designee shall inform the employee of the fact and the reason(s). He or she shall further notify the employee that he or she will not be paid for the requested absence (e.g., hours or days). The appointing

authority may take appropriate disciplinary action for sick leave abuse, which may include termination from employment.

- E. The request for sick leave shall be forwarded to the person responsible for recording and calculating sick leave use/accrual. Any hard copy sick leave request forms and supporting documentation shall be filed in the employee's medical record file and should not be maintained in the personnel file.
- F. Sick leave accrual records shall be updated every two (2) weeks at the completion of the biweekly pay period. The person responsible for recording and calculating sick leave use and accrual should refer to this manual to assist in calculating the amount of sick leave accrued per pay period. They should also refer to the sick leave policy defined in this manual for other rules and regulations regarding sick leave use and accrual.

SICK LEAVE CONVERSION

SECTION 6.02

- A. A county employee may elect at the time of retirement from active service and with 10 or more years of service with the state, any political subdivision, or a combination thereof, to be paid for one-fourth ($\frac{1}{4}$) the value of the employee's accrued but unused sick leave credit not to exceed 30 days of accrued but unused sick leave. In other words, the payout may not exceed 240 hours. A beneficiary may make the same payout election, upon the death of an eligible county employee.

As used in this section, "retirement" means disability or service retirement under any state or municipal system in this state. Individuals who have retired and were subsequently hired by the County should refer to Section 4.19 for eligibility guidelines regarding payment of any accumulated, unused sick leave upon termination of employment.

- B. Such payment shall be based on the employee's rate of pay at the time of retirement.
- C. Such payment shall be made only once and shall eliminate all sick leave credit accrued by the employee.
- D. Eligible county employees retiring from active service shall request such payment in writing, in order to initiate the payment process.
- E. If a county employee with 10 years or more of qualifying service in accordance with Paragraph (A) above, dies while in active pay status or while on approved leave or in the process of retiring or has retired and payout of sick leave conversion has not been made, the beneficiary of the deceased employee shall be eligible for the sick leave conversion benefits for which the employee would have otherwise qualified in accordance with Paragraph (A) above. Such payment shall be made in accordance with section 2113.04 ORC or paid to the employee's estate.

VACATION

SECTION 6.03

- A. Full-time employees are entitled to paid vacation leave according to the following eligibility guidelines:

- After 1 year of service.....2 weeks (up to 80 hours)
- After 8 years of service3 weeks (up to 120 hours)
- After 15 years of service4 weeks (up to 160 hours)
- After 25 years of service5 weeks (up to 200 hours)

B. Full-time employees accrue vacation leave at a rate proportionate to the number of hours in active pay status per pay period, according to the following schedule. Employees entitled to:

- 2 weeks’ vacation – earn 3.1040 hours of vacation per each biweekly pay period
- 3 weeks’ vacation – earn 4.6 hours of vacation per each biweekly pay period
- 4 weeks’ vacation – earn 6.2 hours of vacation per each biweekly pay period
- 5 weeks’ vacation – earn 7.7040 hours of vacation per each biweekly pay period

C. Part-time employees working 20 or more hours per week are entitled to paid vacation according to the following guidelines:

- Years of Service (based on regularly scheduled hours per pay period)
- After 1 year up to 2 weeks
 - After 8 years..... up to 3 weeks
 - After 15 years..... up to 4 weeks
 - After 25 years..... up to 5 weeks

For the purpose of computing vacation, one (1) year of service shall be considered 26 biweekly pay periods.

All employees accrue vacation at a ratio based on the number of regularly scheduled hours per pay period divided by 80 times the accrual hours listed in B above.

Example: An employee who has 2 years of county service is regularly scheduled to work 65 hours per pay period; the accrual would be based on the ratio 65/80. Mathematically, the accrual is calculated in this manner: $65 \times (3.1040/80) = 2.522$ hours vacation accrued for this pay period.

An employee who has 2 years of county service is regularly scheduled to work 80 hours per pay period but takes 10 hours off without pay; the accrual would be based on the ratio 70/80. Mathematically, the accrual is calculated in this manner: $70 \times (3.1040/80) = 2.716$ hours vacation accrued for this pay period.

An employee who has 10 years of county service is regularly scheduled to work 40 hours per pay period; the accrual would be based on the ratio 40/80. Mathematically, the accrual is calculated in this manner: $40 \times (4.6/80) = 2.3$ hours vacation accrued for this pay period.

D. Active pay status is defined as hours actually worked, paid sick leave, vacation leave, and authorized paid holidays. Vacation credits are not earned while an employee is in inactive service such as leaves of absence, disciplinary suspensions, etc.

- E. Additional vacation leave is not accrued through the accumulation of paid overtime.
- F. Vacation scheduling is subject to the approval of the appointing authority.
- G. Vacation leave is to be taken in minimum units of one (1) hour or as otherwise approved by the appointing authority and in accordance with the following guidelines for notification:

Less than 2 days off requested	24 hours' notice
More than 2 and less than 5 days off requested	1 weeks' notice
5 or more days off requested.....	2 weeks' notice

Requests for vacation are to be submitted to the appointing authority in writing on the request for leave of absence form. Employees are encouraged but not required to take their earned vacation leave in units of one (1) week or more.

- H. Vacation leave is to be taken within the 12 months following the employee's anniversary date. The Revised Code allows an employee, in special and meritorious cases, with the approval of the appointing authority, to carry over accumulated vacation leave beyond the annual maximum accrual. An employee requesting to carry over vacation must submit the "Request to Carry Over Vacation" (form EE) to his or her supervisor prior to the end of the year during which the vacation accrued (i.e., prior to the employee's anniversary date with the County). Any vacation leave not used within three (3) years shall be eliminated from the employee's leave balance as shall any vacation leave not approved for carryover. In other words, if permitted, an employee may be allowed to have (up to) three (3) years accrual of vacation, plus their current year accrual (refers to anniversary year) on the books at any one time. Then on the employee's anniversary date, each year, all vacation in excess of the annual maximum accrual (up to three (3) years accrual) will be deleted. The request for carryover procedures should be coordinated by the requesting employee and the deletion of excess vacation leave should be coordinated by the employee's appointing authority, or his or her designee, and the Auditor, or his or her designee.
- I. An employee may not take his or her vacation leave prior to its being earned.
- J. Employees who resign or retire are entitled to compensation at their current rate of pay for any authorized earned but unused vacation leave to his or her credit at the time of separation. This applies even if an employee leaves one (1) Union County appointing authority and is rehired by another Union County appointing authority.
- K. Seniority for the purpose of calculating vacation is determined according to the total prior service the employee has with any county, the state (including a member of the Ohio National Guard), a city, village, township, city or local school district, or park district, per section 9.44 of the revised code. Prior service need not be continuous; however, completion of a total of one (1) year of service is required before eligibility for vacation leave is established. The employee is responsible for providing written verification from previous employers for any qualifying employment. Employees with at least one (1) year of qualifying prior service, as established herein, are not required to serve one (1) year with Union County to be eligible to use vacation. Such individual is entitled to begin accruing, and using, vacation benefits immediately upon employment with the county.

- L. An employee who has retired in accordance with the provisions of OPERS or any retirement plan offered by the state, and who is subsequently hired by Union County after June 24, 1987, shall not have his prior service with the county, state, or any political subdivision of the state counted for the purpose of computing vacation leave.

Vacation accrual for such employee shall be based only upon the service he is currently accruing with Union County.

FUNERAL LEAVE	SECTION 6.04
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Any eligible employee may be granted usage of earned sick leave upon approval of the appointing authority for up to five (5) working days in the event of the death of an immediate family member. For purposes of this policy the "immediate family" is defined as only: mother, father, stepparent, brother, sister, child, stepchildren, stepsibling, spouse, or significant other (significant other as used in this definition means one who stands in place of a spouse and resides with the employee), grandparent, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, sister-in-law, brother-in-law, legal guardian or other person who stands in place of the employee's parent. For purposes of requesting funeral leave, the employee is required to follow the provisions outlined in section 6.1 of this manual regarding requests for sick leave.

PRECINCT ELECTION OFFICIAL LEAVE	SECTION 6.05
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- A. Purpose: Union County board of county commissioners recognizes there is a need for a pool of available individuals to serve as precinct election officials in order for our democratic process to operate in a fair and efficient manner. In accordance with Ohio Revised Code 3501.28, the Union County board of county commissioners hereby establishes this policy for certain employees to be eligible for paid leave ("Precinct Election Official Leave") on Election Day to serve as a precinct election official.
- B. Applicability: Precinct Election Official Leave only applies to an individual who works full time for Union County, is a registered voter of Union County, and is not an elected official. Employees, who are classified as part time or non-permanent appointment types such as seasonal, intermittent, etc., are not eligible for Precinct Election Official Leave. An employee who is on any type of paid or unpaid leave of absence is not eligible for Precinct Election Official Leave.
- C. Hours: The Union County Board of Elections has the right to refuse to place an employee as a precinct election official on the day of an election. In such an instance, the employee must report to work during the employee's regular work hours.
1. The employee may be required to attend training courses as mandated by Ohio Law and conducted by the Union County Board of Elections. The employee must attend said training courses as required by the Union County Board of Elections, of which there are options that are outside of traditional working hours. Paid administrative leave is not applicable for required training under this policy.

2. The normal Election Day workday is 5:30 a.m. until 8:00 p.m. or until all election responsibilities are completed. The employee's prompt return to work on the employee's next regular working day is expected.
 3. An employee using Precinct Election Official Leave to serve as a precinct election official is entitled to paid leave plus compensation designated by the Union County Board of Elections based on the assigned election official duties. The paid leave in this case is not considered "hours worked" for the purposes of computing overtime. An employee using Precinct Election Official Leave is only eligible for paid leave for regularly scheduled hours of work on the day of election and not for the amount of time spent working the polls for the Union County Board of Elections.
- D. Procedures: The ability to be away from work as contemplated by this policy is subject to the terms and conditions set forth below. Employees requesting Precinct Election Official Leave and supervisors who receive the requests for leave must follow the procedures established by this policy. This policy shall be uniformly applied to all employees.
1. A request for paid time off to serve as a precinct election official on Election Day shall be submitted to the employee's supervisor at least fourteen (14) calendar days prior to the date of the election or as soon as practicable. To request time off, the employee must complete a standard "Request for Precinct Election Officials Leave" form as prescribed by the Board of Elections.
 2. Upon receiving a properly completed Request for Precinct Election Officials Leave form the immediate supervisor shall note the date and time the request was received on the form. The supervisor is responsible for notifying an employee when the form is not completed properly. Such notification shall be given by the supervisor prior to marking the leave form as being received for processing.
 3. Requests for Precinct Election Official Leave shall be subject to the operational needs of the employee's Office/Agency/Department. Requests for Precinct Election Official Leave will be given the lowest priority as compared to all other types of leave requests received from employees within the Office/Agency/Department. Specialized roles as defined by the BOE will be given priority status.
 4. For the first election following program adoption/implementation, employee(s) with the most years of service as an Election Official shall be permitted to receive Precinct Election Official leave. For subsequent elections, the employee(s) who have served as Precinct Election Officials in the immediately preceding election will move to the bottom of the eligibility list for Precinct Election Official leave in order of seniority, except when the position is specialized, as defined by the Board of Elections.
 5. The immediate supervisor may revoke the approval of Precinct Election Official Leave if operational circumstances of the Office/Agency/Department. An official who makes this determination shall follow the existing procedures for revoking approved leave. It is the employee's responsibility to notify the Union County Board of Elections if the employee is no longer available to serve as a precinct election official on a particular election day.

- 6. Following the election, the Auditor’s Office and the Board of Elections will verify that the employee served, as planned, on Election Day.
- 7. Any employee who fails to follow the procedures set forth may be subject to disciplinary action, will not receive Election Officials Leave, and may not be considered for this type of leave in the future.

CIVIL LEAVE POLICY

SECTION 6.06A

- A. If an employee of the county is called for court jury duty or subpoenaed to testify in a court of law during any portion of the employee's regular scheduled workday, that employee may choose to be compensated for such time under one (1) of the options set forth below:
 - 1. The employee may choose to receive his or her regular salary or wage in full for such time from the county. In such case, all monies received as compensation for court service shall be turned over in full to the employee's appointing authority or department head for submittal to the county treasurer.
 - 2. The employee may choose to retain all monies received as compensation for court service and waive his or her regular salary or wage in full for such time from the county.
 - 3. The employee may choose to retain all monies received as compensation for court service and take a vacation day for such time off, with the approval of the appointing authority.
- B. If the employee chooses option #1 as specified, he or she will be expected to report for work following jury duty if a reasonable amount of time remains during his or her scheduled workday.
- C. If an employee of the county is called for court jury duty or subpoenaed to testify in a court of law, outside of his or her regularly scheduled working hours, all monies received as compensation for such court service shall be retained by the employee.
- D. Employees shall not be entitled to paid civil leave when appearing in court for criminal or civil cases when the case is being heard in connection with the employee's personal matters. Such absences shall be considered leave without pay or vacation leave, at the employee's option, and as scheduled in advance with the appointing authority.
- E. Employees requesting civil leave shall complete the Request for Leave form and submit it to his or her appointing authority prior to taking such leave.

CIVIL LEAVE PROCEDURE

SECTION 6.06B

- A. Employees called for court jury duty to testify in a court of law shall complete a Request for Leave of Absence form and attach a photostatic copy of the subpoena.

- B. The employee shall submit the completed Request for Leave of Absence form to the appointing authority and shall notify his or her of which option for payment the employee chooses.
- C. Upon the employee's return, depending upon the employee's choice of options, the appointing authority shall:
 - 1. Turn the monies received for court or jury duty over to the county auditor.
 - 2. Notify the auditor that the employee is waiving his or her hourly wage for such time.
 - 3. Notify the appropriate clerical personnel that the employee chooses to take such time as a vacation day.
- D. The Request for Leave of Absence form shall be retained in the employee's personnel file. The appointing authority shall ensure that the employee is compensated for court or jury duty in the proper manner, based upon the employee's chosen option.

MILITARY LEAVE	SECTION 6.07
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A. POLICY

Military Leave shall be granted in compliance with R.C. Chapter 5903 and R.C. 5923.05.

Active-duty leave: Military leave is governed by both state and federal laws. In general, any employee with more than 90 days tenure who voluntarily or involuntarily enters any of the armed services of the United States shall be granted a military leave of absence without pay. If not accepted for active duty, the employee shall be reinstated to the employee's former position without loss of seniority or status or reduction in pay. Employees who complete their active-duty obligation (without voluntarily reenlisting or extending that obligation) are entitled to their previous position within 30 days after their written request, provided such request is submitted within the statutorily required period following discharge or release from active duty. If temporary physical disability precludes the employee from performing the previous job, the employee shall be allowed up to one (1) year from the date of application to overcome such disability and return to work. Employees returning to previously held positions under these provisions shall receive credit for military service in areas affecting seniority status, rank, rating, increments, qualifications, etc., as though they had been continually employed.

- B. **Military Reserve leave:** R.C. 5923.05 requires that permanent public employees, who are members of Ohio National Guard, Ohio Organized Militia, or other reserve components of the armed forces of the United States be authorized up to 176 hours of leave (or for a "public safety employee" seventeen (17) 24-hour days or 408 hours) without loss of pay per calendar year for military duty or training. This payment is in addition to the gross uniformed pay and allowances the employee receives from the military.
- C. **Military Reserve leave in excess of 176 hours:** Any permanent public employee called to military duty for a period in excess of the 176 hours because of an executive order issued

by the president of the United States, because of an act of Congress, or because of an order to perform duty issued by the governor pursuant to R.C. section 5919.29, is entitled to be paid the difference between the employee's gross monthly wage or salary and the gross uniformed pay and allowances up to \$500.00 per month. If the gross uniformed pay and allowances equals or exceeds the employee's regular gross monthly wage or salary normally paid by the employer, the employee is not entitled to any additional compensation from the employer after being compensated for the initial 176 hours per calendar year.

- D. **Request for leave:** Employees are required to submit to the employer a copy of the published orders authorizing the military duty or a written statement from the appropriate military commander authorizing such duty. Employees requesting such leave will also be required to complete and submit a request for leave.
- E. Employees are required to submit to their department head a copy of their military orders and a completed Request for Leave form outlining the anticipated duration of the military leave.

WORKERS' COMPENSATION POLICY

SECTION 6.08

- A. State law provides that all employees are covered by workers' compensation for injuries that arise out of or in the course of employment.
- B. All injuries which arise out of or in the course of employment shall be reported and compensated for under this workers' compensation section and not under the employer's health insurance plan.
- C. **Injury reports:** When an employee is injured during the course of employment, the employee shall complete the *First Report of Injury* form (FROI) as well as the Employee Report of a Near Miss, Incident or Injury (Form L). These forms shall be completed regardless of the apparent seriousness of the injury and whether or not medical attention is required. Such forms shall be completed by the employee and forwarded to the employee's appointing authority within 24 hours of the injury. The appointing authority shall review and complete the form(s) and forward same to the Union County Human Resources Director.
- D. **Application for payment of compensation and medical benefits:** When, in addition to medical attention, an employee's injury results in an employee's absence from work for seven (7) days or more, the employee may complete an "*Application for Payment of Compensation and Medical Benefits*" if such employee desires compensation for lost wages. This form shall be given to the employee's supervisor, who shall forward same to the department's payroll officer for completion. This form shall then be forwarded to the auditor's office for compensation, with a copy to the Human Resources Director.
- E. **Serious injury:** In the event of an injury or near miss, the injured employee's supervisor shall notify the appointing authority immediately so that an investigation can be initiated.
- F. **Return to work:** The employer must be advised and continually updated if an employee continues to be absent due to a work-related injury. Employees are responsible for providing to their employer their estimated date of return.

- G. **Documentation:** Any documents received from the injured employee, the employee's physician, the hospital, or the state regarding workers' compensation claims must be immediately forwarded to the Human Resources Director.
- H. **Wages on injury date:** Employees who are injured during the course of employment and who must leave work before completing their work period shall be paid at their regular rate for the balance of time left in their scheduled workday.
- The employer has three (3) options on how the injured employee is paid if time off work has occurred:
1. Allow the injured employee to apply for temporary total disability (TTD) through the Ohio BWC.
 2. Repurchase of used sick leave.
 3. Pay wage continuation.
- I. **Repurchase of used sick leave:** An employee injured during the course of employment, and who makes application for workers' compensation payments, may elect to use accrued sick leave in accordance with employer policy prior to receiving payments from workers' compensation. Employees shall sign an agreement directing all workers' compensation payments to the employer as reimbursement for such payments and shall have a proportionate amount of their sick leave restored upon receipt of the workers' compensation payments by the employer. Additional vacation and sick leave are not earned while an employee is on workers' compensation.
- J. **Simultaneous payments:** Employees are prohibited from receiving payments for sick leave (but may receive other paid leave) while simultaneously receiving payment from Workers' Compensation.
- K. **Accommodation of disabled employee:** When confronted with an employee claiming a disability under the Workers' Compensation system, who is disabled as defined in the ADA, the employer will consider making a reasonable accommodation that would allow the employee to continue performing the essential functions of the employee's position.

LEAVE OF ABSENCE WITHOUT PAY	SECTION 6.09
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Upon the written request of a permanent non-probationary employee, the appointing authority may grant the employee a leave of absence without pay.

- A. The maximum duration of a leave of absence without pay for personal reasons of the employee shall not exceed six (6) months.
- B. The maximum duration of a leave of absence without pay for purposes of education, training, or specialized experience which would benefit county service, or for other related reasons, shall not exceed two (2) years.
- C. The authorization of a leave of absence without pay is solely a matter of administrative discretion, and each request will be decided by the appointing authority based upon its own merits.

- D. Any employee on a leave of absence shall be entitled to continuing membership in the group health insurance plan; however, such employee shall pay the full amount of the premium for as long as such employee remains on leave and as long as the employee chooses to retain the insurance coverage.
- E. Employees on a medical-related leave of absence, in excess of 30 days, shall give a status report to the appointing authority at least every 30 days.
- F. Upon returning from a leave of absence, the employee is to be placed in his or her original position, or another position at a similar level of responsibility and with the same pay rate should the original position be abolished.
- G. When an employee fails to return to work upon the expiration of an authorized leave of absence without pay, that employee shall be considered as having resigned from the position.
- H. An employee who has received an authorized leave of absence without pay does not earn sick or vacation leave credit. However, time spent on the leave of absence is to be considered in determining length of service for purposes where tenure is a factor.
- I. If it is determined that an employee is abusing the leave of absence and not actually using the leave for the purposes specified, the appointing authority may cancel the leave and provide the employee with a written notice directing the employee to report for work.
- J. All leaves of absences are to be submitted on the request for leave of absence form with any supporting documentation attached.

DISABILITY LEAVE / SEPARATION**SECTION 6.10**

This section outlines the conditions under which a disability leave, or disability separation may be granted to classified employees, and procedures for administering their use. It is intended to outline the procedures to be followed after determining that no reasonable accommodation can be made which would allow the employee to perform the essential functions of the employee's position or other available vacant position for which the employee is qualified.

- A. **Voluntary reduction:** When an employee becomes physically unable to perform the essential functions of the employee's position even with a reasonable accommodation but is still able to perform the duties of a vacant lower level position, the employee may voluntarily request reduction to the lower level position. Such request shall be in writing, shall state the reason for the request, and, if approved by the appointing authority, will be attached to the implementing personnel action.
- B. **Involuntary disability separation or termination for failure to report for work:** Involuntary disability separation is effective in the following cases:
 - 1. If an employee becomes unable to perform the essential job duties of the employee's position, subject to the Americans with Disabilities Act, and if the employee has exhausted family and medical leave and other available leaves, the appointing authority may involuntarily disability separate the employee.

2. If an employee on disability leave is unable to return to work when the employee's disability leave is exhausted, then the appointing authority shall involuntarily separate (for disability) the employee if the employee cooperates under this procedure or remove the employee for being absent without leave if the employee does not cooperate. The appointing authority shall do so by completing an R.C. 124.34 order indicating the reasons as "incompetency, neglect of duty, and nonfeasance" with an adequate explanation to make clear the underlying reasons are the employee's failure to report for work able to perform the essential functions of the employee's position. However, if the employee refuses to submit to an examination or to provide proof of disability, grounds for terminating employment shall be neglect of duty, nonfeasance, and failure of good behavior for failure to report for work without approved leave.

C. **Medical examination:** Medical examinations are either required or permitted in relation to involuntary disability separation as follows:

1. **When required:** When requested by an appointing authority, a medical or psychological examination conducted by a licensed practitioner selected by the appointing authority, substantiating the disabling illness, injury, or condition, shall be required prior to involuntarily separating the employee unless the employee is hospitalized at the time the employee is involuntarily separated. The appointing authority shall bear the cost of the examination. Both the appointing authority and the employee shall receive the results of that examination and related documents, subject to provision (C)(1) of R.C. 1347.08.
2. **When permitted:** An appointing authority may require an employee to submit to a medical or psychological examination in order to determine the employee's capability to perform the essential job duties of the employee's position with or without a reasonable accommodation. Such examination shall be conducted by a licensed practitioner as determined by the appointing authority. Prior to examination, the appointing authority must supply the examining practitioner with facts relating to the perceived disabling illness, injury, or condition and must supply additional information including physical and mental requirements of the employee's position, duty statements, and position description. The cost of the examination shall be paid by the county. Both the appointing authority and the employee shall receive the results of the examination and related documents subject to provision (C)(1) of R.C. 1347.08.
3. **Failure to appear for examination or refusal to submit:** The refusal to submit to the examination, the unexcused failure to appear for an examination, or the refusal to release the results of an examination will subject the employee to removal, as explained in subsection (C)(2) above.

D. **Right to pre-separation conference rights of appeal:**

1. The appointing authority shall institute pre-separation procedures when the results of a medical or psychological examination conducted as provided by subsection C have been received and the appointing authority initially determines both that the employee is incapable of performing the essential job duties of the employee's

assigned position with or without a reasonable accommodation, and that the employee is not eligible to receive benefits under a program provided by the appointing authority. Under such proceedings, a conference shall be scheduled, and employees will be given 15 days' notice of the conference. The employee may choose to waive their attendance at the conference. If the employee does not waive the right to the conference, then at the conference the employee has a right to examine the appointing authority's evidence of disability, to rebut such evidence, and to present testimony and evidence on the employee's own behalf.

2. If the appointing authority determines, after weighing the information presented at the pre-separation conference, that the employee is capable of performing the essential job duties, then the pre-separation conference shall cease, and the employee shall be considered to be fit to perform the essential job duties of the employee's position. If the appointing authority determines, after weighing the information presented at the pre-separation conference, that the employee is unable to perform the essential job duties, then the appointing authority shall issue to the employee an R.C. 124.34 order of involuntary disability separation, as described in subsection (B)(2) above.
3. A classified employee so separated shall have the right to appeal in writing to the State Personnel Board of Review within 10 days following the appointing authority's service upon the employee of the order of involuntarily disability separation.
4. The appointing authority shall notify the employee, at the time of the involuntary disability separation, of the required procedures to apply for reinstatement

E. **Right to reinstatement; rights of appeal:**

1. An employee may make a written request to the appointing authority for reinstatement from an involuntary disability separation. The request shall be accompanied by substantial, credible medical evidence that the employee is once again capable of performing the essential functions of the employee's job. Such requests shall be made not more than once every three (3) months and not later than two (2) years following the beginning of the disability separation, or a leave of absence followed by a disability separation.
2. When an involuntarily separated employee presents to the appointing authority substantial, credible medical evidence as provided by (E)(1) above, showing the employee is once again capable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation, the appointing authority shall either reinstate the employee or require the employee to submit to a medical or psychological examination conducted as provided by subsection (C)(2) above.
3. The appointing authority shall reinstate the employee after receiving the results of the examination if the appointing authority determines the employee is once again capable of performing the essential duties of the employee's assigned position with or without a reasonable accommodation.

4. The appointing authority shall institute pre-reinstatement proceedings if the appointing authority has received the results of the examination and initially determines the employee remains incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation. Under these proceedings, a hearing shall be scheduled, and adequate advanced written notice shall be provided to the employee. If the employee does not waive the right to the hearing, the employee has a right at the hearing, to examine the appointing authority's evidence of continuing disability, to rebut such evidence, and to present testimony and evidence on the employee's own behalf.
5. If the appointing authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is once again able to perform the essential job duties of the employee's assigned position with or without a reasonable accommodation, then the appointing authority shall reinstate the employee. If the appointing authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is not able to perform the essential duties of the employee's assigned position with or without a reasonable accommodation, then the appointing authority shall not reinstate the employee.
6. If the appointing authority determines an employee, who has been involuntarily separated, has committed an act which is inconsistent with the employee's disability, illness, or injury, then that act may be considered by the appointing authority when determining an employee's eligibility for reinstatement.
7. Once an appointing authority properly determines an employee is to be reinstated, the employee has a right to be assigned to a position in the classification the employee held at the time of involuntary disability separation. If the classification the employee held at the time of involuntary disability separation no longer exists or no longer is utilized by the appointing authority, then the employee shall be placed in a similar classification. If no similar classification exists, the employee may be laid off in accordance with the layoff procedures outlined elsewhere within this manual and may exercise any displacement rights which may exist under such procedures.
8. If the employee has been granted disability benefits by a state retirement system, the requirements of this rule shall apply for up to five (5) years, except a licensed practitioner shall be appointed by the Ohio Public Employee's Retirement Board and application for reinstatement shall not be filed after the date of service eligibility retirement.
9. An employee refused reinstatement as provided in subsection (E)(5) shall be notified in writing of the refusal to reinstate and of the right to appeal in writing to the State Personnel Board of Review within 30 days of receiving notice of the refusal to reinstate.
10. An employee who fails to apply for reinstatement within two (2) years following an involuntary disability separation, or a leave of absence followed by an

involuntary disability separation, shall be deemed permanently separated from service except as otherwise provided in subsection (E)(8) above.

HOLIDAYS

SECTION 6.11

A. All full-time and part-time county employees are entitled to the following legal holidays:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day.....	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day.....	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans Day.....	November 11
Thanksgiving Day.....	Fourth Thursday in November
Christmas Day.....	December 25

B. If the holiday falls on Sunday, it will be observed on the following Monday; if it falls on a Saturday, it will be observed on the preceding Friday.

If a holiday occurs while a full-time or part-time employee is on vacation or sick leave, vacation or sick leave will not be deducted from the employee's accrued balance.

In observance of each authorized holiday, employees will normally be granted the day off work. Full-time and part-time employees shall receive straight time pay for each authorized holiday, based upon the number of hours normally scheduled for that day. Seasonal, temporary, and intermittent employees, however, shall not be granted holiday pay.

Full-time and part-time employees who are required to work on one (1) of the recognized holidays will receive time and one-half (1½) their regular rate of pay for all hours worked on a holiday. In addition, they will receive their regular holiday pay (see Section 5.03 Work Scheduling/Overtime), or an alternative day off with regular pay, as determined by the appointing authority.

Offices that remain open on the holidays listed in (A) above or observe any other holidays (other than those listed in (A) above) shall give notice to the public and the board of county commissioners of times of operation.

UNAUTHORIZED LEAVES

SECTION 6.12

Any county employee who is absent from duty without authorized leave and notice to the appointing authority or designee, shall be subject to disciplinary action up to and including termination.

FAMILY AND MEDICAL LEAVE POLICY

SECTION 6.13

- A. **Statement of Policy.** Eligible employees may request time off for family and/or medical leave of absence with job protection and no loss of accumulated service provided the employee meets the conditions outlined in this policy and returns to work in accordance with the Family and Medical Leave Act of 1993.
- B. **Definitions.** As used in this policy, the following terms and phrases shall be defined as follows:
1. **Family and/or medical leave of absence:** An approved absence available to eligible employees for up to twelve (12) weeks of unpaid leave per year under particular circumstances. Such leave may be taken only for the following qualifying events:
 - a. Upon the birth of an employee's child and in order to care for the child.
 - b. Upon the placement of a child with an employee for adoption or foster care.
 - c. When an employee is needed to care for a family member who has a serious health condition.
 - d. When an employee is unable to perform the functions of his position because of the employee's own serious health condition.
 - e. Qualifying service member leave.
 2. **Servicemember Leave:** The spouse, parent, or child of a member of the U.S. military service is entitled to twelve (12) weeks of FMLA leave due to qualifying exigencies of the servicemember being on "covered active duty" or receiving a "call to covered active duty." In addition, a spouse, child, parent or next of kin (nearest blood relative) of a servicemember is entitled to up to twenty-six (26) weeks of leave within a "single twelve (12)-month period" to care for a servicemember with a "serious injury or illness" sustained or aggravated while in the line of duty on active duty. The "single twelve (12)-month period" for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends twelve (12) months later, regardless of the twelve (12) month period established for other types of FMLA leave.
 3. **Per year:** A rolling twelve (12) month period measured forward from the date an employee uses any leave under this policy.
 4. **Serious health condition:** Any illness, injury, impairment, or physical or mental condition that involves:
 - a. Inpatient care.
 - b. Any period of incapacity of more than three consecutive calendar days that also involves:

- i. Two or more treatments by a health care provider, the first of which must occur within seven (7) days of the first day of incapacity and both visits must be completed within thirty (30) days; or
 - ii. Treatment by a health care provider on one occasion that results in a regimen of continuing treatment under the supervision of a health care provider.
 - c. Any period of incapacity due to pregnancy or for prenatal care.
 - d. A chronic serious health condition which requires at least two “periodic” visits for treatment to a health care provider per year and continues over an extended period of time. The condition may be periodic rather than continuing.
 - e. Any period of incapacity which is permanent or long term and for which treatment may not be effective (i.e., terminal stages of a disease, Alzheimer’s disease, etc.).
 - f. Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than three days absent medical intervention. (i.e., chemotherapy, dialysis for kidney disease, etc.).
5. Licensed health care provider: A doctor of medicine, a doctor of osteopathy, podiatrists, dentists, optometrists, psychiatrists, clinical psychologists, and others as specified by law.
6. Family member: Spouse, child, parent, or a person who stands “*in loco parentis*” to the employee.
7. Covered Servicemember: Means either:
 - a. A member of the Armed Forces, including a National Guard or Reserve Member, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness; or
 - b. A covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a National Guard or Reserves Member, at any time during the five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran.
 - i. Note: An individual who was a member of the Armed Forces (including National Guard or Reserves) and who was discharged or released under conditions other than dishonorable prior to March 8, 2012, the period of October 28, 2009, and March 9, 2012, shall not count toward the determination of the five-year period for covered veteran status.

8. Outpatient Status: The status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving outpatient medical care.
9. Next Of Kin: The term “next of kin” used with respect to a servicemember means the nearest blood relative of that individual.
10. Serious injury or illness, for purposes for the 26-week military caregiver leave means either:
 - a. In the case of a current member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness that was incurred by the covered service member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member’s office, grade, rank or rating; and,
 - b. In the case of a covered veteran, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:
 - i. a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; or
 - ii. a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - iii. a physical or mental condition that substantially impairs the covered veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 - iv. an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
11. Covered Active Duty or Call to Covered Active Duty:

- a. In the case of a member of a Regular Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country, (Active-duty orders of a member of the Regular components of the Armed Forces generally specify if the member is deployed to a foreign country.
 - b. In the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to specific sections of the U.S. Code, as outlined in 29 CFR § 825.126.
12. Deployment to a foreign country: Deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the U.S., including international waters.
13. Qualifying Exigency (for purposes of the twelve (12)-week qualifying exigency leave) includes any of the following:
- a. Up to seven days of leave to deal with issues arising from a covered military member's short notice deployment, which is a deployment on seven (7) or fewer days' notice.
 - b. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active-duty status of a covered military member.
 - c. Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member.
 - d. Making or updating financial and legal arrangements to address a covered military member's absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust.
 - e. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active-duty status of the covered military member.
 - f. Rest and recuperation leave of up to fifteen (15) days to spend time with a covered military member who is on short-term, temporary, rest and

recuperation leave during the period of deployment. This leave may be used for a period of 15 calendar days from the date the military member commences each instance of Rest and Recuperation leave.

- g. Attending certain post-deployment activities within ninety (90) days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member.
- h. Qualifying parental care for military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age, when the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living, as described in 29 C.F.R. § 825.126, and the need arises out of the military member's covered active duty or call to covered active duty status.
- i. Any qualifying exigency which arose out of the covered military member's covered active duty or call to covered active-duty status.

C. **Leave Entitlement.** To be eligible for leave under this policy, an employee must meet all of the following conditions:

- 1. Worked for the agency for at least twelve (12) non-consecutive months, or fifty-two (52) weeks.
- 2. Actually worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period immediately prior to the date when the FMLA leave is scheduled to begin.
- 3. Work at a location where the Employer employs fifty (50) or more employees within a seventy-five (75) mile radius.
 - a. The entitlement to FMLA leave for the birth or placement for adoption or foster care expires at the end of the twelve (12) month period following such birth or placement.
 - b. Spouses who are both employed by the agency are jointly entitled to a combined leave total of twelve (12) weeks (rather than twelve (12) weeks each) for the birth of a child, upon the placement of a child with the employees for adoption or foster care, and for the care of certain family members with serious health conditions.

D. **Use of Leave.** The provisions of this policy shall apply to all family and medical leaves of absence as follows:

- 1. **Generally:** An employee is only entitled to take off a total of twelve (12) weeks of leave per year under the FMLA. As such, employees will be required to utilize their accumulated unused paid leave (sick, vacation, etc.) in conjunction with their

accumulated unused unpaid Family Medical Leave. Employees will be required to use the type of accumulated paid leave that best fits the reason for taking leave and must comply with all procedures for requesting that type of leave as stated in the relevant policy. Any time off that may legally be counted against an employee's twelve (12) week FMLA entitlement will be counted against such time.

2. Birth of An Employee's Child: An employee who takes leave for the birth of his or her child must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period. However, if the employee requests leave for the employee's own serious health condition as a result of the pregnancy or post-partum recovery period, the employee will be required to exhaust all of her sick leave prior to using unpaid leave for the remainder of the twelve (12) week period. *(Note: See section E below for information on disability leaves.)*
 3. Placement of a Child for Adoption or Foster Care: An employee who takes leave for the placement of a child for adoption or foster care must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.
 4. Employee's Serious Health Condition or Family Member's Serious Health Condition: An employee who takes leave because of his serious health condition or the serious health condition of his family member must use all available accrued paid sick and vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.
- E. **FMLA and Disability/Workers' Compensation**. An employee who is eligible for FMLA leave because of his own serious health condition may also be eligible for workers' compensation if the condition is the result of workplace accident or injury. Regardless of whether the employee is using worker's compensation benefits, the Employer may designate the absence as FMLA leave, and count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, as these may be compensated absences, if the employee participates in the worker's compensation program, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the employer require him to do so, while the employee is receiving compensation from such a program.
- F. **Procedures For Requesting FMLA Leave**. Requests for FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or as soon as practicable prior to the commencement of the leave. If the employee fails to provide thirty (30) days' notice for foreseeable leave with no reasonable excuse for the delay, the leave may be denied until at least thirty (30) days from the date the employer receives notice. The employee must follow the regular reporting procedures for each absence.

FMLA requests must be submitted on a standard leave form prescribed by the employer. The employer will determine whether the leave qualifies as FMLA leave, designate any leave that counts against the employee's twelve (12) week entitlement, and notify the employee that the leave has been so designated.

When an employee needs foreseeable FMLA leave, the employee shall make a reasonable effort to schedule the treatment so as not to unreasonably interfere with the employer's operations.

- G. **Certification of Need for FMLA Leave for Serious Health Condition.** An employee requesting FMLA leave due to his family member's serious health condition must provide a doctor's certification of the serious health condition, which must designate that the employee's presence is reasonably necessary. Such certification shall be submitted at the time FMLA leave is requested, or if the need for leave is not foreseeable, as soon as practicable. An employee requesting FMLA leave due to the birth or placement of a child must submit appropriate documentation at the time FMLA leave is requested.

The employer, at its discretion, may require the employee to sign a release of information so that a representative other than the employee's immediate supervisor can contact the medical provider. If the medical certification is incomplete or insufficient, the employee will be notified of the deficiency and will have seven (7) calendar days to cure the deficiency.

The employer may require a second medical opinion prior to granting FMLA leave. Such opinion shall be rendered by a health care provider designated or approved by the employer. If a second medical opinion is requested, the cost of obtaining such opinion shall be paid for by the employer. If the first and second opinions differ, the employer, at its own expense, may require the binding opinion of a third health care provider approved jointly by the employer and the employee. Failure or refusal of the employee to submit to or cooperate in obtaining either the second or third opinions, if requested, shall result in the denial of the FMLA leave request.

Employees who request and are granted FMLA leave due to serious health conditions may be required to provide the Employer periodic written reports assessing the continued qualification for FMLA leave. Further, the employer may request additional reports if the circumstances described in the previous certification have changed significantly (duration or frequency of absences, the severity of the condition, complications, etc.), or if the employer receives information that casts doubt on the employee's stated reason for the absence. The employee must provide the requested additional reports to the employer within fifteen (15) days.

- H. **Certification for Leave taken because of a Qualifying Exigency.** The employer may request that an employee provide a copy of the military member's active-duty orders to support the request for qualifying exigency leave. Such certification for qualifying exigency leave must be supported by a certification containing the following information: statement or description of appropriate facts regarding the qualifying exigency for which leave is needed; approximate date on which the qualifying exigency commenced or will commence; beginning and end dates for leave to be taken for a single continuous period of time; an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; appropriate contact information for the third party if the qualifying exigency requires meeting with a third party and a description of the meeting; and, if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the

military which indicates the military member has been granted Rest and Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

- I. **Intermittent/Reduced Schedule Leave.** When medically necessary, an employee may take FMLA leave on an intermittent or reduced work schedule basis for a serious health condition. An employee may not take leave on an intermittent or reduced schedule basis for either the birth of the employee's child or upon the placement of a child for adoption or foster care with the employee unless specifically authorized in writing by the executive director. Requests for intermittent or reduced schedule FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave, or, as soon as practicable.

To be entitled to intermittent leave, the employee must, at the time such leave is requested, submit additional certification as prescribed by the employer establishing the medical necessity for such leave. This shall be in addition to the documentation certifying the condition as FMLA qualifying. The additional certification shall include the dates and the duration of treatment, if any, the expected duration of the intermittent or reduced schedule leave, and a statement from the health care provider describing the facts supporting the medical necessity for taking FMLA leave on an intermittent or reduced schedule basis. In addition, an employee requesting foreseeable intermittent or reduced schedule FMLA leave may be required to meet with the executive assistant or designee to discuss the intermittent or reduced schedule leave.

An employee who requests and is granted FMLA leave on an intermittent or reduced schedule basis may be temporarily transferred to an available alternative position with equivalent class, pay, and benefits if the alternative position would better accommodate the intermittent or reduced schedule. An employee who requests intermittent or reduced schedule leave due to foreseeable medical treatment shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the Employer's operations.

- J. **Employee Benefits.** Except as provided below, while an employee is on FMLA leave, the employer will continue to pay its portion of premiums for any life, medical, and dental insurance benefits under the same terms and conditions as if the employee had continued to work throughout the leave. The employee continues to be responsible for the payment of any contribution amounts he would have been required to pay had he not taken the leave, regardless of whether the employee is using paid or unpaid FMLA leave. Employee contributions are subject to any change in rates that occurs while the employee is on leave.

The employer will not continue to pay the employer portion of premiums for any life, medical, and dental insurance benefits if, while the employee is on FMLA leave, the employee fails to pay the employee's portion of such premiums or if the employee's payment for his portion of the premium is late by more than thirty (30) days; the employer shall provide the employee written notice, by mail, 15 days prior to ceasing the premium payment. If the employee chooses not to continue health care coverage during FMLA leave, the employee will be entitled to reinstatement into the benefit plan upon return to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, the employer may seek reimbursement from the employee for any amounts paid by the employer for insurance

benefits the employee received through the employer during any period of unpaid FMLA leave. Leave balances accrued by an employee prior to taking FMLA leave and not used by the employee as outlined in the section entitled "Use of Leave" will be retained by the employee.

FMLA leave, whether paid or unpaid, will not constitute a break in service. Upon the completion of unpaid FMLA leave and return to service, the employee will return to the same level of service credit as the employee held immediately prior to the commencement of FMLA leave. In addition, FMLA leave will be treated as continuous service for the purpose of calculating benefits which are based on length of service. However, specific leaves times (i.e., sick, vacation, and personal leave and holidays) will not accrue during any period of unpaid FMLA leave.

- K. **Reinstatement.** An employee on FMLA leave must give the employer at least two business days' notice of his intent to return to work, regardless of the employee's anticipated date of return. Employees who take leave under this policy will be reinstated to the same or a similar position upon return from leave except that if the position that the employee occupied prior to taking FMLA leave is not available, the employee will be placed in a position which entails substantially equivalent levels of skill, effort, responsibility, and authority and which carries equivalent status, pay, benefits, and other terms and conditions of employment as the position the employee occupied prior to taking FMLA leave. The determination as to whether a position is an "equivalent position" will be made by the employer.

An employee will not be laid off as a result of exercising her right to FMLA leave. However, the employer will not reinstate an employee who has taken FMLA leave if, as a result of a layoff within the agency, the employee would not otherwise be employed at the time reinstatement is requested. An employee on FMLA leave has no greater or lesser right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during her FMLA leave.

Prior to reinstatement, employees who take FMLA leave based on their own serious health condition shall provide certification from the employee's health care provider that the employee is able to perform the essential functions of his position, with or without reasonable accommodation.

- L. **Records.** All records relative to FMLA leave will be maintained by the employer as required by law. Any medical records accompanying FMLA leave requests will be kept separate from an employee's regular personnel file. To the extent permitted by law, medical records related to FMLA leave shall be kept confidential. Records and documents created for purposes of FMLA containing family medical history or genetic information as defined by the Genetic Information Nondiscrimination Act of 2008 (GINA) shall be maintained in accordance with the confidentiality requirements of Title II of GINA, which permit such information to be disclosed consistent with the requirements of FMLA.

LEAVE DONATION POLICY

SECTION 6.14

- A. **Purpose:** The intent of the leave donation policy is to allow Union County employees to voluntarily provide assistance to coworkers who are in critical need of leave due to a serious health condition of the employee or a member of the employee's immediate family.
- B. **Definitions:** For the purpose of this policy the following shall apply:
1. **Child:** A son or daughter, including a child 18 years or over, who is incapable of self-care because of a mental and/or physical disability.
 2. **Immediate family:** The employee's spouse, child, or parent.
 3. **Parent:** Biological parent or an individual who stands in the place of a parent to the employee (*in loco parentis*). In-laws are NOT included in the definition of "parent."
 4. **Serious health condition:** An illness, injury, impairment, or physical/mental condition that involves a period of incapacity or treatment that requires absence from employment for more than three (3) days and involves care by a healthcare provider. Serious health condition also includes continuing treatment or chronic or long-term incurable conditions and prenatal care.
 5. **Spouse:** Husband or wife, including common-law marriages where/when recognized.
 6. **Transferee:** A full-time employee in need and approved to receive donated leave.
 7. **Transferor:** An employee volunteering to donate leave.
- C. **Policy:** Employees may donate accrued sick leave and/or vacation leave to a coworker who is otherwise eligible to accrue and use sick leave and reports to a Union County appointing authority who is subject to this rule and pursuant to the provisions of section 124.391 of the Revised Code. The intent of the leave donation program is to allow employees to provide voluntarily assistance to coworkers who are in need of leave due to a serious health condition of the employee or a member of the employee's immediate family. Supervisors are strictly prohibited from donating leave to any employee under their direct supervision and vice versa.
- D. **Hours transferred:** When hours are transferred from different appointing authorities, the hours will be paid at the receiving employee's hourly rate and taken from the budget line from which the receiving employee is normally paid.
- E. **Receiving leave:** An employee may receive a maximum of 960 hours of donated leave. Donated leave will be applied in an amount that is equal to the number of hours the employee is normally scheduled to work each pay period or the equivalent of the employee's normal biweekly earnings, whichever is less, if the employee:
1. Has no accrued, unused paid leave.

2. Has successfully completed his or her new hire probationary period, if applicable, and if not applicable, has been employed by Union County for at least six (6) months.
 3. Has applied for and exhausted any paid leave, workers' compensation, benefits program, or OPERS disability program for which the employee is eligible.
 4. Has applied for family and medical leave.
 5. Has no abuse or patterned use of sick leave, as the employer shall decide in its reasonable discretion.
 6. Provides acceptable medical confirmation that the serious illness continues to exist.
 7. Agrees to accept the leave under the terms of this policy and completes an *Application to Receive Donated Leave* form.
- F. **Donating leave:** Employees may donate leave if the donating employee:
1. Voluntarily elects to donate leave and does so with the understanding that donations are irrevocable. Donations will be returned to the transferor only if the leave is not used by the transferee.
 2. Donates a minimum of hours equivalent to one (1) of the donor's regularly scheduled workdays, and in one (1) donor day increments. If donating sick time, a donor may donate a maximum of 15 days (120 hours equivalence); provided, however, that such donor must have a minimum balance (after donation) of 480 hours of sick leave. There will be no limit on the number of one (1) day increments of vacation leave a donor may donate.
 3. Agrees to donate the leave under the terms of this policy and completes an *Application to Donate Leave* form.
- G. **Administration:** The leave donation program shall be administered on a pay-period-to-pay-period basis. Leave taken under this program will run concurrently with FMLA. The appointing authority of the transferee and the Union County Auditor shall review the *Application to Receive Donated Leave* and the *Application to Donate Leave* to assure compliance with sections E and F of this policy. Applications to Donate Leave are irrevocable and donations will be applied in the order of their submission. However, donations will not be effectuated (*i.e.*, deducted from the transferor's balance or credited to transferee's balance) until the pay period that the transferor's donated leave is applied. If unused, donated leave applications shall be returned to the transferor. All donated time shall be paid at the transferee's rate or pay without regard to or adjustment for the value of the donated leave to the transferor. Employees using donated leave shall be considered in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled. Vacation and sick leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period in preference to any donated leave. All donated leave shall be considered sick leave to the transferee but shall never be converted into a cash benefit. All appointing authorities involved (if more than one [1])

and the Union County Auditor shall maintain such records as are necessary for the administration of this program.

- H. **Certification:** Employees who wish to donate leave shall certify:
1. The name of the employee for whom the donated leave is intended.
 2. The number of hours to be donated (maximum 120 hours).
 3. That the employee will have a sick leave balance after donation of at least 480 hours.
 4. That the leave is donated voluntarily, and the employee understands that donations are irrevocable and only unused applications (i.e. donations) will be returned if they are not needed by the transferee.
- I. **Confidentiality:** Appointing authorities shall ensure that no employees are coerced into donating leave. Appointing authorities shall respect an employee's right to privacy; however, appointing authorities may, inform employees of their opportunity for leave donation in order to seek such donations. At no time will protected health information be shared. Leave donations shall be treated by Union County as confidential, to the extent practical and permitted by law.
- J. **Application:** Employees wishing to donate or receive donated leave may obtain application forms from the appointing authority or human resources.

LEAVE WITHOUT PAY (LWOP)**SECTION 6.15**

Leave without pay (LWOP) is a temporary, short-term, non-pay status and absence from duty that, in most cases, is granted at the employee's request. Employees may request LWOP if the employee desires time off and does not have accrued vacation, compensatory time, or sick leave (if appropriate) to cover the absence. In most instances, insurance benefits remain unchanged while an employee is on LWOP.

LWOP must be approved in advance and is subject to the operation schedules of each department. In most instances, the appointing authority or his or her designee, maintains the sole discretion on approval or disapproval of LWOP. LWOP for emergency purposes or extenuating circumstances may be granted on a case-by-case basis. A LWOP form shall be completed by the employee and submitted to his/her immediate supervisor prior to the requested time off. In case of an emergency, the form shall be completed and submitted to the immediate supervisor as soon as practicable. Employees may be entitled to LWOP in accordance with the Family and Medical Leave Act (FMLA), the Uniformed Services Employment and Reemployment Rights Act (USERRA), Executive Order 5396 which pertains to disabled veterans, or in certain situations when an employee is receiving workers' compensation payments.

ETHICS OF PUBLIC EMPLOYMENT POLICY**SECTION 7.01A**

- A. All employees are expected to maintain the highest possible ethical and moral standards, and to perform within the laws of the state of Ohio and other rules and regulations set forth by the employer. It is important to remember that the compensation of all employees is paid through taxes and user fees. Therefore, each employee assumes the responsibility to serve the public in an honest, effective, and friendly manner.
- B. In recognition of same, no employee shall:
1. Use their position for personal gain or engage in any transaction which is in conflict with the proper discharge of the employee's official duties.
 2. Use or disclose confidential or proprietary information concerning the property, government, or affairs of the county without proper legal authorization.
 3. Solicit or accept anything of substantial value as defined by the Ohio Ethics Commission, whether in the form of service, loan, item, or promise from any person, firm, or corporation which is interested directly or indirectly in any manner whatsoever in business dealings with the county.
 4. Accept from any person, firm, or corporation doing business with the county, any material or service for the private use or benefit of the employee.
 5. Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper performance of the employee's official duties or would tend to impair independent judgment or action in the performance of official duties.
 6. While an employee, or for one (1) year thereafter, represent another person before a public agency on any matter in which the employee personally participated as an employee.
 7. Receive or agree to receive outside compensation for services rendered in a matter before any office or department of the county unless excepted as provided in ORC section 102.04.
 8. Have a personal interest in a contract with the county or use their position or authority to secure approval of a public contract in which the employee, a member of the employee's family, or business associate has an interest.

ETHICS OF PUBLIC EMPLOYMENT PROCEDURE**SECTION 7.01B**

- A. Any department head in doubt as to the application of this section or other ethics laws or regulations may seek the advice of the Union County Prosecutor, who may refer the matter to the Ohio Ethics Commission for a binding advisory opinion.
- B. Employees shall be provided with a copy of Ohio's Ethics Laws at commencement of employment. The laws are also available at www.ethics.Ohio.gov.

APPEARANCE**SECTION 7.02**

- A. The appointing authority reserves the right to prescribe appropriate dress and grooming, and to set standards which are in the best interest of the county.
- B. The appointing authority requires that an employee's clothing, grooming, and overall appearance be appropriate, in good taste, and should present a favorable public image, and be in conformity with regulations established by the employer due to the specialized nature of service provided or the employment position maintained.
- C. Clothing shall be conducive to the safe and effective performance of required job duties.

TARDINESS**SECTION 7.03**

- A. Tardiness on a regular basis is inexcusable and shall not be tolerated. Tardiness is defined as any situation where an employee reports to work after his or her scheduled starting time. Whenever an employee is tardy, that employee may be subject to a reduction in pay corresponding to the amount of time he or she was late unless he or she offers to the supervisor a written reason for being late deemed acceptable by the supervisor.

In addition, if an employee is tardy, that employee may be subject to appropriate disciplinary action unless he or she offers to the supervisor a written reason for being tardy deemed acceptable by the supervisor.

- B. Employees shall be responsible for reporting to work at the place designated by their immediate supervisor.
- C. Employees shall not leave their work area and quit working prior to their scheduled quitting time. Violation of this policy may subject the employee to disciplinary action.
- D. Although FLSA-exempt employees shall not suffer any loss of pay under this policy, every FLSA-exempt employee is required to report to work promptly at his scheduled starting time.

Exempt employees who are late will be subject to appropriate disciplinary action.

POLITICAL ACTIVITY POLICY**SECTION 7.04A**

This policy is meant to comply with R.C. 124.57. Appointing authorities shall inform employees of any federal funding restrictions on political activity.

All employees are encouraged to exercise their constitutional rights to vote. References in this policy to politics and political activity refer to partisan activities, campaigns, and elections involving primaries, partisan ballots, or partisan candidates. The following are examples, but the lists are not necessarily all-inclusive:

- A. Examples of permissible activities for employees in the classified service include, but are not limited to the following:

1. Registration and voting.
 2. Expression of opinions, either oral or written.
 3. Voluntary financial contributions to political candidates or organizations.
 4. Circulation of nonpartisan petitions, petitions that do not identify with any particular party, or petitions stating views on legislation.
 5. Attendance at political rallies.
 6. Signing nominating petitions in support of individuals.
 7. Display of political materials in the employee's home or on the employee's property.
 8. Wearing political badges or buttons, or the display of political stickers on private vehicles.
 9. Serving as a precinct election official under section 3501.22 of the Revised Code.
- B. The following activities are prohibited to employees in the classified service:
1. Candidacy for public office in a partisan election.
 2. Candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party.
 3. Filing of petitions meeting statutory requirements for partisan candidacy to elective office.
 4. Circulation of official nominating petitions for any candidate participating in a partisan election.
 5. Service in an elected or appointed office in any partisan political organization.
 6. Acceptance of a party-sponsored appointment to any office normally filled by partisan election.
 7. Campaigning by writing for publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success.
 8. Solicitation, either directly or indirectly, of any assessment, contribution, or subscription, either monetary or in-kind, for any political party or political candidate.
 9. Solicitation of the sale, or actual sale, of political party tickets.
 10. Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues.

11. Service as witness or challenger for any party or partisan committee.
 12. Participation in political caucuses of a partisan nature.
 13. Participation in a political action committee which supports partisan activity.
- C. An employee in the classified service who engages in any of the activities listed in paragraphs (B)(1) to (B)(13) of this policy is subject to removal from his or her position in the classified service. The appointing authority may initiate such removal action in accordance with the procedures in section 124.34 of the Revised Code.

ETHICS OF PUBLIC EMPLOYMENT PROCEDURE	SECTION 7.04B
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Any employee desiring to seek or accept any public position or office should inform their appointing authority, who may request an opinion in advance from the Union County Prosecuting Attorney.

NO SOLICITATION / NO DISTRIBUTION	SECTION 7.05
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Purpose: This policy is designed to protect the interests of the citizens of Union County by ensuring that only official county business is transacted in the various work areas during employee work time.

Non-employee solicitation and distribution: There shall be no solicitation or distribution by non-employees at any time on county property or in any work area. This section does not apply to vendors as defined in the definition section of this policy.

Employee no solicitation rule: Employees shall not solicit other employees or non-employees during working time. Employees may solicit other employees during non-working time in non-working areas.

Employee no distribution rule: There shall be no distribution during working or non-working time in work areas. Employees may distribute goods and written materials during non-working time in non-working areas. For the purpose of this policy the following definitions shall apply:

Distribution: An act of distributing goods, materials, and/or written materials.

Employee: Any person in the employ of the county in any status.

Non-work area: Any area on or off county property not designated as a work area.

Non-work time: Any time during an employee's workday where the employee is totally relieved of work duties, such as break time and lunchtime; whether an employee is in paid or unpaid status during these times is immaterial to the designation of non-work time.

Solicitation: An act of requesting an individual to purchase goods, materials, or services, or a plea for financial contribution.

Vendor: Any individual or group engaged in or desiring to engage in the supply of goods, materials, or services to the county and its employers, which goods, materials, or services are utilized in the conduct of public business.

Work area: Any office, building, or physical location where official county business is transacted and/or operations of the county are being conducted. This includes any public or private areas where employees are engaged in work activities.

Work time: All the time when an employee's duties require that he or she be engaged in work tasks but does not include an employee's own time before or after a work shift.

USE OF COUNTY-OWNED VEHICLES

SECTION 7.06

- A. This policy is for the use of any motor vehicles owned or leased by the board of county commissioners or any county office, if applicable, for the use of the county commissioners or any department, commission, board, office, or agency under its direct supervision, or for the use of any elected county official and/or their employees. For the purpose of this policy, the term "employee" hereinafter means the persons comprising of the board of county commissioners, any employee of any department, commission, board, office, or agency under its direct supervision or jurisdiction, and any elected official and/or their employees using a vehicle provided by the board of county commissioners.
- B. No person who is not a compensated employee of Union County, Ohio may operate a county-owned or leased vehicle unless specifically authorized by the board of county commissioners. The board of county commissioners will consider exceptions to this requirement for law enforcement purposes, emergency response, and other like circumstances upon the request of the sheriff, emergency management agency director, or county coroner. No county official or employee shall use or permit the use of any vehicle or any supplies for it, except in the transaction of public business or work of the county (ORC 307.42, 307.43 and 124.71). Under Ohio law, however, the county commissioners have the authority to determine the meaning of and the manner of which employees and elected officials use vehicles owned or leased by the board of county commissioners for the transaction of public business, work of the county, or commuting.
- C. The board of county commissioners recognize that to efficiently and effectively carry out the transaction of public business or work of the county, a reasonable amount of related use may have to be conducted in a county-owned or leased motor vehicle for incidental but closely related business use (i.e., rest and lunch breaks), provided that the employee or elected official does not deviate from the route to the next work site.

Any and all county-owned or leased vehicles will not be provided as a means of compensation.

Only passengers on official county business shall be permitted in all county-owned or leased vehicles except as approved and/or authorized under R.C. 1551.25, (Ride Sharing). Elected officials may permit spouses as passengers if the elected official is operating the vehicle for a purpose directly related to their official duties (e.g., attending annual meetings, township meetings, and chamber of commerce meetings). Additionally, no

county employees employed by counties other than Union shall be permitted in county-owned or leased vehicles.

- D. It is not the policy of the board of county commissioners to provide fleet and/or pool vehicles for the transaction of public business whenever an elected official or department head authorizes travel by automobile.

Vehicles owned or leased shall not be used for commuting to and from work, except as permitted by the board of county commissioners, county engineer, county sheriff for vehicles assigned to the sheriff specifically for the performance of a law enforcement activity, or the county coroner for vehicles assigned to the coroner for related county business purposes, if any.

- E. Every effort shall be made to avoid distracted driving. A county official and/or employee must use caution when operating a county-owned or leased vehicle. While driving, a county official and/or employee must refrain from using their cell phone or other electronic device, unless it is used to accept a call or make an emergency call. Hands-free use of a cell phone or other electronic device (e.g., to place a call or for directional assistance) is also permitted. Any other use of a cell phone or other electronic device, while driving, is strictly prohibited. It is strongly recommended that operators drive to a safe location and park the vehicle prior to using a cell phone and/or other electronic device that could lead to distracted driving.
- F. Smoking is prohibited in all county-owned or leased vehicles.
- G. All operators and passengers in county-owned vehicles will comply with the following:
1. Operator's license: All operators of any county-owned or leased vehicles must have a valid state-issued operator's license, which includes the specific class of vehicle being operated.
 - a. Suspended License: Suspension of a county official and/or employee's operator's license will result in a suspension of any and all county-approved driving privileges until proof of valid license without restrictions is received. Any official and/or employee who is authorized to use a county-owned or leased vehicle and whose operator's license is suspended, must notify their immediate supervisor of this fact at the earliest of the following: day of suspension or next working day. An elected official, department head, or supervisor must notify the board of county commissioners within the same time limitations.
 - b. Driving under a suspended or revoked license: An employee convicted of driving under suspension or revocation shall be excluded for six (6) months, beginning on the date of the offense, from operating a county-owned or leased vehicle. An employee must provide proof of a valid license without restrictions and successfully complete an approved DDC class to lift exclusion after the six (6) month period.

2. Seat belts: As required by the Ohio Revised Code, all front seat passengers of a county-owned or leased vehicle or privately-owned vehicle, while being operated in the transaction of public business or work of the county, shall wear safety belts at all times while the vehicle is in operation. Rear seat passengers shall also wear safety belts, except in emergency medical or law enforcement vehicles. The vehicle operator is responsible for ensuring all passengers wear safety belts. Failure by any employee to comply with this provision must be reported to the appropriate supervisor.
3. Alcohol and other substances: All county elected officials, county employees, and/or other persons authorized to use a county-owned or leased vehicle shall not operate any county-owned or leased vehicle while under the influence of any alcohol or any controlled substances. Alcoholic beverages, controlled substances, and/or illegal drugs are not to be used or transported in or on any county-owned or leased vehicles, except as permitted in emergency medical or law enforcement vehicles. Legally prescribed medications are permissible only when their use does not adversely affect the official's or employee's driving ability and safe operation of the vehicle.
 - a. OVI (operating a motor vehicle under the influence): Any employee convicted of OVI, or any other drug or alcohol related driving offense shall be excluded for twelve (12) months, beginning on the date of the offense, from operating a county-owned or leased vehicle. An employee must provide a valid license without restrictions and complete an approved DDC class to lift exclusion after twelve (12) month period.
4. Accident reporting/traffic citations: In the event of an automobile accident, the vehicle operator is responsible for contacting the appropriate law enforcement agency immediately, or as soon after the accident as is practical.

All accidents shall be reported to the operator's respective supervisor as immediately as is practical. Accident reports are to be completed and submitted to the supervisor who will report the information to board of county commissioners as soon as possible, but in no event beyond 24 hours of the event or, if the event occurs on a holiday or weekend, on the next working day.

All parking, moving violations, penalties, and/or other fines received during the operation of a county-owned or leased vehicle are the full responsibility of the operator.

Operators of any county-owned or leased vehicle that establish poor driving records may be directed to attend a defensive driving and/or a driver training course by the board of county commissioners and/or by their immediate supervisor if they are to maintain authorization to operate a county-owned or leased vehicle. The determination for an official or employee to attend the above-referenced classes shall be in the sole discretion of the board of county commissioners and/or their designee.

- a. Fleeing and Eluding and Leaving the Scene of an Accident: An employee convicted of fleeing and eluding or leaving the scene of an accident shall be excluded for twelve (12) months, beginning on the date of the offense, from operating a county-owned or leased vehicle. The employee must provide proof of a valid license without restrictions and complete a mandatory CORSA approved DDC class to lift the exclusion following the twelve (12) month period.
 - b. Vehicular Homicide/Manslaughter: An employee convicted of vehicular homicide or manslaughter shall be excluded from operating a county-owned or leased vehicle from the time of the offense until clear of standard MVR based on the State of Ohio Bureau of Motor Vehicles reporting system.
5. Preventive maintenance and service: All county-owned or leased vehicles shall receive preventative maintenance according to standards established by the board of county commissioners and/or by the department head. All elected officials or department heads who have vehicles assigned to their department, office, or agency are responsible for ensuring required maintenance and service is scheduled. Any vehicle operators shall immediately notify their supervisor should they detect any unsafe or hazardous condition in or upon any and all county-owned or leased vehicles. The supervisor shall, in turn, be responsible to schedule such service.

All county-owned or leased vehicles shall be fueled in accordance with the policy set forth by the board of county commissioners and/or by the elected official or department head. County gasoline credit cards shall be used to purchase gasoline, oil, etc., for all county-owned or leased vehicles on official county business only unless other arrangements have been made and approved by the elected official and/or department head.

All operators of any county-owned or leased vehicle shall be responsible for the appearance (interior and exterior) of the county vehicle they are using and/or which has been assigned to them.

6. No employee shall text or check or send e-mail while driving a county-owned or leased vehicle.
 7. Insurability: All employees required to drive a county-owned vehicle, or drive their own vehicle on county time, must be insurable under the county's liability insurance plan. Any employee deemed uninsurable by such insurance company may be disciplined up to and including termination.
- H. Use of personal vehicles for county business: All county employees who are required to, or who choose to use their personal vehicles in the transaction of public business or work of the county, will be reimbursed on a mileage basis at the authorized county rate subject to approval by the appropriate department head and submission of transaction or public business or work of the county. All officials and employees must maintain their own liability insurance as required by law, subject to the limits prescribed by the county's vehicle insurance plan.

The employee's personal insurance shall be considered primary coverage. All officials and employees must provide proof of automobile insurance and a valid driver's license to the county risk manager annually before August 1 each calendar year.

Employees operating their own vehicles on county business are subject to the same conditions as outlined in this section.

- I. **Recordkeeping:** All county officials, appointees, and county employees, prior to operating a county-owned or leased vehicle or a personal vehicle in the transaction of county business or work, shall be given a copy of the Union County vehicle use policy and acknowledge receipt of the same. The elected official and/or department head shall maintain these records.

Each vehicle operator shall be responsible for maintaining the appropriate vehicle logs. The type of log used may be specific to the function of the vehicle. Vehicles' use logs must be reviewed by the elected official or department head monthly. Logs must contain date of trip, purpose of trip, place of trip, and beginning/ending odometer readings.

- J. **External marking of county vehicles:** All county-owned vehicles shall bear the approved external markings.

All vehicles used by the sheriff shall bear the approved sheriff's and/or law enforcement markings.

Vehicles may be unmarked in the interest of the public safety as determined by the sheriff, or by the nature of the public business conducted as determined by the board of county commissioners upon written application by the elected official or department head, and subject to the administrative approval of the board of county commissioners.

In accordance with R.C. 307.42, all county-owned or leased vehicles shall be plainly and conspicuously lettered as the property of the county.

- K. **Penalties:** Whoever violates R.C. 307.42 may be subject to penalties pursuant to R.C. 307.99. Violation of this policy by county-elected officials and/or employees is subject to revocation of the use of any county-owned or leased vehicle.

- L. Any and all elected officials, department heads, and/or all other county employees who fail to comply with the vehicle policies and procedures and/or who misuse or abuse any county-owned or leased vehicles or equipment may be subjected to disciplinary actions which may include, but is not limited to, the following:

1. Written notice of the violation.
2. Corrective action such as completion of a defensive driving or driving instruction class.
3. Loss of driving privileges – not permitted to drive county-owned or leased motor vehicle.

- M. In those cases where the county official's and/or employee's job requires driving a county-owned or leased vehicle, suspension of the employee's driver's license may result in reassignment or termination of employment.

TOOLS, SUPPLIES, AND EQUIPMENT	SECTION 7.07
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- A. When tools, supplies, and equipment needed to perform job duties are provided by the employer, it is the responsibility of supervisors to see that they are properly used and maintained. Employees, however, should notify the supervisor if the equipment being used does not work properly, is excessively noisy, or appears to be unsafe.
- B. Misuse, neglect, theft, and abuse of tools, supplies, or equipment is prohibited. Breakage or damage of equipment or supplies by an employee will necessitate an investigation and may be cause for disciplinary action (see section 8.3). Loss of tools on more than one (1) occasion may require payment by the employee for those items lost, at the discretion of the appointing authority.
- C. Employees shall not use or permit the use of county-owned tools, supplies, and/or equipment for any purpose other than official county business. Personal use of county-owned tools, supplies, and/or equipment is strictly prohibited.
- D. Employees may bring in personal equipment to use on county work with permission of the appointing authority. However, the appointing authority is not responsible for any damage or repair to the equipment.

USE OF MOBILE DEVICES POLICY	SECTION 7.08
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(INCLUDES TABLETS, LAPTOPS, AND OTHER ELECTRONIC DEVICES)	
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- A. **Scope:** This policy applies to all employees of the County who possess and use a mobile device purchased and/or provided by Union County. Mobile devices include, but are not limited to, laptops, mobile phones, pagers, tablets, iPads, etc.
- B. **Purpose:** This policy defines the conditions of use and expectations for which the county will provide a mobile device to an employee as well as the expectations for proper use of such county-issued equipment and identify how personal use of such county equipment will be reimbursed by the employee if required.
- C. **Policy:** Union County recognizes that mobile devices have become a valuable tool for county officials and employees to enhance their productivity while working on behalf of the county. This communications tool can provide an effective and efficient means to coordinate work activities, provide and/or receive needed information, deliver public services with minimal delay, and assure personal and public safety; therefore, the mobile devices may be provided for use regarding official county business to those officials and/or employees whose jobs require the ability to have constant contact, in accordance with this policy. The county expects all officials and/or employees to exercise care in the appropriate and reasonable use of all county-owned mobile devices.

- D. **Procedure:** It is the responsibility of each county agency or department head to determine who, in their respective offices, shall be assigned a county-owned mobile device for official use. No official and/or employee shall be automatically eligible to receive a county-owned mobile device based solely upon position, title, or classification. In order to be eligible, the official and/or employee must meet at least one (1) of the following:
1. **Public safety:** The county official and/or employee requires immediate and direct communication with local emergency responders in order to provide for the safety of the public.
 2. **Accessibility:** The county official and/or employee, while working outside of the office, must initiate immediate and direct communication with their office and/or other public or private entities or persons to access information in order to conduct official county business in a timely fashion where there is a likelihood that conventional telephones will not be readily accessible.
 3. **Responsiveness:** It is routinely necessary for other county officials and/or employees or members of the general public to reach this individual immediately and directly to discuss official county business when they are out of the office.

Once a mobile device has been provided, the recipient shall acknowledge in writing that they have received the equipment and a copy of this policy.

If a county mobile device is damaged, lost, or stolen, it must be reported by the employee to their immediate supervisor as soon as possible; the immediate supervisor shall notify the appointing authority, who will make the necessary arrangements for termination of service and/or arrange a replacement.

When an employee no longer needs a mobile device or terminates employment or otherwise loses the authorization to possess or use a county mobile device, the employee shall return all county-provided equipment and/or accessories immediately.

- E. **Proper and improper use:** County mobile devices are primarily provided for official county business. The frequency and duration of personal use and/or such unofficial communication must be kept to a minimum and should be in accordance with any applicable service plan.

No mobile device shall be used to make any communication of an obscene, threatening, harassing, or otherwise offensive nature that would be illegal, prohibited, or inappropriate as defined by law or which would be in violation of any other county policy.

Officials and/or employees are advised that all communications including, but not limited to, voice mails, pages, texts, photographs, and/or e-mail communications, are not confidential and are subject to review for the purpose of enforcing the policies herein with or without notice.

BULLETIN BOARDS**SECTION 7.09**

- A. It is the policy of the county to provide and maintain county bulletin boards as a means of communicating information to employees. All required postings shall appear on county bulletin boards and material and shall only be removed by the appointing authority or his or her designee.
- B. All county notices, federal and state required notices, and legal notices shall be posted in an area visible to all employees on the county bulletin board described in "A" above. Information of a general interest to employees may be posted by employees with the approval of their appointing authority provided the material to be posted does not contain:
1. Personal attacks upon any employee or public official.
 2. Scandalous or derogatory attacks upon any employee, public official, or governmental unit/agency.
 3. Attacks on and/or unfavorable comments regarding a candidate for public office.
 4. Attacks on any organization or group.
- C. Employees and non-employees wishing to have material posted on a county bulletin board shall submit a written request to their appointing authority or designee for prior approval. This request shall include the name of the person making the request to post the material, a copy of the material to be posted, and the period of time the material is requested to be posted. Material posted in violation of this policy shall be removed from the county bulletin board. Employees in violation of this posting policy shall be subject to disciplinary action.

GAMBLING**SECTION 7.10**

The county does not permit gambling in any form by its employees during work hours (meaning games of chance where the organizer profits — NCAA pools where all money is paid out to participants and/or donated to a charity is permissible). For the purpose of this policy, work hours includes regular working hours, lunch periods, cleanup time, and other breaks. Violation of this policy will be cause for disciplinary action as prescribed in section 8.4.

SUBSTANCE ABUSE**SECTION 7.11**

- A. Union County appointing authorities recognize substance abuse as a disease which is treatable, and they encourage those employees who suspect that they may have a drinking problem to seek professional treatment.
- B. For the purpose of this policy, a substance abuse problem exists when an employee's alcohol consumption or drug abuse begins to interfere with his or her job performance.
- C. This policy is intended to ensure that no employee with a substance abuse problem will have his or her job security or promotional opportunities jeopardized by a request for

treatment prior to any disciplinary action. The individual's rights to confidentiality and privacy are recognized. The pertinent information and records of employees with substance abuse problems will be preserved in the same manner as all other medical records and consistent with Ohio's Public Records' Laws. This policy does not preclude or supersede any discipline outlined or arising out of violation of the Drug Testing Policy for reasonable suspicion or random testing.

- D. Union County appointing authorities and supervisors shall not attempt to diagnose alcoholism or drug addiction. A referral, initiated by the appointing authority or supervisor, for diagnosis and treatment shall be based strictly on unsatisfactory or deteriorating job performance resulting from apparent medical or behavioral problems, whatever their nature.
- E. It will be the responsibility of the employee to comply with the referral for diagnosis and to cooperate with the prescribed treatment. An employee's refusal to accept diagnosis or treatment, or failure to respond to treatment, will be handled in the same manner as for all other illnesses when job performance continues to be adversely affected.

GARNISHMENTS

SECTION 7.12

- A. A court-ordered legal claim against the wages of an employee by a creditor for nonpayment of a debt and served by the constituted legal authority is a garnishment and must be recognized and executed by the county auditor and the employer's payroll officer. Repeated garnishments on the wages of an employee may result in disciplinary action. However, no employee may be terminated because of only one (1) successful garnishment during any 12-month period.
- B. No employee will be disciplined for garnishments where the employee has demonstrated a willingness and effort to resolve the employee's financial problems.

OUTSIDE EMPLOYMENT OR ACTIVITIES

SECTION 7.13

- A. Under no circumstances shall a Union County employee have other employment or activities which conflict with the objectives, interests, or operation of Union County.
- B. Two (2) common conflicts which may arise are:
 1. Time conflict: Defined as when the hours required for outside employment or activities directly conflict with the scheduled working hours of an employee's job with the county, or when the demands of outside employment or activities prohibit adequate rest, thereby adversely affecting the quality of the employee's job performance with the county.
 2. Interest conflict: Defined as when an employee engages in outside employment or activities which tend to compromise his or her judgment, actions, and/or job performance with the county.

- C. Should the appointing authority feel that an employee's outside employment or activities are adversely affecting the employee's job performance with the county, the appointing authority may take appropriate action. Any conflict, policy infraction, or other specific offense which is the direct or indirect result of an employee's participation in outside employment or activities, shall be disciplined in such a manner that is consistent with the policy set forth in section 8.3 of this manual.
- D. Use of county equipment and/or facilities in conjunction with outside employment is prohibited.

SAFETY**SECTION 7.14**

- A. **County responsibility:** The Union County board of county commissioners is always concerned with the safety and health of every employee. The county will comply with all applicable state and federal safety codes and regulations.
- B. **Appointing authority responsibilities:** Each appointing authority will be responsible for safety in the area under control and will be given assistance, authority, and support needed to fulfill responsibility.

Every accident will be investigated promptly and thoroughly with the aim of preventing the same or a similar accident in the future. The appointing authority will correct unsafe conditions. The appointing authority will ensure that each employee complies with all rules and regulations, and that safe working methods are used by employees under their supervision.

- C. **Employee responsibility:** All employees will be expected to comply with all safety rules and regulations and use all safety equipment provided by the county.
- D. Each employee will be expected to cooperate in the safety program, in the investigation of all on-the-job accidents, and assist in making the work environment safe for themselves and coworkers.
- E. **Accident reporting:**
 - 1. All accidents (e.g., employee injury, third party, property damage, etc.) must be reported to the appointing authority or designee immediately by telephone or in person. The appointing authority should notify the Human Resources Director of the accident as soon as possible.
 - 2. Within 24 hours, the appointing authority or designee shall complete a written report and provide a copy to the Human Resources Director. At no time is knowledge of an accident to be delayed or withheld.
 - 3. Each supervisor is responsible for reporting accidents and for designating an employee to handle the procedure when the appointing authority is not available.
- F. Violation of, or failure to comply with, safety practices and rules is subject to disciplinary action.

WORKPLACE VIOLENCE**SECTION 7.15**

- A. The safety and security of employees, clients, contractors, and the general public are of vital importance to Union County. Therefore, threats, threatening behavior, or acts of violence made by an employee or anyone else against another person's life, health, wellbeing, family, or property will not be tolerated. Employees found guilty of violence will be subject to disciplinary action up to and including termination of employment.
- B. The purpose of this policy is to provide guidance to employees of Union County should they encounter a situation that they believe is or could result in an act of violence.
- C. The word "violence" in this policy shall mean an act or behavior that:
1. Is physically assaultive.
 2. A reasonable person would perceive as obsessive (e.g., intensely focused on a grudge, grievance, or romantic interest in another person and likely to result in harm or threats of harm to persons or property).
 3. Consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of another.
 4. Would be interpreted by a reasonable person as carrying a potential for physical harm to the person.
 5. A reasonable person would perceive as intimidating or menacing.
 6. Involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening.
 7. Consists of a communicated or reasonably perceived threat to destroy property.
- D. The employer prohibits the following:
1. Any act or threat of violence by an employee against another person's life, health, wellbeing, or property.
 2. Any act or threat of violence, including, but not limited to, intimidation, harassment, or coercion.
 3. Any act or threat of violence which endangers the safety of employees, clients, contractors, or the general public.
 4. Any act or threat of violence made directly or indirectly by words, gestures, or symbols.
 5. Use or possession of a weapon on the employer's premises, on a county-controlled site, or an area that is associated with county employment except as allowed by law and/or required in the line of duty (i.e., law enforcement).

- E. The most common situations where workplace violence is likely to occur are as follows:
1. Dealing with the public: Violent situations could occur in employee contact with the public. While the employer has a strong commitment to client service, we do not intend for employees to be subjected to verbal or physical abuse by the client.
 2. On-the-job: Situations could occur where relationships between employees, or between an employee and a supervisor, result in strong negative feelings by the individuals involved.
 3. Off-the-job: An employee could become involved in a personal non-criminal dispute with a coworker, family member, or neighbor during the employee's non-working hours. The employer prohibits any act of violence by an employee towards any other employee while off-duty. If the situation escalates, individuals sometimes secure restraining orders from the courts. If an employee requests such a restraining order, the employee should include the work location as well as the employee's place of residence in the order. Information about the restraining order should also be provided to the employer as soon as practically possible.
- F. The possession or use of dangerous weapons is prohibited on employer property, in employer vehicles, or in any personal vehicle which is used for employer business or is parked on employer property, except as hereinafter provided.
1. A dangerous weapon is defined as:
 - a. A loaded or unloaded firearm.
 - b. A weapon, device, electronic stun weapon, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
 2. Exceptions: Individuals may possess a firearm on employer property if the individual is employed in the capacity of a law enforcement officer and is engaged in law enforcement activities. This policy is not intended to restrict individuals with a valid concealed handgun license from transporting or storing a firearm or ammunition inside the person's privately owned vehicle in accordance with Ohio Revised Code 2923.126 and 2923.1210. For further information, see Union County's Concealed Weapons policy in Section 7.18.
- G. Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on the employer's property shall be removed from the premises as quickly as safety permits and shall remain off the premises pending the outcome of an investigation. The employer will initiate an appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person(s) involved.
- H. It is a requirement that all employees report, in accordance with this policy, any behavior that compromises the employer's ability to maintain a safe work environment. All reports

will be investigated immediately and kept confidential, except where there is a legitimate need to know. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job-related or might be carried out on a county-controlled site or is associated with county employment.

- I. All incidences of suspected or potential violence should be reported to the employee's immediate supervisor or the department head. Do not take the position that the incident is too minor to report or that it does not appear to be a "real problem." Do not wait until it is too late to be proactive.
- J. **Supervisor responsibilities:** Supervisors and department heads are responsible for assessing situations, reporting incidents to Human Resources, and in conjunction with Human Resources making decisions on the appropriate response, and responding to reports of or knowledge of violent activities that have occurred in the workplace or that involve an employee of the employer.
- K. When any actual, potential, or suspected incident of violence is brought to the attention of a supervisor or the department head, the department head or designee shall evaluate the severity of the situation immediately and have the individual reporting the incident fill out a Workplace Violence Incident Report form. An investigation will be conducted and if it is concluded that an actual act of violence has occurred or if there is a likelihood that violence could result, the department head or designee shall:
 1. Discuss the situation with the employee(s) and attempt to find out what caused the situation.
 2. Determine what action is to be taken to prevent the situation from occurring again. Such actions may include but not be limited to:
 - a. Assigning a different employee to the area or job.
 - b. Talking with the disgruntled client or employee(s).
 - c. Discussing the incident and offer suggestions for appropriate actions.
 - d. Referring the affected employee(s) to professional help or counseling.
 - e. Disciplining the employee(s), up to and including termination of employment.
- L. All employees who apply for, obtain, or are the subject of a restraining order which lists department locations as being protected areas, must provide to their department head a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

CONVICTION OF A FELONY**SECTION 7.16**

- A. Conviction of a felony while employed in the civil service is a separate basis for reducing in pay or position, suspending, or removing an employee, even if the employee has already been reduced in pay or position, suspended, or removed for the same conduct that is the basis of the felony. An employee may not appeal to the State Personnel Board of Review any disciplinary action taken by an appointing authority as a result of the employee's conviction of a felony. If an employee removed under this section is reinstated as a result of an appeal of the removal, any conviction of a felony that occurs during the pendency of the appeal is a basis for further disciplinary action under this section upon the employee's reinstatement.
- B. Any employee convicted of a felony while employed in the civil service immediately forfeits the person's status as a classified employee in any public employment on and after the date of conviction for the felony. If an employee is removed under this section as a result of being convicted of a felony or is subsequently convicted of a felony that involves the same conduct that was the basis for the removal, the employee is barred from receiving any compensation after the removal notwithstanding any modification or disaffirmance of the removal, unless the conviction for the felony is subsequently reversed or annulled.
- C. As used in this policy, "felony" means any of the following:
1. A felony that is an offense of violence as defined in section 2901.01 of the Revised Code.
 2. A felony that is a felony drug abuse offense as defined in section 2925.01 of the Revised Code.
 3. A felony under the laws of this or any other state or the United States that is a crime of moral turpitude.
 4. A felony involving dishonesty, fraud, or theft.
 5. A felony that is a violation of section 2921.05, 2921.32, or 2921.42 of the Revised Code.
- D. Any person removed for conviction of a felony is entitled to a cash payment for any accrued but unused vacation leave as authorized by county policy. If subsequently reemployed in the public sector, such person shall qualify for and accrue sick and vacation leave in the manner specified by county policy for a newly appointed employee and shall not be credited with prior public service for the purpose of receiving these forms of leave.

INTERNET, ELECTRONIC MAIL, AND ONLINE SERVICES USE POLICY**SECTION 7.17**

The use of the Internet, electronic mail, and online services has great potential to enhance the productivity of Union County employees in all departments. At the same time, as in the case with all county resources made available to employees, abuse is possible.

- A. **Purpose:** The purpose of this policy is to establish guidelines and minimum requirements governing the acceptable usage of county-provided Internet, electronic mail, and online services as well as establish guidelines for the retention of electronic mail records. By establishing and maintaining compliance with this policy, risks and costs to Union County government as a whole can be reduced while the valuable potential of these resource tools are realized. The objectives of this policy are to assure that:
1. Disruptions to county government activities from inappropriate use of county-provided Internet, electronic mail, and online service access are avoided.
 2. Users are provided guidelines describing their personal responsibilities regarding confidentiality, privacy, appropriate retention, and acceptable use of county-owned Internet, electronic mail, and online service access.

Union County promotes Internet use that enables employees to achieve their various departmental missions and goals, and to improve Union County government in general. These resources are intended to assist in the efficient and effective day-to-day operations of Union County government.

Each department may also choose to develop or further refine acceptable and unacceptable uses of these resources. For further clarification of acceptable and unacceptable use of the Internet, electronic mail, and online services, refer to the department's "Agreement of Responsibility: Internet, Electronic Mail and Online Service Use".

- B. **Background:** The Internet is the rapidly expanding worldwide network of networks connected to each other using, primarily, the Internet Protocol (IP). The Internet provides for file transfer, remote login, electronic mail, news, and other services. Electronic Mail is the transmission of memos and messages over electronic networks, including, but not limited to the Internet. Online Services provide subscribers with a variety of reference and information exchange services, which typically include connection to the Internet.
- C. **Scope of the policy:** Access to the Internet, electronic mail, and online services is provided for the purpose of encouraging and promoting improved use of technology and information services in the areas of:
1. Gathering information and data relevant to county business.
 2. Communicating with other users who have related business interests.
 3. Increasing employee and contractor efficiency by utilizing technology which will enhance overall job performance.
 4. Encouraging collaboration and resource sharing among other counties, state, and federal agencies.

The following county employees are covered by this policy:

1. Full- or part-time employees of the county.

2. Volunteers who are authorized to use county resources to access the Internet, electronic mail, and online services.
 3. County contractors who are authorized to use county equipment and facilities.
- D. **Department responsibilities:** Appointing authorities or department heads (or designee) will have the final authority in determining whether an employee requires access to the Internet, electronic mail, and online services to accomplish their assigned duties. Departments have the responsibility for:
1. Acquiring Internet, electronic mail, and online service accounts for their personnel who need access to conduct the official business of the county.
 2. Ensuring that all personnel who have access to the Internet, electronic mail, and online services are aware of their responsibilities as outlined in the department's "Agreement of Responsibility: Internet, E-mail and Online Service Use and have signed the agreement.
 3. Assuming the responsibility for making the final determination as to the appropriateness of their employees' use of the Internet, electronic mail, and online services.
 4. Assisting their employees with making the final determination as to the proper electronic records retention period using the definitions under the "Electronic Mail Classification and Retention Schedule" section contained within this policy as a guideline.
 5. Contacting the Union County IT staff to research suspected violations and inappropriate use of Internet, electronic mail, or online service accounts.
- E. **User responsibilities:** Users should be aware that when access to the Internet, electronic mail, and online services are accomplished using Internet addresses and domain names registered to Union County, they may be perceived by others to represent Union County. Users shall not use the Internet, electronic mail, or online services for any purpose which would reflect negatively on the county or its employees.

Because of the security, legal, and productivity issues referenced in this policy, each user is responsible for:

1. Following existing policies and procedures in their use of Internet, electronic mail, and online services and shall refrain from any practices which might jeopardize the county's computer systems and data files, including but not limited to virus attacks, when downloading files from the Internet.
2. Learning about Internet, electronic mail, and online service etiquette, customs, and courtesies, including those procedures and guidelines to be followed when using remote computer services and transferring files from other computers.
3. Familiarizing themselves with any special requirements for accessing, protecting, and utilizing data, including Privacy Act materials and confidential information.

4. Being careful not to duplicate, download, transmit, or use software not in compliance with software license agreements, unauthorized use of copyrighted materials or another person's original writing.
5. Being careful not to open electronic mail messages and file attachments from unknown or untrusted sources. If you are unsure whether an electronic mail message and/or file attachment is of a legitimate nature, please contact the IT staff for guidance before opening the suspect message and/or attachment.
6. Managing electronic mail messages within their electronic mailbox by removing unnecessary mail, expired mail, or mail deemed no longer useful following the guidelines set forth under the "Electronic Mail Records" and "Electronic Mail Classification and Retention Schedule" section within this policy document. Users allowing their electronic mailboxes to exceed a reasonable size will be informed of their need to manage and remove unnecessary electronic mail by the Union County IT staff who periodically review electronic mailbox size. Should the problem persist, the user's supervisor will be contacted to take appropriate action.
7. Conducting themselves as a representative of Union County government as a whole. This means that users shall not use the Internet, electronic mail, and online services to:
 - a. Distribute offensive or harassing statements; disparage others based on race, national origin, sex, age, ancestry, veteran's/military status, disability, genetic information, or religious beliefs.
 - b. Distribute or solicit sexually oriented messages or images.
 - c. Distribute or participate in chain letters. This means e-mail that says something like "send this to 10 people" or "send this to as many people as possible", etc.
 - d. Connect to or download music or Internet radio programs that may impact the County's network services. Please see IT for guidance.
 - e. Use of instant messaging that negatively impacts the work employee's work performance.
 - f. Visit casino or gambling sites.
 - g. Download any unauthorized software that does not relate to county business.

Limited personal use of network and e-mail services is permissible so long as it is appropriate in content and does not negatively impact the employee's work performance.

F. **Security:**

1. Electronic message systems may not be secure. Employees should be aware of potential electronic messaging security problems before transmitting private or confidential messages. Disclosure may occur intentionally or inadvertently when an unauthorized user gains access to electronic messages. Disclosure may occur when messages are forwarded to unauthorized users, directed to the wrong recipient, or printed in a common area where others can read them.
 2. Use caution when sending confidential information. Always display "CONFIDENTIAL" on the subject line when sending confidential information. Confirm that encryption has been enabled before sending confidential information. Be aware that even if you encrypt your data, anything you electronically transmit over the Internet, electronic mail, or online services are subject to interception, reading, and copying by other people.
 3. The Internet may not be secure. Employees should take this into account before receiving or transmitting information and messages. Employees should be aware that it is possible to identify visitors to Internet sites (i.e., all Internet browsers furnish a trail to trace all Internet site visits), and should exercise conservative judgment when accessing information on the Internet.
- G. **Enforcement and violations:** All county employees using county equipment to access the Internet, electronic mail, and online services are subject to having activities monitored by system or security personnel with or without notice.
- Clear violation of this policy and its attachments will result in disciplinary action, including, but not limited to, notification of employee's supervisor, termination of Internet, electronic mail, and online service privileges.
- H. **Electronic mail records:** All county employees must be aware that electronic mail messages that meet the definition of a record under Ohio Revised Code section 149.011(G), like paper records, must be retained and destroyed according to established records management procedures. ORC section 149.011(G) states:

Records includes any document, device, or item, regardless of physical form or characteristic, created, or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

Retention or disposition of e-mail messages must be related to information they contain or purpose they serve. The content, transactional information, and any attachments associated with the message may be considered a record if they meet the definition of a record under ORC section 149.011(G) mentioned above. The user must appropriately retain a record according to their record retention schedule. If the user is unsure whether an electronic mail message qualifies as a record or which retention period the electronic mail message should fall within, it is the responsibility of the user to ask their supervisor for assistance. One simple way to manage the retention and deletion of electronic mail messages is to separate as much as possible by broad category, by topic, and then by year. When the retention expiration time period passes, simply delete the mailbox or folder containing the

outdated records. It would be best to separate the major categories and attach a year to them. Reliance on system back up of the e-mail system onto tapes or other media or purging all messages after a set amount of time are not appropriate strategies for managing electronic mail records.

I. Electronic mail classification and retention schedule:

1. Non-records electronic mail: May be deleted at any time. These electronic mail messages do NOT meet the definition of a record under ORC section 149.011(G) mentioned above. Examples include, but are not limited to, personal correspondence such as “let’s do lunch”, non-state publications, promotional material from vendors, and similar materials “publicly available” to anyone, list serve messages, unsolicited promotional material, “spam” files copied or downloaded from Internet sites.
2. Transient retention electronic mail: Retain until no longer of administrative value, then delete. Meeting notifications, informal conversations (compare to telephone or office hallway conversations), limited documents which serve to convey information of temporary importance, or employee activities. These records do not set policy, establish guidelines, or procedures.
3. Record electronic mail: After three (3) years, appraise for continuing retention purposes and print material to be kept in appropriate file. These electronic mail messages are of more significant administrative and legal or fiscal value but not scheduled to be transient. General and internal correspondence, notes containing business information, requests for information, requests for local interpretation, weekly or monthly reports which document the status of ongoing projects and issues or advising supervisors of various events and issues. Executive correspondence containing agency policy, fiscal information, or personnel matters, minutes and supporting records documenting internal policy decisions, or correspondence dealing with significant aspects of the administration of the agency. Attachments requiring longer retention should be printed and filed with appropriate record service.

CONCEALED WEAPONS	SECTION 7.18
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In the interest of protecting the safety of employees and citizens of Union County, the Union County Commissioners adopt the following policy:

Effective April 8, 2004, as required by Ohio Revised Code 2923.121, the following sign (or language substantially similar) will be posted at the entrance of every county-owned building, and at the entrance to the portion of any non-county-owned building which is being leased by the county:

Pursuant to the Ohio Revised Code, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance onto these premises. A valid license does not authorize the licensee to carry a concealed handgun onto these premises.

Employees and officials of Union County, other than law enforcement officers specifically authorized to carry a firearm,** are prohibited from carrying firearms into any county building, in any county vehicle, or at any time while they are acting within the course and scope of their employment.

Pursuant to Ohio Revised Code Sections 2923.126 and 2923.1210, a County employee or official with a valid license to carry a concealed handgun may bring a handgun onto County land (including parking lots) but must leave the handgun in their own locked vehicle, either locked in the glove compartment, locked in the trunk, or locked inside a gun case. The employee's vehicle must be parked in a permitted area. An employee or official with a valid license to carry a concealed handgun may remove the handgun from their own vehicle parked on County property only for the purpose of transporting it to and from the trunk of that vehicle for storage.

The County shall be immune from liability for any injury, death, or loss to person or property that was caused by or related to a licensee bringing a handgun onto the premises or property of the County.

Any county employee or official who violates this policy is acting outside the course and scope of their duties. Union County will not defend or indemnify such actions by any county official or employee. Any county employee found to be in violation of this policy will be subject to disciplinary action, up to and including discharge.

County employees who use a firearm to make comments about firearms in such a way that intimidates, harasses, coerces, or threatens another county employee will be subject to disciplinary action, up to and including discharge.

****This language is intended to include all county employees and officials who currently are authorized and trained to carry a weapon within the scope of their duties.**

USE OF COMMUNICATION SYSTEMS

SECTION 7.19

- A. **Purpose:** To establish guidelines for the use of county-owned, leased, licensed, or paid communications services and equipment in order to promote a professional and cost-efficient work environment.
- B. **Definitions:**
1. **Communications equipment and services:** Communications equipment and services include mail, electronic mail, courier services, facsimiles, telephone systems, computer networks, online services, computer files, telex systems, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, and bulletin boards.
 2. **County stationery:** Any letter, form, record, or other document which would give the appearance that the information contained on it is the policy, view, or intent of Union County government. This shall include the use of professional title on a document for personal gain.
- C. **Scope of policy:**

1. It is the policy of Union County to provide or contract for the communications services and equipment necessary to promote the efficient conduct of its business.
2. Supervisors are responsible for instructing employees on the proper use of the communications services and equipment used by the county for both internal and external business communications.
3. Most communications services and equipment have toll charges or other usage-related expenses. Employees should be aware of these charges and should consider cost and efficiency needs when choosing the proper vehicle for each business communication. Employees should consult their supervisor if there is a question about the proper mode of communication.
4. All county communications services and equipment, including the messages transmitted or stored by them, are the sole property of the county. The county may access and monitor employee communications and files as it considers appropriate. Communications equipment and services include mail, electronic mail, courier services, text messages, photos, facsimiles, telephone systems, computer networks, online services, computer files, telex systems, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, and bulletin boards.
5. Limited personal use of county communications services is permissible so long as it is appropriate in content and does not negatively impact the employee's work performance.

However, whenever possible, personal communications that incur user charges should be placed for collection or charged directly to the employee's personal credit card or account.
6. County communications property or equipment may not be removed from the premises without written authorization from the employee's supervisor.
7. Employees who do not have direct access to a county telephone should make provisions to have emergency or other necessary incoming calls routed to their supervisor. Although the county will attempt to deliver personal messages to employees, it cannot and does not accept responsibility for the prompt or accurate relay of these messages.
8. Employees should exercise care so that no personal correspondence appears to be an official communication of the county. Personalized county stationery and business cards may only be issued by the county. Employees may not use county stationery or postage for personal letters.
9. Improper use of county communications services and equipment will result in discipline, up to and including termination. Improper use includes any misuse as described in this policy as well as any harassing, offensive, demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

TOBACCO USE / E-CIGARETTE**SECTION 7.20**

Effective April 1, 2014, by resolution of the Board of County Commissioners, Union County, Ohio, Union County is hereby establishing a policy for total tobacco, e-cigarette, and smoke free facilities and properties which includes all county grounds, facilities, and vehicles, owned or leased, on county property or when posted as such in county parks or the county fairgrounds, pursuant to Ohio Revised Code 3794 which prohibits smoking in a public place or place of employment; therefore, smoking or use of any tobacco product by any person in any county facility including entrances and exits and vehicles is prohibited.

Smoking, vaping, or lighting of cigarettes, e-cigarettes, cigars, pipes, or other substances is prohibited on county property; the use of smokeless tobacco products, including chew and snuff, is prohibited on county property, including but not limited to:

1. All buildings, offices, meeting rooms, storage areas, restrooms, stairways, hallways, warehouses, garages, and county-owned vehicles.
2. Any enclosed area, with a roof or other overhead covering of any kind with walls and side coverings of any kind, regardless of the presence of openings for ingress and egress, on all sides or on all sides but one (1).
3. Any areas that are immediately adjacent to entryways.
4. Any area in which smoke could enter a building through entrances, windows, ventilation systems, or other means.

"No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be conspicuously posted in all county buildings and facilities where smoking is prohibited by this policy, including at each entrance. All signs shall contain a telephone number for reporting violations.

All ashtrays and other receptacles used for disposing of smoking materials shall be removed from any area where smoking is prohibited by this policy.

Employees who violate any provision of the tobacco, electronic cigarette, and smoke free workplace policy shall be subject to proper progressive disciplinary action, as determined by the county commissioners or their appointing authority.

Citizens who violate the tobacco, electronic cigarette, and smoke free workplace policy shall be asked to dispose of their tobacco/smoking materials properly and leave the county's property or be reported to the Ohio Department of Health, as determined by the appointing authority or security personnel.

UNIFORMS AND CLOTHING ALLOWANCE**SECTION 7.21**

- A. The employer shall provide an employee with a uniform only when it is necessary to identify employees for a particular purpose (e.g., law enforcement officer), prevent

unreasonable wear and tear on personal clothing, or to prevent injury while performing assigned duties.

1. A required uniform will be provided by the county at no expense to the employee. Shoes may also be provided when the specific job responsibilities require a certain shoe/boot for safety reasons. Shoes that are not considered "safety shoes" must be reported as taxable income in accordance with section B herein.
 2. The elected official and/or department head shall ensure that appropriate recordkeeping is maintained to identify all items of clothing purchased, who such clothing is assigned to, the cost of each item, and when returned.
 3. The style and composition of the specific uniform shall be determined by the employer. All uniform shirts shall be identified using the county logo and/or Union County, Ohio placed visibly on the outside for recognition purposes. All uniform pants need not have such identifying markings as they accompany the uniform shirts when worn. All employees shall display a name tag or have their name monogrammed on their uniform for identification purposes.
 4. All uniforms issued by the county shall only be worn during working hours, when representing the county, in travel to and from work, and at such other times as directed by the elected official and/or department head. Any uniforms or portions of uniforms shall not be worn on days off, after work, or for personal business.
 5. All employees required to wear a uniform shall take the necessary steps to protect it from damage, excessive wear, and shall be responsible for all cleaning and laundering, unless this service is provided through the specific department.
 6. When uniform items are replaced by the county, the old or worn uniform items are to be returned to the elected official and/or department head. In the event of employment termination, all uniforms, and all uniform accessories (e.g., hats, belts, shoes) are to be returned to the elected official and/or department head.
 7. Should an employee fail to return the uniform, or any uniform accessories, either to be replaced or returned if leaving the employment of the county, the elected official and/or department head, at their discretion, may charge the employee up to the full replacement cost for each item which is not returned. If necessary, the elected official and/or department head may withhold such payment from the employee's paycheck.
- B. Clothing provided to county employees may be considered taxable income to the employee. In order to comply with IRS guidelines, all employees provided uniforms will be provided an affidavit annually to cover the 12-month period ending October 31 of each year. This affidavit must be completed by the employee, approved by the department head, and forwarded to the county auditor by November 15 of each year for inclusion on the employee's Form W-2.

- C. Clothing or uniforms purchased by the county can be excluded from taxable income to the employee if such clothing or uniforms are specifically required as a condition of employment and are not worn or adaptable to general usage as ordinary clothing.

EMPLOYEE RECOGNITION / AWARDS	SECTION 7.22
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- A. Elected officials and/or appointing authorities of Union County may provide awards or recognize employees so long as their plan is a qualified plan and provides for the following:
1. Their award plan is an established written plan.
 2. The plan does not discriminate in favor of highly paid employees.
- B. The following awards are considered taxable to the employee and should be avoided in any plan:
1. Any award given in cash or cash equivalents such as savings bonds or general merchandise gift certificates.
 2. Any recognition award for job performance unless they qualify as *de minimis* (see Item C below).
 3. Awards for outstanding customer service, employee of the month, highest productivity, etc.
 4. Awards for length of service or safety achievement that exceed limitations or don't meet requirements.
 5. Non-cash prizes (unless *de minimis*) won by employees from random drawings at employer-sponsored events.
- C. ***De minimis awards:*** A prize or award that is of *nominal value* and is provided *infrequently* is excludable from an employee's wages as long as it is not cash or a cash equivalent. (No established amount for these awards — \$25 will qualify, but \$100 is too much.)
- D. **Reporting:** If any award given is considered taxable based on the above criteria, it must be added to the employee's wages in the same month it was received. It is the responsibility of the appointing authority/department head to make sure the fair market value (not cost) of any taxable award is included on the last payroll worksheet of each month. If the awards program is not a qualified plan, all awards will be taxable and must be added to the payroll worksheet.

ABSENCES	SECTION 7.23
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Every employee is important to the successful operation of the county. Regular and predictable attendance and punctuality are essential functions of every employee's job.

- A. Absenteeism increases the workload of other employees and affects the quality of services. An employee is absent for purposes of this section if the employee fails to report to work

- for an entire scheduled workday and such absence has not been excused (as defined herein) or does not qualify for family medical leave. When utilizing sick leave or unpaid leave, it is the responsibility of the employee to request that the leave be charged against family and medical leave, and/or to provide sufficient and necessary information and documentation to the employer so that the leave (family and medical leave) may properly be charged.
- B. When an employee begins to show patterns or trends of absences, the supervisor should review and address these individuals using the disciplinary process.
 - C. FLSA nonexempt employees will not be paid for the period of time the employee has been absent if such absence has not been covered with approved leave. Employees are required to use their sick time for an absence if they have time in their bank. Supervisors may make exceptions for employees who might make up time missed for a physician appointment within that same day. There are exceptions where to deduct pay for FLSA-exempt employees.
 - D. Absences without adequate and proper notification to the supervisor, as discussed herein, will result in an employee being counseled, disciplined, and subject to termination in accordance with county policy.

USES OF EMPLOYER PROPRIETARY INFORMATION**SECTION 7.24**

- A. All information obtained by employees in the course of their employment with the employer and all employer data shall be considered confidential and proprietary. Personal information which employees obtain during the normal course of their employment shall not be discussed nor disclosed to anyone other than those individuals who have a need to know for legitimate business purposes.
- B. In order to protect against inappropriate use of information or data maintained by the employer, all employees are required to comply with the following regulations:
 - 1. Accessing confidential/proprietary information or data, other than as required for work purposes, is prohibited.
 - 2. Removal of information or data from the employer's premises without advance approval is prohibited.
 - 3. Discussion of such information with unauthorized persons is prohibited.
- C. Using confidential/proprietary information or employer data for any purpose other than as required to complete assigned work tasks, discussing such confidential/proprietary information or data with anyone other than for work purposes, or removal of such information or data from the employer's premises without authorization, will result in discipline of the employee, including possible removal from employment.
- D. Any employee who has a question regarding the use of confidential/proprietary information or data maintained by the employer should request clarification of the employer's policy before risking a possible violation.

SOCIAL MEDIA

SECTION 7.25A

- A. **Purpose:** The purpose behind this policy is to make an employee aware of his or her privacy rights and prohibited conduct with respect to an employee's actions and its impact on the employer when using social media sites on and off-duty. This policy is also intended to ensure efficient use of employee time and to minimize any distraction from an employee's assigned tasks and duties. It will allow the employer to ensure that employer rules are followed, and all employees are treated fairly and consistently. Use of such technology constitutes consent to being monitored by the employer for compliance.

Employees shall remember they are paid by public funds and the public holds them to a high standard of professionalism. The employer has an overriding interest and expectation in deciding what is "spoken" on behalf of the employer. This policy is not meant to infringe on one's right to free speech, rights under R.C. 4117, or any other protected activity.

- B. **Scope:** All employees will be subject to and held accountable for any conduct outlined in the *Social Media* policy. This policy works in conjunction with other related personnel policies and procedures (e.g., harassment).
- C. **Social media:** Refers to the use of websites such as, but not limited to, Blogger, Facebook, LinkedIn, Twitter, Tumblr, Flickr, YouTube, Yelp, and Wikipedia. For purposes of this policy, blogs and other internet forums shall also be covered. Nothing in this policy is meant to prohibit access to any social media website or blog which may be work-related.
- D. **Policy:**
1. **On-duty conduct:** While at work, employees may only access social media websites, blogs, and/or other internet forums of communication during their lunch or breaks. This includes access from a personal mobile device (e.g., smartphones, tablet etc.) during an employee's compensated hours of work.
 2. **On- and off-duty conduct:** An employee enjoys no expectation of privacy to information posted to the Internet even while off-duty. This includes anything posted to a social media website, blog, or other similar internet forum of communication. Although information may be posted to a "private" social media account, the employee should be aware this information can still be accessed by the public and other sources in a number of ways. Because of this, an employee needs to use "common-sense" when posting comments, photos, opinions, or any other information related to his or her employment. Any social media activity which portrays the employer in a negative light will be evaluated and may result in disciplinary action up to and including termination. Examples of prohibited conduct include, but are not limited, to:
 - a. Posting one's photograph while wearing the employer's uniform (or other similar attire, which could be misidentified as the official uniform).
 - b. Posting pictures, videos, or comments that are insubordinate with respect to the employee's employment.

- c. Posting pictures, videos, or comments that constitute or could be construed as unlawful behavior.
 - d. Knowingly or recklessly posting false information about the employer, supervisors, coworkers, public officials, or those who have a relationship with the employer. This also includes disparagement of a fictitious character or computer-generated likeness that resembles the above.
 - e. Posting, transmitting, or disseminating any pictures or videos of official training, activities, or work-related assignments without the express permission of a supervisor.
 - f. Posting pictures, videos, or comments that are sexual, obscene, violent, offensive, harassing, or pornographic in nature along with any reference to the employer or individual's employment.
3. Employees shall not imply they are speaking on behalf of the employer unless authorized to do so. See the Office/Agency Social Media (County Sponsored) policy (Section 7.25B) for related guidance.
 4. Confidential information: An employee shall not disclose any work-related confidential or proprietary information on any social media website, blog, or other internet forum of communication. This can include information that may eventually be obtained through a valid public record's request.
 5. Employees are encouraged to follow the internal complaint procedure and not take to the internet to voice work-related complaints.
 6. Employees found to have violated any part of this policy may be subject to discipline up to and including termination.
 7. Any deviation from the above policy shall be approved by the employer in writing.
 8. Any questions regarding the policy should be directed to the employee's immediate supervisor.
 9. Employees shall take note of the following: DELETE DOES NOT MEAN DELETE. Once something is posted to the Internet e it remains there.

OFFICE/AGENCY SOCIAL MEDIA (COUNTY SPONSORED)	SECTION 7.25B
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- A. The purpose of this policy is to establish Union County general standards and responsibilities for the acceptable use of social media as it pertains to Union County sponsored social networking websites. The policy governs the use, administration, management, monitoring, and retention of County sponsored social media and social media content, consistent with state and federal laws and regulations.

This policy applies to all uses of County sponsored social media by any person, including, but not limited to employees, contractors, interns, and volunteers, that maintains, uses, or

provides oversight of county sponsored social media tools. This policy also applies to members of the public who comment or otherwise interact with the County through its social media websites

All content created, transmitted, or deleted from County information technology systems is exclusively the property of the County or, to the extent provided by applicable law, of the person or entity that created or owns the copyright or trademark rights to that content.

B. When used in accordance with applicable laws, regulations, and policies as well as prudent operational, security, and privacy consideration, web-based social media tools can (at little to no cost):

1. Enhance the speed, reach, and targeting of communications (particularly during disaster/emergency incidents);
2. Facilitate customer service and collaboration;
3. Improve information exchange between residents and employees;
4. Increase citizen engagement and dialogue;
5. Streamline processes;
6. Foster productivity improvements; and
7. Increase the County's ability to broadcast messages to the widest possible audience (County, city, region, nation, and world).

C. Definitions:

1. "Social media" means and includes internet technologies that facilitate and promote interactive communication, participation, and collaboration. Examples of social media include, but are not limited to, the websites and applications Blogger, Facebook, LinkedIn, Twitter, Tumblr, Flickr, YouTube, Yelp, and Wikipedia, and the interactive tools and functions they provide to users.
2. "Authorized social media user" or "authorized user" means and includes a county employee, contractor, consultant, vendor, and any other person responsible for the use, administration, management, monitoring, and/or retention of social media, social media tools or websites, and/or social media content, in the name of or on behalf of Union County or any Union County agency, department, or office.
3. "Social media content" means and includes any materials, documents, photographs, graphics, videos, and other information that is created, posted, distributed, or transmitted using social media internet sites or social media tools.

D. All uses of social media on behalf of the County or any County agency, department, or office, or in any manner that appears to represent the County or constitute communication by the County, must comply with the following standards:

1. Agencies, departments, or offices:
 - a. Agencies, departments, or offices using social media shall designate one or more employees to be the authorized social media user(s) for the agency, department, or office. Only the designated authorized social media user(s) shall be authorized to post social media content on the agency's, departments or office's social media account(s) and may have access to the agency's, departments or office's social media accounts that permit such posting.
 - b. No information or link (hyperlink) to any internet site or other materials or communications may be posted, or approved for posting, on an agency, department or office social media account that is not directly related (as determined by the agency, department, or office head) to the mission, services, and business objectives of the agency, department, or office.
 - c. Agency, department, or office social media pages must clearly identify the pages as created and managed by the agency, department, or office, of Union County, Ohio.
2. Employees:
 - a. No County employee may establish any social media account in the name of or on behalf of the County or any County agency, department, or office unless: (i) the user's agency, department or office head has approved the account; and (ii) all information to be posted on the account follows in accordance with subsection (D)(1.) above. This requirement applies regardless of whether the account is established, accessed, or used by means of the County information technology systems or by means of the employee's or others' information technology systems, and regardless of whether the account is established, accessed, or used from County or non-County premises.
 - b. Social media accounts established by a county agency, department or office are to be used for County and agency, department, or office business purposes only. Use for communications and postings that are not directly related to County business purposes is prohibited.
 - c. Employees must report unauthorized uses of County social media or County social media accounts to the head of their agency, department, or office.
 - d. Employees are expected to be attentive and careful in their use of County sponsored social media sites. Employees should be aware that their use of social media may be perceived as representing the County and County government and should tailor their use accordingly.
 - e. Unacceptable uses include, but are not limited to, the following:

- 1) Using social media in a manner that does not comply with federal, state, and local laws and regulations, and with County policies.
- 2) Using social media in a manner that:
 - i. Violates the copyright, trademark, or other intellectual property rights of any person or entity, or otherwise violates their legal ownership interests;
 - ii. Includes slurs based on any individual characteristic (e.g., ethnicity, gender, race, religion, disability), profanity, personal insults; material that is harassing, defamatory, fraudulent or discriminatory; or other content or communications that would not be acceptable in a County workplace under County policy or practice;
 - iii. Displays sexually explicit images, cartoons, jokes, messages, or other material in violation of the County Personnel Policy Manual;
 - iv. Violates section 7.04A of the County Personnel Policy Manual, relating to Political Activity Policy;
 - v. Contains confidential information or information that compromises the security of the County offices, networks, or information technology systems; or
 - vi. Violates the terms of use governing the social media account.

This list is not exhaustive. Questions about particular uses of social media or particular social media content should be directed to the agency, department or office head.

- E. A County agency, department or office social media site or page may be a “limited public forum” if visitors to the site are able to post comments or other communications. Where permitted by the operator of the site, the comments and similar functions should be disabled on County social media pages, unless the agency, department or office head determines that permitting or encouraging interactive communications with site users is necessary or beneficial to carry out the business objectives of the agency, department, or office in creating the site.
1. A comment posted by a visitor on any County agency, department or office social media site is the opinion of the visitor only, and publication of a comment does not imply endorsement of, or agreement by, the County agency, department, or office, nor do such comments necessarily reflect the opinions or policies of Union County government as a whole.

2. Comments posted to a social media site will be monitored during regular business hours, including comments requesting responses and in violation of this policy, and may be removed if they are in violation of this policy. Union County reserves the right to deny access to its social media sites for any individual, who violates the Union County Social Media Policy, at any time without prior notice.
3. Union County reserves the right to remove inappropriate comments containing, but not limited to the following types of content:
 - a. Vulgar, profane, obscene, violent or offensive language and sexually explicit content (or links to this type of inappropriate information/content);
 - b. Content that promotes, fosters, or perpetuates discrimination on the basis of race, color, age, religion, sex, national origin, military status, disability, genetic information, or sexual orientation;
 - c. Content that advocates illegal activity in violation of any federal, state or local law;
 - d. Infringement upon copyright, trademark or other intellectual property rights;
 - e. Defamatory statements
 - f. Threat to any person or organization
 - g. Other comments as deemed inappropriate by the County agency, department, or office.
4. If interactive communications (e.g., comments) are permitted, terms of use for visitors to the site must be posted on the site, unless prohibited by the terms of use governing the social media account or prevented by the site. The terms must include:
 - a. A clear description of the topic(s) that the site is intended to address and that may be addressed in comments, with a statement that user postings will be removed if they are not directly related to those topics;
 - b. Statements substantially similar to the following:
 - 1) Communications posted by visitors on this site may not contain ethnic slurs or profanity; material that is harassing, defamatory, fraudulent, discriminatory or sexually explicit; or any material that infringes copyright, trademark or other intellectual property rights;
 - 2) Any advertisements appearing on the site are not controlled by the County or the agency, department or office;

- 3) Opinions expressed by visitors to the site do not reflect an endorsement or opinion on the part of the County or the agency, department or office; and
 - 4) Visitors to the site should have no expectation of privacy or confidentiality with respect to any content they post to the site, and the County or the agency, department or office have no responsibility for maintaining any such privacy or confidentiality.
5. The content of communications posted by site users may not be edited or otherwise modified; removal is the only action that may be taken, and then only for communications that violate the terms of the statements under subsections (3.) and (4.) above.
- F. County agency, department or office heads are responsible for all social media content created, transmitted, deleted, destroyed, and/or printed in the name of or on behalf of the County agency, department, or office.

Social media content is subject to the Ohio Public Records Act and to Record Retention Schedules (RC-2) established by the County Records Commission for the agency, department, or office. Agencies, departments, or offices are responsible for making and retaining such postings, as required by the agency's, departments or office's Record Retention Schedule.

Any County agency, department, or office that uses social media should avoid posting primary source material on social media sites. The content any county agency, department, or office that uses social media posts should be a secondary copy of information posted on the County website or contained in an electronic copy or a hard copy.

- G. Employees who violate this policy may be subject to disciplinary action, up to and including termination of employment.

PROFESSIONAL CONDUCT

SECTION 7.26

- A. Employees are expected to maintain a satisfactory and harmonious relationship with fellow employees and the public to sustain normal and effective operations. Therefore, the County requires that all employees maintain high standards in interpersonal relationships with internal and external customers. Interpersonal skills include, but are not limited to:
1. Professional, positive, and effective communications;
 2. Active and efficient listening skills;
 3. Positive attitudes and professional demeanor; and
 4. Respectful and courteous behavior toward others.
- B. The County also believes that all employees should be able to work in an environment free of threatening speech or actions. Threatening behavior consisting of any words or actions that intimidate a staff member or cause anxiety concerning his/her physical well-being is strictly prohibited. Anyone who is found to have threatened a member of the staff or the

- public will be subject to discipline up to and including termination following applicable policies.
- C. In order to maintain the integrity of Union County, and the confidence that the public has in it, and to provide an orderly, positive, and productive workplace, it is essential that employees of Union County observe a professional standard of conduct following all applicable policies set forth in the Union County Personnel Policy Manual and the established Standard Operating Procedures. Such a higher standard of conduct will benefit and protect both Union County and the employee, as well as provide the highest standard of service to the citizens for whom we are employed.
- D. In pursuit of providing the highest quality standard of service to the customers, employees are expected to perform their duties within the policies, procedures, and directives of management.
- E. Employees are expected to be efficient and to utilize their hours at work to conduct the public work. Employees are subject to disciplinary action for inefficiency and loss of production if personal issues or other non-work distractions interfere with productivity.
- F. Employees must also professionally provide services to the public. Conduct that is abusive, discourteous, neglectful, purposefully performed incorrectly and against policy or standard procedure, or not performed when required will not be tolerated. Further, speech that is disparaging of the County, its officers, management, or employees and not constitutionally protected shall not be tolerated.
1. To be constitutionally protected, speech must:
 - a. Address a matter of public concern, and
 - b. Outweigh the employer's interest in maintaining an efficient, disruption-free workplace.
 2. Speech that is purely job related or of purely personal interest is not a matter of public concern.
- G. An employee's conduct or misconduct while not on duty that brings discredit to the County, interferes with the County's ability to provide services to the public, or violates any policy, procedure, or agreement of the County will not be tolerated. An employee who is arrested for any criminal offense, including, but not limited to, any crime that constitutes a misdemeanor or felony and any arrest or charge of operating a motor vehicle while under the influence of drugs and/or alcohol must report that arrest immediately to his/her supervisor or department director who will inform Human Resources, or the employee may report the incident directly to Human Resources.
- H. Union County will carefully consider the impact that the arrest or criminal charge makes on its operations and consider any applicable employment decisions based on that impact. Any employee found to be in violation of this Section shall be subject to possible disciplinary action up to and including removal and/or criminal prosecution. Any employee who has a question as to whether or not his/her actions or activities are in violation of this

Section should review the County Personnel Policy Manual, County and Ohio Ethics Policy and/or direct such inquiry to his/her immediate supervisor, department director, Human Resources or appointing authority

NO RECORDING	SECTION 7.27
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A. Policy Statement

Union County prohibits the unauthorized use of cameras or other audio/visual recording devices in the workplace, including use of camera-equipped phones, tablets, and other devices. The purpose of this policy is to protect confidential information and foster good communication in the work environment.

B. Restrictions on Recording Devices

Employees are prohibited from using, installing, or mounting unauthorized cameras or other audio/visual recording devices in any work areas without the approval of the appointing authority or designee. As such, any recordings without permission of the appointing authority or designee are strictly prohibited in all work locations and vehicles. This restriction does not apply to an authorized work assignment.

Union County prohibits the recording of conversations or meetings unless the consent of all parties involved is obtained. This prohibition does not apply to County security/surveillance cameras and related equipment. In addition, Public meetings may be recorded in accordance with Standard Operating Procedures, or the approval of the appointing authority. The appointing authority may also decide to record a personnel hearing or proceeding. This policy is not meant to infringe on any protected activity.

EMPLOYEE IDENTIFICATION AND SECURITY ACCESS POLICY	SECTION 7.28
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A. **Purpose:** Photo identification cards (ID cards), key cards and/or security access wristbands are issued to all Union County elected officials and employees to provide a safe and secure workplace for the public and all County staff. One or more of these identification items may also be issued to authorized non-employee persons (e.g., contractors, visitors attending meetings, vendors, etc.) participating in special programs or activities sponsored by the County. These restricted items serve to identify those who work for the County or those who have been granted access to County Facilities.

B. **Definitions.**

1. **Identification Card (ID Card).** A hard plastic card used to identify all elected officials and employees of Union County. The face of the card shall reflect the County department name, an accurate photograph of the employee, and the employee's name, ORC 4507.06 (A) (1) (a). The back of the card shall contain language that facilitates the prompt return of any lost ID cards to the Union County Commissioners' Office, if found.

2. Key Card. A hard plastic card used to identify all elected officials and employees of Union County. The face of the card shall reflect the County department name, an accurate photograph of the employee, and the employee's name, ORC 4507.06 (A) (1) (a). The back of the card shall contain language that facilitates the prompt return of any lost ID cards to the Union County Commissioners' Office, if found. Key cards are programmed to allow authorized employees access to designated Union County buildings and facilities outside of normal working hours or areas that are secured during normal working hours.
3. Security Access Wrist Band. Elected officials and employees may request a security access wrist band, which will be programmed to allow authorized employees access to designated Union County buildings and facilities outside of normal working hours or areas that are secured during normal working hours. If the wrist band is selected instead of a key card, the employee must also be issued and utilize an identification card.

C. **Policy.**

1. The County Commissioners' Office (Facilities Department) will issue appropriate identification to each new elected official and employee, except for Sheriff's Office and Courthouse employees. These employees shall contact the Sheriff's Office Human Resources Manager for related assistance.
2. Elected officials and employees must sign the "Identification Card/Key Card/Security Access Wristband Policy Acknowledgement Form" prior to receiving their identification item(s).
3. Appropriate identification must be carried at all times and/or be visibly displayed at waist height or above unless doing so risks personal safety or as directed by their respective department head/elected official.
4. Elected officials and employees shall not give or lend their restricted identification to another individual or use it to grant an unauthorized person entry into a County building or other County property.
5. One or more of these restricted identification items may also be issued to non-employee persons (contractors, visitors attending meetings, vendors, etc.) participating in special programs or activities sponsored by the County.
6. Key Cards and Security Access Wristbands will be programmed to allow entry into areas within the control of the employee's respective department and/or within the scope of their work requirements. Requests for access to areas outside the control of the areas of the employee's respective department will require review and approval by their supervisor, department head and elected official.
7. Any misuse, alteration, or fabrication of these restricted identification items shall subject the holder to disciplinary action by the County.

D. **Replacement Cards/Wristbands - Lost or Damaged Cards/Wristbands.**

1. Elected officials and employees (depending on their department) must contact the Facilities Manager or the County Sheriff Human Resources Manager immediately to deactivate and to replace lost, stolen, or damaged ID or key cards/wristband. A replacement ID card, key card, or wristband will only be issued with approval of the employee's department head.
2. If the ID card, key card, or wristband should become worn and illegible, damaged, or lost; one new ID card, key card, or wristband will be issued per calendar year at no charge.
3. If the second ID card, key card, or wristband issued is damaged or lost within the calendar year, the employee will be charged for a replacement ID card, key card, or wristband.
4. If, through no fault of the employee, any of these restricted identification/access items should stop working, a new item will be issued to the employee at no charge. The old item must be returned.

E. Separation from County Employment.

1. Elected officials and employees leaving service with Union County must return their ID card, key card, or wristband to the Commissioner's office or their supervisor immediately upon separation.
2. Restricted identification/access items issued to persons participating in special programs or activities sponsored by the County or having completed seasonal or temporary employment must be returned to the program or activity supervisor upon completion.
3. Anyone issued keys to any County building, office, etc. by the Facilities Department must return all issued keys to their supervisor or department head. Upon receipt, the supervisor or department head must return all keys to the Facilities Manager within 48 hours of separation.

LACTATION BREAKS	SECTION 7.29
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Employees who have recently given birth will be allowed a reasonable break time in order to nurse or express breast milk, for up to two years after the child's birth. The employee will be provided appropriate space, other than a bathroom, that is shielded from view and free from intrusion from other employees and members of the public. Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the employee.

DISCIPLINARY PRINCIPLES**SECTION 8.01**

Union County appointing authorities believe a clearly written discipline policy will serve to promote fairness and equality in the workplace and will minimize potential misunderstandings among employees in disciplinary matters. Further, the appointing authorities believe certain basic principles, set forth below, must consistently be applied in order to effectively and fairly correct unsatisfactory job behavior. These disciplinary principles apply to classified employees only, and unclassified employees are not subject to the provisions herein and serve at the pleasure of the appointing authority.

- A. Employees shall be advised of expected job behavior, the types of conduct that the county has determined to be unacceptable, and the penalties for such unacceptable behavior.
- B. Immediate attention, while considering all the facts, shall be given to policy infractions.
- C. Discipline shall normally be applied uniformly and consistently throughout the county, and any deviation from standard procedures should be well justified and documented.
- D. Each offense shall be dealt with as objectively as possible.
- E. An employee's immediate supervisor and/or the appointing authority shall be responsible for administering discipline.

PROGRESSIVE DISCIPLINE POLICY: CLASSIFIED EMPLOYEES**SECTION 8.02**

- A. While progressive discipline is not required by R.C. 124.34, Union County appointing authorities and supervisors shall normally follow an established system of progressive discipline as a means to prove “notice” when correcting job behavior, for all classified employees. Unclassified employees are not subject to the provisions of this policy.
- B. This discipline policy provides standard penalties for specific offenses; however, the examples of specific offenses given in any grouping are not all inclusive but serve merely as a guide.
- C. The standard penalties provided in this policy do not preclude the application of a more or less severe penalty for a given infraction when specific circumstances exist.
- D. The appointing authority may issue a fine or working suspension under certain circumstances, for example, to discipline an FLSA-exempt employee without jeopardizing the employee’s exempt status, or to impose discipline when the appointing authority is understaffed.
- E. Records of discipline will be kept for at least seven (7) years or for the period of time designated in the county's public record retention schedule, whichever is longer.
- F. Only the appointing authority has the authority to reduce in classification or pay, fine, suspend, or terminate an employee. Prior to such discipline, a predisciplinary conference must be held if it involves a classified employee.

- G. Suspensions or fines of more than 24 hours' pay, reductions, or removals of classified employees not exempt from overtime must be filed with DAS on an Order of Removal, Suspension, or Reduction ADM 4055 form in accordance with R.C. section 124.34. Requirements for overtime-exempt classified employees are "more than 40 hours."
- H. Reduction in classification or pay, suspension, fine, or removal of an unclassified employee does not require an ADM 4055 form and may be executed at the discretion of the appointing authority. A written notice shall be provided to the employee. While a predisciplinary conference is not legally required for unclassified employees, it is recommended that the appointing authority meet with the employee to provide the employee with an opportunity to respond regarding the alleged infraction, prior to reducing, suspending, fining, or removing the employee from public service.
- I. The appointing authority may place an employee on administrative leave with pay, in circumstances where the health or safety of the employee, other employees, or of any person or property entrusted to the employee's care could otherwise be adversely affected. The length of the leave shall not exceed the length of the situation for which the leave is granted. For example, in a disciplinary situation such leave might extend until the county completes an investigation of the matter, conducts a predisciplinary conference, and takes action, or decides not to do so.

Compensation for administrative leave shall be equal to the employee's hourly rate of pay.

PREDISCIPLINARY CONFERENCE**SECTION 8.03**

- A. Whenever the appointing authority or designee determines that a classified employee may be disciplined for cause (including all suspensions, fines, reductions, or terminations), a predisciplinary conference will be scheduled to give the employee an opportunity to offer an explanation of the alleged conduct. The employer must hold a predisciplinary conference prior to signing a last chance agreement also.
- B. Predisciplinary conferences will be conducted by the appointing authority or designee.
- C. At the conference, the appointing authority or designee will provide to the employee a written outline of the charges which may be the basis for disciplinary action.
- D. At the conference the employee must answer all questions truthfully. If it is proven in a subsequent hearing that the employee's responses to questions were not truthful, such dishonesty may result in disciplinary action. Employees refusing to answer direct questions may be subject to additional disciplinary action for insubordination.
- E. At the conference the employee may present testimony or documentation which explains whether or not the alleged misconduct occurred.
- F. The appointing authority will decide what discipline, if any, is appropriate.

GUIDELINES FOR DISCIPLINARY ACTION AND PENALTIES POLICY

SECTION 8.04A

- A. ORC section 124.34 sets out the forms of misconduct which are the legal basis for reduction, suspension, or removal of a classified employee. Those forms of misconduct are:
 - 1. Neglect of duty.
 - 2. Incompetency.
 - 3. Inefficiency.
 - 4. Dishonesty.
 - 5. Drunkenness.
 - 6. Immoral conduct.
 - 7. Insubordination.
 - 8. Discourteous treatment of the public.
 - 9. Any other failure of good behavior.
 - 10. Any other acts of misfeasance, malfeasance, and nonfeasance.
 - 11. Violation of any policy or work rule of the employer.
 - 12. Conviction of a felony while employed in the civil service.
- B. The offenses set forth in Groups I, II, and III below are non-inclusive examples of the above forms of misconduct which the SPBR has historically judged to warrant the penalties established for that group.
- C. In general, Group I offenses may be defined as those infractions which are of a relatively minor nature, and which cause only a minimal disruption to productivity, efficiency, and/or morale. Group I offenses, if left undisciplined by proper authority, will usually cause only a temporary impact against the organization unless such acts are compounded over time.
- D. Group II offenses may be defined as those infractions which are of a more serious nature than the Group I offenses and which, in turn, cause a more serious and longer lasting disruption to the organization in terms of decreased organizational productivity, efficiency, and/or morale. Group II offenses, if left undisciplined by proper authority, can cause a serious and longer lasting impact against the organization than the Group I offenses.
- E. Group III offenses may be defined as those infractions which are of a very serious or possibly a criminal nature, and/or which cause a critical disruption to the organization in terms of decreased productivity, efficiency, and/or morale. Group III offenses, if left undisciplined by proper authority, may have a long-lasting and serious adverse impact on the organization.
- F. This discipline policy is a general guideline only. The following examples of specific offenses are not all inclusive and are not intended to be binding on the employer.

GROUP I OFFENSES

First offense Verbal instruction and cautioning (verbal warning)

Second offense Written reprimand

Third offense	A working suspension of 24 hours; a fine of 24 hours' pay; or a suspension without pay for 24 hours
Fourth offense	Five (5) to fifteen (15) day working suspension or suspension without pay; or a fine up to five (5) days' pay
Fifth offense	Up to and including termination

Following are examples of Group I offenses. Following each offense in parentheses are the applicable ORC section 124.34 misconduct types.

1. Failure to properly and completely sign in or out (inefficiency, neglect of duty, or failure of good behavior).
2. Failure to properly "report off" work for any absence or failure to timely notify the proper party of absence (neglect of duty, failure of good behavior, or nonfeasance).
3. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping (inefficiency, neglect of duty, or failure of good behavior).
4. Failure to observe official safety rules (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
5. Inattention to the needs of the public (discourteous treatment of public or failure of good behavior).
6. Distracting the attention of others, unnecessary shouting, use of profane or other inappropriate language, or otherwise causing disruptions on the job (inefficiency, neglect of duty, or failure of good behavior).
7. Malicious mischief, horseplay, wrestling, or other potentially harmful conduct (inefficiency, immoral conduct, discourteous treatment of public, or failure of good behavior).
8. Interfering with the work performance of subordinates or other employees (inefficiency, neglect of duty, or failure of good behavior).
9. Failure to cooperate with other employees (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
10. Neglect of, or careless failure to observe, employer rules, regulations, policies, and procedures (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
11. Excessive garnishments (failure of good behavior or nonfeasance).
12. Use or possession of another employee's working equipment or property without approval (dishonesty or failure of good behavior).

- 13. Unauthorized use of the employer's telephone for other than business purposes (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
- 14. Obligating the employer for any minor expense, service, or performance without prior authorization (dishonesty, neglect of duty, failure of good behavior, or misfeasance).
- 15. Neglect of, or careless failure to care for, employer property or equipment (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
- 16. Disregarding job duties by neglect of work (e.g., reading for pleasure, playing cards, viewing T.V., etc.) during work hours (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
- 17. Inefficiency (e.g., lack of application or effort on the job, unsatisfactory performance, failure to maintain required performance standards, etc.) (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
- 18. Neglect of, or careless failure to, prepare required reports or documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
- 19. Failure of a supervisor to administer discipline as provided herein or to otherwise enforce the rules, regulations, policies, and procedures of the employer (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
- 20. Violation of any other county policy contained in this manual or otherwise.

GROUP II OFFENSES

First offense A working suspension of less than 24 hours;
a fine less than of 24 hours' pay; or
a suspension without pay for less than 24 hours

Second offenseFive (5) to fifteen (15) day working suspension
or suspension without pay; or
a fine up to five (5) days' pay

Third offense Up to and including termination

Following are examples of Group II offenses. Following each offense in parentheses are the applicable ORC section 124.34 misconduct types.

- 1. Sleeping during work hours (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
- 2. Reporting to work or working while unfit for duty (incompetence, or failure of good behavior).

3. Failure to report for overtime work, without proper excuse, after being scheduled to work in accordance with overtime policy (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
4. Leaving a post of continuous operations prior to being relieved by employee of incoming shift (neglect of duty or failure of good behavior).
5. Willful refusal to sign in or out when required (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
6. Performing private work on employer time (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
7. Neglect or careless failure to observe official safety rules, or common safety practices (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
8. Failure to report accidents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
9. Discourteous treatment of the public (discourteous treatment of public, or failure of good behavior).
10. Threatening, intimidating, or coercing subordinates or other employees (inefficiency, neglect of duty, or failure of good behavior).
11. Use of abusive or offensive language toward subordinates or other employees (immoral conduct, insubordination, failure of good behavior, or malfeasance).
12. The making or publishing of false, vicious, or malicious statements concerning other employees, the employer, or its operations (dishonesty, failure of good behavior, or malfeasance).
13. Solicitation or distribution on employer property in violation of the solicitation and distribution policy (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
14. Willful disregard of the employer's rules, regulations, policies, and procedures (inefficiency, neglect of duty, failure of good behavior, misfeasance, malfeasance, or nonfeasance).
15. Negligent failure to obey a reasonable order of a supervisor or failure to carry out work assignments, including verbal instructions (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
16. Neglect or carelessness in the use of employer property or equipment (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
17. Obligating the employer for a major expense, service, or performance without prior authorization (dishonesty, neglect of duty, failure of good behavior, or misfeasance).

- 18. Unauthorized use of employer property or equipment, including the unauthorized reproduction of this manual (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
- 19. Failure to report equipment damage (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
- 20. A traffic violation or accident while driving an employer vehicle which evidences recklessness by the employee (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
- 21. Refusing to provide testimony in court, during a public hearing (SPBR, SERB, etc.), or any other official hearing, investigation, or proceeding involving the employer (insubordination, failure of good behavior, or nonfeasance).
- 22. Refusing to provide testimony or information concerning any investigation (insubordination, failure of good behavior, or nonfeasance).
- 23. Possession or storage of alcoholic beverages on the employer's premises (neglect of duty, drunkenness, failure of good behavior, or malfeasance).
- 24. Unauthorized presence on the employer's property (failure of good behavior or misfeasance).
- 25. Habitual neglect of timely completion of required reports or documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
- 26. Willful failure to timely complete required reports and documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
- 27. Violation of any other county policy contained in this manual or otherwise.

GROUP III OFFENSES

First offense Up to and including termination

Following are examples of Group III offenses. Following each offense in parentheses are the applicable ORC section 124.34 misconduct types.

- 1. Instigating, leading, or participating in any walkout, strike, sit-down, stand-in, sympathy strike, call-in, slowdown, refusal to return to work at the scheduled time for a scheduled shift, or other concerted curtailment, restriction, or interference with work in or about the employer's premises in violation of ORC Chapter 4117 (neglect of duty, failure of good behavior, or misfeasance).
- 2. Refusal, without legitimate reason, to work during emergency situations or conditions (insubordination, neglect of duty, failure of good behavior, or nonfeasance).

3. Signing or altering other employees' time records, altering one's own time records, or having one's time records signed or altered by another, without authorization (dishonesty, failure of good behavior, or malfeasance).
4. Knowingly concealing a communicable disease (e.g., TB, etc.) which may endanger others (neglect of duty, failure of good behavior, misfeasance, or malfeasance).
5. Carrying or possessing firearms, explosives, or weapons on employer property at any time in violation of law (failure of good behavior or malfeasance).
6. Willfully withholding information which threatens the safety and security of the employer, its operations, or employees (dishonesty, failure of good behavior, misfeasance, or malfeasance).
7. Willfully demeaning, verbally abusing, and/or humiliating another person (discourteous treatment of the public, neglect of duty, failure of good behavior, or malfeasance).
8. Committing an act of discrimination, sexual harassment, or engaging in conduct giving insult or offense on the basis of race, color, sex, age, religion, national origin, or disability (immoral conduct, neglect of duty, failure of good behavior, or malfeasance).
9. Failure to report any act of discrimination, sexual harassment, or engaging in conduct giving insult or offense on the basis of race, color, sex, age, religion, military status, national origin, disability, genetic information, or other protected criteria (immoral conduct, neglect of duty, failure of good behavior, or malfeasance).
10. Fighting with, or attempting to injure, other employees (discourteous treatment of the public, neglect of duty, failure of good behavior, or malfeasance).
11. Insubordination by refusing to perform assigned work or to comply with the written or verbal instructions of a supervisor (insubordination, neglect of duty, failure of good behavior, or nonfeasance).
12. Providing false testimony, statements, or information in any official employer, court, or administrative investigation, hearing, or proceeding (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
13. Providing false information, making a false statement, committing a fraudulent act, or withholding pertinent information in the employment application process (dishonesty, failure of good behavior, misfeasance, or malfeasance).
14. Violating the employer's gambling policy as contained in this manual (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
15. Stealing or similar conduct, including destroying, damaging, concealing, or converting any property of the employer or of other employees (dishonesty, failure of good behavior, or malfeasance).
16. Dishonesty or dishonest action. Examples of "dishonesty" or "dishonest actions" are: theft, pilfering, making false statements to secure an excused absence or justify an absence or

- tardiness. These are examples only and do not limit the terms dishonesty and dishonest action (dishonesty or malfeasance).
17. Engaging in political activity as prohibited by ORC section 124.57 and as provided in the political activity section of this manual (failure of good behavior, malfeasance).
 18. Wanton or willful neglect in the performance of assigned duties (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
 19. The unlawful manufacture, distribution, dispensation, possession, use, or being under the influence of alcohol or a controlled substance which takes place in whole or in part in the workplace and/or a violation of the reporting requirements of the employer's Drug Free Workplace Policy (drunkenness, immoral conduct, neglect of duty, failure of good behavior, or malfeasance).
 20. Driving a motor vehicle on duty or employer business without a valid, applicable operator's license (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
 21. Failure to obtain, maintain, and/or report the loss of required licenses, certifications, or other qualifications of an employee's position (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
 22. Conviction of any violation of law which may adversely affect the public's trust in the employee's ability to perform the duties of the employee's position (dishonesty, failure of good behavior, or malfeasance).
 23. Intentional misuse of employer or other public funds (dishonesty, neglect of duty, failure of good behavior, or malfeasance).
 24. Willful neglect or intentional misuse, abuse, or destruction of the property, equipment, or tools of the employer or another employee (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
 25. Soliciting or accepting a gift, gratuity, bribe, or reward for the private use of the employee; or otherwise using one's position, identification, name, photograph, or title for personal gain; or otherwise violating the employer's Code of Conduct or Ohio's ethics laws for public employees (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
 26. Engaging in off-duty employment activities which the employer has determined to be an interest or time conflict (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
 27. Making false claims or misrepresentations in an attempt to obtain any benefit (dishonesty, failure of good behavior, neglect of duty, or malfeasance).
 28. Misuse or removal of documents or information of a confidential nature or revealing such information without prior and appropriate authorization (dishonesty, neglect of duty, failure of good behavior, or malfeasance).

29. Misuse, removal, or destruction of employer records without prior authorization (dishonesty, neglect of duty, failure of good behavior, or malfeasance).
30. Conviction of certain felonies.
31. Failure (neglect or otherwise) to report accidents or injuries.
32. Job abandonment of three days or more.
33. Intentional violation of the Tobacco/E-cigarette Policy.
34. Violation of social media policy (failure of good behavior, malfeasance).
35. Violation of any county policy contained in this manual or otherwise.

**GUIDELINES FOR DISCIPLINARY ACTION AND
PENALTIES PROCEDURE****SECTION 8.04B**

- A. Multiple policy infractions should be dealt with by following the progressive discipline procedure set forth below:
 1. Multiple offenses which are unrelated are progressively disciplined in the groups in which the offenses are classified.
 2. Multiple offenses which are related are progressively disciplined regardless of the groups in which the offenses are classified and regardless of the order in which the offenses occurred.
 3. Multiple offenses which are closely related in time, even if unrelated or in different groups hereunder, may be combined to result in discipline which exceeds the severity of the total sum of the separate offenses.
- B. Examples of the difference between the treatment of related and unrelated offenses are as follows:
 1. If, as a first offense, an employee commits Group I offense #1, "failure to properly and completely sign in or out", the employee would normally receive a verbal warning. If within 24 months this employee commits an unrelated offense, Group II offense #18, "unauthorized use of employer property or equipment", the employee would receive a day suspension without pay. If, however, the second offense had been related to the first offense, such as Group II offense #5, "willful refusal to sign in or out when required", the employee would receive a 15-day suspension without pay.
 2. If, as a first offense, an employee commits Group III offense #2, "refusal without legitimate reason, to work during emergency situations or conditions", the employee would be disciplined up to termination. If the employee is not terminated, for whatever reason, and if within 24 months the employee commits an unrelated offense, Group II offense #6, "performing private work on employer

time", the employee would receive a one (1) to three (3) day suspension. If, however, the second offense had been related to the first offense, such as Group II offense #3, "failure to report for overtime work, without proper excuse, after being scheduled to work in accordance with overtime policy", the employee would be subject to termination.

APPEALS OF PERSONNEL ACTIONS

SECTION 8.05

- A. Personnel actions for classified employees such as a reduction; a suspension of more than 40 work hours in the case of an employee exempt from the payment of overtime compensation; a suspension of more than 24 hours in the case of an employee required to be paid overtime compensation; a fine of more than 40 hours' pay in the case of an employee exempt from the payment of overtime compensation; a fine of more than 24 hours' pay in the case of an employee required to be paid overtime compensation; removal, except for the reduction or removal of a probationary employee; and layoffs, may be appealed by an affected employee through the in-house complaint procedure. If necessary, the above listed personnel actions may be appealed by an affected employee to the State Personnel Board of Review. Disciplinary action based on conviction of a "felony" within the meaning of R.C. 124.34 may not be appealed to the State Personnel Board of Review.

Appeals must be filed within 10 days after the employee is served the disciplinary order. Appeals from layoffs must be made within 10 days after receipt of the layoff notice or the date of displacement.

- B. R.C. 124.34 does not apply to modifications or reductions in pay or workweek authorized by R.C. 124.393 and 124.394.
- C. The State Personnel Board of Review maintains authority to decide whether an appeal warrants a hearing. When an appeal is heard, the board may affirm, disaffirm, or modify personnel decisions made by the appointing authority. However, in an appeal of a removal order based upon a violation of a last chance agreement, the board, commission, or trial board may only determine if the employee violated the agreement and thus affirm or disaffirm the judgment of the appointing authority.
- D. Temporary, intermittent, and other employees serving in the unclassified service have no appeal rights to the SPBR. Probationary employees likewise may not appeal to the SPBR.

Disciplinary action based on conviction of a "felony" within the meaning of R.C. 124.34 may not be appealed to the SPBR.

COMPLAINT PROCEDURE

SECTION 8.06

Union County appointing authorities recognize that within any organization there will be occasional differences among its employees regarding interpretations of rules or other problems stemming from conditions of employment. Employees may have questions or concerns caused by misunderstandings in the application of policies, procedures, and work rules. The County believes these questions and concerns must be heard promptly, and action taken to resolve or clarify a particular situation. Complaints regarding unlawful discrimination or harassment should be

reported according to the unlawful discrimination and harassment policy contained in this manual and the Equal Employment Opportunity/ADA/Discriminatory Harassment Complaint Procedure.

All employees shall have the right to file a complaint without fear of retaliation. No employee shall be disciplined, harassed or treated unfairly in any manner as a result of filing a complaint. A complaint is considered a disagreement between an employee and County as to the interpretation or application of official policies, departmental rules and regulations, or other disagreements perceived to be unfair or inequitable relating to treatment or other conditions of employment. Whenever differences or problems arise, employees should attempt to resolve the matter informally through proper channels.

- A. In the event a difference or problem cannot be resolved informally, Union County appointing authorities provide the following complaint procedure by which an employee may seek a resolution of his or her grievance.

Step 1: Immediate Supervisor

Any employee having a complaint may file it in writing with his or her immediate supervisor. In order for the complaint to be recognized, it must be filed within five (5) working days from the date the alleged incident occurred. Within five (5) working days from the date the complainant first presented his or her issue, the supervisor will attempt to resolve the matter. Step 1 may be bypassed by either the employee or Immediate Supervisor if the Immediate Supervisor lacks the authority to make a change and/or if the Immediate Supervisor is the subject of the complaint.

Step 2: Department Head

If the issue is not resolved in Step 1, the complainant may pursue the matter by submitting the complaint in writing to the department head within five (5) working days from the reply received in Step 1. The department head shall, if it is deemed necessary, meet with those concerned and otherwise attempt to resolve the matter within five (5) working days from the receipt of the complaint. Step 2 may be bypassed if the Department Head is the subject of the complaint.

Step 3: Appointing Authority or Designee

If the matter is not resolved in Step 2, the complainant may pursue the matter by submitting the complaint in writing to the appointing authority or designee within five (5) working days from the reply received in Step 2. The appointing authority or designee shall respond in writing to the complainant within ten (10) working days following the conclusion of his or her investigation. The decision rendered in this Step 3 is final and binding.

- B. In the event of extenuating circumstances, a time limit may be extended by mutual agreement of both parties in writing.
- C. Complaints not processed to the next step of the procedure within the specified time limit, or any extension thereof, shall be considered to have been resolved on the basis of the decision at the previous step.

- D. Any complaint not answered within the prescribed time limit, or extension thereof, shall be considered to have been answered in the negative and may be advanced to the next step.
- E. Where the alleged complaint is of a nature that qualifies for appeal under rules of the State Personnel Board of Review, the complainant must appeal through the SPBR in accordance with the rules of that body.

RESIGNATION**SECTION 9.01**

- A. Employees who wish to voluntarily resign must initiate the process by submitting to their supervisor a formal, written letter of notification. Such notification should be directed to the appointing authority and should include:
1. A statement indicating the employee's intention to resign from county service.
 2. The date the notice was given.
 3. The effective date of the resignation.
 4. The reason for the resignation (optional).
 5. The employee's signature.

Employees are encouraged to notify their appointing authority at least two (2) weeks in advance of the effective date of separation.

Failure to give proper notification shall result in ineligibility for reinstatement.

- B. A person who resigned in good standing may be reinstated, at the discretion of the appointing authority, in his former type of position within one (1) year following resignation, provided such employee remains qualified to perform the duties of the position and such reinstatement would be in the best interests of the department.
- C. The appointing authority or designee shall, in turn, notify the auditor's office at the time of resignation so that payroll records may be updated, and appropriate documents processed.
- D. The employee shall return all county property to the appointing authority on or before the last day of work.

EXIT INTERVIEW**SECTION 9.02**

Upon resignation, or otherwise voluntarily terminated employment, an employee is requested to complete an exit interview questionnaire and to personally discuss the questionnaire with the appointing authority or designee, prior to receiving a final paycheck.

- A. The exit interview is an opportunity for the employee to offer constructive criticism and insights to the appointing authority regarding the operation of the department.
- B. The appointing authority or designee shall:
1. Attempt to discover any previously unknown causes of the resignation, the knowledge of which could prevent their recurrence.
 2. Learn of any grievances or specific problems so that the department head can investigate possible solutions.
 3. Determine the final compensation and benefits the terminated employee is scheduled to receive.

4. Determine the employee's availability for future employment with the county, should his performance level warrant reinstatement, reemployment, or temporary service.
5. Verify the employee's correct address for mailing Internal Revenue Service Form W-2 and related documents.

LAYOFF**SECTION 9.03**

- A. In implementing layoffs, the appointing authority adopts the following procedures. In adopting these procedures, the appointing authority intends to follow the civil service laws but does not intend to impose upon itself any restrictions that are not required by the civil service laws; and the appointing authority reserves the right to substantially comply with these procedures where permitted:
1. Employees may be laid off as a result of lack of funds (as determined by the appointing authority), lack of work (as determined by the appointing authority), or job abolishment (the need for which will be determined by the appointing authority).
 2. Positions ("jobs") may be abolished as a result of reorganization for the efficient operation of the appointing authority, for reasons of economy (determined at the time the appointing authority proposes to abolish the position), or for lack of work.
 3. The appointing authority shall decide in which classification or classifications the layoff or layoffs will occur and the number of employees to be laid off within each affected classification.
 4. In the case of a layoff, or an abolishment, that results in a reduction of the workforce, the appointing authority shall follow the order of layoff, displacement (bumping), recall, etc., that the appointing authority is required to follow under RC 124.321-124.327.
- B. Furthermore, the appointing authority will follow the current procedures established by the Ohio State Personnel Board of Review and Ohio Director of Administrative Services' (ODAS) administrative rules (as they are amended from time-to-time) regarding:
1. Order of layoff and displacement (except any laid off or displaced employee shall have the right to fill an available vacancy or displace into an immediately prior-held position if he or she meets the criteria set forth in RC 124.324(A)(3), (held the position within the last three (3) years and meets the minimum qualifications)).
 2. Content and service of notices to employees of layoff or displacement (e.g., mailed 17 days in advance if served by certified mail, or 14 days in advance if hand-delivered).
 3. The calculation of retention points.
 4. Other aspects of abolishment, layoff, and recall

Except that the appointing authority will not file retention point calculations, statements of rationale, or other layoff documents with the director, nor require verification of same, nor does the appointing authority adopt the SPBR or ODAS procedures that are not expressly or logically applicable to the appointing authority or its/their employees or that would require more of the appointing authority than applicable civil service law.

- C. The appointing authority reserves the right to amend this policy from time to time in accordance with applicable law.

DISPOSAL OF PERSONAL IDENTIFIER DOCUMENTS**SECTION 1**

(Effective 4/15/2009)

(Documents other than the evidence required to issue the certificate of title)

Any and all documents that contain a person's personal identifier information will be shredded immediately upon completion of the transaction. This also includes bank account information and dealer check stubs.

All voided memorandum of titles are to be shredded.

If a customer asks you to dispose of their unwanted receipts, if you choose to do so, please shred them in full view of the customer while they wait.

It is necessary that this procedure is followed with each and every transaction, no exceptions!

Please be mindful of what you are throwing away and where it will end up.

Failure to comply with this policy will result in disciplinary action.

SICK LEAVE PROCEDURE / ABUSE POLICY**SECTION 2**

Regular, punctual attendance is expected of all employees. A pattern of absences or frequent absences that affect the County's ability to provide services will result in disciplinary action.

An employee who develops a pattern of absences, tardiness, or leaving work early will have his/her absences reviewed for possible abuse of sick leave or the attendance policy.

Employees are expected to complete a request for leave using the appropriate leave request form. The request should include the reason for being off, Medical/Dental appointment time, if the employee is returning to work, and should include any supporting documentation such as doctor's note, etc.

Family Appointments/Illness should include the employee's relationship with the person, and if the employee is planning to return.

This information is necessary to determine if the request is proper. This information will be kept in a separate file and is not public record.

Employees shall contact the Clerk of Court at (937)645-5694 or (937)645-3006 to report when they cannot come to work. If the employee cannot reach the Clerk of Court, the employee shall call his/her direct supervisor. The employee must speak to either his/her supervisor or the Clerk of Court. A voice mail message or text message will be considered unexcused unless it is an emergency. If the employee is going to be late, the employee shall immediately notify his/her supervisor.

The complete Sick Leave Policy can be found in the County Policy Manual, Section 6.01A.

VACATION POLICY**SECTION 3****A. Beginning of Year Requesting Vacation Time**

Requests for vacation time will be accepted in December and January for the following year. Vacations will be approved after everyone has submitted their requests.

Employees shall refer to the Vacation Policy, Section 6.03 (sub-section F and G) in the County policy manual for any vacation requests submitted after the initial timeframe outlined above.

B. Guidelines in Requesting Time Off

Communicate and cooperate with coworkers when asking for the same time off. The office must always be staffed. Vacation leave will be granted on a “first come, first served basis”. Seniority is not a factor in determining vacation time.

Sick leave has no bearing on vacation leave.

C. Holidays and Long Weekends

Employees must work the day before and after a holiday to be eligible for holiday pay. Employees may request leave that runs contiguous with an official county holiday one (1) time per year (i.e., the employee may request leave the day before or after the holiday). The official county holidays are listed in Section 6.11 of the County’s Policy Manual.

If an employee requests leave that runs contiguous with a holiday, he/she will not be granted the leave with the same holiday the following year unless no other employee has requested it.

An employee may request leave that is contiguous with the weekend three (3) times per year.

Any exceptions to this policy are at the discretion of the Clerk.

D. Personal Day Allowance

At the beginning of the year, each employee will receive three (3) personal days, one being the day after Thanksgiving.

Please note that the day after Thanksgiving is not a county holiday.

Employees shall use their personal days prior to requesting vacation leave. It is the employee’s responsibility to keep track of personal day use and ensure that personal leave is correctly requested marked on the appropriate leave request form.

DRESS CODE**SECTION 4**

(Effective 11/1/2008; updated 7/2013)

Our office must present a professional image to the public, court, and attorneys not only in customer service but in our appearance. Business/casual attire is appropriate and suitable for our office.

A. For Ladies.

1. Pants: Dress slacks, ponte style pants, leggings, and dress material capri slacks are permitted.
2. Shoes: Dress shoes/Dress sandals are permitted.
3. Tops: Dress shirts, blouses, and sleeveless blouses are permitted. Jersey type dress shirts are permitted as long as they are courtroom presentable.

Tank tops, halter tops, Cami type tops, low cut, scoop, deep V, and see-through tops are not permitted.
4. Dresses: Sundresses, halter, deep V neck dresses are not permitted.

B. For Gentleman.

1. Shirts: Business casual polo type, Henley shirts, short and long-sleeved button-down shirts are permitted. Tank tops or muscle shirts are not permitted.
2. Slacks: Business casual slacks are permitted.
3. Shoes: Dress Shoes, loafers, or other business casual shoes are permitted.

C. Dress Down Day Legal and Title Offices.

1. Tennis type shoes are permitted on dress down days. Crocks and Flip Flop type shoes are not permitted.
2. Tee-Shirts and sports jerseys are permitted. However, tee shirts with offensive language or lettering are not permitted.
3. Blue jeans, jean trousers, and cargo pants with large front pockets are permitted only on dress down days.

D. Accommodation of religious beliefs: The County recognizes the importance of individually held religious beliefs to persons within its workforce. The County will reasonably accommodate an employee's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues for staff members. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the Clerk of Court.

OFFICE POLICY ON PHONE AND CELL PHONE USE**SECTION 5****A. Desk Phones**

1. Making and receiving personal calls should be limited during working hours.
2. Please keep calls short and only when necessary.
3. Personal conversations should be in a low tone as not to disturb or distract your co-workers.
4. Exceptions to this policy include checking in with school-aged children and/or babysitter, and older/elderly or seriously ill family member or for an emergency situation.
5. At no time should a personal phone call take priority over a customer, nor should a personal call be made while customers are in the office, except in an emergency.
6. Abuse of this policy will result in disciplinary action.

B. Cell Phones

1. Cell phones are permitted on the desk in case of and for emergencies only. Cell phone use shall be limited and shall not affect work.
2. Cell phones should not be used openly for personal calls, texting, or for non-related business activities during office hours.
3. If office phone lines become out of service, cell phones may be used to notify customers and to conduct title/county business only. Text messaging is not an appropriate form of communication for business purposes and is prohibited.
4. Cell phones may be used when it is necessary for the customer to reach the title office immediately and directly to discuss official county business only when the office is closed for lunch or in particular situations.
5. All other county business will be conducted during working hours via county phones.

KEY AND KEYCARD MANAGEMENT**SECTION 6**

(September 2010)

Upon employment with the Clerk of Courts, a key and or keycard to the department in which a job has been assigned will be issued to employee. The intent of this policy is to protect all employees and to provide a safe working environment.

It is the sole responsibility of the employee to safeguard the key/keycard from theft, loss, or misuse.

The Clerk must be notified immediately if the key/keycard is missing.

The purpose of the notification is so that necessary action can be taken to deactivate the keycard from use.

At no time shall an employee re-enter the Clerk of courts offices after regular working hours, on weekends, or holidays without prior approval of the Clerk and notification to the Sheriff's office.

At no time shall an employee permit any other person to enter the building or department with them.

At no time shall an employee loan his/her key/keycard for use by another person.

Duplication of key/keycard is not permitted and is subject to disciplinary action including termination.

OFFICE HOURS AND WORK SCHEDULING**SECTION 7**

Union County Clerk of Court's Office hours are 8:30 a.m. - 4:00 p.m.

In the Legal Department, each employee is to be on time. If an employee takes a forty-five (45)-minute lunch, the employee will need to arrive for work at 7:45 a.m., and if the employee wants to take a thirty (30)-minute lunch, the employee will need to arrive for work at 8:00 a.m.

In the Title Department, if an employee takes a forty-five (45) minute lunch the employee will need to arrive for work at 7:30 a.m. If the employee takes a thirty (30) minute lunch, the employee will need to arrive for work at 7:45 a.m.

Each non-exempt employee is entitled to 2 ten (10)-minute breaks.

All break times are subject to change depending on the Court's schedule.

On Fridays, if there is no court going on, and if an employee is not asked to stay, the employee may leave at 4:00 p.m.

EMPLOYEE STATUS**SECTION 1**

- A. The engineer shall set the hours to be worked for both full-time and part-time employees. The engineer shall notify the auditor of such designation.
- B. Full-time employees and part-time employees working at least thirty (30) hours per workweek on a regular basis shall be entitled to all benefits provided by the county including health insurance, life insurance, sick leave, vacation, funeral leave, civil leave, military leave, holiday pay, and other statutory benefits as explained in this policy manual.
- C. Part-time employees working less than thirty (30) hours per week, as well as temporary, intermittent, seasonal, and student employees, regardless of hours worked, shall be entitled to statutory benefits only (PERS, sick leave, deferred compensation, Medicare).
- D. If a part-time, temporary, seasonal, student, or intermittent employee works at least forty (40) hours per week for more than six (6) continuous months, he or she may apply for a change of status. The decision to grant the change of status shall be left to the discretion of the appointing authority.
- E. Temporary and student employees shall sign a statement, prior to employment with the county, which indicates that he/she understands the temporary nature of the position. Likewise, a seasonal employee must also sign a statement indicating that he/she understands that the position is seasonal.

**DRUG AND ALCOHOL TESTING POLICY FOR
NON-CDL EMPLOYEES****SECTION 2**

- A. **Introduction:** In order to maintain a safe and healthful work environment, free of drugs and alcohol and free of those individuals who use drugs or alcohol, and to ensure the favorable reputation of our employees within our community, the Union County Engineer reserves the right to set standards for employment and to require employees to submit to physical examinations, including breath tests for alcohol and/or urine tests for illegal drugs. The collection of breath and urine shall be conducted in accordance with procedures established by the U.S. Department of Transportation (DOT). This policy is meant to conform to the DOT testing regulations and may be amended from time to time.
- B. **Consequences of Policy Violation:** Any employee who engages in prohibited conduct as set forth herein may be subject to termination of employment.
- C. **Prohibited Conduct:** The following shall be considered "prohibited conduct" for the purposes of this policy:
 - 1. No employee shall report for duty or remain on duty while having an alcohol concentration of .02 or greater, or while being in possession of alcohol.
 - 2. No employee shall be on duty or operate a vehicle while the employee is in possession of alcohol or controlled substances.

3. No employee shall report for duty or remain on duty when the employee uses any controlled substance, except when prescribed by a physician who has advised the employee that the substance does not adversely affect the employee's ability to operate a vehicle.
4. No employee shall refuse to submit to a reasonable suspicion, return to duty, or follow-up alcohol or drug test.

If the county engineer or representatives thereof has actual knowledge or has a reason to believe that an employee has engaged in prohibited conduct, the county engineer may require the employee to submit to drug and/or alcohol testing immediately.

D. **Refusal to Test:**

1. Refusal to submit to the type of drug and alcohol test employed by the county engineer will be grounds for refusal to hire applicants and to terminate employment of existing employees.
2. A refusal to test is defined as conduct that would obstruct the proper administration of a test. Refusing to sign Step 2 of the alcohol form is considered a refusal to test. A delay in providing a urine or breath specimen could be considered a refusal. If an employee cannot provide a sufficient quantity of urine or breath, he or she will be evaluated by a physician of the county engineer's choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test. In that circumstance, the employee has violated one (1) of the prohibitions of the policy.

E. **Types of Tests:** The county engineer has implemented three (3) circumstances for drug and alcohol testing for employees not required to have a commercial driver's license (CDL): pre-employment, reasonable suspicion, return to duty, and follow-up.

1. **Pre-employment Drug Test:**

- a. As a condition of hiring, each applicant will be required to sign a written consent form in which the applicant consents to a preemployment drug screen (urinalysis) and that he or she must pass the screen as a condition of being employed. The preemployment drug screen will not be used for any law enforcement purpose but simply to determine the applicant's fitness for employment.
- b. In addition, as a further condition precedent to hiring, all prospective employees will be required to sign a written statement to the effect that:
 - (1) They understand the Drug and Alcohol Testing Policy.
 - (2) They acknowledge in advance that they understand the penalty for breach can be discharge and agree that it is appropriate when supported by evidence.

- (3) They acknowledge that they have been warned that drug and alcohol testing of employees will be conducted where there is individualized reasonable suspicion of drug and/or alcohol use or impairment.

2. Reasonable Suspicion:

- a. The county engineer reserves the right to order employees to submit to physical examinations including breath or urine tests where supported by an individualized reasonable suspicion of use or impairment from illegal drugs or alcohol.
- b. In cases in which an employee is acting in an abnormal manner, and where the county engineer or his representative has a reasonable suspicion to believe that the employee is under the influence of the substances referenced in paragraph (a) above, the county engineer may require the employee to go to the medical clinic, at the county engineer's expense, to provide urine or breath specimens. For purposes of the above, "reasonable suspicion" means the county engineer's representatives must be able to point to specific and articulable facts which, taken together with rationale inferences from those facts, reasonably warrant intrusion upon the suspect's privacy rights. Reasonable suspicion may also include when employees are involved in an accident where:

- (1) A fatality is involved (even if the driver is not cited).
- (2) The driver receives a citation for a moving violation arising from the accident, and any party involved requires immediate treatment for any injury away from the accident scene, or if any vehicle involved incurs "disabling damage" (i.e., must be towed away).

Following any accident, the driver must contact the county engineer or his agent as soon as possible.

- c. The results of any such test will constitute medical information and will remain confidential save for their use in official safety investigations, criminal prosecution of the employee, or any action necessary to defend the discharge or discipline of the employee.

3. Substance Abuse Evaluation, Return to Duty, and Follow-Up Testing:

- a. Any employee who engages in prohibited conduct shall be provided with the names, addresses, and telephone number of qualified substance abuse professionals. The county engineer may, at his discretion and at the request of the employee, keep the employee's position open while the employee undergoes a substance abuse program.
- b. If an employee desires to become reinstated, he or she must be evaluated and submit to any treatment as prescribed by a substance abuse professional

(SAP). Following evaluation and treatment, if any, the employee must submit to and successfully complete a return to duty drug and/or alcohol test. The employee shall be subject to follow-up testing which shall be unannounced and in accordance with the instructions of the SAP.

- c. Follow-up testing may continue for a period of up to sixty (60) months following the employee's return to duty.
- d. The costs of any SAP evaluation, prescribed treatment, return to duty, and follow-up tests shall be borne by the employee.

F. **Drug Urinalysis:**

1. Drug testing will be performed through urinalysis. Urinalysis will test for the presence of drugs and/or metabolites of illegal controlled substances.
2. The urinalysis procedure starts with the collection of a urine specimen. Urine specimens will be submitted to a Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratory for testing. As part of the collection process, the specimen provided will be split into two (2) vials: a primary and a secondary vial. The laboratory will perform initial screenings on all primary vials. In the event that the primary specimen tests positive, a confirmation test of that specimen will be performed before being reported by the laboratory to the medical review officer as a positive.
3. All laboratory results will be reported by the laboratory to a medical review officer (MRO) designated by the county engineer. Negative test results shall be reported by the MRO to the county engineer or his agent. Before reporting a positive test result to the county engineer, the MRO will attempt to contact the employee to discuss the test result. If the MRO is unable to contact the employee directly, the MRO will contact the county engineer or his representative who shall, in turn, contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee shall contact the MRO immediately or, if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day. In the MRO's sole discretion, a determination will be made as to whether a result is positive or negative. If, after failing to contact the MRO after five (5) days, or if the employee cannot be contacted at all within thirty (30) days, the MRO may verify the test as positive. After any positive verification, the employee may petition the MRO to reopen the case for reconsideration.
4. Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon timely written request.
5. An individual testing positive may make a request of the MRO to have the secondary vial tested. The secondary vial must be tested by a different SAMHS-certified lab than tested the primary specimen. The individual making the request for a test of the second specimen must prepay all costs associated

with the test. The request for testing of a secondary specimen is timely if it is made to the MRO within seventy-two (72) hours of the individual being notified by the county engineer of a positive test result.

G. **Alcohol Tests:**

The county engineer will perform alcohol testing using a device that is on the National Highway Traffic Safety Administration's (NHTSA) Conforming Products List (CPL) and meets the DOT's testing requirements. This shall be an evidential breath testing device (EBT) and may be provided through a vendor or agent. The device will be operated by a technician who is certified and trained on the specific device he or she will be operating. The driver shall report to the alcohol testing site as notified by the county engineer or his representative. The employee shall follow all instructions given by the alcohol technician.

1. Any initial test indicating a blood alcohol concentration (BAC) of .02 or greater will be confirmed on the EBT. The confirmation test will be performed no sooner than fifteen (15) minutes and no later than thirty (30) minutes following the completion of the initial test.
2. In the event the confirmation test indicates a BAC of .02 or greater, the employee shall be removed from duty and subject to discipline up to including termination of employment.

H. **Training:** The county engineer shall ensure supervisors designated to determine whether or not reasonable suspicion exists to require an employee to undergo testing receive at least sixty (60) minutes of training on recognizing alcohol misuse and at least sixty (60) minutes of training on recognizing controlled substances use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

I. **Educational Materials:** The county engineer shall provide educational materials including the employer policies with respect to the use of possession of alcohol or controlled substances while on the job (e.g., the consequences for an employee found to have a specified alcohol or controlled substances level).

J. **Disciplinary Action:** This is in addition to Section 8 of the Union County Engineer's personnel policy manual.

1. Disciplinary action, suspensions, or termination will be made but not limited to:

- a. **Positive Alcohol Test of .02 or greater:**

1st offense: removal from duty (without pay) for a twenty-four (24) hour period or until the employee's next scheduled duty time (whichever is longer).

2nd offense: suspension up to and including termination.

- b. **Positive Drug Test:**

1st offense: suspension up to and including termination.

- c. Refusal to take a Drug or Alcohol Test (will be treated as a positive test):

1st offense: same as (b) above.

2. If an employee is removed from duty for any time, whether twenty-four (24) hours or until the employee is reinstated, the employee will be in an "unpaid" status which shall not exceed thirty (30) days.

- K. This policy is not intended, nor should it be construed as a contract between the county engineer and the employee. This policy may be changed at any time at the sole discretion of the county engineer.

- L. **Policy Distribution:** Each new employee will receive an information package containing:

1. Information concerning the dangers of drug abuse in the workplace.
2. A current copy of the county's published statement.
3. A current copy of the county's Drug Free Workplace Policy.
4. A current copy of the county's Drug Testing Policy.
5. Information concerning any available drug counseling, rehabilitation, and employee assistance programs.
6. Information concerning the penalties that will be imposed for the breach of the county's Drug Free Workplace Policy.
7. Notice to the employee that any work-related conviction of any federal or state criminal drug statute must be reported in writing to the engineer within five (5) calendar days after such conviction.

- M. **Training:**

1. All employees and supervisors will receive annual training in the dangers of drug abuse.
2. All supervisors and managers will receive training in the enforcement of this policy.

**DRUG AND ALCOHOL TESTING FOR
CDL (COMMERCIAL DRIVER'S LICENSE) EMPLOYEES**

SECTION 3

- A. **Introduction:** The Department of Transportation Federal Highway Administration (FHWA) has issued regulations which affect the Union County Engineer's operations. These regulations, 49 CFP part 40, require drivers of commercial motor vehicles to have an anti-alcohol and drug testing program for those positions which require a CDL for the performance of their duties as covered by the Omnibus Transportation Employee Testing Act of 1991 and its subsequent revisions and amendments requiring

alcohol and drug testing of employees in safety sensitive positions. This policy is meant to conform to the DOT testing regulations as may be amended from time-to-time.

B. **Consequences of Policy Violation:** Any driver who becomes unqualified or engages in prohibited conduct as set forth herein may be subject to termination of employment.

C. **Prohibited Conduct:**

1. The following shall be considered "prohibited conduct" for the purposes of this policy:
 - a. No driver shall report for duty or remain on duty while having an alcohol concentration of .02 or greater.
 - b. No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol.
 - c. No driver shall perform safety-sensitive functions within eight (8) hours after using alcohol.
 - d. No driver to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident alcohol test, whichever occurs first.
 - e. No driver shall refuse to submit to post-accident, random, reasonable suspicion, return to duty, or follow-up alcohol or drug test.
 - f. No driver shall report for duty or remain on duty when the driver uses any controlled substance, except when use is pursuant to the instruction of a physician who has advised the driver that the substance does not adversely affect the driver's ability to operate a commercial motor vehicle.
2. If the employer or representative thereof, has actual knowledge or has reason to believe that a driver has engaged in prohibited conduct, the employer may require the employee to submit to drug and/or alcohol testing immediately.
3. If a driver engages in prohibited conduct, the driver is not qualified to drive a commercial motor vehicle and shall be immediately removed from service. The employer may, at his discretion and at the request of the driver, keep the driver's position open while such driver attempts to become requalified. The employer may also take action against the driver up to and including termination of employment.

D. **Refusal to Test:**

1. Refusal to submit to the type of drug and alcohol test employed by the employer will be grounds for refusal to hire driver applicants and to terminate employment of existing drivers.

2. A refusal to test is defined to be conduct that would obstruct the proper administration of a test. Refusing to sign Step 2 of the alcohol form is considered a refusal to test. A delay in providing a urine, breath, or saliva specimen could be considered a refusal. If a driver cannot provide a sufficient quantity of urine or breath, he or she will be evaluated by a physician of the county engineer's choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test. In that circumstance, the driver has violated one (1) of the prohibitions of the regulations.
- E. **Types of Tests:** The county engineer has implemented six (6) circumstances for drug and alcohol testing for drivers covered by the DOT regulations:
1. Preemployment.
 2. Reasonable suspicion.
 3. Random testing.
 4. Post-accident.
 5. Return to duty.
 6. Follow-up.
- F. **Preemployment Testing:** All applicants for driving positions must submit to urine drug tests. A driver applicant is not required to submit to a urine drug test if: (a) the county engineer can verify that the driver has participated in a valid drug testing program within the preceding thirty (30) days; (b) while participating in that program, was either tested within the past six (6) months or participated in a random selection program for the previous twelve (12) months; or (c) no prior employer has knowledge that the driver violated any part of the regulations within the past six (6) months.
- G. **Authorization for Previous Test Records:** Within fourteen (14) days of performing a safety sensitive function, DOT regulations require that the county engineer obtain certain drug and alcohol testing records from the driver's previous employers for the preceding two (2) years. The county engineer will verify that no prior employer of the driver has records indicating a violation of any DOT rule pertaining to controlled substance or alcohol use within the previous two (2) years. As a condition of employment, the driver shall provide the county engineer with a written authorization for all previous employers within the past two (2) years to release such drug and alcohol testing records as regulations require.
- H. **Random Testing:**
1. The county engineer conducts random drug and alcohol testing.

The county engineer or its agent will submit all drivers' names to a random selection system. The random selection provides an equal chance for each driver to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. The county engineer will drug test, at a minimum, fifty percent (50%) of the average number of driver positions in each calendar year or at a rate established by the Department of Transportation

of the given year. The county engineer will select, at a minimum, ten percent (10%) of the average number of driver positions in each calendar year for random alcohol testing, or at the rate established by DOT for the given year. Random selection, by its very nature, may result in drivers being selected in successive selections or more than once a calendar year. Alternatively, some drivers may not be selected in a calendar year.

2. If a driver is selected at random, for either drug or alcohol testing, a representative of the county engineer will notify the driver. Once notified, every action the driver takes must lead to a collection. If the driver engages in conduct that does not lead to a collection as soon as possible after notification, such conduct may be considered a refusal to test.

I. **Post-Accident Testing:**

1. The driver must submit to drug and alcohol testing any time he or she is involved in an accident where:
 - a. A fatality is involved (even if the driver is not cited).
 - b. The driver receives a citation for a moving violation arising from the accident, and any party involved requires immediate treatment for any injury away from the accident scene, or if any vehicle involved incurs “disabling damage” (i.e., must be towed away).
2. Following any accident, the driver must contact the county engineer or his agent as soon as possible. The driver has been presented with an information card setting forth certain instructions for post-accident drug and alcohol testing. The driver shall follow the instructions contained on the information card as well as any additional instructions from the county engineer or his representatives.
3. Any time a post-accident drug or alcohol test is required, it must be performed as soon as possible following the accident. If no alcohol test can be made within eight (8) hours, attempts to perform an alcohol test shall cease. If no urine collection can be obtained for purposes of post-accident drug testing within thirty-two (32) hours, attempts to make such collection shall cease.
4. In the event that federal, state, or local officials conduct breath or blood tests for the use of alcohol and/or urine tests for the presence of controlled substances following an accident, these tests may meet the requirements of this section, provided the tests conform to applicable federal, state, and local requirements. The county engineer may request testing documentation from such agencies and may ask the employee to sign a release allowing the county engineer to obtain such test results.
5. In the event a driver is so seriously injured that the driver cannot provide a sample of urine, breath, or saliva at the time of the accident, the driver may provide necessary authorization for the county engineer to obtain hospital records or other

documents that would indicate the presence of controlled substances or alcohol in the driver's system at the time of the accident.

- J. **Reasonable Suspicion Testing:** Reasonable suspicion for requiring a driver to submit to drug and/or alcohol testing shall be deemed to exist when a driver manifests physical or behavioral symptoms or reactions commonly attributed to the use of controlled substances or alcohol. Such driver conduct must be witnessed by at least one (1) supervisor trained in compliance with Section 382.603. Should a supervisor observe such symptoms or reaction, the driver must submit to testing.
- K. **Substance Abuse Evaluation, Return to Duty, and Follow-up Testing:** Any driver who engages in prohibited conduct shall be provided with the names, addresses, and telephone numbers of qualified substance abuse professionals (SAPs). If the driver desires to become requalified, the driver must be evaluated by a SAP and submit to any treatment the SAP prescribes. Following evaluation and treatment, if any, in order to become requalified, the driver must submit to and successfully complete a return to duty drug and/or alcohol test. Such driver is also subject to follow-up testing. Follow-up testing is separate from and in addition to the county engineer's reasonable suspicion, post-accident, and random testing procedures. The schedule for follow-up testing shall be unannounced and in accordance with the instructions of the SAP.
1. Follow-up testing may continue for a period of up to sixty (60) months following the driver's return to duty. No fewer than six (6) tests shall be performed in the first twelve (12) months of follow-up testing. The costs of any SAP evaluation, prescribed treatment, return to duty, and all follow-up tests shall be borne by the driver. The county engineer does not guarantee or promise a position to the driver should he or she regain qualified status.
- L. **Drug Urinalysis:**
1. Drug testing will be performed through urinalysis. Urinalysis will test for the presence of drugs and/or metabolites of illegal controlled substances in accordance with 49 CFR Part 40.
 2. The urinalysis procedure starts with the collection of a urine specimen. Urine specimens will be submitted to a Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratory for testing. As part of the collection process, the specimen provided will be split into two (2) vials: a primary and a secondary vial. The SAMHSA-certified laboratory will perform initial screenings on all primary vials. In the event that the primary specimen tests positive, a confirmation test of that specimen will be performed before being reported by the laboratory to the medical review officer as a positive.
 3. All laboratory results will be reported by the laboratory to a medical review officer (MRO) designated by the county engineer. Negative test results shall be reported by the MRO to the county engineer or his agent. Before reporting a positive test result to the county engineer, the MRO will attempt to contact the driver to discuss the test result. If the MRO is unable to contact the driver directly, the MRO will contact the county engineer or his representative, who shall, in turn, contact the

driver and direct the driver to contact the MRO. Upon being so directed, the driver shall contact the MRO immediately or, if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day. In the MRO's sole discretion, a determination will be made as to whether a result is positive or negative. If, after failing to contact the MRO after five (5) days, or if the driver cannot be contacted at all within thirty (30) days, the MRO may verify the test as positive. After any positive verification, the driver may petition the MRO to reopen the case for reconsideration.

4. Individual test results for driver applicants and drivers will be released to the county engineer or his representative. The results of the tests will constitute medical information and will remain confidential save for their use in official safety investigations, or any action necessary to discharge or discipline the employee. Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon timely written request.
5. Any individual testing positive may make a request of the MRO to have the secondary vial tested. The secondary vial must be tested by a different SAMHSA-certified lab than tested the primary specimen. The individual making the request for a test of the second specimen must prepay all costs associated with the test. The request for testing of a secondary specimen is timely if it is made to the MRO within seventy-two (72) hours of the individual being notified by the county engineer of a positive test result.

M. **Alcohol Tests:**

1. The county engineer will perform alcohol testing using a device that is on the National Highway Traffic Safety Administration's (NHTSA) Conforming Products List (CPL) and meets DOT's testing requirements. This may be a breath testing device or a saliva-based testing device and may be provided through a vendor or agent. The device will be operated by a technician who is certified and trained on the specific device he or she will be operating. The driver shall report to the alcohol testing site as notified by the county engineer or his representative. The driver shall follow all instructions given by the alcohol technician.
2. Any initial test indicating a blood alcohol concentration (BAC) of .02 or greater will be confirmed on an evidential breath testing device (EBT) operated by a breath alcohol technician (BAT). The confirmation test will be performed no sooner than fifteen (15) minutes and no later than thirty (30) minutes following the completion of the initial test.
3. In the event the confirmation test indicates a BAC of .02 to .0399, the driver shall be removed from duty for twenty-four (24) hours or until his or her next scheduled on duty time, whichever is longer.
4. Drivers with tests indicating a BAC of .04 or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and

including termination. All alcohol tests shall be performed just prior to, during, or just after duty.

- N. **Training:** The county engineer shall ensure supervisors designated to determine whether or not reasonable suspicion exists to require a driver to undergo testing under Section 382.307 receive at least sixty (60) minutes of training on recognizing alcohol misuse and at least sixty (60) minutes of training on recognizing controlled substances use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.
- O. **Educational Materials:** The county engineer shall provide educational materials that explain the requirements of Section 382.601, consequences of violating the regulations, and the employer policies with respect to the use or possession of alcohol or controlled substances, for example, the consequences for a driver found to have a specified alcohol or controlled substances level based on the employer's authority independent of Section 382.601. The county engineer shall ensure each driver is required to sign a statement certifying that he or she has received a copy of these materials described in Section 382.601.
- P. **Disciplinary Action:** This is in addition to Section 8 of the Union County Engineer's personnel policy manual.
1. Disciplinary action, suspensions, or termination will be made but not limited to:
 - a. **Positive Alcohol Test of .02 -.03999:**

1st offense: Removal from duty (without pay) for a twenty-four (24) hour period or until the employee's next scheduled duty time (whichever is longer).

2nd offense: Suspension up to and including termination.
 - b. **Positive Alcohol Test of .04 or greater:** A driver is medically unqualified to perform his or her job and will be immediately removed from service. The county engineer, at his discretion, and at the request of the driver, may keep the driver's position open while such driver attempts to become requalified. The county engineer may also take action against the driver up to and including termination.

1st offense: Suspension up to and including termination.
 - c. **Positive Drug Test:** same as (b) above.
 - d. **Refusal to take a Drug or Alcohol Test** (will be treated as a positive test): same as (b) above.
 2. If a driver is removed from duty for any time, whether twenty-four (24) hours or until the driver regains qualification, the driver will be in an "unpaid" status, which shall not exceed thirty (30) days.

- Q. This policy is not intended, nor should it be construed, as a contract between the county engineer and the employee. This policy may be changed at any time at the sole discretion of the county engineer.
- R. **Policy Distribution:** Each employee will receive annually an information package containing:
1. Information concerning the dangers of drug abuse in the workplace.
 2. A current copy of the county's published statement.
 3. A current copy of the county's Drug Free Workplace Policy.
 4. A current copy of the county's Drug Testing Policy.
 5. Information concerning any available drug counseling, rehabilitation, and employee assistance programs.
 6. Information concerning the penalties that will be imposed for the breach of the county's Drug Free Workplace Policy.
 7. Notice to the employee that any work-related conviction of any federal or state criminal drug statute must be reported in writing to the engineer within five (5) calendar days after such conviction.
- S. **Training:**
1. All employees and supervisors will receive annual training in the dangers of drug abuse.
 2. All supervisors and managers will receive training in the enforcement of this policy.

FMCSA CLEARINGHOUSE POLICY AND PROCEDURES FOR CDL EMPLOYEES

SECTION 4

The Employer regards the illegal use of drugs and the abuse of alcohol as serious problems. In addition to compliance with U.S. DOT Regulations regarding drug and alcohol testing for CDL holders, the Employer must participate in the required Federal Motor Carrier Safety Administration Clearinghouse as required by 49 C.F.R. 382.701 to 382.727. To that end the Employer adopts the following policies.

1. **Definitions:**
 - a. **FMCSA Clearinghouse.** The online databased maintained by the Federal Motor Carrier Safety Administration for purposes of reporting and searching for drug and alcohol test results of CDL holders under 49 C.F.R. 382.701 to 382.727.

- b. Clearinghouse Administrator. The employee designated by the Employer to conduct full/limited inquiries of the FMCSA Clearinghouse and report any and all information necessary to comply with 49 C.F.R. 382.701 to 382.727.
- c. Fully Query. A search of the FMCSA clearinghouse for the full drug/alcohol test record of a current or prospective employee who holds a CDL license.
- d. Limited Query. A limited search of the FMCSA Clearinghouse intended to reveal a potential result to be followed up on by the Employer through a Full Query. The Employer will conduct a full query in any instance where a limited inquiry reveals a result on the CDL holder's records and will conduct said full query after obtaining electronic consent from the prospective/current employee to conduct a full query for all records in the FMCSA Clearinghouse.
 - i. In the event a limited query reveals a record for a prospective/current employee a full query must be conducted within twenty-four (24) hours or before the employee can perform safety sensitive functions.
- e. Prohibitions. The Employer will not allow a driver to perform any safety sensitive function if the results of a Clearinghouse query demonstrates that the driver:
 - i. has a verified positive, adulterated, or substituted controlled substances test result;
 - ii. has an alcohol confirmation test with concentration of 0.04 or higher;
 - iii. has refused to submit to a test in violation of § 382.211;
 - iv. or that an employer has reported actual knowledge, as defined at § 382.107, that the driver used alcohol on duty in violation of § 382.205, used alcohol before duty in violation of § 382.207, used alcohol following an accident in violation of § 382.209, or used a controlled substance in violation of § 382.213.
- f. Exception to Prohibitions. As an exception to Subsection (e) above, a CDL holder may be allowed to perform safety sensitive duties where a query of the Clearinghouse demonstrates:
 - i. That the driver has successfully completed the SAP evaluation, referral, and education/treatment process set forth in DOT Rules; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP.
 - ii. That, if the driver has not completed all follow-up tests as prescribed by the SAP and the driver has completed the SAP evaluation, referral, and education/treatment process set forth by DOT regulations and achieves a negative return-to-duty test result, and the employer assumes the responsibility for managing the follow-up testing process associated with the testing violation.

2. General Requirements

- a. Creation of Clearinghouse Administrator. The Employer designates the Office Administrator as the Clearinghouse Administrator for the Employer. The Clearinghouse administrator may be assisted by “Clearinghouse Assistants” as designated in writing by the Union County Engineer.
- b. Pre-employment query required. After January 6, 2020, Union County will not employ a driver subject to controlled substances and alcohol testing under this part to perform a safety-sensitive function without first conducting a pre-employment full query of the clearinghouse to obtain information about whether the driver:
 - i. has a verified positive, adulterated, or substituted controlled substances test result;
 - ii. has an alcohol confirmation test with a concentration of 0.04 or higher;
 - iii. has refused to submit to a test in violation of § 382.211;
 - iv. or that an employer has reported actual knowledge, as defined at § 382.107, that the driver used alcohol on duty in violation of § 382.205, used alcohol before duty in violation of § 382.207, used alcohol following an accident in violation of § 382.209, or used a controlled substance, in violation of § 382.213.
- c. Annual query required. The Employer will conduct a query of the Clearinghouse at least once (1) per year for information for all current employees subject to controlled substance and alcohol testing under this part to determine whether information exists in the Clearinghouse about those employees. The annual query will be conducted through a limited query. In the event an annual query reveals a record the Clearinghouse Administrator will conduct a full query.
- d. Recordkeeping. The Employer will maintain and retain for three (3) years a record of each query and all information received in response to each query made. Effective January 6, 2023, maintaining a valid FMCSA Clearinghouse account fulfills the recordkeeping requirement.

3. Duties of Clearinghouse Administrator. The Employer’s Clearinghouse Administrator shall perform the following duties:

- a. Obtaining signed consents from all prospective/current employees sufficient for the Clearinghouse Administrator to conduct limited queries, and if necessary, full queries.
- b. Pre-employment full queries of all new hire employees holding a CDL license (This shall include paper/background check inquiries to be conducted until January 6, 2023, so as to comply with current DOT regulations)
- c. Annual queries of all current employees holding CDL licensure.

- d. Queries of current employees where a limited query conducted for the annual CDL check reveals a result requiring a follow-up full query as defined above.
- e. Reporting within three (3) business days items to the FMCSA Clearinghouse information required under 49 C.F.R. 382.705(b), including but not limited to:
 - i. An alcohol confirmation test result with an alcohol concentration of 0.04 or greater;
 - ii. A negative return-to-duty test result;
 - iii. A refusal to take an alcohol test pursuant to 49 CFR 40.261;
 - iv. A refusal to test determination made in accordance with 49 CFR 40.191(a)(1) through (4), (a)(6), (a)(8) through (11), or (d)(1), but in the case of a refusal to test under (a)(11), the employer may report only those admissions made to the specimen collector; and
 - v. A report that the driver has successfully completed all follow-up tests as prescribed in the SAP report in accordance with §§ 40.307, 40.309, and 40.311.

IDENTITY THEFT PREVENTION**SECTION 5**

In response to the Federal Trade Commission Red Flag Rules, the Union County Sewer District (UCSD) hereby adopts this Identity Theft Program. (Public Law 108-159)

Purpose: This program is intended to identify red flags that will alert our employees to:

- A. Prevent new or existing accounts from being opened using false information.
- B. Protect against the establishment of false accounts.
- C. Ensure the methods are in place to deter using false information when changing ownership on existing accounts.
- D. Have measures in place to respond to such events.

Administration:

The Office Administrator shall be responsible for the development, implementation and continued administration of the Program. The Office Administrator shall be noted as Administrator of the Program.

The Assistant County Engineer, shall be responsible for the audit of the Program. The Assistant County Engineer will be noted as Audit Manager of the Program.

The Administrator shall train staff, as necessary, to effectively implement the Program.

The Audit Manager shall exercise appropriate and effective oversight of service provider arrangements

The Administrator or Audit Manager shall present a report to the Union County Commissioners at least annually. The report shall highlight all of the following:

- A. Effectiveness of the entity’s policies and procedures in addressing the risk of identity theft.
- B. Service provider arrangements.
- C. Significant incidents involving identity theft and management’s response.
- D. Recommendations for changes to the Program.

The Program: The Union County Sewer District (UCSD) is entrusted with various sensitive customer account information in providing the sewer service offered by the district. As part of ensuring the proper response to potential identity theft, employees that deal with receiving information regarding sewer account information are charged with forwarding any of the following incidents that may raise a “red flag” as to identity theft to their immediate supervisor or Linda Reigle, Administrator of the Program.

When Could Information be Manipulated?

The circumstances that may allow customers to create fraudulent accounts or manipulate current (existing) accounts are when:

- A. A new account is opened in person.
- B. A new account is opened via telephone.
- C. Account information is accessed in person.
- D. Account information is accessed via telephone.

Detection (Red Flags): The UCSD adopts the following red flags to detect potential fraud. These are not intended to be all-inclusive and other suspicious activity may be investigated as necessary.

New Accounts:

- A. Account opened in name of person known to be a minor child.
- B. Multiple accounts opened under the same name, same billing address.
- C. Account opened by third-party.
- D. Inconsistent activity patterns such as:
 - 1. Recent and significant increase in volume of inquiries.
 - 2. Other information is inconsistent with information provided by applicant on file.
- E. Personal information, physical description, and photograph provided by applicant does not match other sources of information.

- F. Information provided is associated with known fraudulent activity (e.g., address or phone number provided is same as that of a fraudulent application).
- G. Information commonly associated with fraudulent activity is provided by applicant (e.g., address that is a mail drop, non-working phone number or associated with answering service/pager).
- H. Name, address, or telephone number is the same as that of another customer of the utility.
- I. Customer fails to provide all information requested.

Existing Accounts:

- A. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's account.
- B. The UCSD is notified that the customer is not receiving paper account statements or of unauthorized changes or transactions in connection with a customer's covered account.
- C. Customer fails to provide all information requested when changing ownership on an existing account.
- D. Information provided when changing ownership on an existing account is associated with known fraudulent activity (e.g., address or phone number provided is same as that of a fraudulent application).
- E. Information commonly associated with fraudulent activity is provided by applicant provided when changing ownership on an existing account (e.g., address that is a mail drop or prison, non-working phone number or associated with answering service/pager).
- F. Name, address, or telephone number is the same as that of another customer of the utility.

Action and Alleviation of Potential Identity Theft: Any employee that may suspect fraud or detect a red flag will implement the following response as applicable. All detections or suspicious red flags shall be reported to the billing manager or audit manager.

- A. Contact the customer.
- B. Ask applicant for additional documentation (driver's license, rental agreement, social security card, etc.).
- C. Any employee who becomes aware of a suspected or actual fraudulent use of a customer or potential customers identity must notify their immediate supervisor or administrator of the program.

Notify law enforcement: The utility department will notify the Union County Sheriff of any known instances of identity theft.

- A. Do not open the account.
- B. Close the account.
- C. Do not attempt to collect against the account but notify authorities.

Personal Information Security Procedures: The UCSD adopts the following security procedures:

- A. Exterior office doors will be locked before and after normal office hours to prevent unauthorized access.
- B. Computerized accounting systems will be password protected to prevent unauthorized access to personal account information.
- C. Computerized accounting systems on the network will prompt the user to change their password every 90 days.
- D. Passwords will not be shared nor posted near workstations.
- E. Paperwork containing customer's personal information will be maintained in locked offices, filing cabinets, or otherwise secured whenever possible.

Identity Theft Prevention Program Review and Approval: This plan has been reviewed and enacted by the Union County Commissioners, and the Union County Environmental Engineer. Appropriate employees have been trained on the contents and procedures of this Identity Theft Prevention Program.

Date: April 29, 2009

Contact information: Union County Engineer's Department
Attn: Office Administrator
Phone: (937) 645-3018

COMMERCIAL DRIVER'S LICENSE POLICY

SECTION 6

The Commercial Motor Vehicle Safety Act of 1986 (Title XII, Pub. L. 99-750) was enacted by congress on October 18, 1986. In furtherance of this, the state of Ohio requires a commercial driver's license for various vehicles in accordance with 4506 O.R.C. Those vehicles include buses and vehicles with a GVW in excess of 26,001 pounds.

The purpose of this policy is to ensure that the Employer is in compliance, that the drivers of the Union County Engineer are in compliance, and that highway safety practices are maintained and enhanced.

- A. **Driver's License Personnel File:** Effective with the date of this policy and thereafter for new hires and upon each license renewal, each employee who operates a motor vehicle must provide a copy of his or her current driver's license to the Employer to be included in the personnel file.

B. **Obtaining a Commercial Driver's License (CDL):** This section of the policy applies to all employees who are in a position which requires a CDL.

1. Who: Any employee who is required in the course of his or her duty (as set forth in the position descriptions) to drive a vehicle covered under Section 4506.01 O.R.C.

Any supervisor who has supervisory duties over the holder of a CDL must, himself or herself, obtain a CDL.

2. When: Employees are responsible for obtaining the CDL prior to their appointment or by the end of their probationary period.
3. What: Employees are responsible for obtaining the CDL. These levels are A, B, C, and include several endorsements, such as "Tanker." It is the responsibility of each employee to obtain the appropriate level and endorsement in order to perform his or her job.

Once the employee obtains the CDL, he or she shall provide the license to the Employer for copying. Copies will be maintained in the personnel files.

4. How: The responsibility for obtaining a CDL rests with each employee. The process requires:
 - a. Taking the appropriate written tests.
 - b. Submitting the "Request for Abstract of Driving Record" form.
 - c. Submitting the "Verification of Employment for Possible Exemption" form.
 - d. Taking the road skill tests, if employee fails to "grandfather."
 - e. Picking up the CDL.
 - i. Written Tests: Employees will receive one (1) day of training, paid by the employer, in which to prepare for the written tests. There are no costs for the actual written tests. Time to take all required tests, the first time, will be paid by the Employer. All retesting will be the responsibility of the individual employee. Written tests may be taken up to twenty-six (26) months in advance of the date on which the CDL is required.
 - ii. Request for an Abstract of Driving Record: Employees must complete this form and send it to the Ohio Bureau of Motor Vehicles within sixty (60) days of the date on which the CDL is required.
 - iii. Verification of Employment for Possible Exemption: Employees must complete and submit this form within sixty (60) days of the date on which the CDL is required.

- iv. Road Skills Tests: If an employee fails to "grandfather", he or she must take the road skills test. The employer will allow the employee to use the appropriate vehicle for this test. Time to take the road skills test, the first time, will be paid by the employer.
- v. License: Once all other requirements are met, employees will be responsible for picking up the actual license.
- vi. Failure to Obtain: Any employee required to have the CDL in accordance with his or her job description who fails to obtain a CDL will be terminated from employment unless failure to obtain is a result of not meeting physical requirements. In the event that an employee fails to obtain a CDL due to physical requirements, the situation will be addressed under the Disability Leave policy (Section 6.9).

PROMOTIONS, TRANSFER, AND NEW HIRES

- A. **Promotions and Transfer**: No employee may transfer or be promoted into a position unless he or she already has a current CDL, valid for the class and endorsement required by the employer for the position. All costs associated with securing additional CDL endorsements shall be the employee's.
- B. **New Hires**: For any position that requires the operation of a commercial motor vehicle, a CDL will be a condition precedent to employment or the end of the employee's probationary period.
- C. **Renewal**:
 - 1. It is the responsibility of the employee to renew his or her CDL every four (4) years in accordance with the expiration date on the license. If the employee fails to "grandfather", all written and road skill tests will be taken on non-working time and the associated costs will be the responsibility of the employee. The employee will pay for the license and registration fees.
 - 2. Any employee, required to have the CDL in accordance with his or her job description, who fails to renew a CDL will be terminated from employment unless failure to renew is a result of not meeting physical requirements. In the event an employee fails to obtain a CDL due to physical requirements, the situation will be addressed under the Disability Leave policy (Section 6.9).
- D. **Maintaining the CDL**: It will be the responsibility of each employee to maintain those driving skills and "on-the-road" experience hours necessary to qualify the CDL renewal. Any employee whose use of a commercial motor vehicle is sporadic or intermittent must make arrangements with the employer to work assignments necessary to maintain his or her class of license.
- E. **Loss of CDL or Disqualification**:

1. The receipt of a twenty-four (24) hour "out-of-service" order will be treated as a Group I disciplinary offense.
2. Any employee who loses his or her CDL for more than twenty-four (24) hours can be demoted, suspended, or removed at the option of the Employer. The loss or suspension of a CDL is a Group III disciplinary offense.
3. Any driving violation, which might in any way affect an employee's ability to keep, maintain, or renew by "grandfathering" his or her CDL, must be reported to the employer within one (1) business day or prior to the beginning of the employee's next workday. Failure to so report a violation can be treated as a basis for employee discipline.
4. All statutory and regulatory requirements for the use of a commercial motor vehicle are to be treated as mandatory conditions of employment. Any employee who reports to work under circumstances or in such condition as to run the risk of a CDL violation may be sent home by the employer or his or her designee. Repeated incidents can be treated as disciplinary violations.

F. **On-call:**

1. From time to time, it will be necessary for the employer to call CDL holders back to work after regular business hours. Under such circumstances all other overtime rules of the employer will apply.
2. Where on-call status is reasonably foreseeable by the employer or his or her designee, CDL holders will be so notified. Once notified of potential call back, it is the responsibility of each CDL holder to remain physically and legally competent to operate a commercial motor vehicle.

- G. **Out-of-service Vehicles:** It is the responsibility of all drivers, supervisors, and maintenance employees to report any vehicles which has been determined to be non-serviceable under CDL standards. This situation is usually determined during the pre-trip, en-route, and post-trip inspections, but is not limited to these inspections.

Once a vehicle is placed "out-of-service", no employee may drive this vehicle until appropriate maintenance action has taken place. Any employee who drives an out-of-service or non-serviceable vehicle on public highways may be subject to disciplinary action.

TIME CLOCK WORK RULES	SECTION 7
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- A. Absences from work must be reported to employee's supervisor as soon as possible, and in no case later than one-half (1/2) hour after the start of his or her work schedule.
- B. **Clocking In and Out (Grace Period):** Employees shall not clock in more than seven (7) minutes before their scheduled start time or clock out more than seven (7) minutes after their scheduled end time unless they have been asked to do so or granted permission by their supervisor. Overtime/comp time accruals will not be paid without supervisor approval for early-in or late-out punches.

Knowingly clocking another employee in or out is a Group III Offense and will be subject to disciplinary action up to and including termination.

- C. **Lunch Periods:** Lunch periods are not considered as work time. It will not be necessary to clock in or out for lunch. Under special circumstances employees may be asked to adjust their scheduled lunch period.

Lunch breaks shall be excluded from compensable time.

- D. **Failure to Clock In or Out:** Consistently failing to clock in or out (i.e., forgetting to punch or forgetting employee card), is a Group I Offense and will result in disciplinary action in accordance with the personnel policy manual.

- E. **Tardiness:** Consistent and unacceptable tardiness is a Group I Offense and will result in disciplinary action in accordance with the personnel policy manual.

All tardiness will also affect employee performance evaluations.

- F. **Leaving Work Early:** Leaving work early without proper notification of employee's supervisor is a Group I Offense and will result in disciplinary action in accordance with the personnel policy manual.

- G. **Emergency Call-Outs and After Hour Inspections:** Employees who are called out or scheduled to handle emergency situations or after hour inspections outside their normal work schedule shall be paid a minimum of two (2) hours overtime unless the call-out or inspection adjoins the beginning or end of a work shift. Employees must clock in and out unless not practical to do so.

- H. **Loss or Damage of Employee I.D. Cards:** The employee time clock card also serves as an identification card. Employees shall carry their I.D. card on their person or in their vehicle when working away from their facility/office.

Employee I.D. cards are the responsibility of the employee. Loss or damage of the card should be reported immediately to a supervisor.

WORK SCHEDULING

SECTION 8

- A. **Work Scheduling.** Each appointing authority shall establish the standard workday, workweek, and starting and quitting times for their employees and their offices in consideration of current and anticipated workload, public service needs, and other factors. No established schedule shall be construed as a guarantee of work hours or as a restriction on the Employer's right to restructure the workday or workweek.

There are many different jobs in the County requiring different hours of work. An employee's work schedule will depend upon the department to which they are assigned and their particular classification within the department. The appointing authority may publish a schedule showing the working hours of each employee in the department. Employees are expected to work their designated work schedule unless they receive prior authorization from their supervisor.

1. County Engineer's Office: 7:30 a.m. to 4:30 p.m., with a one (1) hour lunch period.
2. County Engineer's Field Employees: 7:30 a.m. to 4:00 p.m. with a half (1/2) hour lunch period.
3. Marysville or Richwood Maintenance Facilities:
 - a. Regular Hours: 7:00 a.m. to 3:30 p.m. with a one-half (½) hour lunch period, which may be adjusted based on work load;
 - b. Construction Season Hours (Memorial Day-Labor Day): 6:30 a.m. to 5:00 p.m., Monday through Thursday with a one-half (½) hour lunch period, which may be adjusted based on work load.

- B. **Starting Time, Lunch Period, Quitting Time**: Non-exempt employees are not expected to perform assignments prior to the beginning or after the end of the regular scheduled workday unless previously approved by the employee's supervisor.

The lunch period is intended to be a non-work period; however, some employees may be required to stay in or around their work area. Nonexempt employees who choose to remain at their desk or work area are not expected to perform any work assignments during this time and will not be compensated for any work performed during the lunch period unless previously approved by the employee's supervisor or an emergency situation.

Non-exempt and exempt employees must receive prior approval to work their lunch period. Employees are not permitted to work their lunch period and leave early unless they receive prior approval from their supervisor.

- C. **Overtime Hours Computation**: County Engineer Office has elected to compute eligibility for overtime (including compensatory time) based upon active pay status. Active pay status includes any form of paid leave including vacation, sick, personal or compensatory time.

1. Employees whose regularly scheduled workweek is less than forty (40) hours per week shall receive straight time pay or compensatory time off at straight time for all hours worked between their scheduled hours and up to forty (40) hours per week.
2. Any employee who works in excess of forty (40) hours per week shall receive compensation at one and one-half (1½) times his regular hourly rate or shall receive compensatory time off at one and one-half (1½) hours for each hour worked in excess of forty (40) hours per week.
3. No overtime will be paid for any travel time to job-related training events that may extend the start/end of the workday beyond normal workday hours.

- D. **Overtime Authorization**: Overtime and compensatory time shall usually be authorized by the appointing authority or designee prior to being worked. The method of

compensation for overtime worked in unusual or emergency circumstances without prior authorization, shall be at the discretion of the appointing authority or designee.

- E. **Employee Classifications Qualifying for Overtime Pay:** The overtime compensation provisions of the Fair Labor Standards Act (FLSA) apply to hourly employees and those salaried employees who have been determined to be "nonexempt." Certain administrative, executive, professional, and other employees are exempt or non-covered from the FLSA and are not entitled to overtime compensation. Nonexempt, unclassified employee's superintendent of roads position and assistant superintendent of roads position will receive overtime pay for most hours worked beyond forty (40) hours per work week for call out purposes.

Any questions regarding an employee's status concerning overtime should be directed to the employee's appointing authority.

- F. **Compensatory Time:** With the approval of the appointing authority, a nonexempt employee shall be entitled to earn compensatory time pursuant to FLSA rules. Appointing authorities may limit the total number of hours of compensatory time which may be accumulated.

Compensatory time must be used within 180 days unless the appointing authority has, by rule or resolution, adopted a different standard. If a different standard is adopted, the appointing authority must provide written notice to each employee ten (10) days prior to the effective date pursuant to O.R.C. 4111.03(D). Any compensatory time not used within the stated time frame will be paid to the employee. Compensatory time must be used at a time mutually convenient to the employee and the appointing authority, in not less than one (1) hour increments. Employees are not permitted to use compensatory time unless they have received advanced written approval.

- G. **Flex Time:** With the approval of the appointing authority, a nonexempt employee shall earn flex time volunteering at civic events involving the Engineer's Office held after work or work-related meetings. Employees shall receive compensatory time off at straight time for all hours volunteered. Employees shall sign in and out at the events in order to be eligible. Flex time must be used at a time mutually convenient to the employee and the appointing authority, in not less one quarter (1/4) hour increments. Employees are not permitted to use compensatory time unless they have received advanced written approval. Flex time must be used by the end of each year.

- H. **Compensation for Holidays:** Any employee required to work on one of the recognized holidays will receive time and one-half (1½) their regular rate of pay for all hours worked in addition to receiving their holiday pay.

- I. **Record-Keeping Required:** Each nonexempt employee who is governed by this overtime policy is required to execute a biweekly time sheet. At the end of each biweekly work period, such employee is required to sign his or her own time sheet indicating that the hours reflected on the time sheet are the actual hours worked by the employee. This time record must indicate the actual times the employee started work and stopped work each day. Upon completion and signature of the time sheet, each employee must submit the original to his or her immediate supervisor for approval.

- J. **Employment In More Than One County Position:** If an employee holds more than one position in County government, he or she must notify the appointing authorities or designee in writing. Furthermore, the employee must notify both employers and the County Auditor when the employee's total number of hours worked for one (1) week approaches forty (40). The purpose of this policy is to ensure compliance with proper overtime payments when an employee is in a joint-employment relationship.
- K. **Overtime Application to Exempt Positions:** Employees in positions designated as exempt are not governed by this policy.
- L. **Compensatory Time for Exempt Positions:** Exempt employees are paid a salary and therefore are not eligible for compensatory time. However, each appointing authority may allow exempt employees hour-for-hour compensatory time for all hours worked beyond forty (40) hours per workweek with the advanced written approval of the appointing authority.
- M. **Public Accountability for Exempt Employees:** For purposes of public accountability, exempt employees may be required to maintain a record of the hours they work, and any paid leave utilized. Exempt employees may be absent, with approval of the employer, for part of a workday without a deduction from their accrued leave.
- N. **Overtime Call-Out Procedure (Operations Personnel):** Employees will be called out for overtime as needed. The Superintendent shall make the decision when overtime is warranted.

The Accounts Administrator will provide an updated overtime "call-out" list every two (2) weeks. The list will show the number of overtime hours (worked and refused) each person has accumulated. The list will be organized so that the person with the least hours is listed first and the person with the most hours is listed last. Separate lists will be provided for the Marysville and Richwood garages and will be posted at the garages.

The Superintendent or Assistant Superintendents will call out persons for overtime utilizing the most recent call-out list and taking into account the reason for the call-out.

Employees shall provide telephone numbers to the Superintendent or his assistants for overtime call-out purposes.

Employees who are on vacation leave, sick leave, or other leave will not be called for overtime, unless they have made prior arrangements with the Superintendent or his assistants.

"Overtime worked" is the actual number of overtime hours that an employee has worked.

"Overtime refused" is the hours of overtime that an employee has refused to work. The Superintendent or Assistant Superintendent will consider the following as "overtime refused":

1. The Superintendent/Assistant Superintendent calls an employee, and he cannot or refuses to work.

2. An employee agrees to work overtime but does not report for work.

The number of hours of "overtime refused" will be determined by the Superintendent based on the number of overtime hours worked by the next employee who actually works the overtime.

On January 1st, a new call-out list will be started. All overtime balances will begin at zero, however, the new list will be organized so that the employee with the least amount of overtime on December 31st will be first on the new call-out list.

PUBLIC RECORDS POLICY**SECTION 9**

Introduction: The Union County Engineer will make public records available in accordance with this Public Records policy which has been developed in accordance with Ohio's Public Records laws.

Section 1. Public records. In accordance with the Ohio Revised Code and applicable judicial decisions, records are defined as any item that:

- A. Contains information stored on a fixed medium (such as paper, electronic - including but not limited to electronic mail - or other formats).
- B. Is created or received by or sent under the jurisdiction of a public office.
- C. Documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

Public records are to be open to the public at all reasonable times with exceptions only as provided for in the law.

Section 1.1.

As required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying at all reasonable times during regular business hours. Record retention schedules are to be updated as needed and readily available to the public.

Section 2. Record requests. Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1.

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the Engineer or his designee to identify, retrieve, and review the records. The Engineer's staff will assist the requester by informing him or her of the manner in which records are kept and accessed in the ordinary course of business. The requester shall be allowed to revise the request to clarify it as necessary.

Section 2.2.

The requester does not have to put a records request in writing and does not have to provide his or her identity or the intended use of the requested public record. However, if the Engineer or his designee discloses to the requester that they may decline to answer either or both questions, the Engineer or his designee may ask for the requester's identity and ask for the intended use of the information requested.

Section 2.3.

Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Section 2.4.

Each request should be evaluated for an estimated length of time required to gather the records.

Section 2.5.

Any denial of public records requested must include an explanation. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. Each redaction must be accompanied by a supporting explanation.

Section 3. Costs for Public Records. Those seeking public records will be charged only the actual cost of making or transmitting copies. The cost of record reproduction will vary upon the size, type, and format of the items to be reproduced.

The requester may choose to have the public record duplicated:

- A. Upon paper.
- B. Upon the same medium which the record is kept.
- C. Upon any other medium which the record can be reasonably duplicated, as long as the requested method and medium are an integral part of the normal operations of the Engineer's office.

The Engineer may require the requester to pay in advance the cost involved in reproducing or generating copies of public records.

Section 3.1.

Requesters may ask that documents be mailed to them by U.S. mail or by any other means of delivery or transmission. They will be charged the actual cost of the postage, mailing supplies, delivery, or transmission. The Engineer may require the requester to pay in advance the cost for postage, mailing supplies, delivery, or transmission fees.

Section 4. Electronic Mail (E-mail). Electronic mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Section 4.1.

Records in employees and public officials private e-mail accounts used to conduct public business are subject to disclosure and must be retained per established schedules and made available for public inspection and copying in accordance with the Public Records Act.

SICK LEAVE POLICY

SECTION 10

- A. An employee may request sick leave for absences resulting from illness or funeral purposes as described below, provided they follow the "Notification of Absence" policy outlined in Section 6.01(B) of this manual. Sick leave can only be used as described below and is not intended to be "extra days off". Sick leave may be requested for the following reasons:
1. Illness, injury, or pregnancy-related condition of the employee.
 2. Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of the other employees.
 3. Examination of the employee, including medical, psychological, dental, or optical examinations, by an appropriate licensed practitioner.
 4. Death of a member of the employee's immediate family. Such usage shall be limited to a reasonably necessary time beyond any bereavement leave benefit, not to exceed five (5) days.
 5. Illness, injury, or pregnancy-related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member.
 6. Examination, including medical, psychological, dental, or optical examination, of a member of the employee's immediate family by an appropriate licensed practitioner where the employee's presence is reasonably necessary.
 7. Donation of leave to a coworker in accordance with leave donation programs established pursuant to Section 124.391 Revised Code.

For purposes of sick leave, the "immediate family" is defined as only: mother, father, brother, sister, child, spouse or significant other (one who stands in the place of the spouse and resides with employee), grandparent, grandchild, mother-in-law,

father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, stepparents, stepchildren, stepsiblings, legal guardian, or other person who stands in the place of a parent.

- B. The appointing authority maintains the right to investigate any employee's absence. A physician's statement or satisfactory affidavit is required for absences greater than seven (7) consecutive calendar days (OAC 123:1-32-04). At the discretion of the Engineer, a physician's statement or satisfactory affidavit may be required for absences greater than three (3) consecutive calendar days.

The physician certification must be signed personally by the treating physician, state the nature of the illness, and verify that the employee was unable to work during the absence, and not simply an excuse stamped by the nurse or receptionist which states the employee was under a doctor's care. If an employee's absence is due to an immediate family member's medical condition it will be at the appointing authority's discretion to require physician's statement of absences greater than seven (7) days.

- C. For each completed hour in active pay status, an employee earns .0575 hours of sick leave. For purposes of this policy, active pay status is defined as hours worked (including overtime), hours on vacation, hours on holiday leave, and hours on paid sick leave. Sick leave is not accrued during an unpaid leave of absence.
- D. Part-time employees accrue sick leave on a proportionate basis to the hours paid each pay period.
- E. The amount of sick leave time any one employee may accrue is unlimited.
- F. Sick leave shall be charged in minimum amounts of one-quarter ($\frac{1}{4}$) hour.
- G. Employees absent on sick leave shall be paid at the same basic hourly, daily, or biweekly rate as when they are working.
- H. An employee requesting sick leave for the purpose of medical, dental, or optical examination appointments shall notify the appointing authority of the fact as far in advance as possible, in order that scheduling, and work priorities might be adjusted accordingly. An employee requesting sick leave for other legal purposes shall inform their supervisor or designee of the fact and the reason within one-quarter ($\frac{1}{4}$) hour after his or her scheduled starting time. The employee must speak with the supervisor personally by telephone. Employees assigned to a department with twenty- four (24) hour operations shall be required to notify their supervisor or designee at least two (2) hours prior to the employees' scheduled starting time. Failure to comply with these minimum notification requirements or other sick leave policy may result in denial of sick leave. Prior to starting work, the employee shall formally request sick leave approval by completing his or her portion of the County's "application for sick leave." If medical attention was required, the employee will be required to submit a physician's certificate statement stating nature of illness and verify that the employee was unable to work during the absence.
- I. For the purpose of attending to ill or injured family members, it will be at the discretion of the appointing authority to require employees to present a physician's statement specifying

that such attention was reasonably necessary. Failure to provide such documentation when required will result in denial of sick leave. Subsequent notification beyond the first day of absence will be governed by the nature of the circumstances and requirements established by the appointing authority. If the appointing authority believes an employee is abusing sick leave or shows a patterned use, the appointing authority may require a physician statement for the use of any sick leave.

- J. Employees must submit to any medical examination, nursing visit, or other inquiry that the County deems necessary in order to verify the proper use of sick leave, and the County will pay for such examination.
- K. Vacation leave may be used for sick leave purposes, at the employee's request and the approval of the appointing authority, after sick leave is exhausted. Employees who have exhausted all sick leave, family medical leave, and vacation leave credits, may, at the discretion of the appointing authority, be granted a personal leave of absence without pay for a period not to exceed six (6) months. Illnesses exceeding six (6) months will be treated as disability leave as outlined in Section 6.09 of this manual. Employees on extended sick leave or leave of absence, in excess of thirty (30) days, shall give a status report to the appointing authority at least every thirty (30) days.
- L. An employee fraudulently obtaining sick leave, or anyone found falsifying sick leave records, shall be subject to disciplinary action in accordance with policies outlined in this manual. Employees found guilty of fraudulently obtaining such leave shall be required to reimburse the County the sick leave paid to them and will be subject to appropriate discipline up to and including termination.
- M. Altering a physician's certificate or falsification of a written, signed statement shall be grounds for immediate dismissal.
- N. Paid Maternity Leave: Provides up to six (6) weeks of continuous leave for full-time regular, FMLA-eligible employees to recover from pregnancy, childbirth, or other related medical conditions. Paid maternity leave is triggered by the birth of a child. The benefit begins on the date of the birth of an employee's child. The benefit begins with an initial two weeks (14 calendar days) of unpaid leave for which employees may use their accrued leave time or take unpaid if no appropriate leave is available and is followed by four (4) weeks of leave at 70% of the employee's regular pay. Employees may supplement their pay, up to 100%, during the six (6) weeks of leave. Family Medical Leave will run concurrently as required. While an employee is on paid maternity leave, they will remain in active pay status. Refer to the FMLA policy for information about benefit eligibility and refer to the Sick Leave policy and Vacation policy in this policy manual for information about leave accruals and eligibility. Employees are ineligible to receive overtime pay during maternity leave, and no portion of their maternity leave shall be included in calculating overtime pay. If an employer-observed holiday occurs while the employee is on paid maternity leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid maternity leave entitlement.
- O. Paid Caregiver and Adoption Leave: (Two-year pilot program beginning with the adoption of this manual on 6/21/2023).

Provides up to four (4) weeks of leave for full-time regular, FMLA-eligible employees, Caregiver leave may be used to care for the employee's spouse, son, daughter, or parent who has a qualifying serious health condition, to care for a newborn child born to an employee's spouse, or upon the adoption of a child if the employee is a biological parent, spouse or domestic partner, or legal guardian, and the child is under the age of 17 and resides with the employee. Follows current FMLA rules regarding the definition of a serious health condition. The benefit begins with an initial two weeks (14 calendar days) of unpaid leave for which employees may use their accrued leave time or choose to take unpaid if no appropriate leave is available and is followed by two weeks of leave at 700% of the employee's regular pay. Employees may supplement their pay, up to 100% during the four weeks of leave. Family Medical Leave will run concurrently as required. While an employee is on paid Caregiver and Adoption Leave, they remain in active pay status. Refer to the FMLA policy for information about benefit eligibility and refer to the Sick Leave policy and Vacation policy for information about leave accruals and eligibility. Employees are ineligible to receive overtime pay during Caregiver and Adoption Leave, and no portion of their Caregiver Leave shall be included in calculating overtime pay. If an employer-observed holiday occurs while the employee is on paid Caregiver and Adoption Leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid Caregiver and Adoption Leave entitlement. The appointing authority will assess the program after two (2) years and make recommendations for modification and/or continuation before the end of the pilot phase.

- P. **Credit for Prior Public Service:** Employees who transfer between County departments or agencies, or who were previously employed by another public agency, or who are reappointed or reinstated, will be credited with the unused balance of accumulated sick leave, provided the time between separation, reappointment, or transfer does not exceed ten (10) years and provided the employee has not cashed in any portion of that balance under O.R.C. 124.39. The words "public agency" as used above means those entities required to provide sick leave under R.C. 124.38 and 124.382, including the state, counties, municipalities, all boards of education, civil service townships, etc., within the state. Villages, private industry councils, non-civil service townships, libraries organized as non-profit corporations, and other entities not required to provide sick leave under R.C. 124.38 or 124.382 are not "public agencies" for purposes of this policy. Notwithstanding the above or the Sick Leave Conversion Policy herein, if any "person removed for conviction of a felony" within the meaning of R.C. 124.34 is "subsequently reemployed" by the County, such person is only qualified to accrue sick leave as if the individual were a new employee receiving no credit for prior service.

The requirements for allowing sick leave transfers have been the subject of differing interpretations and legislative revisions. Therefore, to the extent the Employer has already allowed employees to transfer in sick leave credit prior to the adoption of this policy, that credit is not negated with respect to employees already credited as of the adoption of this policy or revision.

- Q. Without approval from the appointing authority, sick leave may not be used in connection with scheduled vacation leave or paid holidays, unless a physician's statement or satisfactory affidavit is provided.

VACATION

SECTION 11

A. Full-time employees are entitled to paid vacation leave according to the following eligibility guidelines:

- Less than 4 years of service2 weeks (up to 80 hours)
- After 4 years of service.....2 ½ weeks (up to 100 hours)
- After 8 years of service.....3 weeks (up to 120 hours)
- After 15 years of service.....4 weeks (up to 160 hours)
- After 25 years of service.....5 weeks (up to 200 hours)

B. Full-time employees accrue vacation leave at a rate proportionate to the number of hours in active pay status per pay period, according to the following schedule. Employees entitled to:

- 2 weeks’ vacation - earn 3.1 hours of vacation per each biweekly pay period
- 2½ weeks’ vacation - earn 3.85 hours of vacation per each biweekly pay period
- 3 weeks’ vacation - earn 4.6 hours of vacation per each biweekly pay period
- 4 weeks’ vacation - earn 6.2 hours of vacation per each biweekly pay period
- 5 weeks’ vacation - earn 7.7 hours of vacation per each biweekly pay period

C. Part-time employees working thirty (30) or more hours per week are entitled to paid vacation according to the following guidelines:

Years of Service (based on regularly scheduled hours per pay period)

- Less than 4 years of service2 weeks
- After 4 years.....2½ weeks
- After 8 years.....3 weeks
- After 15 years.....4 weeks
- After 25 years.....5 weeks

For the purpose of computing vacation, one (1) year of service shall be considered twenty-six (26) biweekly pay periods.

All employees accrue vacation at a ratio based on the number of regularly scheduled hours per pay period divided by eighty (80) times the hours listed in B above.

Example: Employee is regularly scheduled to work sixty-five (65) hours per pay period; the accrual would be based on the ratio 65/80.

Employee is regularly scheduled to work eighty (80) hours per pay period but takes ten (10) hours off without pay; the accrual would be based on the ratio 70/80.

- D. Active pay status is defined as hours actually worked, paid sick leave, vacation leave, and authorized paid holidays. Vacation credits are not earned while an employee is in inactive service such as leaves of absence, disciplinary suspensions, etc.
- E. Additional vacation leave is not accrued through the accumulation of paid overtime.
- F. Vacation scheduling is subject to the approval of the appointing authority and based upon operational need.
- G. Vacation leave is to be taken in minimum units of one-quarter (¼) hour and in accordance with the recommended following guidelines for notification:

Less than 2 days off requested.....24 hours’ notice
 More than 2 and less than 5 days off requested..... 1 weeks’ notice
 5 or more days off requested..... 2 weeks’ notice

Requests for vacation are to be submitted to the appointing authority in writing on the leave request form. Employees are encouraged but not required to take their earned vacation leave in units of one (1) week or more. Exempt employees are permitted to take up to four (4) hours off during the workday, with approval of the employer, without a deduction from their accrued vacation leave.

- H. Vacation leave is to be taken within the twelve (12) months following the employee's anniversary date. An employee, in special and meritorious cases, with the approval of the appointing authority, may be permitted to carry over accumulated vacation leave for up to three (3) years. An employee requesting to carry over vacation must submit the "Request to Carry Over Vacation" to his or her supervisor prior to the end of the year during which the vacation accrued. Any vacation leave not used within three (3) years shall be eliminated from the employee's leave balance as shall any vacation leave not approved for carryover. In other words, if permitted, an employee is only allowed to have three (3) years accrual of vacation, plus their current anniversary year accrual on the books at any one time. Then on the employee’s anniversary date, each year, all vacation in excess of three (3) years accrual will be deleted.
- I. An employee may not take his or her vacation leave prior to its being earned.
- J. Employees who resign or retire are entitled to compensation at their current rate of pay for any authorized earned but unused vacation leave to his or her credit at the time of separation. This applies even if an employee leaves one Union County appointing authority and is rehired by another Union County appointing authority.
- K. Seniority for the purpose of calculating vacation is determined according to the total prior service the employee has with any County, the state (including a member of the Ohio National Guard), a city, village, township, city or local school district, or park district, per Section 9.44 of the Revised Code. Prior service need not be continuous; however, completion of a total of one (1) year of service is required before eligibility for vacation leave is established. The employee is responsible for providing written verification from

previous employers for any qualifying employment. Employees with at least one (1) year of qualifying prior service, as established herein, are not required to serve one (1) year with Union County to be eligible to use vacation. Such individual is entitled to begin accruing, and using, vacation benefits immediately upon employment with the County.

- L. An employee who has retired in accordance with the provisions of OPERS or any retirement plan offered by the state, and who is subsequently hired by Union County after June 24, 1987, shall not have his prior service with the County, state, or any political subdivision of the state counted for the purpose of computing vacation leave.

Vacation accrual for such employee shall be based only upon the service he is currently accruing with Union County.

HOLIDAYS	SECTION 12
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- A. All full-time and part-time county employees are entitled to the following legal holidays:

New Year's Day	First Day of January
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	19th Day of June
Independence Day	Fourth Day of July
Labor Day.....	First Monday in September
Columbus Day.....	Second Monday in October
Veterans Day	11th Day of November
Thanksgiving Break	Fourth Thursday and Friday in November
Christmas Day	25th Day of December

- B. If the holiday falls on Sunday, it will be observed on the following Monday; if it falls on a Saturday, it will be observed on the preceding Friday.

If a holiday occurs while a full-time or part-time employee is on vacation or sick leave, vacation or sick leave will not be deducted from the employee's accrued balance.

In observance of each authorized holiday, employees will normally be granted the day off work. Full-time and part-time employees shall receive straight time pay for each authorized holiday, based upon the number of hours normally scheduled for that day. Seasonal, temporary, and intermittent employees, however, shall not be granted holiday pay.

- C. A full-time employee who is required to work one or more of these holidays to provide necessary minimum staff coverage may receive regular wages plus holiday pay or an alternative day off with regular pay, as determined by the appointing authority.

PERSONAL LEAVE**SECTION 13**

Full-time hourly employees will be given one (1) personal day per calendar year to be used at the employee's discretion. The procedure to request personal leave shall be the same as the Request for Sick Leave Procedure, Section 6.15 (Appendix B) of this Personnel Policy Manual. To the greatest extent possible, the personal leave shall be scheduled with the employee's supervisor. The supervisor has the authority to approve or disapprove personal leave.

Personal leave shall be used in increments of not less than one-half (½) day, defined as:

- Four (4) hours on an eight (8) hour day
- Five (5) hours on a ten (10) hour day

Personal leave not used on or before December 31 of each calendar year will be forfeited.

LONGEVITY BONUS**SECTION 14**

To reward employees for extended service, a bonus will be paid to each qualifying full-time employee as follows:

- A. The bonus will be a lump sum amount.
- B. The amount of the bonus will be determined based on an employee's length of continuous service with the county engineer (minimum 3 years and maximum 30 years) and will be in accordance with the appointing authority's Compensation Plan.
- C. The bonus will be paid annually.

USE OF COUNTY-OWNED VEHICLES**SECTION 15**

- A. This policy is for the use of any motor vehicles owned or leased by the board of county commissioners or any county office, if applicable, for the use of the county commissioners or any department, commission, board, office, or agency under its direct supervision, or for the use of any elected County official and/or their employees. For the purpose of this policy, the term "employee" hereinafter means the persons comprising of the board of county commissioners, any employee of any department, commission, board, office, or agency under its direct supervision or jurisdiction, and any elected official and/or their employees using a vehicle provided by the board of county commissioners.
- B. No person who is not a compensated employee of Union County, Ohio may operate a county-owned or leased vehicle unless specifically authorized by the board of county

commissioners. The board of county commissioners will consider exceptions to this requirement for law enforcement purposes, emergency response, and other like circumstances upon the request of the Sheriff, Emergency Management Agency Director, or County Coroner. No County official or employee shall use or permit the use of any vehicle or any supplies for it, except in the transaction of public business or work of the County (O.R.C. 307.42, 307.43 and 124.71). Under Ohio law, however, the county commissioners have the authority to determine the meaning of and the manner of which employees and elected officials use vehicles owned or leased by the board of county commissioners for the transaction of public business, work of the county, or commuting.

- C. The board of county commissioners recognize that to efficiently and effectively carry out the transaction of public business or work of the County, a reasonable amount of related use may have to be conducted in a county-owned or leased motor vehicle for incidental but closely related business use (i.e. rest and lunch breaks); provided that the employee or elected official does not deviate from the route to the next work site. Any and all County-owned or leased vehicles will not be provided as a means of compensation.

Only passengers on official county business shall be permitted in all county-owned or leased vehicles except as approved and/or authorized under R.C. 1551.25, (Ride Sharing). Elected officials may permit spouses as passengers if the elected official is operating the vehicle for a purpose directly related to their official duties (e.g., attending annual meetings, township meetings, and chamber of commerce meetings).

- D. It is not the policy of the board of county commissioners to provide fleet and/or pool vehicles for the transaction of public business whenever an elected official or department head authorizes travel by automobile. It is the policy of the engineer to provide fleet/pool vehicles for the transaction of public business.

Vehicles owned or leased shall not be used for commuting to and from work, except as permitted by the board of county commissioners, county engineer, county sheriff for vehicles assigned to the sheriff specifically for the performance of a law enforcement activity, or the county coroner for vehicles assigned to the coroner for related county business purposes, if any.

Certain employees of the engineer (i.e. superintendent, assistant superintendent, and the Richwood outpost crew leader) shall be required to commute to and from work in a county owned vehicle for the purpose of responding to road or bridge related emergencies after regular business hours. Employees required to commute in a county owned vehicle are prohibited from personal use of the county owned vehicle other than commuting.

- E. It is recommended that a County official and/or employee operating a County-owned or leased vehicle drive to a safe location and park the vehicle prior to using a mobile phone and/or pager. Texting, checking, or sending e-mail on a communication device (personal or county-owned, e.g., PDA, smartphone, iPhone, cellphone, etc.), while driving is strictly prohibited. All county engineer employees operating a county-owned or leased vehicle should drive to a safe location and park the vehicle prior to texting or e-mailing.

- F. Effective January 1, 2010, all county engineer employees operating a county-owned or leased vehicle shall turn on their headlights “anytime when the windshield wipers of the vehicle are in use because of precipitation,” including rain, mist, snow, ice, and fog (per Ohio Revised Code 4513.03).
- G. Tobacco usage or any form of e-cigarette, vaping, etc. is prohibited in all County-owned or leased vehicles.
- H. All operators and passengers in County-owned vehicles will comply with the following:
1. Operator’s License: All operators of any County-owned or leased vehicles must have a valid state-issued operator’s license, which includes the specific class of vehicle being operated. Suspension of a county official and/or employee’s operator’s license will result in a suspension of any and all county-approved driving privileges. Any official and/or employee who is authorized to use a county-owned or leased vehicle and whose operator’s license is suspended, revoked, cancelled, or if they are otherwise disqualified from driving must notify their immediate supervisor of this fact at the earliest of the following: day of suspension or next working day. An elected official, department head, or supervisor must notify the board of county commissioners within the same time limitations.
 2. Seat Belts: As required by the Ohio Revised Code, all front seat passengers of a county-owned or leased vehicle or privately-owned vehicle, while being operated in the transaction of public business or work of the county, shall wear safety belts at all times while the vehicle is in operation. Rear seat passengers shall also wear safety belts, except in emergency medical or law enforcement vehicles. The vehicle operator is responsible for ensuring all passengers wear safety belts. Failure by any employee to comply with this provision must be reported to the appropriate supervisor.
 3. Alcohol and other Substances: All county elected officials, county employees and/or other persons authorized to use a county-owned or leased vehicle shall not operate any county-owned or leased vehicle while under the influence of any alcohol or any controlled substances. Alcoholic beverages, controlled substances, and/or illegal drugs are not to be used or transported in, or on any county-owned or leased vehicles, except as permitted in emergency medical or law enforcement vehicles. Legally prescribed medications are permissible only when their use does not adversely affect the official’s or employee’s driving ability and safe operation of the vehicle.
 4. Accident Reporting/Traffic Citations: In the event of an automobile accident, the vehicle operator is responsible for contacting the appropriate law enforcement agency immediately, or as soon after the accident as is practical.

All accidents shall be reported to the operator's respective supervisor as immediately as is practical. Accident reports are to be completed and submitted to the supervisor who will report the information to the board of county commissioners as soon as possible, but in no event beyond twenty-four (24) hours of the event or, if the event occurs on a holiday or weekend, on the next working day.

All parking, moving violations, penalties, and/or other fines received during the operation of a county-owned or leased vehicle are the full responsibility of the operator.

Operators of any county-owned or leased vehicle that establish poor driving records may be directed to attend a defensive driving and/or a driver training course by the board of county commissioners and/or their immediate supervisor if they are to maintain authorization to operate a county-owned or leased vehicle. The determination for an official or employee to attend the above-referenced classes shall be in the sole discretion of the board of county commissioners and/or their designee.

5. Preventive Maintenance and Service: All county-owned or leased vehicles shall receive preventative maintenance according to standards established by the board of county commissioners and/or by the department head. All elected officials or department heads who have vehicles assigned to their department, office, or agency are responsible for insuring required maintenance and service is scheduled. Any vehicle operators shall immediately notify their supervisor should they detect any unsafe or hazardous condition in or upon any and all county-owned or leased vehicles. The supervisor shall, in turn, be responsible to schedule such service.

All county-owned or leased vehicles shall be fueled in accordance with the policy set forth by the board of county commissioners and/or by the elected official or department head.

All operators of any county-owned or leased vehicle shall be responsible for the appearance (interior and exterior) of the county vehicle they are using and/or which has been assigned to them.

6. Insurability: All employees required to drive a county-owned vehicle or drive their own vehicle on county time must be insurable under the county's liability insurance plan. Any employee deemed uninsurable by such insurance company may be disciplined up to and including termination.
- I. Use of Personal Vehicles for County Business: All county employees who are authorized to use their personal vehicles in the transaction of public business or work of the county, will be reimbursed on a mileage basis at the authorized county rate subject to approval by the appropriate department head and submission of transaction or

public business or work of the county. All officials and employees must maintain their own liability insurance as required by law at the following limits:

Bodily injury, one person	\$100,000.00
Bodily injury, accidental	\$300,000.00
Property Damage	\$100,000.00

The employee’s personal insurance shall be considered primary coverage. The board of county commissioners and/or engineer may request proof of automobile insurance coverage from each county official, department head, and any and all employees.

- J. **Record Keeping:** All county officials, appointees, and county employees, prior to operating a county-owned or leased vehicle or a personal vehicle in the transaction of county business or work, shall be given a copy of the Union County vehicle use policy and acknowledge receipt of the same. The elected official and/or department head shall maintain these records.

Each vehicle operator shall be responsible for maintaining the appropriate vehicle logs. The type of log used may be specific to the function of the vehicle. Vehicles' use logs must be reviewed by the elected official or department head monthly. Logs must contain date of trip, purpose of trip, place of trip, and beginning/ending odometer readings. Employees will also be required to submit a Vehicle Usage Affidavit annually to cover the twelve (12) month period ending October 31 each year. This affidavit must be completed by the employee, approved by the department head, and forwarded to the Auditor's office by November 15 each year.

- K. **External Marking of County Vehicles:** All county-owned vehicles shall bear the approved external markings.

In accordance with R.C. 307.42, all county-owned or leased vehicles shall be plainly and conspicuously lettered as the property of the county.

- L. **Penalties:** Whoever violates R.C. 307.42 may be subject to penalties pursuant to R.C. 307.99. Violation of this policy by county-elected officials and/or employees is subject to revocation of the use of any county-owned or leased vehicle.

- M. Any and all elected officials, department heads, and/or all other county employees who fail to comply with the vehicle policies and procedures and/or who misuse or abuse any county-owned or leased vehicles or equipment may be subjected to disciplinary actions which may include, but is not limited to, the following:

1. Written notice of the violation;
2. For recurring traffic violations or accidents, the person may be assigned to attend a defensive driving or driving instruction class;

3. Loss of driving privileges – not permitted to drive county-owned or leased motor vehicle.
- N. In those cases where the County official's and/or employee's job requires driving a County-owned or leased vehicle, suspension of the employee's driver's license may result in reassignment or termination of employment.

**USE OF TELEPHONES / MOBILE PHONE AND SMARTPHONE
(INCLUDES PAGERS, PDA AND LAPTOP COMPUTERS)**

SECTION 16

- A. **Scope:** This policy applies to all employees under the appointing authority of the board of county commissioners and the county engineer who possess and use a mobile phone, a smartphone, personal digital assistant (PDA) or laptop computer purchased and/or provided a stipend by Union County, Ohio.
- B. **Verification of Need on Mobile Phones and Smartphones Stipend:** There must be legitimate business need for an employee to have a mobile phone or smartphone in order to receive a stipend for use of a personal mobile phone or smartphone for county business.
- C. **Purpose:** This policy defines the conditions for which the engineer will either pay a stipend or provide a mobile phone, a smartphone, PDA or laptop computer to an employee as well as the expectations for proper use of such county-issued equipment and identify how personal use of such county equipment will be reimbursed by the employee using the fair market value on a per minute basis. This policy shall apply to all mobile phones, combination radio/mobile phones, related necessary accessories when provided by the county, and all applicable service agreements.
- D. **Policy:** The board of union county commissioners and engineer recognizes that mobile phones, smartphones, PDA and/or laptop computers have become a valuable tool for county officials and employees to enhance their productivity while working on behalf of Union County. This communications tool can provide an effective and efficient means to coordinate work activities, provide and/or receive needed information, deliver public services with minimal delay, and assure personal and public safety; therefore, the mobile phones, smartphones, and/or laptop computers may be provided for use regarding official county business to those officials and/or employees whose jobs require the ability to have constant contact, in accordance with this policy. The board of union county commissioners and engineer expect all officials and/or employees to have appropriate and reasonable use of all county-owned phones, and/or laptop computers.
- E. **Procedure:** It is the responsibility of each county agency or department head to determine who, in their respective offices, shall be assigned a county-owned mobile phone, and/or laptop computer for official use. No official and/or employee shall be automatically eligible to receive a county-owned mobile phone and/or laptop computer based solely upon position, title, or classification.

In order to be eligible for a county-owned mobile phone, pager, and/or laptop computer, the official and/or employee must meet at least one (1) of the following:

1. Public Safety: The county official and/or employee requires immediate and direct communication with local emergency responders in order to provide for the safety of the public.
2. Accessibility: The county official and/or employee, while working outside of the office, must initiate immediate and direct communication with their office and/or other public or private entities or persons to access information in order to conduct official county business in a timely fashion where there is a likelihood that conventional phones will not be readily accessible.
3. Responsiveness: It is routinely necessary for other county officials and/or employees or members of the general public to reach this individual immediately and directly to discuss official county business when they are out of the office.

F. **Mobile Phone and Smartphone Options**: Based on operational need, there are three (3) options available for mobile phones and smartphones:

Option 1: The County will provide a mobile phone to the employee. County-owned phones are to be used for business purposes only. On a monthly basis, a detailed listing of phone calls for each mobile phone will be provided to the employee. The employee will verify the numbers listed as business calls. The department is responsible for keeping logs of all mobile phone calls.

Option 2: The County will issue a monthly stipend of \$15 for the use of their personal mobile phone. This stipend is a taxable fringe benefit and will be taxed accordingly. No record keeping is required with this option. This option is mainly for key staff employees needed in the event of an emergency.

Option 3: Employees who have a legitimate business need for use of their personal smartphone devices will be issued a monthly stipend of \$30 for its use for county business and a monthly stipend of \$5 to cover a portion of the smartphone replacement insurance. This stipend is a taxable fringe benefit and will be taxed accordingly. All messages relating to county business must be copied to the employee's county e-mail address. This includes both messages sent and received.

Management has the right to review the need for mobile phones or smartphones periodically and may ask for documentation for the verification purposes.

Public Records: Employees should be aware that some of these records may be subject to public records request. Calls or messages made on behalf of the county are public records, the mobile phone bills may be public records, etc. This information is not meant to provide a complete listing of what is and what is not a public record. Public records are determined by statute.

- G. **Acquisition and Return of County Mobile Phones:** Once a mobile phone has been provided, the recipient shall acknowledge in writing that they have received the equipment and a copy of this policy. In addition, those employees issued a PDA or laptop computer shall acknowledge they have received the “Union County Internet, Electronic Mail and On-line Use Policy”.

If a county mobile phone is damaged, lost, or stolen, it must be reported by the employee to their immediate supervisor as soon as possible; the immediate supervisor shall notify the appointing authority, who will make the necessary arrangements for termination of service and/or arrange a replacement.

When an employee no longer needs a mobile phone or terminates employment or otherwise loses the authorization to possess or use a county mobile phone, the employee shall return all county-provided mobile phone equipment and/or accessories immediately.

- H. **Proper and Improper Use:** Except for urgent or unanticipated situations where no other form of communication is available, county mobile phones are provided for official county business only. The frequency and duration of such unofficial calls must be kept to a minimum.

Except as provided for above, a county mobile phone shall not be used for any of the following:

1. Any call made in relation to an official's or employee's personal business;
2. Any call made for the purpose of personal entertainment, including, but not limited to, "900" numbers or other pay per call numbers;
3. Any general or routine calls made in relation to an official's or employees personal life;
4. Any call of an obscene, threatening, harassing, or otherwise offensive nature that would be illegal, prohibited, or inappropriate as defined by law or which would be in violation of any other county policy.

Officials and/or employees are advised that all communications including, but not limited to, voice mails and/or e-mail communications, are not confidential and are subject to review for the purpose of enforcing the policies herein with or without notice.

- I. Employees will not be permitted to add a second line to a county-owned cell phone account for the employee's personal use.
- J. County employees assigned laptop computers, or smartphones will have their personal usage reported as taxable income using the fair market value for a monthly lease program. Employees will also be required to submit a Personal Usage Affidavit annually to cover the twelve (12) month period ending October 31 each year. This affidavit must

be completed by the employee, approved by the department head, and forwarded to the Auditor's office by November 15 each year.

Original Adoption Date: June 2004

Revision Dates: March 2007, July 2007, June 2011, July 2012

SUBSTANCE ABUSE**SECTION 17**

- A. Union County appointing authorities recognize alcoholism and drug abuse as a disease which is treatable, and they encourage those employees who suspect that they may have a drinking problem to seek professional treatment.
- B. For the purpose of this policy, a drinking or drug abuse problem exists when an employee's alcohol consumption or drug abuse begins to interfere with his or her job performance. Provisions in the policy may be superseded by a CDL policy or other department policy.
- C. This policy is intended to ensure that no employee with a drinking or drug problem will have his or her job security or promotional opportunities jeopardized by a request for treatment. The individual's rights to confidentiality and privacy are recognized. The pertinent information and records of employees with drinking or drug problems will be preserved in the same manner as all other medical records. This policy does not preclude or supersede the discipline outlined in the Drug Testing Policy for reasonable suspicion or random testing.
- D. Union County appointing authorities and supervisors shall not attempt to diagnose alcoholism or drug addiction. A referral, initiated by the appointing authority or supervisor, for diagnosis and treatment shall be based strictly on unsatisfactory or deteriorating job performance resulting from apparent medical or behavioral problems, whatever their nature.
- E. It will be the responsibility of the employee to comply with the referral for diagnosis and to cooperate with the prescribed treatment. An employee's refusal to accept diagnosis or treatment, or failure to respond to treatment, will be handled in the same manner as for all other illnesses when job performance continues to be adversely affected.
- F. Implementation of this policy will not require or result in special regulations, privileges, or exemptions from the standard administrative practices applicable to job performance requirements.

UNIFORMS AND CLOTHING ALLOWANCE**SECTION 18**

- A. **Uniforms**

1. The Union County Engineer requires certain full-time and seasonal employees in specific job classifications to wear a uniform which is provided by the Engineer. Employees in the following classifications may be required to wear a uniform:

Superintendent
Assistant Superintendent
MW1, MW2, MW3, MW4
Mechanic 1 and 2
Wastewater Treatment Plan (WWTP) Operator
Wastewater Treatment Support
Seasonal Maintenance Workers
2. A uniform may consist of pants, shorts, and/or shirt and may include safety-colored tee shirts and/or safety-colored sweatshirts. Coveralls will be provided to employees who require them, but only at the discretion of the Engineer.
3. All laundering and maintenance of the uniforms provided by a uniform supply contractor will be provided by the contractor. Laundering of tee shirts and/or sweatshirts provided by the county will be the responsibility of the employee.
4. Employee will be responsible for returning soiled pants to the designed area for pickup and servicing by the uniform supply company on a weekly basis.
5. Employees shall wear a clean uniform daily.
6. All uniforms issued by the engineer shall only be worn during working hours when representing the County, in travel to and from work, and other such times as directed by the engineer. Uniforms or portions of uniforms shall not be worn on days off, after work or for personal business.
7. Employees will be held responsible for each set of uniforms not returned to the engineer upon termination of employment. Charges for missing or non- returned uniforms will be the responsibility of the employee.
8. Field staff employees are required to wear OSHA approved steel-toed work boots. Employees required to wear such boots will be reimbursed per Section B Clothing Allowance.
9. In order to comply with Internal Revenue Service (IRS) guidelines, all employees who are required to wear a uniform will be given an affidavit annually to be completed by the employee. In order for uniforms to be excluded from taxable income, the employee must certify that he/she has not worn or adapted the uniform for general use as ordinary clothing.

B. Clothing Allowance.

1. An annual clothing allowance of \$175.00 per year shall be paid to each field staff employee. The clothing allowance shall be used to partially cover the cost of purchasing steel-toed work boots, work gloves, rubber boots, hats, insulated coveralls, coats, and rain suits. The clothing allowance will be added to the employee's annual income and will be taxable as a fringe benefit.

The following items will be provided to the employee by the Engineer:

Uniforms

Safety-Colored Tee Shirts

Safety-Colored Sweatshirts

Safety Glasses

Hard Hats

Orange Vests

Original Adoption Date: January 1, 2004

Revised Date: February 1, 2005, March 31, 2022

Union County, Ohio is an equal opportunity employer. Union County, Ohio does not deny equal opportunity in hiring, tenure, terms, conditions, or privileges of employment on the basis of race, color, religion, sex, national origin, disability, ancestry, age, sexual orientation, or other legally protected status.

Please type or print responses to the questions and information requested below. Note that this completed application for employment will become a public record upon submission to Union County and subject to disclosure under Ohio Public Records Law. Please note, if offered employment, you may be subject to a medical physical, Bureau of Motor Vehicle license check, drug/alcohol screen, and/or fingerprint or other law enforcement background check.

Date of Application: _____

POSITION APPLYING FOR: _____

PERSONAL INFORMATION:

NAME _____
(Last) (First) (Middle)

ADDRESS _____
(Number) (Street) (City) (State) (Zip)

PRIMARY TELEPHONE NUMBER: _____

OTHER TELEPHONE NUMBER: _____ EMAIL: _____

EDUCATION: List the following information.

School	Name of Institution	City/State	Did you graduate? Yes or No	Degree Earned or Course of Study
High School Or GED			<input type="checkbox"/> Yes <input type="checkbox"/> No	
College			<input type="checkbox"/> Yes <input type="checkbox"/> No	
Graduate School			<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other			<input type="checkbox"/> Yes <input type="checkbox"/> No	

Professional License or Certificate: (Add additional pages as needed)

DATE ISSUED _____ TITLE _____

_____ ISSUED BY _____

EXPIRATION DATE _____

DRIVER'S LICENSE:

Do you possess a valid state Driver's License? Yes No

State of Issuance: _____ License #: _____

License Class (A, B, C): _____

Additional Information: Provide additional information such as training courses completed, education, certifications, skills, abilities, hobbies, volunteer activities, etc. that are relevant to the position you are applying for.

APPLICATION QUESTIONS

- 1. Are you legally eligible to work in the United States of America? Yes No

 - 2. Are you currently or have you ever been employed by Union County? Yes No
 - a. If yes, what office or department? _____

 - 3. Are you currently or have you ever been employed by the State of Ohio or any political subdivision of the State of Ohio (County, City, Township)? Yes No
 - a. If yes, please list: _____

 - 4. Do you have any relatives employed by Union County? Yes No
 - a. If yes, please list name, relationship, and office/department on the line below:

 - 5. Have you ever been involuntarily terminated or asked to resign from employment? Yes No

 - 6. Do you have any commitments (second job, school, etc.) which may interfere with or adversely affect your employment with Union County? Yes No
 - a. If yes, please explain. _____

 - 7. Are you on layoff or subject to recall? Yes No
 - a. If yes, what company or employer? _____

 - 8. Are you currently employed? Yes No

 - 9. If so, may we contact your present employer? Yes No
 - a. If no, please explain. _____

 - 10. Desired Start Date: _____

 - 11. Desired Salary: _____
-

APPENDIX B

ENGINEER

EMPLOYMENT INFORMATION: Please indicate your work experience, beginning with the most recent employment, and be specific in your description of job duties. Include **all** of your work experience, volunteer work and military service, if applicable. Attach additional sheets if necessary **AND resume**.

Name of Employer _____

Address of Employer _____

Supervisor's Name and Title: _____ Supervisor's Phone Number: _____

Start Date: _____ End Date: _____

Job Title: _____ Salary: _____ Reason for Leaving _____

Job Duties: _____

Name of Employer _____

Address of Employer _____

Supervisor's Name and Title: _____ Supervisor's Phone Number: _____

Start Date: _____ End Date: _____

Job Title: _____ Salary: _____ Reason for Leaving _____

Job Duties: _____

Name of Employer _____

Address of Employer _____

Supervisor's Name and Title: _____ Supervisor's Phone Number: _____

Start Date: _____ End Date: _____

Job Title: _____ Salary: _____ Reason for Leaving _____

Job Duties: _____

REFERENCES: Please indicate three (3) persons, not related to you, who can be contacted regarding your work or academic performance.

Name: _____ Title: _____
 Address: _____ Contact Number: _____
 Years Known: _____

Name: _____ Title: _____
 Address: _____ Contact Number: _____
 Years Known: _____

Name: _____ Title: _____
 Address: _____ Contact Number: _____
 Years Known: _____

CERTIFICATION OF APPLICATION: Please read each of the following statements carefully and indicate your understanding of and consent to the contents and conditions of each paragraph by placing your initials at the end of each paragraph on the line provided. If you have any questions, please contact the employer.

Please Read Each Statement Carefully

1. I understand and accept that, depending upon the position for which I am applying, if I am employed by Union County, my employment may be for no definite period of time and may be terminated, with or without cause or notice at any time, at the option of either Union County, or myself. I understand that no representative of Union County, other than an Appointing Authority, has any authority to enter into any agreement or to make any agreement with me contrary to the foregoing, except that an Appointing Authority of Union County may do so in writing under specific limited circumstances.

Initials: _____

2. I understand and accept that, if I am selected for employment, my initial and continued employment may be conditioned upon my passing any medical examination that the employer deems necessary to determine whether I can physically perform the essential functions of the position, with reasonable accommodation when necessary. I understand and accept that this may include drug, alcohol, or substance abuse testing.

Initials: _____

3. If employed, I understand and accept that, depending on the department in which I am applying for employment, I may be required to work evening or night shifts including weekends, be on call, and/or work mandatory overtime hours. I also understand and accept that I am required to abide by all rules and regulations of the Union County Appointing Authority.

Initials: _____

4. I understand and accept that if any information required in this application is found to be falsified or intentionally excluded, my application may be disqualified from further consideration. I further understand and accept that if I am employed by the employer, I may be subject to disciplinary action, including termination, if any information required by this application has been falsified or intentionally excluded.

Initials: _____

5. I understand and accept that the employer requires a high degree of integrity, ethics, and professionalism of its employees. Therefore, I understand and accept that, it may be necessary for the employer to investigate my background for any criminal or unlawful activity, or any other conduct which may be inconsistent with established performance and ethical standards of the position or department for which I am applying.

Initials: _____

6. I hereby authorize the employers, schools, and personal references named in this application to provide information regarding me to the employer. I further authorize the release of personnel, academic, and other records to the employer. I voluntarily and knowingly, fully release and discharge, absolve, indemnify and hold harmless you, your agents and any former employer, person, firm, corporation, school or government agency, its officers, employees and agents from any and all claims, liability, demands, causes of action, damages, or costs, including attorney's fees, present or future, whether known or unknown, anticipated or unanticipated, arising from or incident to the disclosure or release of any such information to you, your agents, or consumer reporting agency.

Initials: _____

7. I understand that this completed application is the property of the Union County and will not be returned. I understand that my application is subject to disclosure pursuant to the Ohio Public Records Act.

Initials: _____

By signing this application, I hereby certify that every statement I have made in this application is true, accurate, and complete to the best of my knowledge. I understand that any false or incomplete answer may be grounds for not employing me or for dismissing me after I begin work. I understand that I will have to produce documentation verifying identity and employment eligibility in the United States. I understand that I may be required to verify any and all information given on this application. I understand that Union County may contact prior employers, schools, and other references. I understand that I must notify Union County of any changes in my name, address, phone number, or email address. I understand that communications with the Union County may be sent via email.

Signature: _____

(DO NOT PRINT)

Date: _____

(DO NOT WRITE BELOW THIS LINE)

Approved _____ Rejected _____ Date _____ Employer Representative _____

EEO DATA: VOLUNTARY DISCLOSURE FORM
FORM B (SUPPLEMENT TO FORM A)

The Federal Guidelines on Employee Selection (1978) require employers to maintain and have available for inspection, records or other information which will disclose the impact which the employer's test and other selection procedures have upon employment opportunities of person by identifiable race, gender, and ethnic group. Compliance with this mandate requires that each applicant be requested to complete the following questions relating to gender and race. Your responses to these questions are voluntary. Information concerning your knowledge that a position was available will assist us in our recruitment efforts.

Thank you for your cooperation.

1. Position applied for: _____
2. Date of birth: _____
3. Gender (please check one):
 - Male
 - Female
 - Do Not Care to Respond
4. Race (please check the category that applies to you):
 - White/Caucasian
 - Black/African American
 - American Indian (including Alaskan Natives)
 - Asians (including Pacific Islanders)
 - Hispanic (including persons of Mexican, Puerto Rican, Cuban, Central or South American origin or culture, regardless of race)
 - Other (specify): _____
 - Do Not Care to Respond
5. Are you a veteran of the armed forces?
 - Yes
 - No
 - Do Not Care to Respond
6. How did you hear about this position? (Please check one)
 - Announcement
 - Word of Mouth
 - Union County Website
 - Bulletin Board (please describe where): _____

- Newspaper (please list which one): _____
- Other (please specify): _____

LEAVE REQUEST

FORM C

Name: _____ Date: _____

SICK LEAVE REQUEST

Total Hours Requested _____

**EMPLOYEE ILLNESS or MEDICAL APPOINTMENT

Date(s): _____ to _____

Nature of illness or appointment: _____

Physician's name: _____

IMMEDIATE FAMILY ILLNESS or MEDICAL APPOINTMENT

Date(s): _____ to _____

Relationship: _____

DEATH IN IMMEDIATE FAMILY

Date(s): _____ to _____

Relationship: _____

PERSONAL INJURY

On-the-job injury? Yes _____ No _____

Date(s): _____ to _____

DISABILITY LEAVE

Date(s): _____ to _____

Reason: _____

**A Medical Practitioner's Statement (Form AS) or detailed physician's statement is required upon return to duty for medical absences of more than seven consecutive days and may be required for absences less than seven days at the discretion of the supervisor.

Is any of the above leave chargeable to Family Medical Leave (FML)? Yes _____ No _____

VACATION LEAVE REQUEST

Total Hours Requested _____

Date(s): _____ to _____ Hours requested: _____

Date(s): _____ to _____ Hours requested: _____

Date(s): _____ to _____ Hours requested: _____

Date(s): _____ to _____ Hours requested: _____

PERSONAL LEAVE REQUEST		Total Hours Requested _____
Date(s): _____ to _____	Hours requested: _____	
Date(s): _____ to _____	Hours requested: _____	
Date(s): _____ to _____	Hours requested: _____	
Date(s): _____ to _____	Hours requested: _____	

I do hereby certify the statements made hereon to be true and factual.

Employee signature

Date

DO NOT WRITE BELOW THIS LINE – ADMINISTRATIVE USE ONLY

_____ Hours of sick leave accrued as of _____

_____ Hours of vacation leave accrued as of _____

_____ Hours of personal leave accrued as of _____

_____ Approved _____ Denied – Reason: _____

Supervisor signature

Date

Engineer signature

Date

Copies: White (Administrative) Yellow (Employee) Pink (Operations)

EXPENSE REPORT	FORM D
-----------------------	---------------

Name: _____ Date: _____

CEAO EXPENSES (Part A)

Date	Place/Reason	Mileage	x 56.5¢	Meals	Parking	Lodging	Other
TOTALS							
TOTAL CEAO							

OTHER REIMBURSEMENT EXPENSES (Part B)

Date	Place/Reason	Mileage	x 56.5¢	Meals	Parking	Lodging	Other
TOTALS							
TOTAL OTHER REIMBURSABLE							

TOTAL (Part A and B) _____

Employee signature

Authorized signature

FMCSA CLEARINGHOUSE CONSENT

FORM E

**General Consent for Limited Queries of the Federal Motor Carrier Safety Administration
(FMCSA) Drug and Alcohol Clearinghouse**

I, _____ (Driver Name), hereby provide consent to Union County to conduct a limited query of the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) to determine whether drug or alcohol violation information about me exists in the Clearinghouse.

I understand that if the limited query conducted by Union County indicates that drug or alcohol violation information about me exists in the Clearinghouse, FMCSA will not disclose that information to Union County without first obtaining additional specific consent from me. In that instance I will be required to give consent for Union County to conduct a full query of the FMCSA Clearinghouse.

I further understand that if I refuse to provide consent to Union County to conduct a limited query of the Clearinghouse, Union County must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA's drug and alcohol program regulations.

I understand that I have the right to revoke this authorization at any time in writing by notifying Union County. I understand that the revocation is only effective after it is received and logged by the [insert position]. I understand that any use or disclosure made prior to the revocation under this authorization will not be affected by a revocation.

I understand that this authorization to conduct limited inquiries (regardless of the number of times) of the Clearinghouse will expire when my employment with Union County terminates. I understand that my continued employment may be subject to my agreement to this authorization and the ability of Union County to conduct limited (and if necessary full queries) of the Clearinghouse.

I understand that after January 6, 2020, Union County will be required to report any violations of DOT drug testing rules to the Clearinghouse. I understand that Union County may be required under the regulations to report violations of DOT drug testing rules after my employment is terminated to comply with FMCSA rules.

I understand that I am entitled to receive a copy of this authorization.

Employee Signature

Date

VACATION POLICY**SECTION 1**

(Effective September 8, 2009)

There will be no vacation leave granted from the day real estate tax bills are mailed out until the mail is completed after closing date.

If the vacation is taken without being approved, this will constitute unauthorized leave.

The minimum penalty will be a 3-day suspension. The suspension will be scheduled at a different time because of the fact that we would be in a tax collection. One (1) day would be considered one (1) offense, a second (2) day would be considered a second (2) offense, etc.

PERSONAL DAYS**SECTION 2**

(Effective September 8, 2009)

Three (3) personal days, one of which will be used for the day after Thanksgiving. These days must be used before the end of the year and cannot be used during tax collection.

DRESS CODE**SECTION 3**

- A. The appointing authority reserves the right to prescribe appropriate dress and grooming, and to set standards which are in the best interest of the Union County Treasurer's Office.
- B. The appointing authority requires that an employee's clothing, grooming, and overall appearance be appropriate for a professional workplace, in good taste, and should present a favorable public image, and be in conformity with regulations established by the Employer due to the specialized nature of service provided or the employment position maintained.
- C. Clothing shall be conducive to the safe and effective performance of required job duties.

This policy establishes proper work attire for Union County Treasurer employees and allows for flexibility while maintaining a professional image in dealing with customers. Employees are to exercise good judgment when choosing his or her attire.

- D. Business casual attire is required unless permission is given to employees to "dress down" on a specific day. Permission to "dress down" gives the employee permission to wear jeans. Specific "dress down" days may also permit the employees to wear tee-shirts, jerseys, sweatshirts/hoodies, athletic shoes, and flip/flop style shoes.
- E. Examples of clothing considered inappropriate for our workplace:
 - Jeans (except on "dress down" days as described in paragraph D above)

- Tee-shirts, jerseys, sweatshirts/hoodies (except on “dress down” days when it is specified these articles of clothing are permitted as described in paragraph D above)
 - Athletic shoes (except on “dress down” days when it is specified these types of shoes are permitted as described in paragraph D above)
 - Rubber, foam, and/or plastic flip-flop style shoes (except on “dress down” days when it is specified these types of shoes are permitted as described in paragraph D above)
 - Shorts (of any length)
 - Capri-style pants that do not cover the kneecap (must fall to at least the bottom of kneecap when standing)
 - Bib Overalls
 - Sweats or exercise clothing, clothing resembling pajamas, or Spandex
 - Tube tops, midriff/halter tops, muscle shirts, or tank tops with less than a 2-inch shoulder strap
 - See-through blouse without an undershirt, clothing revealing cleavage
 - Dresses or skirts that fall more than 2 inches above the middle of the kneecap when standing
 - Offensive graphics or words, and/or promotion of drugs, alcohol, or tobacco
- F. This policy gives supervisors the responsibility for ensuring that a professional business environment is maintained and for counseling those employees who do not comply with the above guidelines. The appointing authority, or his or her designee, has the authority and discretion to determine when an employee’s attire is inappropriate and may send an employee home to change clothes. Any employee sent home to change will be required to use their available vacation, comp time, or personal leave as available and as outlined in this manual.