

GEAUGA COUNTY  
PERSONNEL  
POLICY AND  
PROCEDURE  
MANUAL

ADOPTED DECEMBER 17, 2002

EFFECTIVE JANUARY 1, 2003

REVISED: NOVEMBER, 2016

***ACKNOWLEDGMENT OF RECEIPT***

I acknowledge that I have received a copy of the Geauga County Personnel Policy and Procedure Manual. I understand that it is my responsibility to comply with the policies, practices and rules contained in it as well as any future changes that may be communicated to employees from time to time.

I understand that this Policy and Procedure Manual is not in any way a contract of employment nor intended to create any binding legal obligations on the part of the County to me. I further understand County employees are either in the classified or unclassified service in accordance with Revised Code Chapter 124. If I am employed in a position where my terms and conditions of employment are governed by a collective bargaining agreement, I understand that if any benefit, policy or procedure contained in this Policy and Procedure Manual conflicts with such collective bargaining agreement, the collective bargaining agreement takes precedence.

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Employee Signature

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Date

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Witness

Detach after employee signs and place in Personnel File

## **INTRODUCTION**

GEAUGA COUNTY  
BOARD OF COMMISSIONERS  
CHARDON, OHIO 44024

The Geauga County Personnel Policy and Procedure Manual shall be used as a guide to ensure uniformity and nondiscriminatory application of the conditions of employment, and shall not be deemed to create a vested contractual right in any employee. It has been prepared to give general information about employment benefits, rights and responsibilities, and is an extraction of Ohio Civil Service laws and rules and locally adopted personnel policies.

Specific legal questions should be referred to the County's Prosecuting Attorney as the legal advisor to County Commissioners, other county elected officials, and various agencies.

Information in this manual is subject to change. As changes occur, the Personnel Policy and Procedure Manual shall be updated. In the event of any amendment of any law, rule, or locally adopted personnel policy incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes. It is the employee's responsibility to familiarize himself/herself with any changes and to update his/her copy of the manual accordingly.

The information in this manual is generally applicable for all departments under the Board's appointing authority. All separate appointing authorities are urged to adopt this manual. If employees are covered by a collective bargaining agreement, that agreement supersedes the policies in this manual to the extent there is a conflict. All other policies in this manual are in force unless specifically mentioned in the collective bargaining agreement.

Except as expressly limited by the provisions of this manual, the Board reserves and retains all rights and responsibilities to exercise the normal functions of management involved in the operation of the services it renders.

If any article or section of this policy manual or any amendments thereto shall be held invalid by operation of law or by a tribunal of competent jurisdiction, or compliance with or enforcement of any article or section of this policy manual shall be restrained by such a tribunal, the remainder of this policy manual and amendments thereto shall not be affected and shall remain in full force and effect.

Signed: Geauga County Board of Commissioners

GEAUGA COUNTY BOARD OF COMMISSIONERS  
PERSONNEL POLICY AND PROCEDURE MANUAL

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**SECTION 1. GENERAL**

**CODE OF ETHICS  
(ORC Chapter 102 and Related Statutes)**

Employees shall comply with the Ethics requirements of Chapter 102 of the Ohio Revised Code and related statutes. Within 15 days after beginning performance of official duties, employees shall be provided, and acknowledge receipt of, a copy of the Ohio Revised Code Chapter 102 and Section 2921.42 concerning Ohio Ethics Law as required by Section 102.09(E) of said law.

Employees shall conduct themselves in a manner above reproach at all times and shall not use their position for personal gain in such a way as to violate public trust. Acceptance of money, gifts, or services by an employee is prohibited.

Employees having direct dealings with individuals shall treat those individuals with courtesy, and in a respectable, efficient and effective manner.

Violation of the ethics law, this code of ethics, or discourteous treatment of the public may be considered grounds for discipline and may also subject the employee to criminal prosecution.



## **SECTION 1. GENERAL**

### **Public Record Policy Introduction**

It is the policy of the Geauga County Commissioners that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Geauga County Commissioners to adhere to the state's Public Records Act. A denial of public records in response to a valid request shall be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation shall also be in writing.

#### **Section 1. Public records**

This office, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of, a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Geauga County Commissioners and Geauga County departments under the Commissioners are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

**Section 1.1** It is the policy of the Geauga County Commissioners that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and available for viewing in every department.

#### **Section 2. Record requests**

**Section 2.1** Although no specific language is required to make a request, the requester must identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records officer must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.

**Section 2.2** The requester is not required to but may complete a *Public Information Request Form*. A *Public Information Request Form* will be completed either by the requester or by the departmental records officer. The form shall be completed for every request for public information.

**Section 2.3** Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records will be made available for inspection promptly. Individuals who view records during business hours within departmental offices will be accompanied by the records officer or alternate. 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. All requests for public records shall be acknowledged in writing by the assigned departmental records officer within a reasonable period of time following the office's receipt of the request. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research or legal consultation, the acknowledgement must include the following:

**Section 2.4a** An estimated number of business days it will take to satisfy the request.

**Section 2.4b** An estimated cost if copies are requested.

**Section 2.4c** Any items within the request that may be exempt from disclosure.

**Section 2.5** Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be clearly visible and accompanied by a supporting explanation, including legal authority.

**Section 2.6** All responses to requests for public information will be documented on the *Response to Request for Public Information* form by the departmental records officer. Copies of both forms and the information given in response to the request or detailed information on where a copy of the information that was given is located will be included in the departmental Public Information Request file.

### **Section 3. Costs for Public Records**

Those seeking public records will be charged the actual cost of making copies.

**Section 3.1** The charge for monochrome paper copies is 5 cents per page. Color copies are 10 cents per page.

**Section 3.2** The charge for downloaded computer files to a compact disc is \$1 per disc.

**Section 3.3.** There is no charge for documents E-mailed.

**Section 3.4** Requesters may ask that documents be mailed to them. In addition to copy charges, they will be charged the actual cost of the postage and mailing supplies. Documents will be mailed upon receipt of payment.

### **Section 4. E-mail**

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules. County employees shall use only county E-mail accounts to conduct public business.

**Section 5. Failure to respond to a public records request**

The Geauga County Commissioners' failure to comply appropriately to a public records request may result in a court ordering the Geauga County Commissioners to comply with the law and to pay the requester attorney's fees and damages.

**SECTION 1. GENERAL**

**EMPLOYEE ORGANIZATIONS  
(ORC 4117.03)**

Public employees have the right to form, join, assist, or participate in, or refrain from forming, joining, assisting, or participating in, except as otherwise provided in Chapter 4117 of the Revised Code, any employee organization of their own choosing.

## **SECTION 1. GENERAL**

### **SOLICITATION (DAS 123:7-1-01, 02)**

Solicitation or distribution of any kind by employees, non-employees, or organizations intending to solicit for sale or donation, offer employee benefit-related services, organize or solicit employees for membership, or distribute literature on County premises during normal working hours is not allowed. The Board of County Commissioners may grant exceptions for approved activities.

Employees are free to discuss these matters in both non-work and work areas only if all employees involved are on non-working time. Working hours include the working time of both the employee doing the soliciting or distributing, and the employee to whom such activity is directed. Employees may distribute literature in a non-work area on non-working time but only if all employees involved are on non-working time.

Non-employees or organizations requesting to solicit or distribute literature to employees must, each visit:

1. Give advance notice of no less than 48 hours of such intention by completing a *Solicitation and Distribution Registration* form and delivering it to the County Administrator or designee.
2. At the time of advance notice, provide a list of the names of the persons or alternates who wish access to the premises.
3. In the event two or more requests for access to a facility for the same or overlapping times have been made, the facility administrator will attempt to provide alternate designated areas. In the event that no alternate designated area is available, the facility administrator will grant access to the available designated area on a rotating basis with equal time for its use.
4. If the designated areas are unavailable due to a prior reservation, then the facility administrator shall immediately notify the requesting party of such conflict.

Non-employees or organizations may solicit or distribute literature in designated areas, provided the employees being solicited are on non-working time. Designated areas are to be determined by the County Administrator or designee as listed on the *Solicitation and Distribution Registration* form. Non-employees or organizations may not distribute literature nor solicit employees in any work area, regardless of the fact that the employees are on non-working time.

Employees, non-employees or organizations shall be permitted to post notices as approved by the County Administrator or designee at locations designated by the County Administrator. The notices shall contain the name(s) of the person(s) or organization, a brief statement of the purpose of the solicitation, the date(s), the time(s) and designated area(s) where the person(s) or organization will be available. A list of designated locations for posting notices has been established by the County Administrator.

**SECTION 1. GENERAL**

**SOLICITATION AND DISTRIBUTION REGISTRATION FORM  
COUNTY OF GEAUGA**

In accordance with the policy of the Board of County Commissioners, any employee, non-employee, or organization intending to solicit for sale or donation, offer employee benefit-related services, organize or solicit employees for membership, or distribute literature, must provide the following information, on this form, signed and dated. Employees are available only during their non-work time, as designated on this form.

1. Name of individual(s) or organization \_\_\_\_\_
2. Business address and mailing address  
\_\_\_\_\_  
\_\_\_\_\_
3. Telephone number(s) \_\_\_\_\_
4. Fax number \_\_\_\_\_
5. Type of Enterprise      \_\_\_\_\_ Charitable  
   \_\_\_\_\_ Insurance  
   \_\_\_\_\_ Employee Association  
   \_\_\_\_\_ Other, Describe: \_\_\_\_\_
6. List of names of all individuals wishing to access the premises  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Indicate date(s), time(s) and the designated area(s) requested  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Provide a brief description of the solicitation activity  
\_\_\_\_\_  
\_\_\_\_\_
9. Attach a copy of all notices to be posted to this form. Notices must contain the name of the person or organization, a statement of purpose, date, hour and designated area where the person or organization will be available, and may only be posted in areas designated by the County Administrator.

=====

\_\_\_\_\_  
Signature of Individual Making the Request

\_\_\_\_\_  
Date of Request

\_\_\_\_\_  
Printed Name of Individual Making the Request

## **SECTION 1. GENERAL**

### **FRAUD-REPORTING POLICY** (ORC 117.103 and Related Statutes)

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.

Within 30 days after beginning performance of official duties, employees shall be provided and sign the acknowledgment form verifying receipt of Auditor of State fraud reporting-system information and a copy of Ohio Revised Code 124.341 Violation or misuse – whistleblower protection, effective May 4, 2012.

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](http://www.ohioauditor.gov)

## **SECTION 2. EMPLOYMENT**

### **EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION PLAN**

The Board of County Commissioners has established, maintains and carries out a continuing Affirmative Action Plan (Resolution 85-170) designed to promote Equal Employment Opportunity in every aspect of County personnel policies and procedures. The County complies with all federal, state and county laws and regulations regarding equal opportunity in employment.

The Board of County Commissioners prohibits discrimination against any job applicant or employee, because of race, skin color, religious beliefs, gender, national origin, family status, age, military status, disability or genetics.

The Board of County Commissioners prohibits discrimination in recruitment, advertising, assignment, upgrading and merit promotion, demotion or transfer, layoff or termination, return from layoff, compensation, or selection for training and educational opportunities including apprentice or intern programs.

Complaints of discrimination in employment may be made by using the complaint form provided in the Non-Harassment policy.



Revision: August 26, 2004

## **SECTION 2. EMPLOYMENT**

### **AMERICANS WITH DISABILITIES ACT OF 1990**

It is the policy of the Board of County Commissioners to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) and the Ohio Fair Employment Practices Act. In such regard, the County will not discriminate against any qualified employee or job applicant with respect to any terms, privileges or conditions of employment because of a person's physical or mental disability. The County will provide equal opportunity in employment, in application for and participation in, or enjoyment of the benefits of County services, programs, or activities, and will allow disabled employees a bias free work environment. In compliance with the ADA and the corresponding Ohio statute, the County will provide, upon request, reasonable accommodation to qualified applicants and employees with known disabilities.

The Board of County Commissioners' Resolution Number 92-057, effective January 26, 1992 adopted internal grievance procedures providing the prompt and equitable resolution of complaints alleging a violation of the provisions of the American With Disabilities Act of 1990 and the implementing regulations.

#### **COMPLAINT PROCEDURE:**

To utilize the internal grievance procedure, employee and citizen complaints of discrimination based on a disability shall be made to the County ADA Coordinator on the appropriate form as provided by the individual departments.

## **SECTION 2. EMPLOYMENT**

### **JOB RECRUITMENT AND HIRING PROCESS**

Geauga County's *Equal Employment Opportunity Policy Statement and Affirmative Action Plan* shall be followed in all employment activities and employment decisions. Recruitment and hiring procedures shall comply with the procedures as written in the *Guide to the Job Recruitment and Hiring Process*.

For job vacancies in departments under the appointing authority of the Board of County Commissioners, the Commissioners' Human Resources staff will coordinate the hiring process for all position vacancies to ensure compliance with contractual, legal and equal opportunity requirements.

## **SECTION 2. EMPLOYMENT**

### **REHIRED RETIRANTS POLICY**

#### 1. BASIS FOR POLICY

The Geauga County Board of Commissioners (“Board”) recognizes that a personnel system that recruits and retains competent, experienced and dependable personnel is essential to an efficient operation. However, the Board feels rehiring retirees increases costs to the County, jeopardizes the long-term security of the OPERS system for future retirees, decreases lower level employee morale, causes a loss of public trust, and promotes the perception of nepotism, cronyism and corruption.

#### 2. REHIRED RETIRANT POLICY

It is the preference of the Board not to rehire individuals who have retired from their positions. Nevertheless, such applicants will be considered and hired if they are the best candidate for the position taking into consideration the criteria set forth herein, and after the Board gives sixty (60) days’ notice and holds a public hearing according to O.R.C. § 145.381.

The process for considering a retired applicant shall be the same process which is applied to all applicants. The Board will conduct a competitive process and will consider whether the retired employee is the best qualified applicant for the job, has a high quality work record from the former position, will work for a wage consistent with the Board’s compensation plan, and the appointment will serve the needs of the County.

## **SECTION 2. EMPLOYMENT**

### **TYPES OF EMPLOYMENT CIVIL SERVICE APPOINTMENTS (ORC CHAPTER 124)**

All County employees are either classified or unclassified.

Classified employees are members of the Civil Service of Ohio. Civil service employees are covered under Civil Service law as provided in Chapter 124 of the Ohio Revised Code. The majority of positions in Geauga County are classified. A classified employee is subject to examination and has employment protection under the terms of Ohio civil service laws.

An unclassified employee is not subject to examination, serves at the pleasure of their appointing authority and does not have lay-off and other job security protections of Ohio Civil Service laws. Unclassified employees usually hold policy-making or principal managerial positions with significant authority to act for the agency.

Generally, a previously classified employee cannot become unclassified without their written consent. A position can be changed to unclassified, but the employee remains classified until that employee vacates the position or unless otherwise provided by law.

Positions of the Department of Job & Family Services are subject to competitive examination which is open to all within limitations determined by the Department of Administrative Services. A certified appointment is made from an eligibility list of persons who passed the Civil Service Examination. An employee who has either been appointed from an eligibility list or appointed without an examination for a period equal to their probationary period or six (6) months, whichever is longer, is certified in their position.

#### **DEFINITIONS:**

**CIVIL SERVICE:** all offices and positions of trust or employment in the service of the state and the counties, cities, city health districts, general health districts, and city school districts thereof.

**CLASSIFIED SERVICE:** the competitive classified civil service of the state, the several counties, cities, city health districts, general health districts, city school districts thereof, and civil service townships.

**UNCLASSIFIED SERVICE:** all offices and positions which are exempt from all examinations and which provide no tenure under the law are unclassified. Appointment to a position in the unclassified service may be made at the discretion of the appointing authority and the incumbent may be removed, suspended, or reduced from the position at the pleasure of the appointing authority.

## **SECTION 2. EMPLOYMENT**

**APPOINTING AUTHORITY:** an officer, commission, board, or body having the power of appointing to, or removal from, a position in any office, department, commission, board, or institution.

**EMPLOYEE:** any person holding a position subject to appointment, removal, promotion, or reduction by an appointing officer.

### **APPOINTMENTS:**

Appointments are categorized as either full-time or part-time, and may be permanent, temporary, or seasonal.

Temporary and seasonal appointments are in the unclassified service.

**FULL-TIME APPOINTMENT** is made to a position that requires an employee to work a minimum of 35 hours in a 7 day week year round, or 70 hours per bi-weekly period. Approved exceptions in effect prior to this revision shall remain in effect.

**PART-TIME APPOINTMENT** is made to a position that requires an employee to work less than 35 hours in a 7 day week year round.

**PERMANENT APPOINTMENT** for a classified employee is made for an indefinite period of time, upon successful completion of the position's established probationary period, and continuing as long as job performance is satisfactory.

**TEMPORARY APPOINTMENT** is made to fill a position required for special or emergency projects, or a permanent position that is temporarily vacant. Such appointments shall not exceed 6 months, and may be filled by utilizing a temporary employment service. Such 6-month temporary appointment will not be successive.

**SEASONAL APPOINTMENT** is made to a position that requires an employee to work for a specified period of the year, including but not limited to summer help.

**NOTE:** The above relates to appointment categories and not eligibility requirements for health insurance benefits.

## **SECTION 2. EMPLOYMENT**

### **PROBATIONARY PERIOD**

The probationary period set by the Board of County Commissioners for all classified employees, whether part time or fulltime, at the beginning of an original appointment in the County service shall be fixed at one year. Time spent on leave of absence without pay shall not be counted as part of the probationary period. Probationary periods shall be extended by an equal number of days the employee spends in unpaid status.

If, at any time during the probationary period, an employee's service is determined to be unsatisfactory, the employee may be removed or reduced. Probationary employees may be evaluated by their immediate supervisor on a quarterly basis throughout the probationary period and two weeks prior to the end of the probationary period.

A probationary period of one hundred eighty (180) days immediately following a promotion shall be established for evaluation of the employee in a classified appointment, not to unclassified positions. All classified employees shall serve a minimum of a one year total probationary period whether or not such classified employee is promoted during the fixed original appointment probationary period.

A change in status from part-time to full-time, or temporary to permanent, in the same job classification does not require the employee to serve an extended or additional probationary period.

## **SECTION 2. EMPLOYMENT**

### **PERFORMANCE EVALUATION (ORC 124.31, DAS 123:1-29-01,02)**

The tenure of every employee of the County is based on the Personnel Policy and Procedure Manual as adopted by the Geauga County Commissioners and as provided in the Ohio Revised Code.

Performance evaluations are done for the following reasons: (1) to assess the employee's performance, (2) to provide a means of communication between the supervisor and the employee, (3) to identify problems, and (4) to support disciplinary actions.

Probationary employees may be evaluated quarterly by their immediate supervisor throughout the one year probationary period and two weeks prior to the end of the probationary period. All non-probationary employees shall be evaluated annually.

Performance evaluation forms as approved by the Board of Commissioners will be used. Employees will be evaluated by their immediate supervisor and their department director, and a performance interview will be held by the supervisor. The employee will be asked to sign the evaluation to show that the employee has reviewed the completed evaluation and will receive a copy.

The employee's signature does not necessarily indicate agreement with the evaluation. If an employee feels the evaluation rating is not a true reflection of job performance, the employee has the right to submit a statement of explanation and/or rebuttal to be filed with the evaluation form.

The employee may further request, in writing, a review of the evaluation with the County Director of Administrative Services, provided that the employee has signed the evaluation form.

The Board of County Commissioners may establish a procedure for evaluating the performance of the Department Directors.

## SECTION 2. EMPLOYMENT

NOTE: Geauga County may use the Ohio Department of Administrative Services evaluation form or create a similar such evaluation form. This form may be found on the Commissioners' website under the Human Resources tab.

**OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES — EMPLOYEE PERFORMANCE EVALUATION**  
(See instructions on other side and in manual)

Employee Name (last name first)	<del>Ohio Security Clear</del>	Department & Division	Type of Rating <input type="checkbox"/> Probationary <input type="checkbox"/> Annual <input type="checkbox"/> Special
---------------------------------	--------------------------------	-----------------------	---

CIRCLE APPROPRIATE NUMBER

1. **QUALITY OF WORK** (accuracy, neatness, thoroughness)
 

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Inferior Work			Border			Meets			Highly					Excellent
				Conflicts			Requirements			Accurate					
2. **QUANTITY OF WORK** (volume, amount, speed)
 

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Very Slow			Inadequate			Adequate			Rapid				Highly	
				Work						Worker				Productive	
3. **KNOWLEDGE OF WORK**

0	1	2	3	4	5	6	7	8	9	10					
	Worst			Limited			Adequate			Good				Excellent	
	None									Understanding				Knowledge	
4. **ADAPTABILITY** (adjustment to change, ability to learn)
 

0	1	2	3	4	5	6	7	8	9	10					
	Unable			Slow in			Self-suffic			Adapts				Rapid	
	To Adjust			Learning						Readily				Learn	
5. **DEPENDABILITY** (reliability)
 

0	1	2	3	4	5	6	7	8	9	10					
	Needs Constant			Needs frequent			Usually			seldom				Highly	
	Supervision			Checking			Dependable			Needs				Relies In	
										Checking					
6. **COOPERATION** (working with other employees)
 

0	1	2	3	4	5	6	7	8	9	10					
	Uncooperative			Has			Some of			Gets Along				Excellent	
				Difficultly			Cooperation			Well				Relation	
7. **JUDGMENT** (ability to make decisions, plan work)
 

0	1	2	3	4	5	6	7	8	9	10					
	Disorganized			Limited			Plans			Logical				Creative	
				Judgment			Well			Tactful					
8. **INITIATIVE** (motivation, interest in work)
 

0	1	2	3	4	5	6	7	8	9	10					
	Little			Needs			Adequate			Considerable				Highly	
	Initiative			Pushing										Motivated	
9. **PERSONALITY** (courtesy, appearance, public relations)
 

0	1	2	3	4	5	6	7	8	9	10					
	Rude			Indifferent			Adequate			Pleasant				Exceptional	
	Slowly						for Job			Courteous					

**SIGN TO INDICATE ACKNOWLEDGMENT, BUT NOT NECESSARILY AGREEMENT.** (comment if desired)

"In the event of layoff, performance evaluations determine your efficiency points which are a part of your total retirement points."

Signature \_\_\_\_\_ Date \_\_\_\_\_

For DAS use

A20-424/ Rev. 5-74



**PERFORMANCE EVALUATION RATING GUIDE  
TO BE USED WITH GEAUGA COUNTY PERFORMANCE EVALUATION**

When the employee being rated has received disciplinary action during the rating period, it should be recorded as 5 points under the appropriate item.

1. **Quality of Work:** Consider neatness and accuracy of the work regardless of volume. Does the employee's output conform to the supervisor's standard for that type of work? Is the employee effective in achieving results? Does the employee perform the work in a safe manner without injury to himself or others? The supervisor will be provided a list of the employee's safety records. The supervisor shall deduct 1-3 points per incident. Deductions shall be based on the severity of the accident or injury.
2. **Quantity of Work:** Consider the volume of work. Are the quantitative standards established by the supervisor generally met by the employee?
3. **Knowledge of Work:** Consider how well the employee knows the work. Does the employee retain over a period of time the knowledge necessary in the use of the tools and equipment required? If testing is done, the supervisor will be provided with the results of the employee's testing and the results shall be the major factor in the rating.
4. **Adaptability:** Consider the employee's ability to adequately and rapidly adjust to changes or job duties. If testing is done, the supervisor will be provided with the results of the employee's testing and results shall be the major factor in the rating.
5. **Dependability:** Consider the employee's reliability in carrying out instructions. Can you depend on the employee to do the job without undue delay? The employee's attendance shall be considered a major factor when rating an employee under this item, and shall be reflected in the rating using the following table:

a. Absent 0 days	(10)
b. Absent 1-2 days	(9)
c. Absent 3-5 days	(8)
d. Absent 6-8 days	(7)
e. Absent 9-14 days	(6)
f. Absent 15-20 days	(5)
g. Absent 21-25 days	(4)
h. Absent 26-30 days	(3)
i. Absent 31-35 days	(2)
j. Absent 36-40 days	(1)
k. Absent over 40 days	(0)

6. **Cooperation:** Consider the employee's ability to cooperate with co-workers. Is the employee's manner of dealing with co-workers cooperative, helpful, courteous, and tactful?
7. **Judgment:** Consider the employee's ability to think intelligently, to plan work effectively, and to make logical decisions. Is the employee frequently used in a temporary supervisory capacity, and how well does he or she perform when assigned this responsibility? The supervisor will be provided with a list of those employees used in this capacity.
8. **Initiative:** Consider the employee's motivation, interest in the work, and reliability in carrying out assignments. Does the employee respond when required to work in excess of his normal work schedule, or has he or she developed an indifferent attitude? The employee's response to call outs will be provided.
9. **Personality:** Consider the suitability of the employee for the type of job performed. Consider his or her ability to get along with co-workers and with the public.

Employee's earning ratings for exceptional and superior performance of their job duties and responsibilities will have earned an AA rating for the next calendar year.

## **SECTION 2. EMPLOYMENT**

### **HOURS OF WORK**

Department Directors, acting in agreement with the Board of County Commissioners, are responsible for establishing the work week for their respective departments in accordance with the service(s) provided to the public and the working practices of each department and office.

#### **WORK SCHEDULE:**

The standard work week for departments under the hiring authority of the Board of County Commissioners shall be 12:01 A.M. Sunday through 12:00 midnight Saturday.

Department Directors shall assign an employee's work schedule and may assign an irregular work schedule because of the work the unit performs, because of unusual weather conditions, or because the department is required to provide 24 hour and/or on-site emergency services. Whenever possible, Department Directors shall notify employees 24 hours in advance if an irregular work schedule must be assigned.

Except as otherwise provided by labor agreement, job description, or other established work week, the regular work week for employees runs from 8:00 AM to 4:30 PM, Monday through Friday, and the normal work day shall be eight (8) hours and includes a one-half hour unpaid lunch and two 15 minute paid breaks. Breaks may be combined for a one hour lunch. Employees are to be on duty for a minimum of one (1) hour at the beginning of the day and after lunch before a break can be taken.

No employee should be required to work more than five (5) consecutive hours without a 15 minute break or lunch.

Individual requests for adjustment of working hours for personal reasons will be considered based on the effect such adjustment would have on the entire department and the County.

#### **CONTINUOUS STAFFING:**

Where staffing allows, lunch and break periods will be scheduled to provide continuous staffing of all offices with at least one person.

#### **SAFETY FORCE:**

Employees who are members of local safety forces shall be allowed to leave work to answer emergency calls with no loss of wages. The employee must notify their supervisor of the emergency before leaving the work area.

#### TRAVEL TIME:

Daily travel time from home to County offices, including satellite offices and work sites, does not qualify as hours worked. Time spent traveling on official County business qualifies as hours worked.

#### FLEXIBLE HOURS

Hours of work for hourly employees may vary from normal work hours subject to supervisor approval. At the request of the employee and subject to the operational needs of the department, an hourly employee may flex work time in place of sick or vacation within a work week provided the total number of hours is no less than the total number of hours regularly scheduled during their work week. There shall be documentation for flex time on time sheets or other time keeping records determined by appointing authority.

Hours of work for overtime exempt employees may vary from normal work hours subject to supervisor approval provided they work at least the total number of hours scheduled during the pay period. Overtime exempt employees may use a full scheduled day of work as flextime rather than sick or vacation time with prior approval of the immediate supervisor provided the time is used within the pay period in which it was accrued.

#### EMPLOYMENT OF MINORS:

Special restrictions on the hours of work, along with terms and conditions of employment, and additional administrative duties for employers, may apply for the employment of minors.

## **SECTION 2. EMPLOYMENT**

### **EMPLOYMENT SEPARATION**

Employment with the County may be terminated by service retirement, retirement eligibility, disability separation, discharge, employee-initiated resignation, probationary removal, failure of conditional employment requirements, or layoff.

1. **SERVICE RETIREMENT:** Voluntary termination after having satisfied the age and length of employment requirements of the applicable state retirement system procedures for applying for retirement benefits. The termination is preceded by a letter from the employee to his/her department director advising of the service retirement.
2. **RETIREMENT ELIGIBILITY:** As a member of a state retirement system, a county employee may be eligible to retire under the Ohio Public Employees Retirement System (OPERS). The employee should contact the Public Employees Retirement Board who shall make the determination.
3. **DISABILITY SEPARATION:** A voluntary or involuntary separation granted by the appointing authority and the director when an employee becomes unable to perform the essential job duties of the employee's position.
4. **DISCHARGE:** Involuntary termination of an employee by the County following, or as the result of, disciplinary action.
5. **EMPLOYEE-INITIATED RESIGNATION:** Voluntary termination for any reason other than formal retirement. An employee wanting to leave the County in good standing shall provide a written resignation at least 14 calendar days prior to the effective date of resignation. An employee in a supervisory position should provide a written resignation at least 30 calendar days prior to the effective date of resignation. At minimum, notice should contain the effective date of resignation.
6. **REEMPLOYMENT AFTER RESIGNATION:** If the individual is interested in reemployment at a later date, the individual will proceed through the regular hiring procedures with other applicants. An individual re-instated in his/her former position may be paid at the same pay rate at the time he/she left the County. The pay rate of an employee re-hired to a position other than the former position will be subject to provisions for new hire.
7. **PROBATIONARY REMOVAL:** Termination of an employee's employment for unsatisfactory performance during a probationary period being served by an employee.
8. **FAILURE OF CONDITIONAL EMPLOYMENT REQUIREMENTS:** Termination of an employee's employment for failure to meet the requirements of the offer of conditional employment. This is not a probationary failure.

9. LAYOFF: Termination of an employee by the County within an appointing authority for lack of work, lack of funds, as a result of abolishment of position, or other changes that have taken place. The appointing authority shall lay off classified service employees or abolish their positions in accordance with sections 124.321 to 124.327 of the Revised Code and labor contracts.

#### SEPARATION:

Separation of an employee under the appointing authority of the Board of County Commissioners shall be placed on the agenda and brought to session for acceptance.

#### Voluntary Separation

Employees who are voluntarily separating should provide a written letter of resignation. Once the separation is accepted, the termination date may not be changed without agreement between the employer and employee. The Commissioners' Clerk will send a letter of acknowledgment to the employee.

#### Involuntary and Voluntary Disability Separations for failure to perform job; other separations

If an employee does not give written notice, the employee may be separated for failure to perform his/her job. Such separations will be pursuant to the Ohio Administrative Code Rules. Classified service employees may also be separated for disciplinary reasons as set forth in this Policy and Procedures Manual.

#### REINSTATEMENT AFTER RESIGNATION:

An employee in the classified service who resigns, having served the required probationary period, and who left in good standing, may be reinstated upon request to the appointing authority to the same or a similar position in that agency, at any time within one year from the date of such resignation. A new probationary period must be completed. An employee who is reinstated from resignation following a break in service shall be given an appointment date based on the date of reinstatement.

#### EXIT PROCESS:

The supervisor should attempt to schedule an *Exit Interview* with the employee prior to the last day of employment. Temporary employees do not participate in the exit interview process unless information can be gained which will improve or enhance present employment conditions.

Employees shall return all County property, including confidential information, on their last day of service. Failure to do so may result in legal action.

## EXIT INTERVIEW

Completed by: \_\_\_\_\_ For Department: \_\_\_\_\_

Date Completed: \_\_\_\_\_

1. What did you like best/least about working for the County?
  
2. What did you like best/least about your position?
  
3. In your opinion, were you adequately compensated for your skills?
  
4. Were you given sufficient advancement/learning opportunities?
  
5. Were you satisfied with the working relationship you had with your supervisor?
  
6. How would you rate your supervisor on the following points:
  - A. Demonstrates fair and equal treatment
  - B. Provides recognition on the job
  - C. Follows consistent policies and practices
  - D. Encourages feedback and welcomes suggestions
  - E. Ability to handle complaints
  - F. Expresses instructions clearly
  - G. Informs employees on matters directly relating to their job
  
7. How would you improve department or County procedures to make this a better place to work?
  
8. Would you recommend the County to friends and/or relatives as a place to work?
  
9. Why are you leaving your employment with the County?
  
10. What kinds of skills and knowledge are needed by a person filling your position?
  
11. Do you have any other comments or suggestions?

## **SECTION 2. EMPLOYMENT**

### **OUTSIDE EMPLOYMENT**

If an employee works for another employer, or is self-employed, that employment or self-employment must not interfere with the employee's work performance or required hours of work with the County, and must not involve any potential conflict of interest.

Employees are required to notify their Department Director of their employment for another employer or of their self-employment and to provide the name of the employer and the nature of the work performed.

In situations where there may be a potential conflict of interest resulting from the employee's outside employment and the employee's position with the County, the county Prosecutor will be consulted to determine if a conflict exists pursuant to Ohio's ethics laws. Employees are advised to discuss outside employment with the Department Director prior to accepting such employment or commencing self-employment activities.

## **SECTION 3. CONDUCT**

### **EMPLOYEE CONDUCT AND DISCIPLINE**

It shall be the duty of employees to maintain high standards of good behavior and efficient service in the performance of their work with the County, which shall be based on reasonable standards of job performance, personal conduct, and professional conduct. The reasonable person standard is defined as the action the employee took was that which would be taken by an ordinary person under similar circumstances. Failure or refusal to meet these standards shall constitute just cause for disciplinary action.

Discipline shall be administered fairly, reasonably, and impartially. Employees and the County are best served when discipline is administered to correct actions rather than to punish.

#### **PROGRESSIVE DISCIPLINE**

Except for serious infractions, the County generally adheres to a corrective action policy of progressive discipline. The degree of discipline administered for violations of policy will depend on the severity of the infraction and shall be in accordance with any applicable labor contracts, civil service rules and regulations, County policies and procedures, as well as local, state or federal laws and regulations.

It is the responsibility of each department director and supervisor to evaluate thoroughly the circumstances and facts as objectively as possible and then apply or recommend the most suitable form of discipline. Department directors may delegate discipline authority to supervisors for first offense infractions, but the supervisor must inform the department director of the disciplinary action taken. Before imposing a reduction in pay, reduction in position, suspension, or termination, the appointing authority shall hold a pre-disciplinary conference with the employee unless the pre-disciplinary conference is waived by the employee.

All steps of the corrective action sequence shall be recorded, using the forms provided in this policy. Exceptions to this progressive system may be made in cases of serious misconduct (conduct warranting discipline greater than a reprimand/warning). If such an exception is made, the facts documenting the exception will be recorded. All counseling, instruction, and other records of disciplinary actions shall have supporting documentation attached and will be placed in the employee's Personnel File. Employees may write a statement of explanation or rebuttal for inclusion in their Personnel File for any disciplinary action taken against them.

An employee who is placed on disciplinary suspension is not permitted to use vacation or compensatory time during this period. However, the appointing authority and employee may agree that a disciplinary suspension or part thereof can be forfeiture of accrued vacation leave or compensatory time. Any forfeiture of vacation or compensatory time leave shall still count as a disciplinary unpaid suspension.



### **SECTION 3. CONDUCT**

Types of Disciplinary Action	
First Offense	Verbal warning and instruction
Second Offense	Formal written reprimand
Third Offense	Suspension from work without pay or a fine
Fourth Offense	Termination of employment
Other forms of disciplinary action	Fine or demotion

#### CAUSES FOR DISCIPLINARY ACTION

General causes for which an employee may be disciplined include, but are not limited to:

1. Incompetence
2. Inefficiency
3. Unsatisfactory job performance
4. Non-completion of assigned duties
5. Dishonesty and theft
6. Being under the influence of alcohol or a controlled substance or being under the influence of a legal/prescription drug which impairs the employee's ability to safely perform his or her job duties.
7. Immoral conduct
8. Insubordination
9. Discourteous treatment of members of the public
10. Neglect of duty
11. Violation of any provisions of County policies or procedures.
12. Any other act of misfeasance, malfeasance, or non-feasance of position
13. Contributing to and/or engaging in behavior which creates and/or results in a hostile work environment by act or omission

### **SECTION 3. CONDUCT**

14. Poor, ineffective, and/or unprofessional management or supervision
15. Discourteous or abusive treatment or mistreatment of co-workers, subordinates, supervisors, and/or managers.
16. Off-duty misconduct which has a nexus to the employee's position and reflects in a negative manner toward the employer.

The following actions, which are not intended to be all inclusive, may warrant immediate discharge:

1. Drunkenness on the job
2. Gambling on County property
3. Bringing intoxicants or narcotics onto County property or usage of intoxicants or narcotics on County property
4. Fighting on County property
5. Theft of County property
6. Willful insubordination
7. Willful destruction or misuse of County property
8. Possessing unauthorized firearms on County property
9. Unauthorized leave of absence
10. Falsification of any personnel related records, regardless of when discovered
11. Falsification of any work records
12. Any other action deemed serious enough by administrative personnel

**INCIDENT REPORT**  
**SUPERVISOR'S DOCUMENT**  
**Conduct And Discipline Policy**

Date \_\_\_\_\_  
Time \_\_\_\_\_

Violator's Name \_\_\_\_\_

Brief description of the violation \_\_\_\_\_

\_\_\_\_\_

To be placed in Supervisory file.

\*\*\*\*\*

**VERBAL COUNSELING**  
**Conduct And Discipline Policy**

On \_\_\_\_\_ at \_\_\_\_\_, I (counseled/instructed) \_\_\_\_\_  
(date) (time) (employee name)

About: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee Comments, if any:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Supervisor/Director Signature

To be placed in Personnel File  
Copy to: Department Director

**WRITTEN REPRIMAND**  
**Conduct and Discipline Policy**

Date: \_\_\_\_\_  
Employee Name: \_\_\_\_\_  
Department: \_\_\_\_\_

You are hereby reprimanded for violating the policy and/or rules of the Board of County Commissioners of Geauga County, as follows:

On or about \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ you (description of violation)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Rule or Policy Violation Cited:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Improvements Necessary:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ANY FURTHER VIOLATIONS MAY BE CAUSE FOR TERMINATION OF EMPLOYMENT.

\_\_\_\_\_  
Employee Signature\*

\_\_\_\_\_  
Department Director Signature

\_\_\_\_\_  
Supervisor Signature

\* Signature indicates review, not necessarily agreement.

To be placed in Personnel File  
Copy to:     Employee  
              Department Director

## **SECTION 3. CONDUCT**

### **DISCIPLINARY PROCESS**

Non-probationary classified employees have a right to a pre-disciplinary hearing to determine that there are reasonable grounds to believe that the charges against the employee are true and support the proposed action:

1. When a department director has cause to believe that an employee should receive a disciplinary suspension, reduction in pay or position, or removal from public service, the department director shall notify the County Administrator in writing.
2. The County Administrator shall appoint a Hearing Officer to investigate the matter. The Hearing Officer should be an impartial third party and will have complete independence in obtaining facts and making decisions, and shall not be involved in the issue causing the complaint.
3. The Hearing Officer may obtain facts through an inquiry and discuss them among all parties. This will allow the employee to tell his/her side of the story and respond to written charges which have been served by a department director.
4. Should the Hearing Officer determine there are sufficient grounds to conduct a hearing, he/she shall set a hearing date within a reasonable period of time of the written charges which have been appealed and send a *Notice of Pre-Disciplinary Hearing* to the employee with a copy to the County Administrator and to the department director.
5. If the employee accepts the proposed discipline, he/she may waive the right to a hearing by notifying the Hearing Officer in writing.
6. If the hearing is not waived, the employee will be given the opportunity to tell his/her side of the disciplinary matter and to rebut the written charges. Witness statements may be presented at the hearing by either side when such statements contain relevant, credible evidence.
7. The employee is permitted to have one legal representative at the hearing, providing notice is given to the Hearing Officer at least one day in advance of the hearing.
8. The Hearing Officer shall conduct the hearing. The Hearing Officer may record the meeting. The Hearing Officer shall determine when the meeting is concluded and will adjourn the meeting.

### **SECTION 3. CONDUCT**

9. At the conclusion of the hearing, the Hearing Officer shall prepare a report with recommendations for disciplinary action and submit it to the County Administrator within a reasonable period of time. An executive session will be scheduled with the Board of County Commissioners.
10. During the executive session, the Board of County Commissioners shall review the report of the Hearing Officer and may order adoption, modification or rejection of the recommended disciplinary action, or may rehear the matter as the final action after such public action in accordance with R.C. 121.22.
11. Employees may appeal suspensions of more than 3 days, reduction in position, or removal, to the State Personnel Board of Review in accordance with the rules of that body, within 10 days of being served with the order.
12. The decision of the State Personnel Board of Review may be appealed to the Court of Common Pleas by either the County or the employee.

#### **APPEALS:**

The appointing authority shall furnish the employee with a copy of the *Order of Removal, Reduction, Suspension, Involuntary Disability Separation* form, which states the reasons for the action. The appointing authority shall provide a copy of the order on or before the day it takes effect.

**NOTICE TO EMPLOYEE OF PROPOSED DISCIPLINE**

Date of Notice \_\_\_\_\_

Employee \_\_\_\_\_

Job Title \_\_\_\_\_

Department \_\_\_\_\_

Proposed Discipline: \_\_\_\_\_

Reasons for Proposed Discipline:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Policy, Rule, Procedure, Statute Violated: \_\_\_\_\_

Employee Rights:

1. You will be given the opportunity for a hearing on this issue and you will receive a *Notice to Employee of Pre-Disciplinary Hearing* from the appointed Hearing Officer with the time, date, and place of the hearing. The facts and circumstances of the case shall be heard and the proposed discipline will be determined and recommended to the Board of County Commissioners.
2. You have the right to waive the hearing, by written notice to the Hearing Officer, indicating acceptance of the discipline as proposed on this notice.
3. Absent any extenuating circumstances, failure to appear at the hearing will result in the waiver of your right to a hearing.

\_\_\_\_\_  
Employee Signature/Date

\_\_\_\_\_  
Department Director Signature/Date

cc: County Administrator  
Hearing Officer

**WAIVER OF PRE-DISCIPLINARY HEARING**

In response to the notification of proposed discipline on \_\_\_\_\_ (date), I hereby waive my right to a pre-disciplinary hearing and agree with the Proposed Disciplinary Action.

\_\_\_\_\_  
Employee Name & Date

**NOTICE TO EMPLOYEE OF PRE-DISCIPLINARY HEARING**

Date: \_\_\_\_\_  
Employee: \_\_\_\_\_  
Job Title: \_\_\_\_\_  
Department: \_\_\_\_\_

You are hereby notified that I, \_\_\_\_\_, have been appointed as the Hearing Officer in the matter as described in the *Notice to Employee of Proposed Discipline* dated \_\_\_\_\_.

You are hereby notified that you will be provided a hearing on the alleged infraction(s) on the following date: \_\_\_\_\_ at the following time: \_\_\_\_\_ and at the following location: \_\_\_\_\_

You may waive your right to this pre-disciplinary hearing by notifying me in writing prior to the hearing date, indicating acceptance of the discipline as proposed.

I shall conduct the pre-disciplinary hearing and determine all questions of procedure and evidence related to the hearing, including the manner and method of questioning and the issues to be addressed.

You are permitted to bring one legal representative with you to the hearing provided you have notified me at least one day in advance of the hearing.

You are permitted to provide a list of witnesses, with a brief summary of their testimony, to me at least one day in advance of the hearing. If I limit the number of witnesses who may appear at the hearing, you may present written witness statements when such statements contain relevant, credible evidence.

At the conclusion of the hearing, a determination shall be made and a report submitted with recommendations to the Board of County Commissioners within a reasonable length of time.

You will be duly notified of the decision of the Board of County Commissioners.

\_\_\_\_\_  
Hearing Officer Signature/Date

\_\_\_\_\_  
Employee Signature/Date

c: County Administrator  
Hearing Officer

**WAIVER OF PRE-DISCIPLINARY HEARING**

In response to the notification of proposed discipline on \_\_\_\_\_ (date), I hereby waive my right to a pre-disciplinary hearing and agree with the Proposed Disciplinary Action.

\_\_\_\_\_  
Employee Name & Date



## **SECTION 3. CONDUCT**

### **GRIEVANCE PROCEDURES**

The County provides its employees with procedures for resolving complaints that allege that they have not been treated fairly or in accordance with the County rules and procedures. This grievance procedure is based on the petition by and review of an employee grievance in ascending levels of authority up to and including the County Administrator.

A grievance is a complaint by a grievant alleging that the appointing authority and/or its agents, violated, misapplied, and/or misinterpreted a specific written provision of the appointing authorities' policy or procedure or has misapplied or misinterpreted a specific provision of the Geauga County Personnel and Policy Procedure Manual.

A grievant is an employee, or group of employees of the appointing authority except that probationary employees do not have any grievance or appealable rights over any disciplinary matter during their probationary period. Where more than one employee is a grievant, each shall sign the grievance form.

A day is a scheduled work day, excluding weekends and holidays, for the purpose of this policy.

When normal communication between an employee and the supervisor is not successful, or when an employee disagrees with the application of County policies and procedures, the employee should follow the Grievance Procedure.

- (A) Step 1: Within 3 days of the occurrence of the situation causing the grievance, the grievant shall present a completed, signed *Grievance Report Form* to the immediate supervisor. The immediate supervisor shall investigate and provide a solution or explanation within three (3) working days following the day on which the supervisor was presented the grievance.
- (B) Step 2: If the aggrieved employee is not satisfied with the answer in Step 1, he/she may submit the grievance in writing on the *Grievance Report Form* as Step 2, to his/her Department Director within two (2) working days after receiving the Step 1 answer. The Department Director shall arrange a meeting with the aggrieved employee within three (3) days after receipt of the grievance form. The Department Director shall provide the grievant a written disposition of the grievance within five (5) days after the meeting.
- (C) Step 3: If the action in Step 2 does not resolve the grievance, the grievant may proceed to Step 3 by filing the *Grievance Report* form with the County Administrator, or designee, within two (2) days after receiving the Step 2 answer. The County Administrator shall arrange a meeting with the grievant within three (3) days after receipt of the grievance form. The County Administrator will present the grievant with a written disposition within five (5) days after the meeting. The decision shall be final and binding. Time limits may only be extended by mutual agreement of the parties.

**GRIEVANCE REPORT FORM**

**SECTION I. TO BE COMPLETED BY EMPLOYEE(S)**

NAME(S) OF GRIEVANT(S): \_\_\_\_\_  
DATE SUBMITTED: \_\_\_\_\_  
DEPARTMENT: \_\_\_\_\_  
JOB TITLE: \_\_\_\_\_  
DATE GRIEVANCE OCCURRED: \_\_\_\_\_  
STEP OF GRIEVANCE PROCEDURE: STEP 1, STEP 2, STEP 3 (CIRCLE ONE)

STATE GRIEVANCE WITH SPECIFIC INFORMATION, INCLUDING POLICY, RULE OR STATUTE THAT YOU BELIEVE HAS BEEN VIOLATED:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RELIEF SOUGHT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF GRIEVANT(S)

\_\_\_\_\_  
DATE SIGNED

**SECTION II. TO BE COMPLETED BY ADMINISTRATIVE PERSONNEL**

STEP OF GRIEVANCE PROCEDURE: STEP 1, STEP 2, STEP 3 (CIRCLE ONE)

DISPOSITION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE AND TITLE

\_\_\_\_\_  
DATE SIGNED

- STEP 1: GRIEVANT TO SUPERVISOR WITHIN 3 DAYS OF SITUATION. SUPERVISOR TO REPLY WITHIN 3 WORKING DAYS.  
STEP 2. GRIEVANT TO DEPARTMENT DIRECTOR WITHIN 2 DAYS OF STEP 1 RESPONSE. DEPARTMENT DIRECTOR TO MEET WITH GRIEVANT WITHIN 3 DAYS, AND RESPOND IN WRITING WITHIN 5 DAYS.  
STEP 3. GRIEVANT TO COUNTY ADMINISTRATOR WITHIN 2 DAYS OF STEP 2 RESPONSE. COUNTY ADMINISTRATOR TO MEET WITH GRIEVANT WITHIN 3 DAYS, AND RESPOND IN WRITING WITHIN 5 DAYS. THIS DECISION IS FINAL AND BINDING.

## **SECTION 3. CONDUCT**

### **VIOLENCE IN THE WORKPLACE**

#### **POLICY:**

The Geauga County Board of Commissioners is committed to providing a work environment that is safe, secure, and free of harassment, threats, intimidation and violence. Consistent with this policy, threats or acts of violence of any kind against County employees in the workplace in any form by any person will not be tolerated.

#### **RESPONSIBILITIES:**

All employees are responsible for helping to maintain a violence-free workplace. Each employee is required to govern him or herself accordingly.

#### **PROHIBITED ACTIVITY:**

Includes, but is not limited to:

- Destroying or threat of destruction of County property
- Threatening harm to an employee or his family, friends, associates or property
- Unauthorized possession or inappropriate use of firearms, weapons, or other dangerous devices
- Punching, kicking, slapping, shoving
- Committing arson
- Threatening suicide
- Stalking
- Menacing by intentionally placing another person in fear of death, imminent serious physical injury or physical injury

#### **REPORTING PROCEDURE:**

If necessary, employees should dial 9+9-1-1 from a county phone extension, or 9-1-1 from an outside phone, to summon emergency assistance. Employees who become the subject of personal attack, verbal or otherwise, are directed to break off communications immediately and report the incident to their immediate supervisor. Any employee experiencing an act or threat of violence is directed to follow up their verbal report by completing a *Critical Incident Report*. If formal disciplinary steps are taken against an employee, a copy of the report will be filed with the Risk Manager.

#### **INVESTIGATION:**

Gauga County will conduct a prompt and thorough investigation of all complaints of such prohibited activity. Failure by any employee to cooperate with the investigation will be a violation of this policy.

**DISCIPLINARY ACTION:**

Any of the following acts shall subject an employee to discipline;

- Engaging in any prohibited activity in this policy
- Failure of a supervisor to report or adequately address such violence
- Employees knowingly filing a false claim of violence
- Failure to cooperate with investigation of a complaint
- Retaliatory action against complainant or any person involved in the investigation

**NON-RETALIATION:**

There shall be no retaliation against any employee for filing a *Critical Incident Report* of a prohibited activity or for assisting, testifying, or participating in the investigation of such a complaint. Disciplinary action taken against an employee for filing a false claim shall not be considered retaliation as it pertains to this section of the policy.

**CRITICAL INCIDENT REPORT  
VIOLENCE IN THE WORKPLACE POLICY**

Date of alleged incident: \_\_\_\_\_

Location of alleged incident: \_\_\_\_\_

Name of offender: \_\_\_\_\_

Other(s) Involved, If Any: \_\_\_\_\_

Witnesses, If Any: \_\_\_\_\_

Please provide a description of incident:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date of Complaint

\_\_\_\_\_  
Name of Complainant - Please Print

\_\_\_\_\_  
Signature of County Representative

\_\_\_\_\_  
Date of Receipt

NOTE: If formal disciplinary steps are taken against an employee, a copy of this report is to be sent to the County Risk Manager.

## **SECTION 3. CONDUCT**

### **NON-HARASSMENT POLICY**

#### **POLICY:**

Geauga County is committed to providing a work environment that is safe and free from all forms of discrimination and harassment on the basis of race, color, sex, gender, religion, age, ancestry, national origin, mental or physical disability or handicap or genetic information. Any form of such conduct is against the policy of Geauga County, is illegal under state and federal law and will not be tolerated. Such conduct shall be reported and addressed in accordance with this policy. The policy covers all employees, supervisors, department heads and elected officials. Additionally, this policy covers all suppliers, subcontractors, residents, visitors, clients, volunteers and any other individual who enters County property or who is served by County personnel.

#### **PROHIBITED ACTIVITY:**

Harassment/Bullying - no employee shall ridicule, mock, deride or belittle any person, or make repeated false or unsubstantiated claims against another party.

Discrimination - employees shall not make distinctions in favor of or against a person or protected class on the basis of the group, class, or category to which the person or protected class belongs rather than according to actual merit either directly or indirectly to another person.

Sexual Harassment - is a form of sexual discrimination and consists of any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of continued employment; or
- submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
- such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment

Sexually Harassing Behavior - whether committed by supervisors or non-supervisory personnel, is prohibited. This behavior includes, but is not limited to:

- repeated unwelcome or offensive sexual flirtations, advances or propositions
- verbal abuse of a sexual nature
- graphic or degrading verbal comments about an individual or his/her appearance
- the display or distribution of sexually suggestive objects or pictures
- unwelcome or offensive verbal or written communication of sexually suggestive material
- any unwelcome or offensive physical contact

Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any employee they directly or indirectly supervise.

Such conduct that occurs off duty and off premises may also be subject to this policy.

#### REPORTING PROCEDURE:

Employees who have complaints based on such conduct shall report it by completing a *Complaint* form (located immediately following this policy in this manual) and presenting it to their immediate supervisor, department director, elected official or to the County Administrator. Each person to whom such a complaint form is given shall give a copy of the *Complaint* form to the County Administrator. The County Administrator shall have the authority and responsibility to investigate and take appropriate action concerning the complaint. All County personnel receiving the *Complaint* will take reasonable precautions to keep the complaint confidential, except as required by law and as may be reasonably necessary to successfully complete the investigation.

It is the responsibility of every employee, should they observe or experience objectionable or unwelcome behavior of the type described in this policy, to report that behavior as provided in this policy. Late reporting of complaints will not preclude the county from taking action. However, in order to conduct a thorough and accurate investigation, employees are encouraged to submit complaints in writing in an expedient manner following the harassing or offensive behavior.

Every supervisor is responsible for promptly responding to or reporting any complaint or suspected act of such harassment. Supervisors shall report to their immediate supervisor or to the department director, elected official or the County Administrator. Failure of a supervisor to report or adequately address such harassment will result in disciplinary action.

Legitimate complaints made in good faith are strongly encouraged; however false complaints or complaints made in bad faith will be considered to be a violation of this policy and will not be tolerated. Failure to prove unlawful discrimination or harassment will not constitute a false complaint without further evidence of bad faith.

#### INVESTIGATION

Geauga County will conduct a prompt and thorough investigation of all complaints of such harassment. Such investigation may include interviews of alleged victims, alleged harassers and all witnesses. The County will make every effort to keep the complaint confidential, except as required by law and as may be reasonably necessary to successfully complete the investigation. It will be a violation of this policy for any person who learns of the investigation or complaint to take any retaliatory action that affects the work environment of the complainant or any person involved in the investigation. Failure by any employee to cooperate with the investigation of a complaint will be a violation of this policy.

## CORRECTIVE ACTION

If an investigation reveals that unlawful discrimination, harassment, or retaliation has taken place, appropriate corrective action taken will be designed to stop the unlawful conduct and prevent its recurrence. Such action taken will be up to and including termination. If appropriate, law enforcement agencies or other licensing bodies will be notified. Any personnel exhibiting retaliatory or harassing behavior towards an employee, the employee's close friend or family member when the employee has exercised a right under this policy will be subject to discipline. Additionally, any employee who has knowledge of unlawful conduct and allows that conduct to go unaddressed is subject to discipline under this policy.

## NON-RETALIATION

There shall be no retaliation against any employee for reporting or filing a complaint of a prohibited activity or for assisting, testifying, or participating in the investigation of such a complaint. Any employee who feels he/she has been subjected to retaliatory conduct as the result of actions taken under this policy or as a result of his/her relationship with someone who took action under this policy shall report the conduct to a supervisor and the County Administrator immediately. The County recognizes that false accusations of harassment can have serious effects on innocent individuals. Therefore, disciplinary action for filing a false complaint is not a retaliatory act.



**GEOUGA COUNTY BOARD OF COMMISSIONERS  
COMPLAINT FORM  
DISCRIMINATION, HARASSMENT, OR SEXUAL HARASSMENT  
FOR USE WITH THE NON-HARASSMENT POLICY**

=====

Name of Complainant \_\_\_\_\_  
Address of Complainant \_\_\_\_\_  
\_\_\_\_\_  
Telephone Number(s) \_\_\_\_\_  
Nature of Complaint:   Discrimination           Harassment           Sexual Harassment           **(Circle One)**  
Date of Alleged Action \_\_\_\_\_  
Time of Alleged Action \_\_\_\_\_  
Are you a Geauga County employee? \_\_\_\_\_  
If yes, name of department where you are employed: \_\_\_\_\_  
Name of individual against whom charges are made: \_\_\_\_\_  
Is that individual a Geauga County employee? \_\_\_\_\_  
If yes, name of department where the individual is employed: \_\_\_\_\_

If the individual is a third party (customer or vendor), report it to your supervisor and request that the harassment be stopped. Please provide his/her name and address and/or the name and address of his/her employer.

Did you report this to anyone? \_\_\_\_\_  
If so, to whom did you report? \_\_\_\_\_  
Were there any witnesses? \_\_\_\_\_  
Name/Address/Telephone: \_\_\_\_\_  
Name/Address/Telephone: \_\_\_\_\_  
Name/Address/Telephone: \_\_\_\_\_

Please provide a concise statement of the action causing this complaint to be filed, including where it happened (place) and what exactly happened (behavior):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(continue on reverse, if necessary)

Signature of Complainant \_\_\_\_\_  
\_\_\_\_\_  
Signature of County Representative \_\_\_\_\_  
\_\_\_\_\_

Name of Complainant - Please Print \_\_\_\_\_  
Date of Receipt \_\_\_\_\_  
\_\_\_\_\_  
Date of Complaint \_\_\_\_\_

**Instructions for Filing Complaint:**

Complaints by Non-Employees:   File in duplicate with EEO Officer on the Board of County Commissioners staff.

Complaints by Employees:       File in duplicate with Immediate Supervisor, the Department Director or Elected Official, or the County Administrator.

A copy of the *Complaint* form should be given to the County Administrator.

**GEAUGA COUNTY BOARD OF COMMISSIONERS  
INVESTIGATION PROCEDURES FOR  
COMPLAINT OF DISCRIMINATION, HARASSMENT, OR SEXUAL HARASSMENT  
FOR USE WITH THE NON-HARASSMENT POLICY**

=====

Investigating Officer Assigned: \_\_\_\_\_  
Hearing Officer Assigned: \_\_\_\_\_  
Name of Complainant: \_\_\_\_\_  
Date of Complaint: \_\_\_\_\_  
Complaint Filed Against: \_\_\_\_\_

Both the Investigating Officer and Hearing Officer 1) shall be appointed by the County Administrator, 2) shall be an impartial third party, and 3) must have complete independence in obtaining the facts and making impartial decisions. In most cases, the Investigating Officer's duties and the Hearing Officer's duties may be assigned to the same individual.

The Investigating Officer shall complete the investigation and provide a case file to the Hearing Officer within 10 working days of the date the complaint was received by the county representative. The case file may contain any of the following documents, although alternative investigative techniques may be used:

- ❖ The confidential complaint form submitted by complainant
- ❖ Written, signed statements from all parties involved in the situation
- ❖ County documents that may establish facts (may include pay records, job assignments, promotions, transfers, working hours, performance appraisals, etc.)

The Hearing Officer shall receive and review a complete case file prior to the hearing.

The complaint may be determined to be A) founded, B) unfounded, or C) inconclusive.

If the case is determined to be founded, corrective actions to be issued to the offender if he/she is a county employee shall follow the County's Employee Conduct and Discipline policy.

If the case is determined to be inconclusive, there may be either a written warning issued to the offender with a follow-up investigation, or no consequences at all.

Complaints against a County employee by a third party (customer, vendor, etc.) shall be investigated using the same process described above. The complainant will be informed of the outcome of the investigation.

Complaints against a third party (customer, vendor, etc.) by a County employee shall be investigated by the employee's supervisor. If it is determined that the complaint may be founded, the supervisor may contact the Department Director or County Administrator for guidance.

**GEAUGA COUNTY BOARD OF COMMISSIONERS  
INVESTIGATION PROCEDURES  
DISCRIMINATION, HARASSMENT, OR SEXUAL HARASSMENT  
WITNESS STATEMENT**

**1. INCIDENT IDENTIFICATION INFORMATION**

Date of Alleged Action: \_\_\_\_\_  
Name of Complainant: \_\_\_\_\_  
Complaint Filed Against: \_\_\_\_\_

=====

**2. WITNESS STATEMENT**

I, \_\_\_\_\_ do hereby make the following  
statement of my own free will and accord concerning an incident which occurred  
at \_\_\_\_\_ on the \_\_\_\_\_ Day of \_\_\_\_\_ Year of  
\_\_\_\_\_ at \_\_\_\_\_ AM/PM.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(continue on reverse if necessary)

=====

**3. EMPLOYEE CERTIFICATION**

I state that the information contained in this statement is complete and true to the best of my  
knowledge and belief.

Signed: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Date: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

## **SECTION 3. CONDUCT**

### **DRESS CODE AND APPEARANCE**

The dress code and appearance of County employees must be in conformance with accepted office standards, reflect positively on the Board of County Commissioners, and be appropriate when due consideration is given to the employee's job duties. Jeans, T-shirts, athletic shoes, or any clothing of too casual a nature is not typically considered appropriate. Exceptions to this policy, when appropriate, should be determined by the Department Director.

When uniforms are provided, employees are expected to wear the uniforms while performing official business only. Any modifications of the uniform must have approval of the Department Director.

## **SECTION 3. CONDUCT**

### **CONFIDENTIALITY (ORC 102.03(B))**

Employees of the County of Geauga are expected to maintain the confidentiality of all information that is the proprietary and confidential property of the County of Geauga both during and after employment with the County.

Employees may not use or release information acquired as a result of public service employment if it is confidential under state or federal law.

Upon leaving employment for any reason, all property of the County, including, but not limited to, all proprietary and confidential information must be returned.

If the County has any reason to believe that a current or former employee has divulged any confidential information or has taken any action which may be detrimental to the County's interest because of the potential for divulging confidential information, the County will take appropriate legal action.

## **SECTION 3. CONDUCT**

### **INTERNET, SOCIAL MEDIA SITES, ELECTRONIC MAIL & COMPUTER SOFTWARE POLICY**

Any employee using the County internet and social media sites, E-mail and online services resources and voice mail system understands that they have no expectation or right to privacy in their information, and that they will be held accountable for their use and misuse.

Internet, Social Media Sites, Electronic Mail, Voice Mail and Computer Software access and usage can provide significant performance benefits to our Agency and the clients we serve. However, there is also significant legal, security, and productivity issues related to use. Use of these systems constitutes consent to monitoring for these purposes.

#### **GENERAL GUIDELINES FOR COMPUTER USAGE:**

- County computers and time on the job are reserved for county-related business as approved by the Department Director, Supervisor, or authorized designee.
- Electronic records created or stored on County computers constitute a record which may be subject to disclosure under the open record act or laws of the State of Ohio. Electronic records are available to the employer for inspection at any time.
- The County reserves the right to monitor, prohibit, restrict, block, suspend, terminate, delete or discontinue an Employee's access to any social media site at any time without notice and for any reason at its sole discretion.
- Computer network system accounts and passwords shall not be shared with other staff or the public (except with the Department Director or their designee). The user assigned to a password / log-on ID shall be responsible for all activity under their user ID.
- Eavesdropping on transmissions (which might include sensitive data, passwords or correspondence), or breaching data security, confidentiality, or licensing and intellectual property rights is forbidden.

#### **INTERNET GUIDELINES:**

The appropriate use of the Internet is limited to the official work of the County. The Internet is to be used in a manner consistent with the administrative, instructional, and research objectives of the Department or Agency.

Examples of inappropriate use of the Internet include, but are not limited to the following:

- Using employer Internet, Social Networking Sites, and E-mail to harass, discriminate, defame, intimidate or disparage the employer or any of its employees.
- Knowingly harassing co-workers or members of the public, sexually or otherwise.
- Distribution of advertising, chain letters or to propagate a computer worm or virus.

- An attempt to make unauthorized entry into another network.
- Installation or downloading of software onto a disk or network computer without specific, written authorization from the Department Director or their designee.
- Failure to observe a copyright
- Providing information that might compromise the safety and security of a public building or activities
- Conducting business that is illegal or against County policy or contrary to the County's interest, and conducting own business or that of another business entity
- Accessing or transmitting lewd, offensive, distasteful or obscene material
- Accessing radio or television stations through real audio or any other multi-media form without the written authorization of the Department Director or their designee.
- Using AOL instant messenger or MSN messenger service or other messaging service.

Network services and World Wide Web (Internet) sites can and will be monitored for access and usage.

Social media is any form of online publication or presence that allows employees and citizens to engage in multi-directional conversations in or around the content on an internet based application, including but not limited to forums, message boards, blogs, chat rooms, wikis, listservs and podcasts, Google, MySpace, Facebook, Linked-In, Twitter, and YouTube.

Employees may access the Internet for non-work related activities per these guidelines during scheduled lunch hours, before and after regular work hours, and during other non-paid time with specific approval by their Department Director, Supervisor or authorized designee.

#### ELECTRONIC MAIL GUIDELINES:

All communications sent by employees via E-mail must be consistent with the professional, administrative, instructional and research objectives of the County. Electronic mail messages are identifiable and attributable to the County and the Department.

Examples of inappropriate use of Electronic Mail include, but are not limited to:

- Knowingly harassing co-workers or members of the public, sexually or otherwise.
- Advertisements to or solicitations from co-workers, friends or relatives.
- Sending or receiving lewd or obscene materials.
- Sending or receiving jokes or cartoons (lewd or otherwise)
- Sending, receiving or downloading recreational games or greeting cards.

Employees may send and open E-mail from friends and relatives during scheduled lunch hours, before and after regular work hours, and during other non-paid time with specific approval of their Supervisor.

Employees should not assume electronic communications are totally private and confidential and should transmit highly sensitive information in other ways.

All information stored on agency/state computer systems, including e-mail, may constitute a public record and may be subject to inspection by the public.

#### SOFT-WARE APPLICATIONS:

Computer software applications are a primary source of electronic viruses. They also consume part of the limited storage available on County servers and personal computers. The installation or downloading of computer software applications is prohibited without specific, written authorization from the Department Director or their designee.

This includes but is not limited to:

- Screen Savers, Wall - Paper and Border applications
- ANY recreational games
- Downloading software from the Internet, a disk or other device, or an E-Mail communication

#### COUNTY SOCIAL MEDIA WEBSITES:

Social media websites may be maintained by the County as a way to facilitate two way communications with the community. The Appointing Authority shall monitor the contents and provide proper training for responsible in-house staff and contractors.

All official County presences on social media sites or services are considered an extension of the County's information networks and are governed by this policy. Employees representing the County via social media outlets must conduct themselves at all times as representatives of the County, and shall not use the County social media connection to develop a personal contact.

#### DISCIPLINE FOR MISUSE:

Improper use of these resources is subject to discipline. Communications and use of the County's telephones, voice mail, fax machines, computers, software, E-mail and other related systems will be held to the same standards as all other communications, including compliance with our Non-Harassment Policy.

If necessary, the County will advise appropriate legal authorities of any illegal activities.



## **SECTION 3. CONDUCT**

### **POLITICAL ACTIVITY** (DAS 123:1-46-02, ORC 124.57)

No officer or employee of the County shall engage in any political activity which is prohibited under state or federal law, subject to removal from his or her position in the classified service. Political activity refers to partisan activities, campaigns, and elections involving primaries, partisan ballots or partisan candidates.

Prohibited political activities, while on duty during an assigned work shift as an employee or volunteer of the County, and/or in the uniform of the County, or while in or operating any County vehicle:

- Registration and voting
- Expression of opinions, either oral or written
- Voluntary financial contributions to political candidates or organizations
- Circulation of nonpartisan petitions or petitions stating views on legislation
- Attendance at political activities
- Signing nominating petitions in support of individuals
- Wearing political badges or buttons
- Serving as a precinct election official
- 

Prohibited political activities of employees in the classified service at any time:

- Candidacy for public office in a partisan election
- Candidacy for public office in a non-partisan 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
- Filing of petitions meeting statutory requirements for partisan candidacy to elective office
- Circulation of official nominating petitions for any candidate participating in a partisan election
- Service in a elected or appointed office in any partisan political organization
- Acceptance of a party-sponsored appointment to any office normally filled by partisan election
- 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
- Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in-kind, for any political party or political candidate
- Solicitation of the sale, or actual sale, of political party tickets
- Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues
- Service as recorder, checker, watcher, challenger, judge or board of election poll worker for any party or partisan committee
- Participation in political caucuses of a partisan nature
- Participation in a political action committee which supports partisan activity

Effective: May 1, 2009

### **SECTION 3. CONDUCT**

#### **SMOKING POLICY (ORC 3794)**

The Board of County Commissioners desires to provide a smoke-free environment for employees, visitors, outside contractors and the general public, within all facilities owned and leased by the Board of County Commissioners.

Smoking is prohibited in all County-owned buildings at all times, and leased space subject to the lease agreement. Smoking is prohibited in all County-owned or leased passenger vehicles at all times. Any different application of this policy to service vehicles shall be subject to approval by the department director or elected official. Smoking of cigarettes, cigars, and pipes is prohibited as described within this policy.

Employees shall use their breaks and/or their lunch time, as provided in Hours of Work policy, for smoking breaks. Employees are to be on duty for a minimum of one hour at the beginning of the day and after lunch before a break can be taken. At no time shall an employee take more than two seven and a half (7.5) minute breaks in any one morning or afternoon. Employees who smoke in areas outside the buildings are responsible for policing the area and keeping it free from cigarette and tobacco litter.

Management has the ability to designate specific smoking areas outside the building dependent upon employees' work area inside the building.

If anyone (employee, visitor, outside contractor or general public) violates this policy, County employees may politely make the individual aware of the smoke-free policy. Further action, if necessary, shall be the responsibility of the department director, elected official or supervisor.

## **SECTION 3. CONDUCT**

### **DRUG FREE WORKPLACE (Public Law 100-690, 41 U.S.C. 702)**

It is the policy of the Geauga County Board of Commissioners to maintain a drug free workplace. Drug or alcohol abuse in the workplace is dangerous and can lead to harm not only to the person abusing drugs or alcohol but also to fellow employees and to the citizens we serve.

For these reasons, the Geauga County Board of Commissioners is committed to maintaining a drug and alcohol free work place, and will enforce a policy requiring all employees to refrain from (1) the use of controlled substances, including any prescription drug for which an employee does not have a current valid prescription, (2) the sale, purchase, possession, unlawful manufacture, distribution, or dispensation of a controlled substance, (3) reporting for duty or remaining on duty while under the influence of alcohol or a controlled substance, and (4) consuming alcohol or a controlled substance on the job, County property, or while operating County equipment.

Employees must notify the employer of any criminal drug statute conviction and/or sentence (including a plea of guilty or nolo contendere or no contest) for a violation occurring in the workplace no later than five (5) working days after the conviction and/or sentence. Any employee so convicted and/or sentenced will be subject to discipline, up to and including discharge. Failure to inform the employer also will result in discipline up to and including termination from employment. Where required by law, the employer shall notify the appropriate federal agency within ten days after receiving notice of such conviction from an employee or otherwise receiving actual notice of such conviction.

Individuals who must hold a Commercial Driver's License (CDL) or work in a safety sensitive position, will be subject to the requirements of the County's *Substance Abuse Policy & Procedure* program including all drug testing requirements (random testing, post-accident testing, etc.).

All employees have the right to know of the dangers of drug abuse in the workplace, the employer's policy of maintaining a drug-free workplace and of any available drug counseling, rehabilitation and employee assistance programs. This document is only a part of that education program and embodies the employer's policy of maintaining a drug-free workplace. To assist employees in overcoming drug abuse problems, the employer will refer employees seeking help to local drug/alcohol rehabilitation programs available through the community or through the employee's health care provider.

County employees who are working under terms of a federal grant may be required to sign an *Employee's Certification Statement* as provided in this manual, to the effect that they will abide by the terms of this policy. The Drug Free Workplace Act of 1988 requires notification to employees that compliance with the above policy is mandatory.

## **SUBSTANCE ABUSE POLICY**

It is the policy of Geauga County to prohibit the use or possession of illegal drugs on County sites or in County buildings. It is also the policy of Geauga County to prohibit the illegal consumption of alcohol on our County premises or working under the influence of alcohol. Additionally, it is the policy of the County to hire and retain employees who are not under the influence of illegal drugs and alcohol.

Therefore, Geauga County will implement and enforce the following policy:

1. **PRE-EMPLOYMENT DRUG/ALCOHOL TESTING.** All applicants who seek employment with the County may be subject to pre-employment drug and alcohol tests by qualified medical personnel and/or laboratory. Any applicant who tests positive for the presence of illegal drugs or alcohol will be disqualified from employment at the County. Applicants will be required to sign a consent form permitting the testing.

2. **TESTING OF PRESENT EMPLOYEES.** When the County has reasonable cause to believe that any employee has either reported to work or is working under the influence of illegal drugs or alcohol, such employee will be required to submit to an appropriate test for the presence of illegal drugs or alcohol by qualified medical personnel or a laboratory at the County's expense. In the event an employee refuses to consent to such testing procedure, such failure will result in disciplinary action including termination of employment. Reasonable cause includes, but is not limited to:

- A. A report from any individual that an employee is observed using illegal drugs or alcohol;
- B. Accidents or injuries to an employee;
- C. Behavior, conduct or performance, which, in the opinion of management, shows evidence of impairment or the presence or usage of illegal drugs or alcohol.

Transportation will be secured by the County for any employee suspected of working under the influence of illegal drugs or alcohol, at the County's expense.

If, after testing by qualified medical personnel or laboratory, it is determined that the employee tested positive for the presence of illegal drugs or alcohol, the employee will be subject to severe discipline including termination of employment. In the event it is determined that such employee did not test positive for the presence of illegal drugs or alcohol, the employee will be notified and such notification will become part of the employee's personnel file.

Under Ohio's Workers' Compensation law, if, following a work-related injury, an employee refuses to take the requested prohibited substances test, or if the employee tests positive for certain specified drugs or alcohol, it will be presumed that the presence of alcohol or drugs caused the injury or accident. Once this presumption exists, the employee may not be eligible to receive Workers' Compensation benefits unless the employee can prove under the law that drug or alcohol use did not cause the injury or accident.

3. POSSESSION OF ILLEGAL DRUGS OR ALCOHOL. If it is determined that an employee possesses illegal drugs or alcohol or attempts to sell or exchange illegal drugs or alcohol on County premises such employee will be subject to severe disciplinary action including termination of employment.

4 CONFIDENTIALITY. Any actions taken will respect the Confidentiality of applicants and employees to the extent permitted by law. Discussions with employees will be conducted as privately as circumstances permit. The County will not release test results to subsequent or prospective employees to the extent permitted by law. Information may, however, be released to a decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee and arising from a certified positive test.

**SECTION 3.CONDUCT**

**DRUG FREE WORKPLACE ACT OF 1988  
DRUG FREE WORKPLACE POLICY**

**EMPLOYEE'S CERTIFICATION STATEMENT**

I hereby certify that I have received a copy of the Geauga County Drug Free Workplace policy, have read its contents, will abide by the terms of the policy, will notify my employer within 5 working days of any conviction and/or sentence for a criminal drug statute violation occurring in the workplace. I understand that I may be disciplined, up to and including termination from employment, for failure to comply with this policy.

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Employee Signature

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Employee Name - Please Print

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Date Signed

To be placed in the employee's Personnel File with retention as required by law.

Adopted: April 6, 2004  
Effective: April 8, 2004

### **SECTION 3. CONDUCT**

#### **FIREARMS POLICY**

Effective April 8, 2004, as required by Ohio Revised Code 2923.1212, a sign containing substantially the following language will be posted at the entrance of every county owned building, at the entrance to the portion of any non-county owned building which is leased by the county and in public transportation vehicles:

Pursuant to the Ohio Revised Code, unless otherwise authorized by law, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordinance onto these premises.

Employees and officials of Geauga 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.

Employees and officials of Geauga County, other than law enforcement officers specifically authorized to carry a firearm, are prohibited from bringing a handgun onto a County owned parking lot, even if it is kept in their own vehicle, except for employees with a valid license to carry a concealed handgun.

A county employee or official with a valid license to carry a concealed handgun may bring a handgun and any ammunition onto a county owned parking lot, but must leave the handgun and ammunition in their personal locked vehicle, either in the glove compartment (or other locked compartment), in the trunk, or locked inside a gun case, when they report for work or the firearm and all ammunition must remain inside the employee's personal vehicle while the employee is in the vehicle.

County employees or officials who violate this policy are acting outside the course and scope of their duties. Geauga 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 or 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.

## **SECTION 3. CONDUCT**

### **CELL PHONES, HAND HELD DEVICES, PAGERS, DIGITAL ASSISTANTS AND OTHER PORTABLE ELECTRONIC COMMUNICATIVE DEVICES POLICY**

Cell phones, hand held devices, pagers, digital assistants and other portable electronic communicative devices can provide significant performance benefits to our agencies and the clients we serve. However, there are also significant legal, safety, security, and productivity issues related to the county paid use of these items by our employees. Use of any of these systems constitutes consent to the monitoring of said items. Employees will be held accountable for their use and misuse.

#### **GENERAL GUIDELINES FOR ELECTRONIC COMMUNICATIVE DEVICES (ECD):**

- \_ The County does not expect or require anyone to conduct business from a cellular phone while driving.
- \_ Employees are not permitted to use digital assistants or laptops while operating a vehicle. Employees can use these devices only if their vehicle is off the road and parked.
- \_ Employees are not allowed to use a County provided ECD in an illegal, illicit or offensive manner.
- \_ Cellular phones should not be used when other traditional communication alternatives are available safely and conveniently.
- \_ Employees in possession of a County provided ECD are required to take appropriate precautions to prevent theft and vandalism of the equipment.
- \_ Employees traveling with an ECD are responsible for adhering to all local statutes regarding their use while they are within the jurisdiction of that locality.
- County owned ECD are to be used for county business only and not to be utilized for personal use. Personal use of a county owned cell phone shall be reimbursed to the county.

#### **DISCIPLINE FOR MISUSE:**

Improper use of these resources is subject to discipline. Use of county provided or personal ECD's will be held to the same standards as all other communications, including compliance with our Non-Harassment Policy.



## **SECTION 3. CONDUCT**

### **PRE-EMPLOYMENT DRUG TESTING**

Pre-employment drug testing is required after the job offer has been made, but prior to the employee's first day of work. All applicants must submit to and pass (test negative) a pre-employment drug test. Failure to pass the drug test shall result in the withdrawal of the job offer or transfer.

A positive result on a pre-employment drug test will disqualify an applicant from further consideration for employment for at least one year.

## **SECTION 4. COMPENSATION**

### **CLASSIFICATION AND COMPENSATION PLAN**

The Board of County Commissioners has established and maintains a *Classification and Compensation Plan* supporting the employment practice of equal pay for all employees who perform substantially equal work.

Compensation for all employees under the hiring authority of the Board of County Commissioners shall be set at either a bi-weekly (overtime exempt) or hourly rate.

Classifications (positions) are assigned by department to a corresponding job code and pay grade (salary schedule) which is the basis for compensation.

Job descriptions outline the essential elements and related information for the classification (position). Department Directors shall work with the Commissioners' office to develop position descriptions and salary ranges for all new positions. Job descriptions may be periodically reviewed and/or revised in order to assure that they are current with the needs of the departments. If an employee's current job description is changed, that employee will be given the opportunity to receive training appropriate to meet the new requirements.

The *Plan* allows for the Board of County Commissioners to hire, adjust wages, reclassify, re-grade, promote, demote, or transfer any or all employees through one of the following methods:

#### **WAGE AT HIRE:**

1. An employee will be hired at the Step 1 rate of the assigned pay grade.
2. An employee may be hired one to two steps beyond the position's entry level step provided the proper request is made, specific approval by the Board of County Commissioners is granted, and:
  - A. The candidate's relevant qualifications are beyond the position's basic qualifications (decision based on a specific candidate), and/or
  - B. After posting a minimum of two times, no qualified candidates apply for the position (decision based on results of recruitment efforts)

NOTE: Denials of an additional step or steps by the Board of County Commissions shall be non-appealable and non-grievable.

## **SECTION 4. COMPENSATION**

### GENERAL STEP INCREASE:

1. Subject to Board approval, employees may receive a pay increase on an annual basis after receiving a satisfactory performance evaluation (50 points or higher).
2. Employees receiving a negative performance evaluation (49 points or lower) will be placed on a corrective discipline program. Any future increase will be considered only after performance has improved.
3. Subject to Board approval, Department Directors may recommend one merit increase per department (for larger departments, one merit increase for every 10 employees) to employees who receive an exemplary evaluation. The merit increase is one additional step within the employee's pay grade.
4. Employees whose present compensation is beyond the pay range or who are on Step 11 may receive an increase equal to the County's general wage increase (a percentage wage increase determined at budget time) applied to the midpoint of their present pay grade or the updated Step 11 rate, whichever is higher.
5. Employees who are serving a probationary period at the time of the general step increase may also receive the step increase.

### WORKING OUTSIDE OF PAY GRADE:

An employee assigned by a Department Director to work outside their pay grade may be compensated at a higher pay rate provided:

1. The employee performs a substantial portion of the position's essential job functions for an *entire shift* for twenty consecutive workdays and
2. The substantial portion of the position's essential job functions performed is not part of the employee's present position's responsibilities.
3. Such payment of working outside of the pay grade shall be limited to a maximum of six (6) months.

An employee required to work outside their pay grade in accordance with the above listed criteria will earn an incentive differential at the next step rate for the position they are assigned to that will result in a pay increase. At minimum, a guaranteed increase shall be twenty-five (25) cents per hour.

**RECLASSIFICATION:** Reclassifications occur when the duties of an existing position change. The employee, if left in the position, is either promoted, demoted or assigned to the reclassified position depending upon whether the position carries a higher, lower or unchanged pay range. If an employee goes from one classification to another which has a higher maximum rate, and his current pay rate is already within the range of the new classification which has the same or lower maximum rate, he shall not receive an increase. Reclassification to a higher position with higher pay may occur on a permanent basis after the employee serves in such position as permitted by law.

## **SECTION 4. COMPENSATION**

**RE-GRADE:** To help insure that classifications are appropriately assigned to the pay ranges, the County conducts periodic salary surveys of area employers who perform similar or like work. In some cases, a position or class may be inappropriately assigned. To correct this, a position or class may be reassigned to a different pay range. This is called a re-grade.

**PROMOTION:** The act of placing an employee in a position, the classification for which carries a higher salary range than that previously held.

When a vacancy occurs, a position notice will be posted for a minimum of five working days. Interested employees within the probationary period in their current job classification, who have been evaluated at least once by the supervisor and the Department Director and who meet the minimum requirements for the position, may submit an application in order to be considered for the position and receive a promotion. An employee hired under these conditions shall serve a 180 day probationary period in the new position provided that all classified employees shall serve a minimum one year probationary period. All new hires and promotions are made at the discretion of the Board of County Commissioners.

Employees promoted from a lower pay grade to a higher pay grade will earn the first step of the new pay grade.

Employees promoted from a lower pay grade to a higher pay grade, who are currently earning more than the first step of the new pay grade, will be installed at the next step of the new pay grade resulting in a minimum of twenty-five (25) cents per hour pay increase.

**DEMOTION:** The movement of an employee at the request of the appointing authority or the employee, from one position to a vacant position which is assigned to a different classification and a lower pay range, determined by comparing the Step 1 rates of the relevant pay ranges. Demotions do not change the employee's date of hire.

**TRANSFER:** It is the policy of the Board of County Commissioners that employees may be permitted or requested to transfer (on a temporary or permanent basis) to a position having the same or similar classification and having the same or similar qualifications in another department with the approval of the Board. Such transfers may occur at the request of the employee or the employer. Employees will not be transferred to another appointing authority outside of the jurisdiction of the Board of County Commissioners.

If the request is made by the employer and the transfer places a financial hardship on the employee, additional compensation may be made to the employee.

**SECTION 4. COMPENSATION**

**EMPLOYEE RECOGNITION PROGRAM  
(ORC 325.25)**

Employees may be recognized for exceptional performance in a manner to promote excellence.

The departments under the appointing authority of the Board of County Commissioners may present awards for the following categories:

Attendance Awards - (includes Management)

This award may be presented quarterly to recognize employees who do not use any sick leave the previous quarter. This award is for full-time employees and is based upon departmental attendance records. There is also an annual award for any employee who does not use any sick leave for the year.

Anniversary Year Award - (includes Management)

This award will be presented annually to recognize employees who have been employed by the County for 5, 10, 15, 20, 25, 30 and 35 years. This award is based upon departmental employment records.

Award Year is defined as the period of time from January 1<sup>st</sup> through December 31<sup>st</sup>. The quarterly awards will be based on the calendar year.

An awards certificate may be presented in recognition of the recipient of the award. In addition to the award certificate, the following is a list of possible awards for the different categories:

Gift Certificate	Bonus	Day Off
Lapel Pin	Key Chain	Pen Sets
Watches/Clocks	Notebook Holder	Name Plate for Desk
Sweatshirt/Jacket		

## **SECTION 4. COMPENSATION**

### **PAYROLL INFORMATION (ORC 325.17, 5705.46)**

Paychecks are prepared and issued by the County Auditor, who is the payroll officer for the County.

Paychecks are issued every other Friday, with 26 paydays during a normal year. Paychecks are issued every other Friday for the payroll period ending one week previously. Direct deposit may be available upon request.

#### **PAYROLL DEDUCTIONS:**

Deductions required by law from each employee paycheck include:

- Federal, State and Municipal (where applicable) Income Tax withholding
- Medicare (for employees hired after 4/1/86)
- Retirement contributions (eligible employees only, not reported to IRS as income)
- Deductions authorized by law, such as garnishments

Voluntary deductions may be offered or may be requested by either the employee or by the County, and include:

- United Way contributions
- Payment to a County-approved credit union
- Deferred compensation
- U.S. Savings Bonds
- Union dues and initiation fees (if provided in labor agreement)
- Payment of health insurance premium
- Payment of benefit insurance premium

It is the employee's responsibility to maintain current payroll deduction information with their Department Director or designee.

#### **PAYROLL RECORDS:**

Payroll records are to be completed by all employees on the form provided by their Department Director, with employee signature and supervisor's signature. All hourly employees shall submit an approved *Application for Leave* form for all hours in the pay period scheduled but not worked. Payroll records shall be retained by the County as required by law.

Falsification of payroll records shall result in discipline.

#### **SECTION 4. COMPENSATION**

No paycheck will be released to any other person without an employee's written consent and appropriate identification by the person authorized to receive the paycheck. An employee who is absent on payday may have their paycheck mailed by their department to their address on file.

Paychecks will not be mailed from the Auditor's Office. Under certain circumstances and with approval of the Department Director or designee, an individual employee may request to pick-up their paycheck after 3:00 PM on the day before payday.

Questions about paychecks shall be directed to the Department Director or designee.

**OVERTIME/COMPENSATORY TIME**  
**(Fair Labor Standards Act of 1938)**

An employee who is eligible to receive overtime compensation and who is required by an administrative superior to be in an active work status for more than 40 hours in any calendar week shall be entitled to overtime compensation or compensatory time at one and one-half times the employee's regular rate of pay. It is at the election of the employee as to whether compensation for overtime hours worked will be in the form of overtime pay or compensatory time.

**COMPENSATORY TIME:**

An employee may use compensatory time earned at a time mutually convenient to the employee and his or her administrative superior in lieu of overtime pay, on a time and one-half basis, within one hundred eighty (180) days after earning such compensatory time. An employee will request compensatory time off and such request will be honored within a reasonable amount of time following the request so long as the use of compensatory time does not unduly disrupt employer operations. Moreover, the Employer reserves its right to compel use of compensatory time in the event the employee has previously requested time off but has been denied because of undue disruption to operations.

An employee, not designated as overtime-exempt, shall be paid for compensatory time earned which has not been used within one hundred eighty (180) days or upon separation. When payment is to be made for compensatory time not used, it shall be paid at the employee's current rate of pay.

All compensatory time must be used before an employee is granted a leave of absence without pay, except as otherwise permitted under State or Federal law.

**OVERTIME EXEMPTIONS:**

In accordance with the Fair Labor Standards Act, positions such as those for which the duties are primarily professional, administrative or executive in nature, are overtime-exempt.

**OVERTIME:**

Generally, employees not exempt from overtime provisions of the FLSA shall be compensated for overtime for all hours actually worked in excess of forty hours in any one work week, regardless of the employee's regularly scheduled work day. Federal holidays, sick leave, vacation leave, compensatory time, and other paid time shall be considered hours worked for purposes of overtime compensation. Overtime shall be compensated at a rate of one-and-one half times the employee's regular rate of pay for actual overtime worked.



## HOLIDAYS:

An employee who is required to work on a day designated as a state-approved holiday, shall be entitled to pay for such time worked at one and one-half times the employee's regular rate of pay in addition to holiday pay.

When calculating overtime for a calendar week which includes a holiday, paid holiday hours as set forth in this Manual are included in calculating overtime.

**WEATHER EMERGENCY:** Employees who work on days declared a weather emergency by the appointing authority will be paid at the overtime rate for the hours worked, regardless of the total number of hours worked in the workweek.

## **SECTION 4. COMPENSATION**

### **WAGE GARNISHMENT**

The employer will abide by any court order directing garnishment against an employee.

A notice of garnishment, entitled *Order and Notice of Garnishment and Answer of Employer*, sets forth the obligations of the employer. Employers must complete the *Answer* and the payroll clerk returns it along with the garnished wages. Federal law sets limits on the amount an employee's earnings are subject to being garnished. The notice contains a step-by-step procedure for calculating the amount that may be garnished.

Employees may not be discharged from employment solely because of one successful garnishment by one creditor in a twelve (12) month period. However, repeated garnishments may be considered cause for disciplinary action in accordance with state law.

## **SECTION 5. BENEFITS**

### **HEALTH CARE COVERAGE (ORC SECTION 305.171)**

The Board of County Commissioners provides health care insurance pursuant to Section 305.171 of the Ohio Revised Code, and reserves the right to administer the health care coverage program in an efficient and effective manner.

**ELIGIBILITY:** Health insurance is available to eligible full-time employees and elected or appointed officials as authorized by the County Commissioners. Employee health care coverage becomes effective the first of the month following a 60 day waiting period from date of hire. An employee who does not elect coverage or waives at the time he/she becomes eligible may elect participation only during open enrollment, unless there is a qualified change in eligibility status.

When both husband and wife are eligible for coverage under the County group plans, both shall either carry single coverage or if there are more than two dependents, both shall be covered by one family plan. The waiver option will not apply.

Employees shall submit an application form for health insurance coverage, or waive coverage, within the 60 day waiting period. If the application is submitted more than thirty (30) days after eligibility, evidence of insurability may be required.

Full-time status for the purposes of eligibility to participate in the health care insurance program as mandated by federal law is defined as 30 hours per week, or 130 hours per month, on a regularly scheduled basis.

Part-time, temporary, and seasonal employees (do not meet work hour/month eligibility requirements) are not eligible for health care coverage.

#### **STATUS CHANGE FROM PART-TIME, OR TEMPORARY FULL-TIME, TO FULL-TIME:**

Employees who have been appointed to a full-time position from either part-time service or temporary full-time service shall be considered to have satisfied their 60 day waiting period if they have completed continuous service for 6 months. For purposes of this policy, continuous service shall be active pay status. If continuous service has been less than 6 months, employees must complete a 60 day waiting period. Transfer to full-time from any other ineligible work status will require serving the full waiting period.

**TERMINATING EMPLOYMENT:** In the event an employee leaves County employment, coverage extends through the end of the month in which the employment terminates. At the time of termination, an employee, their spouse, and dependents may be eligible for COBRA benefits, and should contact their supervisor.

**COVERAGE DURING LEAVES OF ABSENCE:** The County will pay its portion of the premium for an employee who is on and approved for a qualified Family and Medical Leave.

## **SECTION 5. BENEFITS**

In the event an employee is granted an unpaid leave of absence, excluding Family and Medical Leave Act (FMLA), coverage will extend through the end of the month in which the leave began. Continued absence will require COBRA notification. If an employee returns to work during any portion of a month from an unpaid leave of absence, participation in a County group plan will begin the first of the month following the date the employee returns to work.

**INSURANCE WAIVER OPTION:** The Board of County Commissioners hereby establishes a policy authorizing a County appointing authority to make a cash payment to any officer or employee in lieu of providing health insurance, not to exceed twenty-five (25) percent of the cost of premiums or payments that otherwise would be paid by the County, pursuant to ORC 305.171(G).

At the time of annual open enrollment, employees and officers eligible as subscribers may elect a cash payment in lieu of accepting the health insurance benefit by signing a statement affirming that they, their spouse and/or eligible dependents have medical coverage. Employees and elected or appointed officials enrolled as a dependent under a County group plan are not eligible for the waiver. The maximum cash payments for family coverage and single coverage shall be adopted annually by the Board of County Commissioners.

At times other than annual open enrollment, an employee must sign a waiver of insurance within thirty (30) days of eligibility, affirming that they, their spouse and/or eligible dependents have medical coverage.

The waiver payment will be made on a pro-rated basis within forty-five (45) days of the end of the benefit period for each full calendar month in which the employee waived coverage. Employees terminating during the year shall be paid for the number of full months for which coverage was waived. The monthly value shall be determined by dividing the annual cash payment by 12.

**LOSS OF COVERAGE:** If the spouse and/or eligible dependent outside medical coverage is canceled, then family coverage through a County group plan will be reinstated, provided the request for reinstatement is made with written proof from the spouse's employer/previous employer or medical insurance carrier within thirty (30) days of loss of coverage.

### **PAYROLL DEDUCTIONS**

The employee must pay any premium amount, through payroll deductions, by which the cost of the plan chosen exceeds the amount approved by the Board.

If an employee does not authorize payroll deductions, the employee will be ineligible to elect health care coverage until the next open enrollment for participation the following year.

## **SECTION 5. BENEFITS**

### **CONTINUATION OF MEDICAL COVERAGE (COBRA) (Federal Law)**

When an eligible employee enrolls in health care coverage with the County, a COBRA notice explaining temporary extension of group health care coverage is provided to the employee. The COBRA notice informs the employee according to the federal law, in a summary fashion, of their rights and obligations under the continuation coverage provisions of the law. The employee, and spouse if applicable, shall sign the *Statement of Understanding* and return it to the County Benefits Coordinator.

In the event an employee with health care coverage under a County plan terminates employment, or otherwise becomes ineligible through reduction in hours or being placed on an unpaid leave of absence, health care coverage extends through the end of the month in which the event takes place.

When coverage under the health care plan ends, an employee, their spouse, and dependent(s) may be eligible for continuation of medical coverage (COBRA) benefits, and should contact their employer.

## **SECTION 5. BENEFITS**

### **WORKERS' COMPENSATION (ORC Chapter 4123)**

Employees are covered by State Workers' Compensation, a program of industrial insurance to protect workers, their families and dependents from loss due to a work-related accident or illness. The program provides for payment of medical bills, physical and vocational rehabilitation and financial compensation while the worker is disabled and unable to work based on state law. Financing for this program is paid by the County, and the County reserves the right to object to any claim pursuant to Chapter 4123 of the Ohio Revised Code.

*Employee Guidelines* and *Incident/Accident Report* forms are available from the employee's supervisor for on-the-job injuries. Employees must report an industrial injury or an occupational illness as defined by Ohio Bureau of Workers' Compensation law within 24 hours or as soon thereafter as possible, and shall file a *First Report of Injury* in accordance with applicable laws, rules and regulations. This notification is required even if the injury/illness seems minor and/or no time is lost from work.

The day of injury is paid by the County. Workers' Compensation does not pay for the first seven days off unless the total days absent exceeds fourteen. Those seven days off shall be charged against sick leave, vacation or other compensable leave, if applicable.

An employee becomes exempt from vacation and sick leave accrual, hospitalization, and other employer-paid contributions when receiving compensation from the Bureau while he/she is off the payroll and in an inactive pay status. Workers' Compensation pays only a percentage of wages based upon the average weekly wage for the 52 weeks preceding the injury. To remain in an active pay status, an employee may use accrued sick leave or other compensation time.

To better serve the employees and citizens of the County, transitional duty and wage continuation programs, as well as other programs, may be established for an employee being treated for a work-related injury or illness.

An employee shall not draw more than his/her base pay while receiving temporary total disability payments under Workers' Compensation. If an employee receives compensation from the Ohio Bureau of Workers' Compensation, the employee must endorse the check to reimburse the County for wages paid during the employee's absence.

If the employee is unable to work due to a work-related injury or illness, the leave will be administered under the terms of the Ohio Workers' Compensation Act as well as the provisions of the Family and Medical Leave Act (FMLA), if applicable.

## **SECTION 5. BENEFITS**

### **UNEMPLOYMENT COMPENSATION (ORC CHAPTER 4141)**

The County is a covered employer under the Unemployment Compensation law. Employees of Geauga County may qualify for State Unemployment Compensation after involuntary termination from County employment if certain qualifications set by the Ohio Department of Job and Family Services (ODJFS) are met. The program is financed by the County as a reimbursing employer.

In certain cases, a former employee who left in good standing may be offered reinstatement to suitable work with the same or a similar position which, in effect, would invalidate a benefit claim. This is to be done in cooperation with the County Human Resources office, by certified mail to the former employee with an informational copy to ODJFS.

## **SECTION 5. BENEFITS**

### **OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM (OPERS) (ORC CHAPTER 145)**

All County employees, other than elected officials, must become members of OPERS (Ohio Public Employees Retirement System).

The Board of County Commissioners has adopted the salary reduction plan (OPERS pick-up plan) as a method of providing all employees more income to spend through payroll reduction before Federal and State income taxes are computed, reducing taxable income.

Both the employee and the employer contribute towards OPERS.



## **SECTION 5. BENEFITS**

### **CREDIT UNION (ORC 9.43)**

County employees are eligible to participate in the Geauga County Credit Union. The credit union offers a number of services to members, including savings programs and loans.

Employees may arrange to have payroll contributions deducted from their paycheck. All contributions are financed 100% by the employee.

For more information, employees may contact the credit union.

## **SECTION 5. BENEFITS**

### **PUBLIC EMPLOYEES DEFERRED COMPENSATION PROGRAMS (ORC 148.04)**

The Board of County Commissioners provides the opportunity for eligible employees to participate in deferred compensation and reserves the right to administer the program in an efficient and effective manner.

Employees may participate, through payroll deduction, in the deferred compensation programs offered. The programs are (1) The Ohio Public Employees Deferred Compensation Program, and (2) The County Commissioners' Association of Ohio Deferred Compensation Program.

The employee shall contact the program representative(s) directly. Additional information is available through the County Human Resources office.

The maximum amount that an employee may contribute to the program(s) for any year is approved by the Internal Revenue Service. This amount may be reduced if the employee contributes to certain other tax deferred income programs. However, deferred compensation programs allow savings of a portion of pay through payroll reductions that are made before Federal and State income taxes are computed; therefore reducing current taxable income.

Both programs have various investment options, and any investment risks associated with either plan are the responsibility of the employee.

If an employee participates in any program, it is the responsibility of the employee to assure that no more than the maximum allowable amounts are deferred in any one (1) year.

Regardless of whether the employee retires, resigns or is terminated, it is the employee's responsibility to contact the program representative at termination to determine the appropriate procedures to take at that time.

## **SECTION 5. BENEFITS**

### **UNIFORMS (ORC 325.17)**

County provided uniforms that are required to be worn as a condition of employment must be worn as provided, shall not be altered, and shall not be worn for other than work related activities.

The County will provide all clothing and safety equipment to employees that the County requires the employees to use. The County reserves the right to change the required uniforms, safety equipment and the providers thereof.

All uniforms purchased by the County shall remain the property of the County. Upon termination of employment, the employee shall return such uniforms and equipment to the County or reimburse the county for the cost of their replacement.

Clothing items provided by the County shall not be taxable to the employee if the county is reimbursed through a payroll deduction. Otherwise uniform costs will be added to the employee's IRS Form W2 as a non-cash benefit.

An allowance for safety equipment or clothing may be set for annual reimbursement with proper receipting. Any allowances paid for clothing will be taxable to the employee. Safety equipment allowances are not taxable.

## **SECTION 5. BENEFITS**

### **U.S. SAVINGS BONDS**

County employees are eligible to participate in a payroll savings plan through Direct Deposit for the purchase of U.S. Savings Bonds from the U.S. Treasury's Bureau of the Public Debt and administered by the Federal Reserve. Electronic Savings Bonds are purchased at full face value in denominations by payroll deductions ranging from \$25 to \$10,000. Minimum deductions may be required by the Auditor's Office.

For more information, please contact your department head or access the *Payroll Savings Plan Authorization Form* and description of the plan on the Auditor's website.

## **SECTION 5. BENEFITS**

### **LIFE INSURANCE (ORC 3917.01)**

Geauga County provides a group term life insurance program for all eligible full-time employees and elected officials of Geauga County. The employee will be covered the first of the month following a 60 day waiting period from date of hire.

Employees shall submit an application form for life insurance within the sixty (60) day waiting period. If the application is submitted more than thirty (30) days after eligibility, evidence of insurability may be required.

Part-time, temporary, intermittent, and seasonal employees are not eligible for group term life insurance.

Employees who have been appointed to a full-time position from either part-time service or temporary full-time service shall be considered to have satisfied their sixty (60) day waiting period if they have completed continuous service for 6 months. For purposes of this policy, continuous service shall be active pay status. If continuous service has been less than 6 months, employees must complete a sixty (60) day waiting period.

Coverage extends through the end of the month in which employment terminates. The employee may convert this insurance to an individual policy of regular insurance within 31 days of termination of employment or retirement.

For non-contributory group insurance, the county will pay the premium for an employee who is on an approved medical leave of absence.

Proof of claims must be filed by the claimant to the insurance provider in accordance with the group policy requirements.

## **SECTION 5. BENEFITS**

### **EMPLOYEE ASSISTANCE PROGRAM**

The Board of County Commissioners may provide an Employee Assistance Program (EAP) at no charge to help employees and their dependents residing in the home to deal with personal problems that might adversely impact their work performance, health, and well-being. EAPs generally include assessment, short-term counseling and referral services. When provided, the employer reserves the right to administer the program in an efficient and effective manner.

The EAP shall exercise the highest standards concerning client confidentiality in accordance with privacy laws and professional ethical standards and will comply with Federal and State statutes regarding disclosure in certain circumstances. Generally, these laws and regulations prohibit sharing any information to anyone outside the EAP without written consent of the client.

**SELF-REFERRAL:** Self-referrals are voluntary and strictly confidential.

**EMPLOYER REFERRAL:** An employee may be encouraged by management to seek EAP assistance due to unsatisfactory or deteriorating job performance or behavioral problems. If an employee declines the offer of help, this option can be repeated any time the department director feels the employee may have become more receptive.

EAPs must have a client's written consent before releasing any information, including releases to employers, treatment facilities, and family members without regard to the type of problems the individual is experiencing. When released, information provided is limited and remains confidential.

Employees who participate in the EAP are still responsible for meeting and maintaining current job performance requirements and established work rules within the framework of existing policies and for correcting unsatisfactory performance. Regardless of the employee's active involvement in the EAP, disciplinary action may be pursued should performance or conduct issues arise and/or not be resolved.

**ELIGIBILITY:** The EAP is available to full-time and part-time employees and their eligible dependents. Any cost associated with a referral from the EAP for additional services is the responsibility of the employee.

**TERMINATING EMPLOYMENT:** In the event an employee leaves county employment, the terminated employee may continue to participate in the EAP for 4 weeks post termination.

## **SECTION 6. LEAVES**

### **FAMILY AND MEDICAL LEAVE ACT (FMLA)**

**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 (FMLA).

**Definitions** - As used in this policy, the following terms and phrases shall be defined as follows:

Family and/or medical leave of absence – an approved absence available to eligible employees for up to 12 weeks of unpaid leave per year under particular circumstances. Such leave may be taken only for the following qualifying events:

- (1) upon the birth of an employee’s child and in order to care for the child;
- (2) upon placement of a child with an employee for adoption or foster care;
- (3) when an employee is unable to perform an essential function of his/her position because of the employee’s own serious health condition;
- (4) when an employee is needed to care for a spouse, son, daughter, or parent with a serious health condition;
- (5) Qualifying service member leave.

Service member leave – the spouse, parent or child of a member of the U.S. military service is entitled to 12 weeks of FMLA leave due to qualifying exigencies of the service member 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 service member is entitled to up to 26 weeks of leave within a “single 12 month period” to care for a service member with a “serious injury or illness” sustained or aggravated while in the line of duty on active duty. The “single 12 month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established for other types of FMLA leave.

Per year – a rolling 12 month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the employer will compute the amount of leave the employee has taken under this policy, and subtract it from the 12 weeks of available leave. The balance remaining is the amount the employee is entitled to take at the time of the request. For example, if an employee used 4 weeks of FMLA leave beginning February 4, 2010, 4 weeks beginning June 1, 2010, and 4 weeks beginning December 1, 2010, the employee would not be entitled to any additional leave until February 4, 2011.

Serious health condition - an illness, injury, impairment, or physical or mental condition that involves:

- (1) inpatient care (i.e., an overnight stay);
- (2) any period of incapacity of more than 3 consecutive calendar days that also involves: (a) two or more treatments by a health care provider, the first of which must occur within 7 days of the first day of incapacity with both visits completed within 30 days; or (b) treatment by a health

care provider on one occasion that results in a regimen of continuing treatment under the supervision of a licensed health care provider;

(3) Any period of incapacity due to pregnancy or for prenatal care;

(4) A chronic serious health condition which: (a) requires periodic visits for treatment to a health care provider (at least 2 per year); (b) continues over an extended period of time; and (c) may be periodic rather than a continuing incapacity;

(5) 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.);

(6) Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than 3 days at a later date without medical intervention at the present time (i.e. chemotherapy for cancer, dialysis for kidney disease, etc.).

Licensed health care provider – a doctor of medicine, a doctor of osteopathy, podiatrists, dentists, optometrists, psychiatrists, clinical psychologists, and others as specified by law.

Key Employee – the highest paid 10% of all salaried employees in the agency. An employee will be notified in writing of his/her status as a key employee, if applicable, at the time leave is requested.

Family member – spouse, child under age 18, parent or a person who stood *in loco parentis* to the employee. A child over 18 must be incapable of self-care because of a physical or mental disability or over 18 and a member of the Armed Forces.

Covered service member – either a current member of the Armed Forces, including a member of the National Guard or Reserves, 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 for 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 5 years preceding the date the eligible employee takes FMLA leave to care for the covered veteran.

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, 2013, the period of October 28, 2009 and March 8, 2013, shall not count toward the determination of the 5 year period for covered veteran status. The reference to the 10/28/09 to 3/8/13 deals with the period of time between the introduction of the proposed regulations and the issuance of the final regulations.

Outpatient status – the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Next of Kin – the term “next of kin”, used with respect to a service member means the nearest blood relative of that individual.

Serious injury or illness – for purposes for the 26 week military caregiver leave means either:



- (1) 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
- (2) 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:
- 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
  - 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
  - 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
  - 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.
- (3) Covered Active Duty” or “call to covered active duty”:
- 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.”
  - 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.
  - “Deployment to a foreign country” means deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the U.S., including international waters.
  - “Qualifying Exigency”: (For purposes of the 12 week qualifying exigency leave) includes any of the following:

- Up to 7 days of leave to deal with issues arising from a covered military member's short notice deployment. A short notice deployment is notice of 7 or fewer days.
- 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.
- 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.
- 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.
- 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.
- Rest and recuperation leave of up to 15 days to spend time with a 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.
- Attending certain post-deployment activities within 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.
- 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.
- Any qualifying exigency which arose out of the covered military member's covered active duty or call to covered active duty status.

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

- The employee must have worked for the agency for at least 12 months, or 52 weeks. The 12 months, or 52 weeks, need not have been consecutive.

- The employee must have actually worked at least 1,250 hours during the 12 month period immediately prior to the date when the FMLA leave is scheduled to begin.
- The employee must work at a location where the Employer employs 50 or more employees within a 75 mile radius.

The entitlement to FMLA leave for the birth or placement for adoption or foster care of a child shall expire at the end of the 12 month period beginning on the date of such birth or placement.

Spouses who are both employed by the agency are jointly entitled to a combined leave total of 12 weeks (rather than 12 weeks each) for the birth of a child, upon placement of a child with the employees for adoption or foster care, or the care of certain family members with serious health conditions.

An employee may only take FMLA leave because of his/her own serious health condition if such condition renders the employee unable to perform the functions of his/her position. Other eligibility allowances are set forth in the Use of Leave Section, below.

**Use of Leave** - The provisions of this policy shall apply to all family and medical leaves of absences as follows:

Generally, an employee is only entitled to take off a total of 12 weeks of leave per year under the FMLA.

Employees will be required to exhaust all accumulated unused paid leave (sick, vacation, etc.) as allowed by law prior to being granted leave without pay for FMLA leave requests. Employees will be required to use the type of 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. In addition, any time off that may legally be counted against an employee's 12 week FMLA entitlement will be counted against such time. NOTE: Employees who are on court leave with pay for jury duty or service shall not have such leave count as FMLA leave.

Eligible employees who work less than 40 hours a week are entitled to 12 weeks of leave. However, the hours will correspond to the hours worked. For example, an employee who works 30 hours a week is entitled to 360 hours a year and so forth.

When implemented, mandatory cost savings days will run concurrently with FMLA.

An employee on FMLA leave shall not hold outside employment while on FMLA leave without prior written approval from their Employer.

Holidays that occur during a full week of FMLA leave will count against the employee's FMLA entitlement. However, if an employee uses FMLA leave in increments of less than one week, the holiday will not count against the employee's FMLA entitlement unless the employee was otherwise scheduled and is expected to work during the holiday.

**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 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 vacation leave and then using unpaid leave for the remainder of the twelve (12) week period. Appropriate documentation must be submitted at the time FMLA leave is requested.

**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. Appropriate documentation must be submitted at the time FMLA leave is requested.

**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 12 week period.

**FMLA and Disability/Workers' Compensation** – An employee who is eligible for FMLA leave because of his/her 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 workers' compensation benefits, the Employer may designate the absence as FMLA leave, and count it against the employee's 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 workers' compensation program, the employee is not eligible to use paid leave (except as supplemental benefits, if applicable and requested by the employee), nor can the Employer require him/her to do so while the employee is receiving compensation from such a program.

**Procedures for Requesting FMLA Leave** – Requests for FMLA leave must be submitted in writing at least 30 days prior to taking leave or as soon as practicable prior to the commencement of the leave. If the employee fails to provide 30 day notice for foreseeable leave with no reasonable excuse for the delay, the leave may be denied until at least 30 days from the date the Employer receives notice. The employee must follow the regular reporting procedures for each absence.

Requests for FMLA leave shall be submitted on standard leave form(s) prescribed by the Employer (a completed *Employee FMLA Request to Employer* form, a *Certification of Health Care Provider* form as applicable, and the standard *Application for Leave* form). The Employer will determine whether the leave qualifies as FMLA leave, designate any leave that counts against the employee's 12 week entitlement and notify the employee that the leave has been so designated. Only one *Designation Notice/Employer Response to Employee* is required for each FMLA qualifying reason per applicable 12 month period. For a serious health condition of an employee, if the employee fails or refuses to return a *Certificate of Health Care Provider* form, the Employer may accept another form of medical certification. 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.

**Certification of Need for FMLA Leave for Serious Health Condition** – An employee requesting FMLA leave due to his/her 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.

The Employer, in 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 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, at the Employer's expense. If a second medical opinion is requested, the cost of obtaining such opinion shall be paid 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 15 days. Any costs associated with the additional reports requested by the Employer shall be at the employee's expense.

**Certification Forms** are available from the Employer. Similar forms are available from the Department of Labor.

- *Certification of Health Care Provider for Employee's Serious Health Condition*
- *Certification of Health Care Provider for Family Member's Serious Health Condition*
- *Certification of Qualifying Exigency for Military Family Leave*
- *Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave*
- Equivalent documentation in the case of an adoption/foster care

**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.

**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 of the employee or a serious health condition of an employee's family member. Upon approval of the appointing authority, an employee may 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. In all cases, the FMLA leave granted to any employee shall not exceed a total of 12 weeks per year. Requests for intermittent or reduced schedule FMLA leave must be submitted in writing at least 30 days prior to taking leave, or as soon as practicable.

To be entitled to leave on an intermittent or reduced schedule basis, 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 must meet with his/her supervisor 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 operations of the Employer.

**Employee Benefits** - Except as provided below, while an employee is on paid 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/she would have been required to pay had he/she 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 occur while the employee is on leave.

The Employer will not continue to pay the Employer portion of premiums if the employee fails to pay the employee's portion of such premiums or if the employee's payment for his/her portion of the premium is late by more than 30 days.

The Employer will continue to make cash-in-lieu of insurance payments to those employees who have chosen this option during open enrollment.

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.

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, personal leave and holidays) will not accrue during any period of unpaid FMLA leave.

**Reinstatement** - An employee on FMLA leave must give the Employer at least 2 business day notice of his/her 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, then 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 penalized or laid off as a result of exercising his/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. 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.

An employee on FMLA leave has no greater right to reinstatement or to other benefits and conditions of employment than if the employee has been continuously employed during his/her FMLA leave.

For return other than full duty, the *Attending Physician Statement* and the *Health Care Provider Information* forms are required. The employee's return to work may be delayed until such certification is provided. Any extensions of the leave are granted at the option of the Employer.

Key employees may be denied reinstatement if, (1) in the sole opinion of the Employer, denial of reinstatement is necessary to prevent substantial and grievous economic injury to the Employer; and (2) the Employer notifies the employee of its intention not to restore the employee to duty before the leave begins, or (3) the Employer notifies the employee of its intention not to restore the employee to duty after the leave begins, and the employee does not elect to return immediately to work and be restored to the same or a similar position.

In order to determine whether the restoration of the employee to employment will cause substantial and grievous economic injury to the operations of the Employer, the Employer may consider its ability to replace the employee on a temporary basis, whether a permanent replacement of the employee is unavoidable, and the cost of reinstating the employee.

**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.



**EMPLOYEE FMLA REQUEST TO EMPLOYER**

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Submit (1) this request and (2) the applicable completed *Certification of Health Care Provider* form, and (3) the *Application for Leave*, to your supervisor at least 30 days in advance. If the need for leave is unforeseeable, you must make the request as soon as practicable, but within 30 days, and must comply with the normal call-in procedures.

**ELIGIBILITY**

- 1. Counting any periods of time that you worked for the County (consecutive or not), have you worked for the county for a total of 12 months or more? Yes No
- 2. During the past 12 months, have you actually worked at least 1,250 hours? Yes No
- 3. Have you previously received family or medical leave? Yes No  
If yes, Dates of leave, from/to: \_\_\_\_/\_\_\_\_ Purpose of leave: \_\_\_\_\_  
Dates of leave, from/to: \_\_\_\_/\_\_\_\_ Purpose of leave: \_\_\_\_\_
- 4. Have you taken any intermittent family or medical leave? Yes No  
Approximate dates: \_\_\_\_\_ Purpose of leave: \_\_\_\_\_

**LEAVE IS REQUESTED FOR THE FOLLOWING REASON:**

- Birth of the Employee’s child and in order to care for the child;
- Placement of a child with the Employee for \_\_\_ adoption or \_\_\_ foster care;
- Employee’s own serious health condition that renders the Employee incapable of performing the functions of his/her job, including a work-related injury or illness;
- To care for the Employee’s \_\_\_ spouse, \_\_\_ son, \_\_\_ daughter, or \_\_\_ parent who has a serious health condition;

**SERVICE MEMBER LEAVE:**

- 1. For a qualifying exigency arising out of the fact that the Employee’s \_\_\_ spouse, \_\_\_ son, \_\_\_ daughter or \_\_\_ parent (\_\_\_ mother, \_\_\_ father) is called to active duty status in support of a contingency operation as a member of the Armed Forces, National Guard or Reserves.
- 2. To care for the Employee’s \_\_\_ spouse, \_\_\_ son, \_\_\_ daughter, \_\_\_ parent (\_\_\_ mother, \_\_\_ father) or \_\_\_ next of kin of a covered service member recovering from \_\_\_ a serious illness or \_\_\_ injury sustained in the line of duty on active duty.

Leave Is Requested Beginning \_\_\_\_\_  
And Is Expected To Continue Until Or About \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date of Request

Attachments: \_\_\_\_\_ Applicable *Certification* form  
\_\_\_\_\_ Application for Leave form

**DESIGNATION NOTICE/EMPLOYER RESPONSE TO EMPLOYEE  
FAMILY AND MEDICAL LEAVE**

To: \_\_\_\_\_ Dept: \_\_\_\_\_  
From: \_\_\_\_\_ Date: \_\_\_\_\_

**Section I. Employer Designation Notice**

On \_\_\_\_\_, we reviewed your **Request for Leave** under the FMLA and have determined that your leave \_\_\_ is approved/ \_\_\_ is provisionally approved/ \_\_\_\_\_ is not approved/ or \_\_\_\_\_ does not apply. Note: If the leave is not approved due to lack of proper medical certification, complete and sufficient certification is required within 15 calendar days from your request, or FMLA may not be approved.

**Section II. Employer Response to Employee**

On \_\_\_\_\_, you notified us of your need to take leave of absence for:

- The birth and care of your newborn child;
- Placement of a child with you for adoption or foster care;
- Your own serious health condition that renders you incapable of performing the functions of your job, including a work-related injury or illness;
- To care for your \_\_\_\_\_ spouse, \_\_\_\_\_ son or \_\_\_\_\_ daughter under age 18, or \_\_\_\_\_ Parent (\_\_\_ mother, \_\_\_\_\_ father), with a serious health condition;
- For a qualifying service member leave.

You notified us that you need this leave beginning on \_\_\_\_\_ and that you expect the leave to continue until on or about \_\_\_\_\_. If eligible, you have a right under the FMLA for up to 12 weeks of leave in a rolling 12-month period for the reasons listed above, except that you are entitled to up to 26 weeks of leave to care for an injured service member.

**This is to inform you that:**

1. You are \_\_\_ eligible, \_\_\_ not eligible for leave under the FMLA. To be eligible you must have been employed by the agency for at least twelve (12) months and must have worked at least 1,250 hours during the twelve (12) month period immediately prior to the date when FMLA is scheduled to begin, work at a location where the county employs 50 or more Employees within a 75 mile radius, and have not exceeded 12 weeks leave over last reporting period.
2. If eligible, you have \_\_\_\_\_ (hours, days, weeks, etc.) of FMLA leave available in the applicable rolling 12-month period. If there is no deviation, your FMLA is approved for \_\_\_\_\_ (hours, days, weeks, etc.).
3. If eligible, the request for leave will be counted against your FMLA leave entitlement.
4. If the leave has been provisionally designated as FMLA, you must provide a complete and sufficient *certification* to your Employer by \_\_\_\_\_ (within 15 calendar days from date of this response). In the case of a condition exceeding 5 consecutive calendar days, you are required to provide a physician's statement specifying your inability to report to work and the probable date of recovery regardless of FMLA leave status.
5. Appropriate, available accrued paid leave shall be counted as part of your 12 week leave entitlement and must be exhausted prior to being granted unpaid leave and shall be taken concurrently

with FMLA leave, such that the total leave taken does not exceed 12 weeks.

6. When implemented, mandatory cost savings days will run concurrently with FMLA.

7. The Employer’s portion of the County health care premium will be paid. If you normally pay a portion of the premiums for your health insurance, these payments must continue during the period of FMLA leave. If you do not return to work following FMLA leave for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond your control, you may be required to reimburse the agency for their share of health insurance premiums paid on your behalf during your FMLA leave

8. If the leave was for your own serious health condition, you will be required to present a fitness-for-duty certificate prior to being restored to employment. For return other than full duty, the *Attending Physician Statement* and the *Health Care Provider Information* forms are required. If such certification is not received, your return to work may be delayed until it is provided.

9. You \_\_\_ are or \_\_\_ are not a key Employee as described in the FMLA regulations. If you are a key Employee, restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us. As such, we \_\_\_ have or \_\_\_ have not determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us.  
*Explained:* \_\_\_\_\_

10. You X will/ \_\_\_ will not be required to furnish us with periodic reports of your status and intent to return to work every 30 days while on FMLA leave.

11. You X will/ \_\_\_ will not be required to furnish re-certification every 30 days relating to a serious health condition.

**Please sign and return the original of this *Designation Notice*, and other documents if requested.**

\_\_\_\_\_  
**Employer’s Signature**

\_\_\_\_\_  
**Employee’s Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**

Attachment for Employees: _____ Applicable <i>Certification</i> Form _____ Application for Leave Form	And If For Your Own Serious Health Condition: _____ <i>FMLA Attending Physician Statement</i> form _____ <i>Health Care Provider Information</i> form _____ Job Description _____ Job Analysis – if available
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## **SECTION 6. LEAVES**

### **SICK LEAVE** **(ORC 124.38)**

All employees in County service are entitled to earn sick leave with pay. Sick leave is accrued at the rate of .0575 per hour for each hour in an active pay status (4.6 per 80 hours). Unused sick leave shall be cumulative without a limit. Unused sick leave credit earned while in public service within 10 years of an employee's re-employment will be credited to his/her current sick leave accrual upon receipt of verifiable information.

Sick leave shall be charged in one-half (.5) hour increments for the first 30 minutes and in 15 minute increments thereafter. Employees shall be charged for sick leave only for days upon which they would otherwise have been scheduled to work.

Sick leave may be granted for absences due to the following reasons:

1. Illness, injury, or pregnancy-related conditions 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. Such time as is reasonably necessary for examination of the employee, including medical, psychological, dental or optical examination, by an appropriate practitioner.
4. Death of a member of the employee's immediate family.
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 affected family member.
6. Examination, including medical, psychological, dental, or optical examination of a member of the employee's immediate family by an appropriate practitioner where the employee's presence is reasonably necessary.
7. Post-natal period for the care of an employee's wife and family. Such usage shall be limited to a reasonably necessary period of time, not to exceed three (3) work days.
8. A job related illness or injury suffered by an employee while in the course of employment, subject to the Workers' Compensation policy.

Immediate Family means: Father, Mother, spouse, child, step-child, brother, sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, sister-in-law, brother-in-law, grandparent, grandchild, step-parents, step-siblings, or legal guardian or other person who stands in place of a parent (in loco parentis).

#### ABSENCE FROM WORK:

Employees must contact their supervisor with the reason for absence at least 30 minutes prior to the start of their scheduled starting times, unless an alternative departmental policy applies.

Employees must request sick leave on a daily basis unless otherwise notified by their supervisor. Daily attendance records are maintained by each department, including date and time absent and reason for absence. In order for an employee to be paid for accrued sick leave, the employee must furnish a satisfactory, signed *Application for Leave* form for all regularly scheduled work hours missed. With the approval of the Board of County Commissioners or its designated authority, such sick leave request may be approved. Absences from work shall be a consideration in determining promotions, transfers, satisfactory completion of probationary periods, and continued employment with the County.

If illness or disability continues past the time covered by earned sick leave, the employee must exhaust accrued compensation time and then may be granted a leave of absence without pay upon written request to the Board of County Commissioners. The employee may request to use vacation time in lieu of absence without pay.

#### TARDINESS:

Advance notice of anticipated tardiness is expected; notice of unavoidable tardiness is expected when possible. Failure to report shall be an un-excused absence, and the time missed will not be paid. Tardiness may be made up during the pay period in which it occurs according to the operational needs of the department. Notification of absence must be made to the employee's supervisor or designee. Notification by another employee, friend, or relative is not considered proper except in an emergency situation where the employee is physically unable to make the notification. Notifications made by voice mail may be verified by the supervisor. Upon return to work, the employee must complete the request for leave.

#### ABUSE OF LEAVE:

The Board of County Commissioners may substantiate the proper use of sick leave through telephone confirmation, house visits, physician certification or any other means. If it is found that a leave is not actually being used for the purpose for which it was granted, the employer may cancel the leave and direct the employee to report for work by giving written notice to the employee.

An appointing authority may require that an employee submit to a medical or psychological examination by a licensed practitioner selected by the appointing authority to determine fitness-for-duty. The employer shall, at their expense, schedule the appointment and advise the employee. Failure to appear for the examination is punishable by the imposition of discipline. Fraudulent applications for leave shall be grounds for disciplinary action.

#### EXTENDED SICK LEAVE:

In the case of a condition exceeding five (5) consecutive calendar days, a physician's statement specifying the employee's inability to report to work and the probable date of recovery shall be required.

#### FITNESS-FOR-DUTY CERTIFICATE:

Employees are required to provide certification of their ability to return to work from their health care provider prior to being restored to employment from a leave due to the employee's own serious health condition. If such certification is not received, the employee's return to work may be delayed until such certification is provided. Failure to produce required medical statements will result in denial of sick leave and possible disciplinary action. The County reserves the right to require an examination by a physician of its choosing to evaluate the employee's ability to return to work.

#### TRANSFER OF SICK LEAVE ACCRUAL:

Employees shall be permitted to transfer sick leave from other public agencies as set by the Ohio Revised Code provided:

1. The time between separation and reappointment does not exceed ten (10) years,
2. Cash payment was not received for balance of sick leave, and
3. Written verification has been provided.

#### SICK LEAVE PAYMENT UPON RETIREMENT:

An employee may, upon retirement after ten (10) or more years of service with the state, any political subdivision or any combination thereof, elect to be paid in cash for twenty-five percent (25%) of the employee's accrued but unused sick leave up to a maximum of one-fourth of 120 days, or 30 days. This payment shall be at the employee's rate of pay at the time of retirement. Accepting the cash payment eliminates all remaining sick leave credit accrued up to that time.

In the event of an employee's death, after ten (10) or more years of service with the state, any political subdivision or any combination thereof, unused sick leave shall be paid in the same manner as set by the Ohio Revised Code pertaining to sick leave payment upon retirement.

## SICK LEAVE DONATION PROGRAM

Employees under the appointing authority of the Geauga County Board of Commissioners may donate sick leave to a fellow employee who is otherwise eligible to accrue and use sick leave but has no accrued sick leave available. The intent of the Sick Leave Donation Program is to allow eligible employees to voluntarily provide assistance to their eligible co-workers who are in critical need of leave due to the serious health condition of the employee or a member of the employee's immediate family.

The ultimate decision whether to grant, deny or continue the donation and/or receipt of donated sick leave is within the sole discretion of the Geauga County Board of Commissioners.

1. An employee may **receive** donated sick leave, up to the number of hours the employee is normally scheduled to work in each pay period, if the employee who is to receive donated leave:

- a) Has a serious health condition that meets the qualifications and requirements of the Geauga County Board of Commissioners' policy for Family and Medical Leave (FMLA), including providing doctor certification of the employee's qualifying medical condition.
- b) Has a family member with a serious health condition and the employee is needed to care for the family member. Family Member" is defined as the employee's spouse, children (biological, step, adopted or foster) under 18, parent or other person who stands in the place of a parent (in loco parentis). A family member's serious health condition must meet the qualifications and requirements of the Geauga County Board of Commissioners' policy for FMLA leave, including doctor certification of the family member's serious health condition, and the certification must designate that the employee's presence is reasonably necessary.
- c) Has no accrued unused paid leave.
- d) Has applied for all paid leave, workers' compensation, or other state/county benefits programs for which the employee is eligible. Eligibility ceases if the employee becomes eligible for other benefits including workers' compensation payments, retirement or disability separation, etc.
- e) Does not have active discipline in their personnel file related to excessive use of sick leave, abuse of sick leave, unauthorized absence, or patterned use of sick leave.
- f) Has submitted a "Sick Leave Donation Request" form to his/her department director.
- g) Returns to work as soon as the medical condition necessitating the use of donated leave permits.

2. Employees may **donate** accrued, unused sick leave if the donating employee:

- a) Is actively employed by the same county appointing authority as the employee receiving the donated sick leave.
- b) Voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned.

- c) Donates up to a maximum of eighty (80) hours to a specified pay period. An employee may donate to multiple recipients in the same calendar year.
- d) Retains a sick leave balance after donation and during all cycles of the donation process of at least one hundred and twenty (120) hours.

3. The Sick Leave Donation Program shall be administered on a pay period by pay period basis as follows:

- a) Donated leave shall be paid by the receiving department, at the receiving employee's base rate of pay, up to the number of hours the employee is normally scheduled to work in each pay period, or a maximum of eighty (80) hours per pay period, whichever is less.
- b) 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. Leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received.
- c) Donated sick leave shall be considered sick leave but shall never be converted to other leave or into a cash benefit.
- d) Banking of donated leave is not permitted.
- e) If an appointing authority receives more than one offer to donate leave to a qualifying employee for any pay period, the appointing authority shall apply the offers in the order in which they are received.
- f) Leave taken under this program will run concurrent with and be subject to the twelve (12) week limits of the Family and Medical Leave Act (FMLA).

5. Employees who wish to donate leave must complete and return the "Sick Leave Donation" form to their department head/supervisor. The forms will be date stamped in the order in which they are received.

6. The Geauga County Sick Leave Donation Program shall be administered on a strictly voluntary basis. Department heads/supervisors shall ensure that no employees feel they are being coerced to donate leave. The department head/supervisor *may*, with the written permission of the receiving employee, inform other employees of their eligible coworker's critical need for leave. No department heads, supervisors, or any employees shall under any circumstances directly solicit leave donations from employees.

6.16b



**Application to Donate Leave**

**Donator's Name:** \_\_\_\_\_ **Office/Dept.:** \_\_\_\_\_

**Donator's current wage rate:**  
\_\_\_\_\_

**Employee's Name to Receive Leave:** \_\_\_\_\_

**Number of hours of Sick Leave to be donated:** \_\_\_\_\_

**Pay period :** \_\_\_\_\_

**Balance of Sick Leave after donation:** \_\_\_\_\_

**Fiscal office initials:** \_\_\_\_\_

The undersigned acknowledges that this donation of sick leave is voluntary and that donated time cannot and will not be returned to the donor.

\_\_\_\_\_  
Donator's Signature

\_\_\_\_\_  
Date

The Department Head acknowledges that all criteria for donation per the written policy have been met.

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date

**Employee Request for Sick Leave Donation**

**Employee's Name to Receive Leave:** \_\_\_\_\_ **Office/Dept.** \_\_\_\_\_

**Employee's current wage rate:** \_\_\_\_\_

**Dates for which donated leave is requested:** \_\_\_\_\_

**Pay period for which donated leave is requested:** \_\_\_\_\_

The undersigned is requesting to participate in the Geauga County Sick Leave Donation Program due to the serious illness or injury of the employee or a member of the employee's immediate family. The undersigned \_\_\_\_\_ grants \_\_\_\_\_ does NOT grant permission to the supervisor to inform other employees of their eligible coworker's critical need for leave.

\_\_\_\_\_  
Donatee's Signature

\_\_\_\_\_  
Date

The Department Head acknowledges that all criteria for donation per the written policy have been met.

\_\_\_\_\_  
Department Head's Signature

\_\_\_\_\_  
Date

## **SECTION 6. LEAVES**

### **OTHER LEAVES OF ABSENCE**

Where the reason for leave is identical, the leave periods under FMLA shall run concurrently with other leaves of absence, the same as paid leave which runs concurrently with FMLA leave.

#### **MEDICAL LEAVE WITHOUT PAY:**

Upon written request to the Board of County Commissioners, an employee with a disabling illness, injury, or condition may be granted a medical leave of absence. Accrued sick leave and compensation time shall be exhausted before being placed in an unpaid status. The length of leave shall be limited to the period of time that the employee is unable to perform the essential job duties of the employee's position, not to exceed six (6) months. The employee will be in an inactive pay status and thus exempt from vacation, sick leave, hospitalization and all other benefits. An employee may elect to substitute accrued vacation leave for any period of unpaid medical leave at any reasonable time during the leave of absence.

An employee requesting leave of absence without pay due to a disabling illness, injury or condition must present, at the time the request is made, a licensed practitioner's certificate stating the probable period for which the employee will be unable to perform the essential job duties of the employee's position.

The Board of County Commissioners requires the employee, prior to the employee's return to work, to provide a physician's fitness-for-duty certificate from a health care provider confirming that the employee is able to perform the essential job duties of the employee's position. The cost of such examination shall be paid by the employee.

If the employee is unable to return to active work status within six (6) months, the employee may be given a disability separation in accordance with the provisions of such law.

#### **PERSONAL (NON-MEDICAL) LEAVE WITHOUT PAY:**

Upon written request to the Board of County Commissioners, an employee may be granted for any personal reason a personal leave, not to exceed three (3) months. Accrued unused vacation and compensation time shall be exhausted before being placed in an unpaid status.

#### **COURT LEAVE WITH PAY:**

Upon request, the Board of County Commissioners shall grant court leave with pay to any actively working employee who is summoned to jury duty by a court of competent jurisdiction, or is subpoenaed to appear before any court, commission, board or other legally constituted body authorized by law to compel the attendance of witnesses, where the employee is not a party to the action, or when an employee who is in an active pay status is an appellant in an action before the State Personnel Board of Review. An employee is not eligible for court leave with pay under this provision when the employee is on inactive pay status or unpaid leave of absence or disciplinary suspension. Any compensation or reimbursement for jury duty or for court attendance compelled by subpoena, when such duty is performed during an employee's normal

working hours, shall be remitted to the payroll officer for transmittal to the Geauga County Treasurer in order to receive regular pay.

#### COURT LEAVE WITHOUT PAY:

Upon request, the Board of County Commissioners may grant a leave of absence without pay to an employee appearing before a court or other legally constituted body in a matter in which they are a party. Such instances include, but are not limited to, criminal or civil cases, traffic court, divorce proceedings, custody or appearing as directed as parent or guardian of juveniles. Accrued compensation time must be exhausted before being placed in an unpaid status. Vacation may be used in lieu of unpaid leave.

#### MILITARY LEAVE:

Any employee who joins the armed services will be granted military leave of absence without pay consistent with applicable federal and state laws. Employees leaving for such a leave will receive any accrued vacation pay at the time the leave commences. Employees returning from active military duty must apply for reinstatement within the time period dictated by the Uniform Services Employment and Reemployment Rights Act of 1994. Except in the event of changed circumstances or where provided otherwise by law, all employees on an approved military leave will be returned to the same or comparable position, provided all requirements have been met, the employee is qualified for the position, and the employee is capable of performing the duties for that position.

Any employee who requires a military leave to perform reservist or national guard duties will be granted a military leave of absence without pay in accordance with applicable federal and state laws unless the employee elects to receive any accrued vacation pay during the leave or in the case of exempt employees who work a portion of the week during which they are on military leave. At the time the leave is requested, the employee must notify the County in advance of his/her training schedule and anticipated return-to-work date, and the employee must return to work on his/her next scheduled work day following his/her return from reservist duties.

Employees who are members of the Ohio organized militia or members of other reserve components of the armed forces of the United States, including the Ohio National Guard, are entitled to a military leave of absence from their duties without loss of pay for the time they are performing service in the uniformed services, for periods not to exceed a total of 31 calendar days (or twenty-two working days or one hundred seventy-six hours) in any one calendar year. The service does not have to be during one continuous period of time.

If the employee is called or ordered to military duty for longer than a month because of an executive order issued by the President of the United States, or an act of Congress, or by order of the Governor, this leave will be paid when the pay received by the employee from the military is less than the employee's pay as a county employee, and will be paid at the difference between the two figures, or \$500, whichever amount is less.

Prior to being granted a military leave, employees shall submit the published order authorizing the call or order to the uniformed services or a written statement from the appropriate military commander authorizing that service.

#### BEREAVEMENT LEAVE:

In the event of a death in the immediate family, an employee will be granted up to five (5) days leave of absence with pay to be charged against his or her accrued sick leave, or without pay if no accrued sick leave or compensation time is available. Vacation may be used in lieu of an unpaid leave. For such purposes, the immediate family shall be considered to be an employee's father, mother, spouse, child, step-child, brother, sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, sister-in-law, brother-in-law, grandparent, grandchild, step-parents, step-siblings or legal guardian or other person who stands in place of a parent (in loco parentis).

In the event of the death of a relative other than a member of the employee's immediate family, an employee shall be granted a leave of absence with pay, to be charged against his or her sick time for one (1) day to attend the funeral if within the State of Ohio, or two (2) days when the funeral is outside the State of Ohio. With prior approval by the Department Director, more time may be granted, not to exceed three (3) days for out of State and two (2) days within the State.

#### EDUCATIONAL LEAVE OF ABSENCE WITHOUT PAY:

Upon written request, the Board of County Commissioners may grant an educational leave of absence without pay for a maximum of two (2) years for the purpose of education or training which would be a benefit to the County service; or for voluntary service in any governmentally sponsored program of public betterment. Renewal or extension beyond the two-year period shall not be allowed.

## **SECTION 6. LEAVES**

### **MISCELLANEOUS**

#### **RETURN TO WORK:**

Upon completion of a leave of absence without pay, the employee shall be returned to the same or similar position within the employee's former classification. The employee may be returned to active pay status prior to the originally scheduled expiration of the leave if such earlier return is agreed to by both the employee and the employer.

#### **FAILURE TO RETURN TO WORK:**

Employees who fail to return to duty within three (3) working days of the completion or a valid cancellation of, a leave of absence without pay without explanation to the employer or his representative, may be removed from service. Any extensions of the leave are granted at the option of the employer.

#### **SERVICE CREDIT:**

An authorized leave of absence without pay will count as service credit for layoff purposes provided the employee is properly returned to service and is not serving a probationary period.

Employees who do not return to service from a leave of absence without pay shall not receive service credit for the time spent on such leave.

## **SECTION 6. LEAVES**

### **VACATION LEAVE (ORC 325.19)**

#### **ELIGIBILITY:**

Full-time employees earn vacation leave with pay according to the employee's length of employment with the State, any political subdivision of the State, or any combination thereof. Full-time employees are employees whose regular hours of service for the county total 35 per week or more.

Part-time employees shall be eligible for vacation leave with full pay upon the attainment of the first year of employment with the county, and annually thereafter. The ratio between the hours worked and the vacation hours awarded to a part-time employee shall be the same as the ratio between the hours worked and the vacation hours earned by a full-time employee as provided in this section. Part-time employees are employees whose regular hours of service for the county total less than 35 hours per week and whose hours of county service total at least five hundred twenty (520) hours annually. (ORC 325.19 (B) and (J)(1)(2)).

#### **PRIOR SERVICE:**

Prior service for the purpose of computing the amount of vacation leave to which an employee is entitled shall be governed by ORC 9.44. It is the employee's responsibility to provide the county with official verification of prior public service before such service is counted, including part-time service. If prior service includes full-time employment of at least one year or more, accrual is immediate upon hire. If prior service does not include at least one year of full-time employment, vacation credit will be given to the employee at a ratio equal to the hours worked after the first full year of employment with the county or any political subdivision of the State, and accrual begins.

When an individual terminates employment with one appointing authority to become employed by another appointing authority, prior service is counted. After separation, the employee is entitled to, and shall be paid by, the first appointing authority for vacation leave accumulated but unused.

Service credit should be given for an entire biweekly pay period whether full-time or part-time, if the employee worked at any time during that biweekly period.

Employees who have received a refund of contributions after prior government service with any state retirement system may still have their prior service credit counted for vacation purposes.

Employees hired after 6/24/87, who have retired under any state retirement system may not have their prior service credit counted for vacation purposes.

#### **SCHEDULING:**

All vacation leave must be approved by the supervisor. Every effort should be made by the

employee to request vacation leave at least two weeks in advance. Vacation requests will be granted based on order of receipt, seniority, impact on operations, and accrual of vacation time. Effective January 1, 2011, vacation accrual in excess of 200 hours shall not be allowed to accumulate.

Only in special and meritorious cases may the appointing authority permit an employee to carry over vacation leave in excess of 200 hours provided a written request has been submitted to, and approved by, the employee's appointing authority. Under no circumstances may an employee accumulate or be paid for vacation leave in excess of the accrual for three (3) years on the employee's anniversary date. All vacation leave in excess of the three (3) year limitation shall be eliminated from the employee's leave balance.

Vacation leave may be used in one half hour increments for the first hour and then in 15 minute increments thereafter, upon prior approval of the employee's supervisor. However, individual departments may adopt more stringent policies regarding scheduling of vacation leave to meet the needs of the department.

If an employee, while on vacation, contracts an illness or injury, or experiences a death in the family which would warrant paid sick leave had the employee been at work, the employee may be permitted to charge such absence to sick leave provided proper notification and approval was made at the time these events occurred. There shall be no automatic extensions on originally scheduled vacations under these circumstances.

**VACATION PAYOFF AT TERMINATION:**

Upon termination/resignation, accrued unused vacation time will be paid at the employee's current rate of pay.

In case of the death of an employee, any earned but unused vacation credit shall be paid to the deceased employee's estate.

**VACATION ACCRUAL:**

After the first year of employment with the County or any political subdivision of the State, an employee may take vacation hours as they are accrued. Eligible employees earn vacation leave based on years of service with the State or any political subdivision of the State. One year of service is defined as 26 bi-weekly pay periods during a normal year. Overtime hours are not used in the calculation of vacation benefits. Vacation time is accumulated according to the following:

Length of Service	Rate Per Hour	Hours Earned Per 80 Hours	Annual Vacation Hours Earned x 26	Maximum Hours of Accrual
Less than 1 year	0	0	0	0
1 or more years	.03875	3.1	80	200
8 or more years	.0575	4.6	120	200



Length of Service	Rate Per Hour	Hours Earned Per 80 Hours	Annual Vacation Hours Earned x 26	Maximum Hours of Accrual
15 or more years	.0775	6.2	160	200
25 or more years	.09625	7.7	200	200

A fulltime employee is entitled to 80 hours of vacation leave credit at the completion of 1 year of service and is entitled to 40 hours of vacation leave credit after the completion of 8 years, 15 years, and 25 years of service. A part time employee will receive hours of vacation leave credit prorated based upon the normal number of hours worked by that employee in a bi-weekly pay period.

\* Eligible employees in an active pay status shall accrue vacation leave in a pay period at a ratio equal to the hours worked, minus overtime. Example: 70 hours x .03875 = 2.71 hours earned.

In no case may an employee take vacation leave prior to its being earned.

Designated holidays are not charged to the vacation leave.

An employee may not elect to have cash payout for unused vacation time.

In accordance with our Leaves policies, an employee may be required to use accrued vacation leave before being placed on an unpaid leave.

#### SERVICE CREDIT:

Authorized leaves of absence will count towards an employee's length of service credit for the purpose of calculating the amount of vacation leave, provided the employee is properly returned to service and is not serving a new hire probationary period. However, vacation leave will not accrue while an employee is on a leave of absence without pay.

## **SECTION 6. LEAVES**

### **HOLIDAYS (ORC 325.19)**

Employees shall be entitled to the following paid holidays annually:

- New Years Day (January 1<sup>st</sup>)
- Martin Luther King Day (3<sup>rd</sup> Monday in January)
- Presidents Day (3<sup>rd</sup> Monday in February)
- Memorial Day (Last Monday in May)
- Independence Day (July 4<sup>th</sup>)
- Labor Day (1<sup>st</sup> Monday in September)
- Columbus Day (2<sup>nd</sup> Monday in October)
- Veterans Day (November 11<sup>th</sup>)
- Thanksgiving Day
- Christmas Day

Holidays falling on Sunday will be observed on the following Monday. Those holidays falling on Saturday will be observed on the preceding Friday. If an employee's work schedule is other than Monday through Friday, the supervisor shall determine the work week.

An employee is entitled to holiday pay for holidays which are observed on the employee's day off, regardless of the day of the week they are observed. Eligible employees who are required to work on a designated holiday are entitled to their overtime rate for the hours actually worked, in addition to their holiday pay.

Part-time, temporary and seasonal employees will receive holiday pay only if the holiday falls on a day they are normally scheduled to work.

To be eligible for holiday pay, an employee must have been in an active pay status on the scheduled work day of the holiday. If a holiday occurs on a day where an employee is on an approved paid vacation or sick day, the employee shall be compensated for said holiday and not charged for sick time, compensatory time or vacation for such holiday. Further, to be eligible for holiday pay, the employee must work or be on approved vacation, sick or compensatory time the workday before and the workday after the holiday.

**REQUEST FOR PRIOR SERVICE  
TRANSFER OF SICK LEAVE ACCRUAL**

**(To be mailed to previous employer(s) by the employee)**

TO: Human Resources Department  
DATE: \_\_\_\_\_  
RE: Previous Service Credit for Sick and Vacation Accrual

I, \_\_\_\_\_ was formerly employed by your agency from \_\_\_\_\_ to \_\_\_\_\_. Geauga County requires information concerning my service with your agency. Please provide the information requested below and mail to the Geauga County Commissioners, Attn: Human Resources, 470 Center Street, Building #4, Chardon OH 44024.

\_\_\_\_\_  
Employee Signature \_\_\_\_\_  
Date

---

**THIS SECTION TO BE COMPLETED BY FORMER EMPLOYER**

=====

Name of Agency \_\_\_\_\_  
Address: \_\_\_\_\_

Dates of employment, from \_\_\_\_\_ to \_\_\_\_\_.

Was this person an Employee, Elected Official or Volunteer (please circle one)?

Was the employment: Full time or Part time (please circle one)?

If Full-time, hours worked per week: \_\_\_\_\_

If Part-time, please indicate payroll period dates and hours per pay, using the reverse side of this form if necessary: \_\_\_\_\_

Sick leave balance: \_\_\_\_\_ Were these hours transferred to another agency? \_\_\_\_\_

If so, which agency \_\_\_\_\_

Was cash payment received for this balance, or any part of this balance, of sick leave?

I hereby certify that this information is true and correct and complete to the best of my knowledge.

\_\_\_\_\_  
Signature and Title

\_\_\_\_\_  
Date

## **SECTION 7. TRAINING AND TRAVEL**

### **TRAINING PROGRAMS (ORC 325.191)**

As addressed by this policy, training is defined as any work related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by the County or while the employee is in a paid status with the County.

The County seeks, within the limits of available resources, to offer training to increase an employee's skills, knowledge and abilities directly related to County employment, to obtain or maintain required licenses and certifications, and to develop staff resources.

County-sponsored and required training shall generally be arranged during regularly scheduled work hours. A department director may change the standard work hours to accommodate or require attendance at such training activities.

The Department Director shall maintain employee training history, and shall periodically audit training attendance and policy compliance. Copies of certification of completion of training may also be sent to the Human Resources department for retention in the personnel file.

The opportunity exists for an employee to attend technical institutes, trade schools, accredited colleges and universities and other approved professional associations and institutions when the coursework is related to the employee's present job or the course is required for a work-related degree. The tuition reimbursement program addresses this subject.

## **SECTION 7. TRAINING AND TRAVEL**

### **TUITION REIMBURSEMENT PLAN**

In an effort to improve productivity and job skills, the Board of County Commissioners may provide educational assistance for job related educational courses. All requests for reimbursement are subject to approval by the Board of County Commissioners and availability of funds.

To receive consideration for approval, the course must be a job-related educational course, further develop the employee's job skills and attended outside of working hours. This plan applies to courses taken through technical institutes, trade schools and accredited colleges and universities accredited by agencies listed on the U.S. Department of Education website. Approval of the Board of County Commissioners must be granted prior to taking the course.

Employees requesting to participate must complete their probationary period prior to the date the class is to begin. This restriction may be waived if the county asks the employee to undertake specific, job-related educational opportunities.

The County will pay for the employee's tuition but, if the employee leaves the employ of the County within two (2) years from the date the course is completed, the employee must repay the money as if it was a tuition loan. Course completion will be the date on record of passing or grade is made. The employee's signature on the application serves as agreement that the employee authorizes automatic payroll deduction if the employee leaves the employ of the appointing authority within two (2) years from the date the course is completed for any reason except death and lay-off. The repayment rate is as follows: Employees who leave within one (1) year of completing the course, will repay the County 100% of the monies paid to them for the course. Employees who leave within two (2) years of completing the course will repay the County 50% of the monies paid to them for the course.

Reimbursements will be made for not more than eighteen quarter or twelve semester hours of credit per calendar year. Whether quarterly or semester, the total reimbursement may not exceed \$2,000 per year. Employees may be reimbursed for registration fees, tuition fees, books and other related charges up to the \$2,000 cap. No reimbursement will be made for travel expenses (including parking). No reimbursement will be given to County employees being reimbursed from other sources for the same expenses.

To receive reimbursement, an employee must submit a record showing the course was completed with a passing grade of C or better (or pass with the pass/fail option).

All correspondence courses must be completed within twelve (12) months of the original approval date.

For reimbursement, the employee must submit receipts for all approved expenses, proof of registration, and proof of successful course completion. All reimbursements must be submitted within six (6) months of course completion.

**SECTION 7. TRAINING AND TRAVEL**

**Geauga County Employee Tuition  
Reimbursement Plan Application**

<i>Employee:</i>		<i>Date:</i>	
<i>Department:</i>		<i>Job Title:</i>	
<i>Course:</i>		<i>School:</i>	
<i>Course Dates:</i>		<i>Credit Hours:</i>	
<i>Registration, Tuition, etc.:</i>		<i>Other Approved Expenses:</i>	
<i>Total Course Expense:</i>		<i>Dept. Head Approval:</i>	

By signing this application for educational assistance, I agree to accept the policy requirements established and authorize through payroll deduction or other repayment plan, repayment of the reimbursement if I leave the employ of Geauga County for any reason, except death or lay-off, within two (2) years of the course's completion.

<i>Signature:</i>		<i>Date:</i>	
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<i>Describe how this course is job related and how it will improve your job performance:</i>

## **SECTION 7. TRAVEL AND TRAINING**

### **TRAVEL EXPENSES FOR COUNTY OFFICERS AND EMPLOYEES (ORC 325.20)**

TRAVEL: all travel including meetings, conferences, training and seminars which is not a part of travel for routine work assignment.

TRAVEL FOR ROUTINE WORK ASSIGNMENT: all travel within the State of Ohio which does not include overnight accommodations and/or registration fees, and for which reimbursement for expenses may be submitted on a *Mileage/Miscellaneous Reimbursement Voucher* worksheet.

#### **EMPLOYEE RESPONSIBILITY:**

Employees shall comply with the County's *Driver Eligibility Guidelines* when driving a county-owned or leased vehicle, or a privately-owned vehicle, on County business.

#### **EXPENSE REQUEST:**

Travel expense requests, including routine work outside of the state, must be approved by the Commissioners during public session before the first date of travel. Travel requests should be submitted using the County *Travel Expense Request Form*.

1. The County *Travel Expense Request Form* should be submitted three weeks before the first day of travel to assure timely review, or travel may not be approved. It must be signed by the Department Director or designee, then submitted to the Budget Office. A deputy auditor completes the Auditor's Certificate of Funds section and the request is submitted to the Board of County Commissioners for approval during a public session.
2. A descriptive brochure or prospectus of the meeting, conference, training or seminar should be attached to the expense request. If unavailable, an agenda, program, course description or letter of invitation is to be attached to the request.
3. If the County employee or official does not plan to report to work within 3 working days after the end of the meeting, conference, training or seminar, he or she shall either provide a full explanation in writing or schedule a time with the Board of County Commissioners during a session to explain such absence before approval is granted.
4. Expense requests must list the estimated costs of the proposed travel within the limits, as follows:
  - Hotel: Actual rate, government rate when available.
  - Meals: Reimbursement for meals purchased while not on Travel Status or as part of a business meeting will be strictly prohibited. To be considered in Travel Status, there must be an overnight stay. Business meetings must be substantiated with the persons in attendance

and a clear business purpose. Actual cost up to a maximum of \$50.00 per calendar day. All requests for reimbursement must be accompanied by an original receipt(s).

Mileage: As adopted annually by Commissioners' resolution.

Other: Parking fees, tolls, fares, or long-distance calls for County business, registration fees, gasoline (if not reimbursed for mileage), etc.

Sales Tax: Sales tax should be exempted whenever possible with a Blanket Exemption Form.

#### EXPENSES NOT ALLOWED:

1. Expenses not authorized on the expense request
2. Expenses more than 5% above the approved request, unless specifically approved by the Board of Commissioners
3. Expenses of a spouse or other non-county employee(s) traveling with a county employee or official
4. Expenses resulting from the fraudulent use of the travel policy
5. Expenses for alcoholic beverages
6. Expenses for personal phone calls
7. Expenses for meals while not on Travel Status and that are not business meetings, i.e. not in a clear business setting and directly business-related

#### EMERGENCY TRAVEL AUTHORITY

Every effort should be made to obtain approval for out-of-state and overnight travel prior to the occasion of said travel. However, in an emergency or in those special cases where prior approval by the Board for travel surrounding the care of a juvenile under the care of the Agency cannot be obtained in a timely manner, or for security reasons are not prudent, prior tentative approval can be issued by the County Administrator.

Emergencies approved by the County Administrator in accordance with the above must still be submitted by the department head to the Board of County Commissioners for formal approval.



## **SECTION 7. TRAVEL AND TRAINING**

### **PAYMENT OF EXPENSES**

Request for reimbursement must be submitted to the Board of County Commissioners before payment can be approved either through the *County Travel Expense Request* form or the *Mileage/Miscellaneous Reimbursement Voucher* worksheet process as applicable to definition of travel.

### **TRAVEL FOR ROUTINE WORK ASSIGNMENT**

Employees who use private vehicles for approved routine county business are required to document such use on a daily basis using the *Mileage/Miscellaneous Reimbursement Voucher* worksheet. The original of the worksheet is to be turned in regularly unless alternative departmental policy applies.

### **REIMBURSEMENT AND/OR PAYMENT OF IN-COUNTY MEALS & HOSPITALITY PURCHASES:**

Employees will be reimbursed for expenses incurred for in-county meals only when the expense is incurred as an integral part of a meeting or conference of a recognized group or association. Departments requesting to be reimbursed for any group meals should provide a list of all participants, as well as the purpose of the meeting.

The Board recognizes that providing refreshments and/or meals as part of the following activities also serves a public purpose and authorizes the reimbursement or payment of expenses incurred for 1) providing refreshments and/or meals at training sessions, meetings or conferences of a recognized group or association involving representatives from outside agencies and county officials, and 2) refreshments and/or meals for meetings, conferences, training sessions and special recognition events that include county officials, volunteers, volunteer board members, consumers, foster parents and adoptive parents. Departments requesting to be reimbursed for these expenses should provide a list of all participants, as well as the purpose of the gathering.

### **USE OF CREDIT CARDS FOR TRAVEL:**

Authorized employees may use a County credit card as a means of paying approved expenses pursuant to ORC 301.27 and the County credit card policy as adopted by the Board of County Commissioners.

## **SECTION 7. TRAINING AND TRAVEL**

### **USE OF COUNTY CREDIT CARDS (ORC 301.27)**

#### **TRAVEL EXPENSES:**

All travel expenses must first be authorized through the travel expense procedure before becoming legitimate travel expenses payable through the use of a County credit card. Credit card approval does not constitute Travel Expense Request approval.

#### **CREDIT CARD USE:**

For each County credit card, there shall be a resolution that authorizes the issuance of the card and specifies who may use the card.

#### **ISSUANCE OF CREDIT CARDS:**

Before any County credit card may be used, it shall be approved by the County Commissioners. Approval for the issuance of a County credit card is initiated by a County appointing authority, who shall apply by January 1 of each year. The application shall state whether the card is to be issued in the name of the office of the appointing authority itself, or whether the card shall also include the name of a specified officer or employee using the Application provided in this manual.

#### **AUTHORITY TO USE:**

The Board of County Commissioners shall authorize, by Board action, an employee to incur debt through the use of a credit card for the estimated amount of expenditure under permissible uses mentioned in this policy or for a revised amount as they deem proper. The amount approved by the Commissioners shall be encumbered by the department according to standard County procedures. Continued late fees and/or finance charges on a bill will be grounds for the Commissioners to deny authorization of credit card use.

#### **TYPES OF CARDS COVERED:**

All County credit cards are covered by statute, specifically Ohio Revised Code Section 301.27 (gasoline and telephone cards are included).

#### **PERMISSIBLE USES:**

The ONLY purposes for which a County credit card shall be used are the following types of work-related expenditures: food, lodging, telephone, gas and oil for County owned or leased vehicles, work-related travel, minor motor vehicle maintenance for County owned or leased vehicles, and emergency motor vehicle repair for County owned or leased vehicles.

Expenditures such as supplies (ex: from an office supply store) or repair (ex: parts at hardware store) are NOT legal and anyone who uses a card for such purposes is subject to criminal penalties as an unauthorized use.

## **SECTION 7. TRAINING AND TRAVEL**

### **PAYMENTS FOR EXPENSES INCURRED BY CREDIT CARD:**

Debt incurred as a result of the use of a County credit card is to be paid from monies that the County Commissioners appropriate to an office for the eligible work-related expenditures. Late fees and/or finance charges will not be paid on the Geauga county credit cards issued to various county departments.

### **UNAUTHORIZED USE:**

Anyone knowingly using a County credit card for an unauthorized use or for personal benefit shall be subject to criminal prosecution and disciplinary proceeding. Any suspicious of an unauthorized use shall report it immediately in writing to the appropriate authority and to the Board of County Commissioners.

### **LOSS OR THEFT:**

Suspected loss or theft of a County credit card shall be reported immediately in writing to the appropriate appointing authority and to the Board of County Commissioners.

### **ACCOUNTING PROCEDURES:**

Use of a County credit card in no way diminishes the requirements of ORC 325.20 and the Auditor's Office regarding travel expense requests. Employees using a credit card shall attach the signed customer copy of the credit slip to the payment voucher before the voucher is processed.

SECTION 7. TRAINING AND TRAVEL

APPLICATION FOR AUTHORIZATION TO PERMIT  
THE USE OF COUNTY CREDIT CARDS  
(ORC 301.27)

As a duly elected/commissioned appointing authority I hereby request that credit card(s) be issued to the office of \_\_\_\_\_.

This office will follow the instructions for County credit cards in accordance with the *Use of County Credit Cards* policy.

The following credit account(s) will be utilized only by the authorized employee or employees listed below.

Firm/Company	Account No.	Expiration Date	Authorized Employee(s)	Title	Signature
			1. 2. 3. 4. 5. 6.		
			1. 2. 3. 4. 5. 6		
			1. 2. 3. 4. 5. 6.		

I will direct the above signed employees in the proper use of County credit cards pursuant to Section 301.27 ORC, 325.20 ORC, and the policies of the Board of County Commissioners and the County Auditor.

\_\_\_\_\_  
Signature of Appointing Authority

\_\_\_\_\_  
Date

Board Resolution to be included in Commissioners' Journal with copy to the Auditor's Office.

## **SECTION 8. LOSS PREVENTION**

### **PUBLIC EMPLOYMENT RISK REDUCTION PROGRAM (ORC 4167)**

In response to Ohio Revised Code Chapter 4167, Ohio's comprehensive safety and health law for public employers, the Board of County Commissioners has established the Public Employment Risk Reduction Program.

## **SECTION 8. LOSS PREVENTION**

### **SAFETY AND HEALTH (ORC SECTION 4101.11)**

It is the policy of the Board of County Commissioners through and/or apart from their Department Directors, to adopt methods and procedures reasonably necessary to protect the life, health, safety and welfare of the employees and general public working in or on or frequenting County buildings and property.

All employees, including management, must be dedicated to reducing the risk of work-related injury and illness. It is the responsibility of all employees to properly use the safety equipment provided by the County and to follow established safe work practices and procedures.

As a part of an employee's commitment, unsafe practices or deliberate violations of safety and health rules will result in appropriate disciplinary action up to and including dismissal.

The County is committed to returning injured workers to work as soon as possible by providing Transitional Work, as well as other Return-To-Work programs.

An *Incident/Accident Report* shall be completed and the instructions for completing the report shall be followed for all incidents/accidents involving County employees while on duty, and for all accidents that occur on County property involving either employees, volunteers, or the public.

## **SECTION 8. LOSS PREVENTION**

### **PROPERTY, CASUALTY AND LIABILITY INSURANCE (ORC SECTION 305.12)**

The Board of County Commissioners shall adopt policies and procedures which will provide minimal risk to County property and employees and which will minimize losses resulting from unfavorable litigation. To protect the County from unavoidable losses, the Board of County Commissioners has secured insurance for County owned or leased vehicles, buildings and contents, and comprehensive general liability coverage. County employees are bonded.

Geauga County belongs to an insurance pool called the County Risk Sharing Authority (CORSA). CORSA allows the County to join with other counties in Ohio for property, casualty and liability insurance coverage. The County does not waive any immunity or defense it may have under Chapter 2744 of the Revised Code.

Employees shall report all incidents or accidents involving County vehicles, property, employees, volunteers or the public to their Department Director or designee, and to the Board of County Commissioners, in accordance with policies and procedures in this manual, and with any other departmental policies or procedures of the same subject.

## **SECTION 8. LOSS PREVENTION**

### **DRIVER ELIGIBILITY GUIDELINES**

#### **USE OF COUNTY-OWNED OR LEASED VEHICLES AND PRIVATELY OWNED VEHICLES BY EMPLOYEES AND VOLUNTEERS:**

Employees shall be given a copy of the Driver Eligibility Guidelines and instructed in its use. All appropriate forms shall be made available by the department involved. All departments are encouraged to utilize the standard forms provided by the County.

1. Individual appointing authorities and/or departments are responsible for the use and regulation of vehicles assigned to employees and may establish their own vehicle policies, but shall be no less restrictive than those contained herein.
2. County-owned or leased vehicles (hereinafter called "County vehicles") shall not be used for any purpose other than official County business, unless to and from work or while out of town on County business with prior approval.
3. Volunteer County workers shall not operate a County vehicle. Volunteers driving privately owned vehicles on County business are subject to qualification in accordance with this policy. Exceptions to this are emergency responders using LEPC emergency equipment for emergency response or training purposes.
4. Employees operating a County vehicle or a privately owned vehicle on the County's behalf and passengers of said vehicles shall obey all traffic laws. Employees who violate said laws shall be subject to discipline and/or prosecution.
5. Drivers must have a current, valid Ohio driver's license that covers the type of vehicle to be operated and are subject to an annual Bureau of Motor Vehicle (BMV) record review. Those employees in violation of County policies are subject to applicable rules and regulations governing same.
6. All applicants required to hold a current, valid Ohio driver's license as a condition of employment are subject to a BMV record review. An applicant may be disqualified for employment with the County based on their driving record.

If a qualified applicant has violations on their driving record that total 6 or more points as assigned according to *Schedule A*, the applicant may be disqualified from hire, and an employee may be suspended from driving, disqualified from promotion to a position for which driving is an essential job function, suspended from employment or terminated based on their driving record.

Any applicant hired, or employee promoted, with 4 points will be required to complete a defensive driving course as a condition of employment or promotion.



If hired with less than 4 points, penalties will not be assessed upon hire. However, if the employee has 4 points, the appointing authority will monitor the driving record before probation is completed and request at least one more BMV record review before the annual driving record check.

If additional points are accumulated in accordance with *Schedule A*, all penalties assigned to progressive disciplines will be imposed immediately.

7. Employees are covered by automobile insurance of the County while driving a County vehicle for official business.

8. Qualified employees driving privately owned vehicles shall be subject to an annual driver's license review, and shall show proof of compliance with the requirements for ownership liability insurance in accordance with Sections 4509.45 and 4509.51 of the Revised Code. Employees should carry a minimum of \$300,000 combined single limit of liability for their own protection.

9. The use of drugs or alcohol is prohibited at any time while operating a vehicle during the scope of employment and use shall subject the employee to immediate discharge from employment. Employees operating commercial motor vehicles are subject to the *Geauga County Drug & Alcohol Consortium Substance Abuse Test Policy and Procedure* regulations.

10. Use of all safety restraints provided in the vehicle is mandatory.

11. Unauthorized passengers are not allowed in County vehicles at any time. An exception to this provision may be obtained by prior written approval.

12. Air bags should not be shut off indiscriminately. Passengers under 5 feet in height and 100 pounds in weight should ride in the rear seats. Seats should be adjusted as far away from the dash as possible. The only time the air bags should be disengaged is if the person is required due to physical disability to ride in the front seat and has a doctor's prescription to have the air bag disengaged. If the air bag has been disengaged for the reason stated in this policy, it is to be returned to the ON position before exiting the vehicle.

13. Employees assigned a County vehicle may be required to pay income taxes for personal use of a County vehicle for commute to/from work.

14. In the event that a vehicle, assigned to an official or employee that is required to be available or "on call" for assignments, is used for purposes other than for the work of the County, reimbursement shall be made to the County for the use of said vehicle.

15. The County does not expect or require anyone to conduct business from a cellular phone while driving.

## **SECTION 8. LOSS PREVENTION**

### TRAFFIC VIOLATIONS:

1. Employees who incur traffic violations or parking tickets while operating a County vehicle or privately owned vehicle for county business shall be responsible for paying fines and other related costs. Court appearances and legal follow-up will be done on the employee's own time. An employee's continued eligibility to operate a County vehicle shall be subject to County rules and regulations regarding same.
2. County officials and employees shall be suspended from driving either County vehicles or privately-owned vehicles during the scope of their employment according to the points outlined in *Schedule A* incorporated into this policy.
3. The appointing authority shall determine those employees requiring a Commercial Drivers License (C.D.L.) as a condition of employment.
4. Any employee suspended in accordance with the penalties outlined in *Schedule B* incorporated into this policy may be subject to discipline including, but not limited to, suspension from work without pay for the duration of the driving suspension, or termination from employment.
5. Employees must notify their department head or supervisor within 24 hours of conviction for any traffic violations if their license is suspended, revoked or canceled, or if they are disqualified from driving under *Schedule A* and *Schedule B* of the County *Driver Eligibility Guidelines*. Failure to do so shall result in said employee being charged the points outlined in *Schedule A* for the violation, with additional penalty or discipline that the appointing authority shall impose.

**SECTION 8. LOSS PREVENTION**

DRIVER ELIGIBILITY GUIDELINES  
SCHEDULE A  
POINT ASSESSMENT AND ACCUMULATION

The following points will accumulate within two years against officials and employees of Geauga County, regardless of where the incident occurs and regardless of whether or not the incident occurs while in the scope of employment, unless otherwise indicated on *Schedule B Penalties*, of these guidelines.

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MINOR TRAFFIC OFFENSES

MOVING TRAFFIC VIOLATIONS WHICH INCLUDE, BUT ARE NOT LIMITED TO:  
SPEEDING, FAILURE TO YIELD, TRAFFIC CONTROL LIGHTS, STOP SIGN, FAILURE  
TO CONTROL, ASSURED CLEAR DISTANCE,.

ANY OFFENSE – 2 POINTS EACH

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MAJOR TRAFFIC OFFENSES

RECKLESS OPERATION.

ANY OFFENSE – 4 POINTS EACH

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FAILURE TO COMPLY WITH OHIO FINANCIAL RESPONSIBILITY LAWS:

ANY OFFENSE – 4 POINTS EACH

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OPERATION OF A MOTOR VEHICLE WHILE LICENSE IS UNDER SUSPENSION:

ANY OFFENSE – 6 POINTS EACH

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DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS:

ANY OFFENSE – 6 POINTS EACH

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This schedule lists the most common violations of Section 4507.021 of the Ohio Revised Code. Points shall be assessed for other violations of said section when applicable.

**SECTION 8. LOSS PREVENTION**

**DRIVER ELIGIBILITY GUIDELINES**

***SCHEDULE B***

**PENALTIES**

Penalties as shown below shall be assessed based on points as accumulated in *Schedule A*.

<u>Points</u>	<u>On-The-Job-Points</u>	<u>Non-Work Time Points</u>
2 Points	Verbal Warning from Appointing Authority	No penalty for first 2 points if assessed while driving a private vehicle during non-work time. Employee is responsible to provide proof that the violation did not occur during work.
4 Points	Written Warning from Appointing Authority and Defensive Driving Course. Course may be at employee's expense.	No written warning if points assessed while driving a private vehicle during non-work time. Course required. May be at employee's expense. Employee is responsible to provide proof that the violation did not occur during work.
6 Points		30 day suspension from driving for violation(s) at any time.
8 Points		60 day suspension from driving for violation(s) at any time.
10 Points		90 day suspension from driving for violation(s) at any time.
12 Points		120 day suspension from driving for violation(s) at any time.

## **SECTION 8. LOSS PREVENTION**

### VEHICLE MAINTENANCE:

1. All departments shall require their employees to keep County vehicles reasonably clean and free of litter and to abide by the County smoking policy.
2. All departments who have been assigned County vehicles shall require that those vehicles be maintained on a schedule not less than recommended by the manufacturer. (Maintenance costs are the responsibility of the department to whom the vehicle has been assigned.)
3. All departments shall have procedures in place for their employees to follow, such as: Gasoline purchases, handling vehicle maintenance and breakdowns, approved towing services, employee responsible for key distribution, and other procedures necessary for the department to carry out their use of County vehicle program.
4. The Geauga County Vehicle Inspection and Service Request form shall be completed as indicated on the form and the instructions shall be followed for management of the County fleet.
5. Instructions “What to do in Case of a Traffic Accident”, and Ohio Automobile Coverage Identification Card, and a County Incident/Accident Report form shall be placed in the glove box of all County vehicles.

**Driver Eligibility Guidelines Policy**

**Geauga County Vehicle Inspection and Service Request Form**

Department: \_\_\_\_\_ Agency Assigned Number: \_\_\_\_\_  
 Driver Assigned: \_\_\_\_\_ Make/Model: \_\_\_\_\_  
 Inspected By: \_\_\_\_\_ VIN: \_\_\_\_\_  
 Date: \_\_\_\_\_ Odometer Reading: \_\_\_\_\_  
 E-Check Date: \_\_\_\_\_ Number: \_\_\_\_\_

**Reason for Record:**

- \_\_\_\_\_ Pre-trip safety inspection, Complete Part I.
- \_\_\_\_\_ Regular scheduled maintenance, Complete Part II
- \_\_\_\_\_ Special maintenance, Complete Part II.
- \_\_\_\_\_ Vehicle, Complete Parts I. and II.
- \_\_\_\_\_ Pre-purchase inspection of previously owned vehicle, Complete Parts I and II.
- \_\_\_\_\_ Before trade-in, Complete Parts I. and II.
- \_\_\_\_\_ Before auction, Complete Parts I. and II.

**PART I.** To be completed by the Driver or Fleet Manager. Report Incidents/accidents according to policy.

**Pre-Trip Safety Inspection Checklist**

Circle Defective Items

<b>Lights</b>	<b>Gauges</b>	<b>Interior</b>	<b>Exterior</b>
Headlights	Oil Pressure	Heater/Defroster	Body Conditioner
Front Parking	Temperature	Air Conditioning	Driver Mirror
Side Marker Lights	Speedometer	Seats/Seat Belts	Door Handles
Stop/Tail/Turn	Odometer	Door Handles	Tires/Wheels
Back-up	Voltmeter	Rearview Mirror	Visible Damage
Hazard Warning	Fuel	Brakes/Parking Brakes	Wipers/Washers
License Plate	Other _____	Indicator Lights	Washer Solvent
Trunk		Radio/Audio	Fluid Leaks
Emergency Lights		Horn	Glass
Spotlight		Siren	Cleanliness
Other _____		Cleanliness	Other _____
		Other _____	

Explanations of condition(s) circled: \_\_\_\_\_  
 =====

**PART II.** To be completed by Fleet Manager. Service record to be attached.

**Service Checklist**

Circle Items to be Checked by Service Technician

<b>Mechanical</b>	<b>Mechanical</b>	<b>Exterior</b>
Transmission System	Audio System	Body
Emissions Control System	Brake System	Lights
Cooling System	Air Conditioning System	Tires
Ignition System	Suspension System	Other _____
Front End Alignment	Exhaust System Inspection	
Power Steering System	Corrosion Affects Function	<b>Interior</b>
Fuel System	Other _____	Gauges
Air Intake System		Lights
		Other _____

Explanation of condition(s) circled: \_\_\_\_\_

\_\_\_\_\_  
 Authorized Signature

\_\_\_\_\_  
 Title  
 8.10

\_\_\_\_\_  
 Date

**PART III. IMPORTANT INSTRUCTIONS**

Send the completed original record form(s) to the Board of County Commissioners’ Office for the following reasons:

- With the request for signature on the title for previously owned vehicles
- With the request to trade-in a vehicle
- With the request for a vehicle to be sold at auction
- When a vehicle is removed permanently from service
- When requested to do so by the Board of County Commissioners

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**PART IV. GUIDELINES FOR FLEET MANAGEMENT**

**Acquiring a Vehicle**

1. Include the vehicle in equipment requirements in your departmental budget request. Approval from the Board of County Commissioners is required before additions are made to the County fleet.
2. If approved, follow required procedures for vehicle acquisition.
3. Dealership or owner shall complete paperwork necessary for the County to acquire a title. Vehicles must be titled in the name of Geauga County Board of Commissioners with their address.
4. Department head or elected official shall submit completed forms to the Commissioners’ Office, along with the *Gauga County Vehicle Inspection and Service Request Form* for acquisition of previously owned vehicles.
5. Commissioners’ Office will request that the forms be properly signed by the designated Commissioner and will return the forms to the requesting department by inter-office mail unless requested to hold for departmental pick-up.
6. The department head or elected official will have the title delivered to the Commissioners’ Office, and shall provide plating instructions (e.g. County license plates, covert plates, etc.)
7. When the license plate is ready, the Commissioners’ Office will contact the department head or elected official who is responsible for picking up the plates. The Commissioners’ Office will make a copy of the registration form for the department head or elected official. Original registration, along with the title, remains in the Commissioners’ Office.
8. Departments are allowed to sign for delivery of vehicle, but all other paperwork must be signed by the Commissioners.

**Selling/Trading/Auctioning/Removing from Service**

1. The department head or elected official will return all County license plates not currently assigned to a vehicle to the Commissioners’ Office.
2. The title and an odometer disclosure statement properly filled out by the department head or elected official must accompany the request to sell, trade, auction, or permanently remove a vehicle from service.
3. The Commissioners’ Office will request that a Commissioner sign the title and odometer disclosure statement, then notify the department head or elected official that the paperwork is ready.

## **SECTION 8. LOSS PREVENTION**

### **INSTRUCTIONS “What to do in Case of a Traffic Accident”**

1. Stop.
2. Take immediate steps to warn approaching traffic.
3. Aid the injured. Do not move them, but keep them warm.
4. Notify proper authorities, either the highway patrol, sheriff, or local police, *even if the other party does not want to do so.*
5. Give your name and address to any person who is injured, or to the owner, operator, occupant or attendant of the other vehicle(s).
6. Gather the following information identifying any other driver in the crash and anyone involved at the scene. Most of it must be provided by law on a motor vehicle crash report and will be helpful in resolving matters relating to the accident.
  - Names and addresses of involved parties
  - Their dates of birth and social security numbers
  - License plate numbers
  - Driver’s license numbers
  - Name, address and social security number of vehicle owner, if other than driver
  - Circumstances of crash, such as weather, condition of road, and traffic controls
  - Year, make and model of vehicles involved
  - Name and address of other driver’s insurance company
7. *Take photographs, even if the investigating officer does so.*
8. Answer all investigating officer’s questions but do not discuss the accident with others. *Request a copy of the crash report and photographs.*
9. Trade facts with any other driver, but do not discuss “fault” or insurance coverage.
10. If involved in an accident with an unattended vehicle, you must report the crash to the police or leave necessary information at the scene.
11. The driver of a vehicle which is involved in a motor vehicle accident may file a Crash Report, BMV 3303 with the BMV within six months after the accident if both the following apply: (1) there was damage in excess of \$400.00, and (2) the driver or owner of the other vehicle did not have insurance or other financial responsibility coverage at the time of the accident.



## **SECTION 8. LOSS PREVENTION**

12. Make an initial telephone report of the accident to the County Risk Manager and then complete the *Incident/Accident Report* the day of the accident, or as soon as possible, within 24 hours after the accident..
  
13. Notification to the County insurance agent is processed through the Commissioners' Human Resource staff. The County's insurer will investigate the accident and contact the 3<sup>rd</sup> party to discuss the insurance coverage.

### **“What to do in case you hit a Deer”**

If you hit a deer and cause its death, you may take possession of the deer, by law, as long as you report the collision to a game protector or other law enforcement officer within 24 hours. The game protector or officer will then investigate and issue a certificate entitling you to the carcass. It is not legal to take a deer carcass without reporting it.

Source: Digest of Ohio Motor Vehicle Laws

# GEAUGA COUNTY

## REQUEST FOR DRIVING RECORD

Requests for motor vehicle records must comply with *Record Request Form BMV 1173*.

The Appointing Authority must obtain permission from the employee or applicant or volunteer who is/will be required to operate a county-owned or leased vehicle, or a privately-owned vehicle in the performance of their duties.

To request an MVR through our insurance carrier, CORSA, please contact the Office of the Geauga County Board of Commissioners to obtain a SAMBA EXCEL form.

Complete the SAMBA form following the instructions provided, and E-mail it back to the Office of the Geauga County Board of Commissions, Attn: Human Resources Department. You will need:

NAME \_\_\_\_\_  
  First  Last

DRIVER'S LICENSE NUMBER \_\_\_\_\_

STATE \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_

GENDER \_\_\_\_\_

As a member of CORSA there is no cost to the appointing authority for obtaining MVR's on qualified applicants, new hires and volunteers.

If a request for driver's records is made in addition to the annual report, the cost of obtaining those records will be charged to the requesting department or agency.

**USE OF PRIVATELY OWNED VEHICLE  
AFFIDAVIT FORM  
EMPLOYEES AND VOLUNTEERS**

**C E R T I F I C A T I O N**

I, \_\_\_\_\_, hereby affirm that pursuant to the laws of the State of Ohio, I have an automobile insurance policy or other proof of financial responsibility as required in Sections 4509.45 and 4509.51 of the Ohio Revised Code.

*A COPY OF THE REQUIRED PROOF OF INSURANCE IS ATTACHED TO THIS FORM.*

I further agree to report to my supervisor: 1) any traffic violations (except parking), 2) if my license is suspended, revoked or canceled, 3) or if my personal insurance is canceled. I shall report as soon as possible after any of the above occur and prior to driving any vehicle on behalf of the County.

I understand that by giving incorrect information or by omitting information I am falsifying this affidavit, and therefore I may be subject to termination.

I understand that a driver's license check will be completed and evaluated against the county Driver Eligibility Guidelines point assessment and accumulation schedules on an annual basis or as determined necessary by the county, and that penalties may apply.

**This form is not complete unless the Proof of Insurance is attached.**

Driver's License Number \_\_\_\_\_  
Expiration Date \_\_\_\_\_

=====

Employee Certification:

I state that the information contained on this form is complete and true to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Employee or Volunteer

\_\_\_\_\_  
Date

**Attachment Required**  
Rev. 02/07

## **SECTION 8. LOSS PREVENTION**

### **INCIDENT/ACCIDENT REPORTING (ORC 4123)**

All incidents and accidents befalling employees, volunteers, or non-employees, no matter how minor, are to be reported immediately to the department head or supervisor. The County *Incident/Accident Report* shall be completed as instructed within 24 hours, and distributed as indicated on the form.

Failure to file an *Incident/Accident Report* on a timely basis may delay the processing of any claim with the County's insurance representative, or in the case of a work-related injury, may delay the processing of any claim with the Bureau of Workers Compensation.

If an employee is physically unable to complete the *Incident/Accident Report* within 24 hours, the employee's immediate supervisor shall investigate the accident and complete as much of the report as possible for distribution. When the employee becomes physically able, he/she can verify and provide additional information, and sign and date the report for re-distribution.

#### **MOTOR VEHICLE ACCIDENTS:**

See instructions "*What to do in case of a Traffic Accident*".

#### **ACCIDENTS INVOLVING EQUIPMENT:**

1. Attend to any injuries of employees, volunteers or others.
2. Turn equipment in question over to the Supervisor, who shall complete an accident investigation.
3. Complete an *Incident/Accident Report* for distribution, including all circumstances surrounding the incident and all manufacturing information available concerning the equipment in question.
4. If an employee or volunteer is injured, follow the procedures for On-The-Job Injury or Illness.

#### **ON-THE-JOB INJURY OR ILLNESS (PERSONAL INJURY):**

*Employee Guidelines* covering Workers' Compensation claim procedures are provided to the employee or volunteer at time of hire. The appointing authority is responsible for recording occupational injuries and illnesses as required by the Public Employment Risk Reduction Program.

**County of Geauga Employee/Volunteer**

**Incident/Accident Report**

**Instructions:** Report all incidents/accidents to your Supervisor immediately. Complete this Report and submit it to your Supervisor within 24 hours. Always call police and request an accident report, photographs and witness statements for vehicle accidents and when non-employees are involved.

DEPARTMENT \_\_\_\_\_ DATE OF INC/ACC \_\_\_\_\_

I certify that the facts in this report are complete and true to the best of my knowledge and belief.

Employee Signature \_\_\_\_\_ Print Name \_\_\_\_\_ date \_\_\_\_\_

Volunteer Signature \_\_\_\_\_ Print Name \_\_\_\_\_ date \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Print Name \_\_\_\_\_ date \_\_\_\_\_

Department Head \_\_\_\_\_ Print Name \_\_\_\_\_ date \_\_\_\_\_

**Type of Incident/Accident**

Part I. Employee/Volunteer Injury

If injury is work related, must also complete BWC forms from BWC Employee packet.

Part II. Vehicle Accident

Part III. Damaged, Lost or Stolen Property

Part IV. Other Occurrence (Including Unsafe Working Conditions or Hazards)

Supervisors must complete Part V., Supervisor's Investigation

Witness statements can be recorded on Part VI., Witness Statement

**Employee/Volunteer Information**

Name \_\_\_\_\_

Employee/Volunteer \_\_\_\_\_

Job Title \_\_\_\_\_ Employment Status \_\_\_\_\_

Date of Birth \_\_\_\_\_ Work Phone \_\_\_\_\_ Home Phone \_\_\_\_\_

Home Address \_\_\_\_\_

Normal Work Week \_\_\_\_\_ Work Hours \_\_\_\_\_ Hourly Wage Rate \_\_\_\_\_

**Part I. Employee/Volunteer Injury**

I certify that on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ AM/PM,

I sustained a \_\_\_\_\_ to my \_\_\_\_\_

Describe incident \_\_\_\_\_

Was the place of the accident/injury on employer premises? \_\_\_\_\_ If yes, where? \_\_\_\_\_

Names of witnesses, if any: (1) \_\_\_\_\_ (2) \_\_\_\_\_

(3) \_\_\_\_\_ (4) \_\_\_\_\_ Did you seek treatment of this

injury? \_\_\_\_\_ If yes, where and what date? \_\_\_\_\_

Have you ever had a similar injury? \_\_\_\_\_ If yes, when? \_\_\_\_\_

If back injury, what part of your back hurts now? \_\_\_\_\_ When did you first notice this

back pain? \_\_\_\_\_. If you were lifting an object, what was it and how heavy?

\_\_\_\_\_. What was your exact position when pain was first noticed?

*Ask about participation in modified duty programs approved by the Ohio Bureau of Workers' Compensation. If you do not seek treatment at time of injury, but seek treatment at a later date, advise your Supervisor. Request a Sharps Injury Form Needle Stick Report from your Supervisor for injuries from contaminated needles.*

MEDICAL RELEASE *Under current Workers' Compensation law the employer is entitled to a signed medical release.*

I hereby authorize any person or persons who have in the past or will in the future medically attend, treat or examine me, or any person who may have information of any kind which may be used to reach a decision in any claim for injury or disease arising from the injury/illness described in this report, to disclose such information to my employer, the Managed Care Organization, and employer representatives. A copy of this form will serve as the original.

Print Name \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

**PART II. Vehicle Accident**  
**REPORT THE ACCIDENT IMMEDIATELY AND PROVIDE ADDITIONAL DOCUMENTS AS SOON AS POSSIBLE.**

Vehicle/Make/Model/Year \_\_\_\_\_  
 Location/AddressofAccident \_\_\_\_\_ Time \_\_\_\_\_  
 Weather Conditions \_\_\_\_\_ Road Conditions \_\_\_\_\_  
 TrafficControls \_\_\_\_\_ Responding Police Agency \_\_\_\_\_  
 Officer \_\_\_\_\_ Phone \_\_\_\_\_  
 Damage Description \_\_\_\_\_  
 Owner's Name & Address \_\_\_\_\_  
 Insurance Carrier \_\_\_\_\_ Agent \_\_\_\_\_ Phone \_\_\_\_\_  
 Describe action taken \_\_\_\_\_

Estimated Cost of Repair \_\_\_\_\_ Who will do the repairs? \_\_\_\_\_

Vehicle	Driver's Name & Address	DOB	Driver's License #	Vehicle Description & License Plate #
#1				
#2				
#3				
Injured Party: Name/Address/Phone			Describe Injury: Reported/Observed	

**Part III. Damaged, Lost, or Stolen Property**  
**REPORT THE INCIDENT IMMEDIATELY AND PROVIDE ADDITIONAL DOCUMENTS AS SOON AND POSSIBLE.**

Property was \_\_\_ Damaged, \_\_\_ Lost, \_\_\_ Stolen.

Property Owner \_\_\_\_\_  
Description \_\_\_\_\_  
Location/Address \_\_\_\_\_ Time \_\_\_\_\_  
Describe the Incident \_\_\_\_\_  
\_\_\_\_\_

Name of Party Causing Damage/Loss \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Insurance Carrier \_\_\_\_\_ Agent \_\_\_\_\_ Phone \_\_\_\_\_  
Cost Estimate to Replace or Repair \_\_\_\_\_ (Attach copy of Estimates)  
Action taken \_\_\_\_\_

**Call police, request a report, take photographs and obtain witness statements.**

Responding Policy Agency \_\_\_\_\_ Officer \_\_\_\_\_  
Phone \_\_\_\_\_

**Part IV. Other Occurrence**  
**(Including Unsafe Working Conditions or Hazards)**

On \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ AM/PM \_\_\_\_\_  
and location/address \_\_\_\_\_  
\_\_\_\_\_

Name(s) of Employee(s) Involved \_\_\_\_\_  
Reported to \_\_\_\_\_ By \_\_\_\_\_  
Describe action taken \_\_\_\_\_

**Part V. Supervisor's Investigation Report**

**Instructions:** Once notified, the Supervisor must go to the scene of the incident/accident to (1) gather information, (2) analyze and draw conclusions, (3) make recommendations, (4) submit written report. An initial phone report of the incident/accident must be made Human Resources personnel. The Department Head must be notified immediately if an accident causes serious injury, multiple injuries causing hospitalization, or if it is fatal. A report may be attached to this form.

Person(s) Involved \_\_\_\_\_ Department \_\_\_\_\_  
Detail of situation or event that occurred before, during and after the accident  
incident \_\_\_\_\_  
\_\_\_\_\_

Nature of Injury or Illness \_\_\_\_\_ Part of Body Affected \_\_\_\_\_

If photographs were taken of the scene, include them with the report.

Did the injured party leave work? \_\_\_ Time \_\_\_ Did the injured party return to  
work? \_\_\_ Time \_\_\_

Was the employee released for duty? \_\_\_\_\_ Full or transitional? \_\_\_\_\_

Qualified for Wage Agreement? \_\_\_\_\_



**Safety Sensitive Employee as defined in Substance Abuse Policy for Drug & Alcohol testing.**

If a Safety Sensitive Employee was involved, was Post-Accident testing required? \_\_\_\_\_

Was anyone transported to a medical facility? \_\_\_\_\_

If yes, who? \_\_\_\_\_

Was the employee determined to be a contributing factor? \_\_\_\_\_ If yes, explain \_\_\_\_\_

**Training**

What specific task was the employee performing? \_\_\_\_\_

Was the employee/volunteer trained by the County to do the assigned task? \_\_\_\_\_

Was the training documented? \_\_\_\_\_ Explain \_\_\_\_\_

Was the accident preventable? \_\_\_\_\_ Explain \_\_\_\_\_

Did an unsafe act or condition exist? \_\_\_\_\_ Describe \_\_\_\_\_

**For Employee Injury, Is the Employee Eligible to Participate in Modified Duty?**

Contact the County Human Resources personnel for assistance.

**Supervisor's Comments:** \_\_\_\_\_

Recommended Corrective Action \_\_\_\_\_

Assigned to \_\_\_\_\_ expected Completion Date \_\_\_\_\_

Date the Written Report was completed \_\_\_\_\_

Completed by \_\_\_\_\_ Date Completed \_\_\_\_\_ Phone \_\_\_\_\_

**Part VI. Notarized Witness Statement**

**Instructions:** If there is more than one witness, copy this page and attach additional statements to this report.

Date of Alleged Incident \_\_\_\_\_

Name of Witness, Job Title and Department \_\_\_\_\_

Name of Employee/Volunteer Alleging Incident \_\_\_\_\_

**WITNESS (other than injured party) STATEMENT - PLEASE PRINT**

I, \_\_\_\_\_, do hereby make the following statement of my own free will and accord concerning an incident/accident which occurred at \_\_\_\_\_

On the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ At \_\_\_\_\_ AM/PM at location \_\_\_\_\_ /address \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WITNESS AFFIDAVIT**

Being duly sworn, the undersigned states that the statements contained in this form are complete and true to the best of his/her knowledge and belief.

\_\_\_\_\_  
Signature of Witness

Sworn to and subscribed to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

**Report Distribution**

- Original to County Risk Manager
- Copy to Originating Department
- Copy to PERRP (OSHA) Record Keeper in Originating Department
- Follow-up Reports to County Risk Manager, with copy to Originating Department

## **SECTION 8. LOSS PREVENTION**

### **CLOSING COUNTY BUILDINGS (DAS 123:1-46-01)**

Only the Board of County Commissioners has the authority to close County Buildings. Announcements will be made from the offices of the County Commissioners by the County Administrator or designee. The County has established an *Employee Emergency Action Plan* to address reasonable and foreseeable emergency situations. Department heads are assigned the task of implementing the *Plan* for their employees.

Announcements of closings will be made from the office of the County Commissioners by the County Administrator, or designee. Each department head should develop a 24 Hour Calling Tree to insure that employees are notified of emergencies.

Employees notified that their building is closed will be compensated for the number of hours for which they were scheduled to work during the emergency period. Non-emergency personnel shall not report to work if notified that their building is closed and shall leave when they learn of the closing.

Employees not scheduled to work because of scheduled vacation or continuing sick leave will be charged for the leave regardless of the declared emergency. If vacation leave or sick leave ends prior to the end of the declared emergency, no leave time will be charged for the remainder of the emergency.

An employee who is absent, tardy or leaves work early on days when weather conditions interfere with travel but when no emergency has been declared, is absent without leave and therefore in a no-pay status. The employee may, with approval by the appointing authority, account for time during which he/she was absent from his/her job due to inclement weather by working such time in addition to his/her regular schedule or by charging it to vacation leave or compensatory time; otherwise, leave without pay will be charged. Inclement weather is not a valid reason for the use of sick leave.

Departments required to provide 24 hour and/or on-site emergency services shall compensate their employees at their regular rate of pay and may continue to use available personnel beyond their regular shift at time and a half during the emergency. For those employees, rather than time over 40 hours during that week, any time over their regular schedule on the emergency days will be at time and a half, even if the department gives them time off on other days during the week. Time spent in non-duty status, such as sleep or recreation, shall not be compensated.

If the Emergency Operation Center has been activated, employees who have been identified as responders shall report to the Emergency Operation Center as directed by the Emergency Services Director. In those cases, the provision of this policy regarding 24 hour and/or on-site emergency services shall apply.

## **SECTION 8. LOSS PREVENTION**

### **VISITORS IN THE WORKPLACE**

To provide for the safety and security of visitors and employees, as well as the facilities at the County, only authorized visitors are permitted inside the workplace. Restricting unauthorized visitors assists the County to maintain safety standards, protects against theft, assures security of people, property and equipment, helps secure confidential information, preserves employee welfare, and avoids potential disruptions and intrusions.

All visitors should enter County premises at the main entrance of each respective facility. Authorized visitors may receive a visitor's identification badge and shall be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on County premises, employees should direct the individual to the appropriate department or notify their supervisor, if necessary.

Conduct prohibited in the County's Violence Prevention Policy in this manual shall be reported promptly to law enforcement authorities, to the reporting employee's supervisor or department director, and to the County Risk Manager.

Employees should not hesitate to dial 9 + 9-1-1 from a County extension to reach emergency assistance.

## **SECTION 8. LOSS PREVENTION**

### **PERMISSION TO RELEASE PHOTOGRAPHS**

When photographs are taken for publicity purposes, the department head or supervisor must obtain permission from the individual(s) being photographed in order to release the County from any liability, cost, or expense that could be incurred for the use of such photograph(s), using the *Photographic Release* form.

**SECTION 8. LOSS PREVENTION**

**PHOTOGRAPHIC RELEASE**

I, \_\_\_\_\_, give permission to the  
(individual photographed)

County of Geauga to use any of the photographs taken on \_\_\_\_\_  
(date)

by \_\_\_\_\_  
(name of department and location)

for publicity purposes only, and hereby release the County of Geauga of any liability, cost or  
expense for such use.

Witness \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Print Name \_\_\_\_\_

**SECTION 9. PROGRAMS**

**GEAUGA COUNTY  
EQUAL EMPLOYMENT OPPORTUNITY  
POLICY STATEMENT  
AND  
AFFIRMATIVE ACTION PLAN  
REVISED JANUARY 1, 2003  
(ADOPTED OCTOBER 1985)**

## **SECTION 9. PROGRAMS**

### **EEO and AA Policy**

The Geauga County Commissioners are committed to a policy of full equality of employment opportunity. The Board will not discriminate against any job applicant, or employee, because of age, race, creed, color, sex, national origin, non-disqualifying physical or mental disabilities or handicaps, political affiliation or beliefs, labor or organizational memberships, religion, or marital status. The Board will not discriminate in recruitment advertising, recruitment, assignment, upgrading and merit promotions, demotions or transfer, layoff or termination, return from layoff, rates of pay and other forms of compensation, or selection for training and educational opportunities including apprentice programs.

Only valid requirements will be imposed when hiring and promotional opportunities exist.

Artificial barriers of attitudes and customs cannot be permitted to operate in matters of employment and personnel practices.

In addition, all facilities of Geauga County will be available to employees on a non-discriminatory basis, and all social and recreational programs sponsored for employees will invite full participation of all employees.

The Board will take whatever affirmative action necessary and proper to guarantee this policy. Failure to adhere to the policy will be dealt with by disciplinary action the same as any other infraction of the rules. Before contracts are awarded or bids opened compliance reviews will be made by the EEO Officer. The EEO Officer will have overall responsibility for implementation of our Affirmative Action Plan.

We intend to measure ourselves against specific objectives which will continue to move our total employment situation toward full and equal participation by all segments of the populace in the opportunities available.

Known disabilities will be reasonably accommodated provided the employee can perform the essential job functions with reasonable accommodation.

### **Personnel Policies and Procedures**

The Geauga County Board of Commissioners has adopted a *Guide to the Job Recruitment and Hiring Process for Geauga County*. This guide is based on a non-discriminatory philosophy and represents a commitment by the Board of County Commissioners for non-discrimination and equal employment opportunity for both applicants and present employees. County departments may use the *Guide* to assist in the hiring process.

All employees have access to the *Gauga County Board of Commissioners Personnel Policy and Procedure Manual*. Section 2. Employment contains our Equal Employment Opportunity Affirmative Action Plan and our policy on Job Recruitment and the Hiring Process.



## **SECTION 9. PROGRAMS**

The County Administrator position for the Board of County Commissioners has been assigned the responsibility to insure fairness and non-discrimination in the administration of personnel policies.

### **Recruitment and Hiring**

The County's *Equal Employment Opportunity Policy Statement and Affirmative Action Plan* shall be followed in all employment activities and employment decisions.

For job vacancies in departments under the appointing authority of the Board of County Commissioners, the Commissioners' Human Resource personnel will coordinate the job recruitment and hiring process for all position vacancies to ensure compliance with contractual, legal and equal opportunity requirements.

Only applications for employment for a specific posted or advertised job opportunity will be considered. Unsolicited applications will not be accepted. Instructions must be followed for the individual to be considered for employment.

The Job Opportunity Notice shall be distributed to each department. This notice contains information on County hiring procedures and shall be accessible to anyone who inquires about employment with the County.

### **Recruitment**

Recruitment and hiring procedures shall comply with the standard procedures as written in the *Guide to the Job Recruitment and Hiring Process for Geauga County*.

The job opportunity will be posted on designated public bulletin boards, distributed to all departments under the appointing authority of the Board of Commissioners, and advertised in local general circulation newspaper(s), as well as to recruitment services which do not discriminate in making referrals.

The Commissioners' Human Resource office will receive all applications and release them to the Department Director as appropriate. No applications are released before, or accepted after, the published closing and they will be released at the discretion of the Human Resource Office. If there are not sufficient qualified candidates, the position may be re-opened and re-advertised. Nothing herein shall conflict or be construed to be in conflict with public records law which shall be followed by the Commissioners.

## **SECTION 9. PROGRAMS**

The Department Director will screen all applications to determine qualified applicants for the position, will arrange interviews for the most qualified applicant(s), and will make the recommendation for hire.

It is the County's policy that immediate relatives will not be employed in or promoted to regular full-time or regular part-time positions where one relative would have the authority to supervise, appoint, remove, discipline or evaluate the performance of the other, or where one relative would be responsible for auditing the work of the other, or where other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the County's interest and their own.

### **Wage and Employee Benefits**

A *Classification and Compensation Plan* has been established and is maintained covering the duties and responsibilities for positions in the Commissioners' departments and supports the employment practice of equal pay for all employees who perform substantially equal work

### **Training**

Training is defined as any work related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by the County while the employee is in a paid status with the County.

The County seeks, within the limits of available resources, to offer training to increase an employee's skills, knowledge and abilities directly related to County employment, to obtain or maintain required licenses and certifications, and to develop staff resources.

County-sponsored and required training shall generally be arranged during regularly scheduled work hours. A Department Director may change the standard work hours to accommodate or require attendance at such training activities.

The Department Director shall maintain an employee training history, and shall periodically audit training attendance and policy compliance.

The opportunity exists for an employee to attend technical institutes, trade schools, accredited colleges and universities and other approved professional associations and institutions when the course is work-related to the employee's present job or a course required for a work-related degree. The tuition reimbursement program addresses this subject.

## **SECTION 9. PROGRAMS**

### **Upward Mobility**

An employee may be placed in a position for which the classification carries a higher salary range than that previously held. Although the County reserves the right to consider external candidates, promotion of qualified employees from within the County is encouraged. When a vacancy occurs, a position will be posted for a minimum of five working days. Interested employees who meet the minimum requirements for the position are required to submit an application in order to be considered for the position.

All employees shall be evaluated at least once during each calendar or anniversary year and shall be measured on the performance for the year immediately preceding the evaluation date.

### **Retention**

Upon completion of a satisfactory probationary period, employees in the classified service are protected from unjustified termination by state rules and regulations.

Employees may be terminated by the County following, or as, a disciplinary action.

Employees may be laid off by the County within an appointing authority for lack of work, lack of funds, as a result of abolishment of a position, for reasons of efficiency or economy, or other changes that have taken place.

### **Discrimination Complaint Procedure**

Complaints of discrimination in employment may be made by using the complaint form provided in the *Personnel Policy and Procedure Manual*.

### **EEO Staffing**

The County Administrator serves as the Equal Employment Opportunity (EEO) Officer, with responsibilities for implementing and monitoring the Affirmative Action Program.

### **In-House Monitoring**

Recruitment and hiring procedures shall comply with the procedures as written in the *Guide to the Job Recruitment and Hiring Process for Geauga County*. This *guide* will be reviewed and updated as needed by the County Administrator or designee.

## **SECTION 9. PROGRAMS**

### **Procedure for Monitoring Contractors and Vendors**

Contractors and vendors are required to include non-discriminatory clauses in their contracts, or addenda, which give assurance that they are making good faith efforts to comply with EEO laws and regulations.

Contracts and bids are advertised in a selected newspaper of general circulation and may also be posted on the county's website.

If evidence of non-compliance with EEO requirements is found, the evidence shall be brought to the attention of the company for correction. If efforts are not made to correct the non-compliance, the contractor will be denied future business.

### **Internal Dissemination**

This *Plan* is included in the *Geauga County Commissioners Personnel Policy and Procedures Manual* available to all employees when hired. This *Plan* will be available to all employees during their normal working hours upon request to their Department Director or Supervisor.

Notices regarding Equal Employment Opportunity are posted in conspicuous places as required by law.

The County EEO Officer is available to all county employees by telephone or by appointment.

### **External Dissemination**

The Equal Employment Opportunity policy statement and the Affirmative Action Plan as adopted by the Board of County Commissioners are memorialized in the official journal and are public record.

Notices regarding Equal Employment Opportunity are posted as required by law and are accessible to the public.

Recruitment notices proclaim our commitment to Equal Employment Opportunity.

Sub-grantees, contractors and vendors are made aware of our EEO requirements and are monitored for compliance.

The County has a policy regarding complaints of discrimination in employment from employees, from applicants for employment who were not interviewed, and from those who were interviewed and not hired. The County EEO Officer is available by telephone or appointment.

**SECTION 9. PROGRAMS**

**GEAUGA COUNTY ADA NOTICE  
(American's with Disabilities Act)**

Geauga County does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Geauga County does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the American's with Disabilities Act of 1990 (28 CFR 35.106).

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to Geauga County's designated ADA Compliance Coordinator and/or his/her designee.

County Administrator  
Board of County Commissioners  
470 Center Street, Blvd. #4  
Chardon, OH 44024-1071  
440-279-1660  
M-F 8:00 AM to 4:30 PM

Individuals who need auxiliary aids for effective communication in programs and services of Geauga County are invited to make their needs and preferences known to the ADA Compliance Coordinator and/or his/her designee at least 24 hours before needed.

This notice will be made available in large print, on audio tape, or in Braille, from the ADA Compliance Coordinator and/or his/her designee upon request.

POST THIS NOTICE IN A CONSPICUOUS PLACE WHERE NOTICES ARE CUSTOMARILY POSTED

## **ADA GRIEVANCE PROCEDURE FOR GEAUGA COUNTY**

The Grievance Procedure may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by Geauga County. The County Administrator position has been designated as the ADA Compliance Coordinator for Geauga County.

The complaint should be in writing and contain information about the alleged discrimination (name, address, phone number of complainant and location, date, and description of the grievance). Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities, upon request.

Step 1. The complainant and/or his/her designee should submit the complaint, with suggested remedy, as soon as possible but no later than 30 calendar days after the alleged violation, to the ADA Compliance Coordinator, or his/her designee:

County Administrator  
440/279-1660  
M-F 8:00 AM to 4:30 PM  
Board of County Commissioners  
470 Center Street, Building #4  
Chardon, OH 44024-1071

Step 2. The ADA Compliance Coordinator will convene a Grievance Committee. He/she and/or his/her designee will conduct an impartial investigation and will make a written recommendation to the Grievance Committee. The Grievance Committee will make a recommendation for resolving the issue within 20 days after receipt of the grievance. The response will explain the position of Geauga County and offer options for substantive resolution of the complaint.

Step 3. If the response by the Grievance Committee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision, in writing, to the President of the Board of County Commissioners (Board) within 10 calendar days after receipt of the Step 2 response. Such appeal should restate the allegations and remedy sought.

Step 4. Within 10 calendar days after receipt of the appeal, the Board will meet with the complainant to discuss the complaint and possible resolutions.

Step 5. Within 14 calendar days after the meeting, the Board will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint and what other options may be available beyond the local level.

All written complaints received by the ADA Compliance Coordinator and/or his/her designee, appeals to the Board, and responses from the ADA Compliance Coordinator or Grievance Committee will be maintained by the county for at least three years.

# **GUIDE TO EMPLOYEE PERSONNEL RECORDS AND DOCUMENTS MANAGEMENT**

**GEAUGA COUNTY BOARD OF COMMISSIONERS  
470 Center Street, Building #4  
CHARDON OH 44024**

## **INTRODUCTION**

The Board of County Commissioners acknowledges that it maintains many documents and records that may be subject to inspection and/or reproduction. In accordance with state law and the Geauga County Records Commission, the documents and records maintained by the Board of County Commissioners and the ability to access them are a means to provide trust between the citizens we serve and the Board of County Commissioners.

The Board of County Commissioners or their designee shall serve as the custodian of all records of all employees under their appointing authority.

The period of time for which the Board of County Commissioners stores or maintains records is determined by assessing the administrative, legal, fiscal and/or historical value of the records and by reviewing the guidelines published by the Ohio History Connection - Local Government Records Program.

## **LEGAL DISCLAIMER**

This guide should be used for general information and any statements are not intended to provide formal legal advice. The County Prosecuting Attorney is the legal advisor to the County Commissioners, other County elected officials, and various agencies. When in doubt, consult with the County Administrator, his/her designee, or the County Prosecutor's Office.

## **PUBLIC INFORMATION REQUESTS**

Records whose release is prohibited or exempted by either State or Federal Law shall not be subject to public inspection or copied.

Reproduction and copying fees associated with these guidelines shall be followed. Fees for letter or legal size documents shall be set by the Board of County Commissioners. For video or cassette tapes, or any other type of media, the fee shall be the replacement or reproduction cost for that particular media.

Public record inspection requests for the Board of County Commissioners and the departments under its appointing authority shall be directed to the Board office at 470 Center Street, Building #4. All requests should be made at the Commissioners' reception window in the lobby of Building 4.

A *Public Information Request Form*, included in this *Guide*, should be completed by the requestor to allow the requestor to provide specific information on the records to be viewed, to schedule a date to view, and for contacting the requestor when the records are available for inspection. All public records shall be prepared and made available for inspection to any person at all reasonable times during regular business hours.

Mailed requests for public records must be made in accordance with ORC Chapter 149.43. The Board shall forward a copy of the record through the U.S. mail within a reasonable period of



time. A payment request form shall be mailed to the requestor for prepayment by the requestor, and shall include postage fees and the cost of the envelope required to properly send the requested records through the mail. Upon receipt of payment, the requested record shall be provided to the requestor. The Board is under no obligation to create records or documents to meet public record requests. For requests for records or documents which are not maintained, or for a document or record which is no longer maintained, the requestor shall be so notified.

### **EMPLOYEE PERSONNEL FILES**

Information of a personal nature may be collected, maintained and used only if such information is necessary and relative to the function that the County is required or authorized to perform. The Commissioners maintain a Personnel File for all employees under their appointing authority. Supervisory files containing duplicate information may be maintained by Department Directors but shall not be considered the official file. The Auditor's Office is required by law to maintain information used in the performance of official duties.

The County will take reasonable precautions to protect information of a personal nature from unauthorized use. Such records shall not be removed from the premises in which they are stored without approval of the County Administrator or designee. Personnel Files may only be examined by the County Administrator, Director of Administrative Services, Department Directors, or their designees, in the performance of their official duties.

#### **PUBLIC RECORDS:**

Personnel Files are public documents and subject to inspection by the public in accordance with this *Guide to Employee Personnel Records and Documents Management*. The Personnel Files shall contain the *Application for Employment*, letter of appointment, employee status forms, notification of pay/pay step increases, training records, performance evaluations, disciplinary actions and related documents.

If a *Public Information Request* is made to inspect a Personnel File, the County Administrator or designee will arrange an appointment for the individual to review the file in the presence of the Human Resources representative. The employee will be notified of the request and have an opportunity to be present during the inspection. The record will be reviewed for exempted information and the procedure for redacting records shall be followed. If a copy of any record from the file is requested, reproduction and copying fees associated with our policy shall be followed.

**TRIAL PREPARATION RECORDS:** The County Administrator is prohibited from allowing anyone to review information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding. Questions regarding these matters shall be directed to the Prosecutor.

**EMPLOYEE'S REVIEW OF THEIR OWN FILE:** Employees who wish to review their own Personnel File may do so at a reasonable time during regular business hours by making arrangements with the County Administrator or designee in advance. Employees may not remove the Personnel File from the office, but may request a copy of any items within the file.

A one-time copy of the complete file will be made at no cost to the employee. Further requests for copies will include only documents added from the original date provided to the employee.

**RECORD OF REQUEST:** Individuals who are authorized to have access to the Personnel Files shall keep a written record of all requests for information from the public or other agencies by including a copy of the completed *Public Information Request Form* in the individual Personnel File.

**TELEPHONE REQUESTS:** Any requests by telephone for personnel information shall be directed to the Human Resources office and shall be limited to the employing department, date of county employment, and job classification. Under no circumstances shall medical information be given to anyone.

**PERMANENT RETENTION:** Retention shall be in accordance with the County *Guide to Employee Records and Document Management* and the *Schedule of Records Retention and Disposition*.

**TEMPORARY DOCUMENTS:** Retention shall be three years for administrative correspondence relating to leave and vacation requests, and all other administrative documents of limited information life span.

**DISCIPLINARY FILES:** Records of disciplinary action will be retained permanently but may not be used in progressive disciplinary process, providing that there are no intervening disciplinary warnings or reprimands given within a 3 year time period or disciplinary actions resulting in demotion or time off (suspension) after 5-years. Records of disciplinary action that are no longer in force shall, upon request of the employee, be removed from his or her personnel file. These records shall be moved from the personnel files but maintained in closed disciplinary files and still subject to inspection under the County's retention schedule in accordance with law.

**LOCATION OF OFFICIAL EMPLOYEE RECORDS:** The Commissioners' office shall maintain the official record. The department may maintain duplicate files if these guidelines are followed. Upon termination, the department shall send any duplicate files to the Commissioners' office for review and possible permanent retention in the official Personnel File.

**EMPLOYEE RECORDS FILING SYSTEM:** The Human Resources office shall maintain all Personnel Files in a standardized filing system which shall organize the information into four sections for ease of retrieval: Personnel, Performance, Training, and Discipline.

The Personnel section shall contain public record information which may include, but is not limited to copies of motion letters and status changes with address, date of birth, hiring, promotion, demotion, transfer, layoff, termination, rates of pay, application for employment, resumes, job descriptions, selections for training and apprenticeship programs, and any public information not specified for other sections.

The Performance section shall contain public information which may include, but is not limited to, evaluations, letters of appreciation, and letters from employees concerning their evaluations.

The Training section shall contain public information which may include, but is not limited to, new hire orientation records, certificates of training, and acknowledgments of receipt of policies and procedures.

The Discipline section shall contain public information which may include, but is not limited to, verbal warnings, written warnings, disciplinary actions, and supporting documentation.

Confidential (non-public) information may be maintained in the Human Resources office only and shall be separate from the Personnel Files. Confidential information may include, but is not limited to, medical documentation, FMLA requests, Workers' Compensation documents, life insurance applications and related documents, criminal background checks, credit checks, child support withholding, garnishments, and documents related to the Substance Abuse Program.

All Employee Personnel Files are maintained within the Human Resources Office. Individual departments maintain Supervisory Files on their employees. Supervisory Files may contain employee summaries, current training and performance evaluation data only. Supervisors' notes with observations and without disciplinary action taken are not public record and are not placed in either the official Personnel File or Supervisory File, if maintained.

**PERMANENT RETENTION OF EMPLOYEE RECORDS:** The permanent Personnel File for a terminated employee must contain a copy of the employee's final time sheet with vacation payout, sick leave accrual and final pay information. The Department Directors under the appointing authority of the Board of County Commissioners shall send duplicate files of terminated employees, if maintained, to the Human Resources office for possible retention.

A Public Record Request must be made to the County Administrator to inspect archived files.

If a charge of discrimination is filed against an employer covered by federal anti-discrimination laws, all Personnel File records about the charge must be kept until the charge is resolved. This includes both records about the individual filing the charges and records about other applicants for the position or other employees holding positions similar to the charging individual.

**Geauga County Commissioners  
Public Information Request Form**

Date of Request \_\_\_\_\_

Request Made to: \_\_\_\_\_  
(Name of County Administrator or Designee)

I, the undersigned, request to view the following records:


This request is being made in accordance with the Ohio Public Records Statute R.C. 149.43.

I understand that these records do not have to be made available today, but will be prepared and made available for inspection during regular business hours in a timely fashion, following receipt of this written request. Copies will be provided at the prevailing per page rate established by the Board of County Commissioners.

The date(s) I am available to view documents:

This information is being requested by:

Name	
Street Address	
City, State, Zip Code	
Telephone	

## **SECTION 9. PROGRAMS**

### **Public Service Recognition Week:**

Annually, the Board of County Commissioners may declare, through a proclamation, the first full week of May as Public Service Recognition Week. Department Directors under the appointing authority of the Board of County Commissioners shall participate.

The department may do any or all of, but is not limited to, the following:

- Meet to plan and develop ideas to celebrate Public Service Recognition Week
- Create a timetable
- Schedule events for recognition week
- Designate a point of contact (committee chair)
- Appoint a Public Relations representative from the committee, who will use media resources such as newspapers, in-house newsletters, radio and television, County website, cable television, etc. (information will be approved before publication or release)
- Order free materials from PER for delivery no later than March 15 (Public Employees Roundtable, PO Box 75248, Washington DC 20013-5248, e-mail [www.theroundtable.org](http://www.theroundtable.org))
- Hold events and fund raisers within the County departments for County employee participation (employee Olympics, luncheons, cookie sales, etc.)
- Offer tours of public facilities as an educational outreach to the community
- Schedule employee recognition events such as walk-a-thons, community clean-ups, fun runs, etc. during the year
- Contact local businesses and the community for private sector partnerships for the celebration
- Establish an on-going Public Service Scholarship Program and solicit interest for sponsorship

#### ***Tax Implications:***

All cash awards (regardless of the amount) are considered income for the employee and are taxed accordingly.

COUNTY OF GEAUGA

KUDOS TO YOU!

THIS NOTE OF APPRECIATION IS PRESENTED TO \_\_\_\_\_

ON THIS DATE \_\_\_\_\_ IN THE COUNTY DEPARTMENT  
OF

\_\_\_\_\_ IN RECOGNITION FOR:

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SIGNED BY: \_\_\_\_\_

THIS FORM MUST BE SIGNED AND VERIFIED WHEN PLACED IN PERSONNEL FILE.

CC: Department Head

## SECTION 9. PROGRAMS

### **LIMITED ENGLISH PROFICIENCY (LEP) PLAN** **INTRODUCTION**

The purpose of this Limited English Proficiency (LEP) plan is to provide assurances and demonstrate that citizens of Geauga County are being provided meaningful access to program information, benefits and services although a citizen may be limited in his/her English Language Proficiency.

- **Limited English proficiency** –A person with limited English proficiency or “LEP” is not able to speak, read, write or understand the English language well enough to allow him/her to interact effectively with a county agency.

Failure to provide meaningful access to program information, benefits and/or services due to an applicant/recipient’s LEP is considered discrimination based on national origin.

### **GEAUGA COUNTY PLAN**

Gauga County relies on the Geauga County Job and Family Services (JFS) agency for assistance if and when a situation arises that involves a Limited English Proficiency individual.

Gauga County will provide meaningful access to all individuals applying for, participating in programs or receiving services/benefits administered by, supervised by, authorized by and/or participated in by Geauga County and its contractors and/or vendors. Meaningful access involves Geauga County promoting effective communication to LEP individuals seeking or receiving services, benefits or participation in programs funded in whole or in part by federal funds. This plan specifically provides necessary assurances and identifies tools being used to effectuate this policy.

Gauga County JFS will periodically monitor the LEP population of those served or those who could be served by Geauga County. If it is determined that other LEP language groups are seeking benefits/services or are potentially eligible to receive benefits/services within Geauga County, Geauga County JFS will adjust its methods and services to serve the new population accordingly. Any new LEP populations will be reflected in the next Geauga County JFS LEP plan.

Gauga County JFS does not require, suggest or encourage LEP individuals or families to use friends, family members or minor children as interpreters. If an LEP individual or family insists that a friend or family member serve as interpreter, Geauga County will document that choice and will then, on a case by case basis, consider factors such as: competence of the family or friend used as the interpreter; the appropriateness of the use in light of the circumstances and ability to provide quality and accurate information, especially if the interview could result in a negative effect on the individual or family’s eligibility for benefits/services; potential or actual conflicts of interest; and confidentiality of the information being interpreted to determine whether Geauga County should provide its own independent interpreter. In no case does Geauga

County allow a minor child to act as interpreter for an LEP individual or family.

**DISSEMINATION OF INFORMATION TO COUNTY AGENCY PERSONNEL**

Geauga County addresses walk-ins to reception areas in buildings open to the public who are LEP individuals in the following manner: LEP walk-ins approach the receptionist who will use a Language Identification Card provided by Language Line Services, Inc. which lists the languages most frequently encountered in North America, grouped by the geographical region where they are commonly spoken. The receptionist will contact the Geauga County JFS Civil Rights Coordinator for assistance with interpreter contact information.

Geauga County will make personnel aware of the LEP plan through new hire orientation.



## **SECTION 10. GLOSSARY**

Active Pay Status:	conditions under which an employee is eligible to receive pay, and includes, but is not limited to, vacation leave, sick leave, bereavement leave, paid administrative leave, compensatory time, holidays, and personal leave.
Active Work Status:	the conditions under which an employee is actually working and is eligible to receive pay but does not include vacation pay, sick leave, bereavement leave, compensatory time, holidays, personal leave, and disability leave.
Agency:	any unit of government, including a board or commission, headed by an officer or group having the power to appoint employees.
Certified Appointment:	an employee who has been appointed to his or her position from a certification eligible list, is certified in their position pursuant to an examination or the operation of section 124.26, 124.27 or 124.271 of the ORC and Chapter 123:1-10 of the Administrative code, or if the employee retained certified status pursuant to the operation of section 124.311 of the ORC and Chapter 123:1-14 of the Administrative code.
Classification:	a group of positions sufficiently similar in respect to duties, responsibilities, authority, and qualifications so that the same descriptive title may be used for each and the same pay range assigned.
Classification change:	a change in an employee's classification title which results in a promotion, demotion, lateral move to a different classification with the same pay range, or reassignment to another classification.
Classification plan:	a system of classifications which may include pay range assignment for each classification.
Completed service:	hours actually worked with a political sub-division of the state, including overtime, and hours of sick leave, vacation leave, compensatory time, or personal leave used, but does not include time on disability separation, leave of absence without pay, the period an employee is receiving disability leave benefits, or layoff. In the case of an employee who works on a seasonal or academic year basis but is paid on an annual basis, complete service shall not include the period of time during which the employee is paid but is not working.

## **SECTION 10. GLOSSARY**

Continuous service:	the uninterrupted service of an employee with a political subdivision of the state (a state agency, a county office, or a state-supported college or university) where no break in service occurs.
County offices:	those agencies, boards, commissions, departments, and elected offices of the county which are appointing authorities and are subject to the provisions of Chapter 124 of the Revised Code, and which includes, but is not limited to the following: alcohol, drug addiction and mental health services board; auditor; child support enforcement agency; children services board; clerk of courts; commissioners; common pleas court; coroner; engineer; health department; general health district; hospital; mental health board; mental retardation and developmental disabilities board; prosecutor; recorder; sheriff; treasurer; and veteran's service commission.
Day(s):	calendar day(s) unless specified otherwise
Disability leave:	the leave granted pursuant to section 124.385 of the Revised Code.
Disability retirement:	separation granted by a state retirement system retaining reinstatement rights per appropriate section of the Revised Code.
Disability separation:	a voluntary or involuntary separation granted by the appointing authority when an employee becomes unable to perform the essential job duties of the employee's position.
Educational institution:	an institution that is approved by nationally recognized accrediting agencies.
Exempt appointment:	an appointment to a position which is not subject to civil service tenure. Such a position is included in the classification plan unless specifically excluded.
Lack of funds:	an appointing authority has a current or projected deficiency of funding required to maintain current, or sustain projected levels of staffing and operation.

## **SECTION 10. GLOSSARY**

Lack of work:	an appointing authority has a current or projected temporary decrease in the workload or work requirements which requires or will require a reduction in current or projected staffing levels.
Leave of Absence Without pay:	temporary separation from active pay status, authorized by the appointing authority, with an employee generally retaining status and seniority rights.
Pay period:	the fourteen-day period of time during which the payroll is accumulated, as determined by the appointing authority.
Permanent employee:	any person holding a position that requires working a regular schedule of twenty-six consecutive bi-weekly pay periods, or any other regular schedule of comparable consecutive pay periods, which is not limited to a specific season or duration. It does not include student help, temporary, seasonal, or individuals covered by personal services contracts.
Personal leave:	the leave granted by the provisions of section 124.386 of the Revised Code.
Probationary period:	a period of time at the beginning of an original appointment or immediately following a promotion, which constitutes a trial or testing period for an employee, during which he or she may be terminated (in case of original appointment) or reduced (in case of promotion).
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.
Redacting:	to put into revised form which excludes exempted information.

## **SECTION 10. GLOSSARY**

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.
Reinstatement:	the act of returning a person to the same appointing authority within the allowable time, following a period separation or a leave of absence, retaining seniority and status, for purposes of layoff.
Removal:	the termination of an employee's employment for the reasons outlined in section 124.34 of the Revised Code.
Resignation:	a voluntary separation from service by the employee.
Retirement:	a separation from service in which the employee receives retirement benefits from a state retirement system.
Salaried:	one who qualifies as a management, professional or administrative employee whose work hours are not tracked on an hourly basis and who is exempt from overtime.
Seniority:	priority, precedence, or status obtained as the result of a person's length of service
Status:	a type of appointment, such as certified, classified or unclassified.
Suspension:	a disciplinary action resulting in temporary deprivation of employment without pay as a punitive or disciplinary measure.
Total rate of pay:	the base rate of compensation plus all pay supplements.
Note:	If a definition is included in a policy section, it is not repeated in this glossary.