

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

**SECTION 3
APPOINTMENT**

- 3.1 Classified and Unclassified Employment
- 3.2 Employment Status
- 3.3 Seniority
- 3.4 Medical Examination
- 3.5 Personnel Files and Recordkeeping
- 3.6 References
- 3.7 Job Descriptions
- 3.8 Anti-Terrorism Policy
- 3.9 Re-Employment of a Retiree

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

- A. All employees of the Employer are presumed to be classified civil servants unless the position an employee occupies has been exempted from the classified service by a lawful request of the Employer, or by operation of law. Most classified employees may only be disciplined for cause and by following the procedures set forth in Chapter 124 of the Ohio Revised Code. Exceptions include probationary employees, who may be removed or reduced during the probationary period without a showing of cause (see Section 4.1, Probationary Period). Classified status severely restricts an employee's ability to participate in partisan politics (see Section 7.15, Political Activity).

- B. Some employees of the Employer serve in the unclassified civil service, or occupy positions which have been exempted from the classified service. Such employees serve at the pleasure of the Employer. Unclassified employees are not prohibited by law from engaging in partisan political activity on their own time and away from areas in public buildings where official business is transacted or conducted (see Section 7.15, Political Activity).

Original Adoption Date: _____ Revision Date: _____

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

EMPLOYMENT STATUS

**SECTION 3.2
PAGE 1 OF 1**

- A. All employees shall be categorized as full-time, part-time, temporary, seasonal, or intermittent.
1. **Full-time employee** - An employee who works at least thirty-five (35) hours per work week on a regularly scheduled basis, or works any other standard work week designated by the County Commissioners.
 2. **Part-time employee** - An employee who works less than thirty-five (35) hours per work week or less than full-time as designated by the appointing authority, but on a regularly scheduled basis.
 3. **Temporary appointment** - An employee hired for a limited period of time, not to exceed one hundred twenty (120) days.
 4. **Seasonal employee** – An employee who works a certain regular season or period of the year performing some work or activity limited to that season or period of the year.
 5. **Intermittent employee** - An employee who works on an irregular schedule which is determined by the fluctuating demands of the work, is not predictable, and generally requires less than 1,000 hours per year.
- B. These categories apply for civil service purposes such as order of retention in the event of layoff for full-time, part-time, and seasonal employees. However, these categories may not apply to certain benefit programs such as eligibility for health care coverage, especially where eligibility and categories of employee status are established by those benefit programs.

Original Adoption Date: _____ Revision Date: _____

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

SENIORITY

**SECTION 3.3
PAGE 1 OF 1**

- A. Seniority is defined for purposes not to include layoff/recall, vacation accumulation, and retirement benefits, as the uninterrupted length of continuous service with the County. Termination of employment lasting less than thirty (30) days does not constitute a break in continuous service. An authorized leave of absence also does not constitute a break in continuous service and seniority time continues to accumulate during the term of the leave, provided that the employee complies with the rules and regulations governing his/her leave of absence.

- B. Seniority rights for bargaining unit members are governed by the appropriate collective bargaining agreement.

- C. For purposes of vacation service credit, credit is calculated according to the number of years of service with the County, the State of Ohio, or any Ohio political subdivision. The service need not be continuous; however, completion of a total of one (1) year of service (as defined in the Ohio Revised Code) is required before eligibility for any vacation is established (see Section 6.2).

An employee who has retired in accordance with the provisions of a retirement plan offered by the state, and who is subsequently hired by Belmont County, shall not have any prior service counted for the purpose of computing vacation leave.

- E. Seniority for the purposes of determining retirement benefits is defined by the provisions of the Ohio Public Employees Retirement System or other retirement system in which the employee participates. For all other purposes, other than those specified above, seniority shall be defined as set forth in the provisions of the Ohio Revised Code.

Original Adoption Date: _____ Revision Date: _____

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

MEDICAL EXAMINATION

**SECTION 3.4
PAGE 1 OF 1**

- A. To make certain that job applicants are physically able to perform the essential functions of the job, a physical or mental examination by a qualified physician may be required. Examinations for positions requiring strenuous work, especially heavy lifting, may include a lower back x-ray or other examination related to the essential functions of the position. The Employer will only require a physical or mental examination of an applicant for employment following the conditional selection of the preferred applicant for appointment (see Section 2.2).

- B. The Employer will select the physician to administer the examination. The cost of any such physical examinations will be paid by the County.

- C. Incumbents of specified positions may be legally required to submit to a regularly scheduled medical exam during the period of employment with the Employer. Such an examination is intended to ensure that the incumbent continues to be physically and mentally able to perform the essential functions of his position.

Original Adoption Date: _____ Revision Date: _____

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

PERSONNEL FILES AND RECORDKEEPING

**SECTION 3.5
PAGE 1 OF 1**

- A. The Employer shall maintain official personnel files of all employees. Such files shall include, but are not limited to: application for employment; resume; job description and classification; employment status; payroll data; attendance records, including vacation and sick leave; performance evaluations; other individual employment data pertaining to hiring, promotion, demotion, transfer, layoff and termination. Each appointing authority is responsible for maintaining records to reflect the disposition of all job applicants. Such records shall be kept on file for at least a three (3) year time period, except documents verifying the applicant's' identity and employment eligibility.

- B. Employees shall have the right of reasonable inspection of their official personnel file. Such inspection shall occur during non-work time and the employee must provide at least one (1) day advance written request to his or her department head.

- C. Employees must notify their immediate supervisor of any change in: name, address, marital status, telephone number, citizenship, selective service classification, or association with any government military service organization. Such notification shall be provided within seven (7) days of the change.

Original Adoption Date:_____ Revision Date:_____

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

REFERENCES

**SECTION 3.6
PAGE 1 OF 1**

- A. All requests for references shall be referred to the Appointing Authority. It is the County's policy to provide only the following information to individuals outside the County in response to requests for employment references or verification regarding employees:
1. employment dates
 2. employee's job title and description
 3. beginning and ending pay rates
 4. employee's reason for resigning as stated in the letter of resignation, if applicable
- B. In regard to request for other information contained in the employee's personnel files, the Employer will comply with the Ohio Public Records Act.

Original Adoption Date: _____ Revision Date: _____

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

JOB DESCRIPTIONS

**SECTION 3.7
PAGE 1 OF 1**

- A. Each Appointing Authority shall, on behalf of the County, maintain and administer the Job Description Plan covering all employees. The Job Description Plan shall include alphabetically arranged job descriptions for each employment position. Each job description shall contain the qualifications, essential functions, other duties, equipment operated, required licenses or certifications, and the requisite knowledge, skills, and abilities for each job. The Job Description Plan shall also include a table of organization which outlines the reporting relationships within each department. The Appointing Authority may amend job descriptions as necessary for the efficient operation of the agency.
- B. As new positions are added, or job duties or responsibilities change, the job descriptions must be revised. Factors which may necessitate a revision to a job description are:
1. the addition of a new duty or responsibility to a position;
 2. the abolishment of a current duty or responsibility from a position;
 3. the reassignment of current duties or responsibilities between or among positions;
 4. a new or revised licensure or certification requirement for a position; and
 5. changes in regulations or requirements.
- C. When any of the above factors occur, the Appointing Authority shall amend the current job description.
- D. Current copies of the job descriptions, the table of organization, and other documents contained in the Job Description Plan adopted shall be maintained in the custody of the Appointing Authority.
- E. Employees shall be provided a copy of the job description applicable to their position and a copy of any revisions when they occur.
- F. Changes shall be made to applicable payroll, personnel, and operational records by the responsible party whenever such records are affected by changes in the job description (e.g., job title, change in table of organization, etc.).

Original Adoption Date: _____ Revision Date: _____

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

ANTI-TERRORISM POLICY

**SECTION 3.8
PAGE 1 OF 2**

A. POLICY

1. In accordance with R.C. Section 2909.34, any applicant who is under final consideration for public employment must fill out a Declaration Regarding Material Assistance/Non Assistance to a Terrorist Organization (DMA) indicating whether they have provided material assistance or support to a terrorist organization. The DMA was created to provide the state with an additional tool to deter and prosecute acts of terrorism. A copy of the DMA is included as part of this policy and can be obtained from the Ohio Homeland Security website at: www.homelandsecurity.ohio.gov.
2. Material assistance, as defined by the statute, means any of the following:
 - a. Membership in an organization listed on the U.S. State Department's Terrorist Exclusion List (TEL);
 - b. Use of the person's position of prominence within any country to persuade others to support an organization on the TEL;
 - c. Knowingly soliciting funds or other things of value for an organization on the TEL;
 - d. Solicitation of any individual for membership in an organization on the TEL;
 - e. Commission of an act that a person knows, or reasonably should have known, affords material support or resources to an organization on the TEL; or
 - f. Hiring or compensating a person known by the person hiring or providing compensation to be a member of an organization on the TEL, or a person known by the person hiring or providing compensation to be engaged in planning, assisting in, or carrying out an act of terrorism.
3. The TEL is a list of foreign organizations known to support and/or engage in acts of terrorism. The list is maintained by the United States Department of State. A current copy of the TEL can be obtained from the Ohio Homeland Security website at: www.homelandsecurity.ohio.gov.
4. Material support or resources, as defined by the statute, means currency, payment instruments (check, draft, money order, traveler's check, cashiers check, teller's

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

ANTI-TERRORISM POLICY

**SECTION 3.8
PAGE 2 OF 2**

check), other financial securities, funds, transfer of funds, and financial services that are in excess of \$100.00, as well as communications, lodging, training, safe houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets except medicine or religious materials.

5. The Employer is prohibited from employing any person who discloses that he or she has provided material assistance, support or resources to any organization listed on the TEL.
6. No person, company, affiliated group or organization, or any person who holds, owns, or otherwise has a controlling interest in a company, affiliated group or organization shall be permitted to enter into a contract to conduct business with or receive funding from the (name of employer) unless such entity has completed a DMA and been certified as not providing material assistance to any organization listed on the TEL.
7. When applying for a contract, falsely representing pre-certification, or representing pre-certification when that pre-certification has been or should have been rescinded, is a felony of the fifth degree.

B. PROCEDURE

DURING EMPLOYMENT:

1. The Employer may terminate any employee who falsely answers any question on the DMA or who, after providing a DMA pursuant to this policy, takes an action that would result in “yes” being the correct answer to any question on the declaration, had the declaration been re-administered after taking that action. However, prior to terminating an employee pursuant to this policy, the Employer will comply with one of the following hearing procedures:
 - a. If the employee is entitled to termination proceedings under a collective bargaining agreement, the Employer must comply with those procedures.
 - b. If the employee is not entitled to termination proceedings under a collective bargaining agreement, the Employer must comply with any applicable statutory procedures.

Adoption Date: _____ Revision Date: _____

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

RE-EMPLOYMENT OF A RETIREE

**SECTION 3.9
PAGE 1 OF 2**

POLICY

- A. Generally: Based upon the Appointing Authority's operational needs, the Appointing Authority or designee at his or her discretion may initiate discussions with a retiree or a potential retiree regarding reemployment with Belmont County.
- B. Definition: Reemployment of a retiree occurs when such retiree returns to work in an OPERS-covered or another Ohio retirement system-covered position after retiring under OPERS or another Ohio retirement system retirement plan.
- C. Notification by Re-Employed Retirees: Re-employed retirees shall notify the Appointing Authority that they are receiving an Ohio retirement system benefit. Retirees shall complete and submit to OPERS a Notice of Reemployment of an OPERS Benefit Recipient or a Notice of Reemployment of an Elected Office, if applicable. These notices can be found at www.opers.org.
- D. Certification by County: The notice forms described above in (B) shall be certified by the Appointing Authority. Such forms serve as an official notification to OPERS of the hiring of a re-employed retiree.
- E. Affect on Retirement Benefits: If a retiree who is receiving benefits from one of Ohio's retirement systems is re-employed in an OPERS position, his or her retirement benefit may be affected. (Pursuant to Ohio law, if an OPERS retiree begins reemployment during the first two (2) months in which he/she receives a retirement allowance from OPERS, the OPERS retiree forfeits his/her retirement allowance for any month of reemployment during the two (2) month period. After the first two (2) months of retirement, the retiree will receive his or her OPERS retirement benefit). Any employee who is considering reemployment with the County after retirement should contact the appropriate retirement system for clarification on how reemployment will affect his or her retirement benefits.
- F. County and Employee Contributions: Such contributions shall begin on the first day of employment with the exception of contributions remitted during the first two (2) months after retirement. Re-employed retirees will contribute toward a money purchase annuity.
- G. Money Purchase Annuity: This annuity is based on the sum of employee contributions for the period of reemployment, plus allowable interest multiplied by two. There are certain age and other restrictions and requirements related to a money purchase payment.

**BELMONT COUNTY BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

RE-EMPLOYMENT OF A RETIREE

**SECTION 3.9
PAGE 2 OF 2**

H. Public Notice and Public Hearing:

1. Public Notice: The Belmont County Board of Commissioners (hereinafter "Board") must provide public notice at least sixty (60) days before the reemployment begins, that an individual is seeking to retire, draw a pension, and return to work in a position under the Board.
2. Public Hearing: The Board must also hold a public hearing fifteen (15) to thirty (30) days before the reemployment is to begin to discuss the issue of a retiree being re-employed. The date, time, and location of the public hearing must be included in the public notice as described in (1) above.

I. Benefits Following Reemployment: A re-employed retiree of any retirement plan offered by the state shall be permitted to earn vacation leave, sick leave, and longevity pay in accordance with County policies, as if he or she is a new employee with no prior service time. Such re-employed retiree shall also be eligible to receive other County-provided benefits in accordance with the terms and conditions of the policies, which control such benefits.

1. Vacation Leave: For purposes of computing vacation leave, an employee who has retired under the Ohio Public Employees Retirement System, and who is re-employed by a county after July 5, 1987, shall not have his/her prior service credit with the state or any political subdivision of the state counted.
2. Sick Leave: For employees hired after March 1, 2008 upon termination of a re-employed retiree's employment, the retiree is not permitted to be paid for accumulated sick leave unless the Board adopts an alternative policy pursuant to R.C. 124.39(C).
3. Longevity Pay: Longevity pay (if applicable) for a re-employed retiree shall be calculated based upon the retiree's date of reemployment.
4. Health Care: If the retiree qualifies for the County's health care coverage, the County must make appropriate coverage available to the re-employed retiree and the re-employed retiree cannot waive such health care coverage. During the period of reemployment, the County's health care coverage is primary and OPERS coverage is secondary, if the retiree is participating in the OPERS health care program.

Original Adoption Date: _____ Revision Date: _____