

Personnel Policy Manual

Table of Contents

SECTION 1	**INTRODUCTION**
	Welcome
1.1	Policies
1.2	Definition of Terms
1.3	Objectives
1.4	Americans with Disabilities Act (ADA)
SECTION 2	**METHOD OF FILLING VACANCIES**
2.1	Equal Employment Opportunity
2.2	Promotion
2.3	Transfers
2.4	Selection Process and Recordkeeping
SECTION 3	**APPOINTMENT**
3.1	Classified and Unclassified Employment
3.2	Seniority
3.3	Medical Examination
3.4	Personnel Files and Recordkeeping
3.5	Temporary Assignments
SECTION 4	**EMPLOYEE PERFORMANCE**
4.1	Probationary Period
4.2	Performance Evaluation
4.3	Ethics/Conflicts of Interest
SECTION 5	**CLASSIFICATION AND COMPENSATION**
5.1	Compensatory Time
5.2	Overtime
5.3	Pay Period/Payroll Deductions
5.4	Retirement Plan and Deferred Compensation
5.5	Workers Compensation
5.6	Expense Reimbursement Travel and Meal Policy
5.7	Health Care Coverage
5.8	Time Sheets and Time Clocks
5.9	Compensation Structure
SECTION 6	**ABSENCES**
6.1	Holidays
6.2	Vacations

6.3 Sick Leave
6.4 Sick Leave Conversion
6.5 Bereavement Leave
6.6 Court Leave
6.7 Military Leave
6.8 Leave of Absence Without Pay
6.9 Disability Leave and Separation
6.10 Inclement Weather
6.11 Family and Medical Leave
6.12 Unauthorized Leave
6.13 Paid Parental Leave

SECTION 7 CONDUCT

7.1 Attendance
7.2 Tardiness
7.3 Health & Safety
7.4 Workplace Violence
7.5 Concealed Weapons
7.6 Tools, Supplies, and Equipment
7.7 Use of County Owned Vehicles
7.8 Use of Telephones / Cell Phone Policy
7.9 Drug Free Workplace Policy
7.10 Outside Employment
7.11 Dress and Work Area
7.12 Solicitation and Distribution
7.13 Political Activity
7.14 Equal Employment Opportunity/Anti-Discrimination Complaint Procedure
7.15 Computer/Internet/Electronic Mail Policy
7.16 Nepotism
7.17 Tobacco Use Policy
7.18 Self Help to Records Prohibited
7.19 Social Media Policy

SECTION 8 DISCIPLINE, AND GRIEVANCES

8.1 Discipline
8.2 Complaint Procedure

SECTION 9 NON-DISCIPLINARY SEPARATION

9.1 Resignation
9.2 Exit Interview
9.3 Layoff and Recall

BELMONT COUNTY, OHIO

BOARD OF COMMISSIONERS

Belmont County Board of Commissioners welcomes you! Our goal is to create an inclusive and productive environment where teamwork and attention to our county are unwavering. It is our responsibility to provide a responsive, accountable and efficient County government and treat citizens and employees with dignity, respect, honesty and fairness. With your hard work, dedication, enthusiasm, and collaboration we can continue to make Belmont County a wonderful place to live and work.

If any questions should arise regarding a policy or procedure included please contact your supervisor, human resources or a member of the board. We will be happy to assist you.

These policies supplement the state statutes, but in the event of a conflict, the state statutes prevail. Employees are still responsible for following all policies, rules and procedures.

These policies supersede all past practices and procedures, however, for those County employees working under a collective bargaining agreement, policies covered under such agreements shall supersede any corresponding topics in this manual.

Employees are advised that the Belmont County Policies & Procedures Manual is not an Employment Contract and should not be considered to be anything more than what it purports to be: A guide for the fair and efficient operation of Belmont County.

We look forward to working with you.

Introduction

1.1 Policies
1.2 Definition of Terms
1.3 Objectives
1.4 Americans with Disabilities Act

Policies 1.1

A. Policies are defined as the basic rules which guide administrative action for accomplishing an organization's objectives. Comprehensive and clearly defined policies, consistently and fairly administered, are essential to the success of any organization.

B. This manual contains policies set forth by the Employer that are applicable to all employees unless otherwise noted. However, this manual is not to be construed as an employment contract. Any provision of a collective bargaining agreement in conflict with any policy herein shall supersede said policy in its application to bargaining unit employees.

C. All personnel charged with the responsibility of administering policy must be thoroughly knowledgeable of the contents of this manual. It is important these policies be administered in a systematic, fair, and impartial manner. Undoubtedly, there will be situations which will require administrative interpretation of the policies set forth in this manual. Every effort must be made to ensure that such decisions are made objectively, with the general intent of the policy in mind.

D. The Employer reserves the right to develop new policies, revise or augment existing policies, delete existing policies, or make any other modification deemed appropriate. The Employer will normally try to give employees advance notification before a policy is revised, implemented, deleted, etc. However, the Employer reserves the right to make such changes without advanced notification if such is deemed appropriate.

E. It is important that all manuals be kept up to date. All such changes (additions, deletions, revisions, etc.) must be dated, issued to all manual holders, and communicated to all affected employees.

F. This policy manual is a guide to be utilized by management to ensure uniformity and non-discriminatory application of the conditions of employment. In the event there is a conflict between the matters expressed in this manual and any other applicable laws or documents, the applicable law or full text of the written document will prevail.

G. If any article or section of this 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 articles or sections of this manual shall be restrained by such tribunal, the remainder of this manual and any amendments thereto shall not be affected and shall remain in full force and effect.

Definition of Terms 1.2

Unless otherwise indicated in these policies, the following definitions apply:

A. **Absenteeism** – The practice of an employee failing to report for work for a period of one (1) or more days, or failure to report within the prescribed time when they have been scheduled for work. Misuse or abuse of sick leave regulations shall also be considered absenteeism.

B. **Absent Without Leave** – An absence from work without proper authorization from the Appointing Authority or designee to be absent from work.

C. **Appointing Authority** – All elected County officials, officers, boards, or commissions and such designees of elected County officials, officers, boards, or commissions as may be authorized by law to make appointments to positions.

D. **Classified Employee** – A County employee who serves in a position which has not been designated as being in the unclassified service by virtue of Ohio Revised Code Section 124.11 or other relevant sections of the Ohio Revised Code.

E. **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. A classification may include only one (1) position in certain instances.

F. **Collective Bargaining Agreement** – The labor agreement, if any, between the Appointing Authority and the Union chosen to represent the employees of a defined bargaining unit.

G. **County –** The County of Belmont, State of Ohio.

H. **Department** – A distinct unit of an Appointing Authority's office.

I. **Dishonesty** – Disposition to lie, cheat or defraud; untrustworthiness; lack of integrity.

J. **Employee** – Any person holding a County position subject to appointment, removal, promotion, or reduction by an Appointing Authority.

K. **Employer** – The Appointing Authority.

L. **Excused Absence** – Being absent from work with the approval of the Appointing Authority or designee (e.g., vacation, holiday, compensatory time, unpaid leave of absence).

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

N. **Inefficiency** – Quality of being incapable or indisposed to perform tasks required of an employee.

O. **Instruction and Cautioning** – The discussion a supervisor holds with an employee in which the supervisor disciplines the employee for their conduct and impresses upon them the need for improvement. This method of discipline can eliminate misunderstandings immediately and set and maintain desired standards of conduct and performance. A notation of the date, time, and reason for instruction and cautioning should be kept in the employee's personnel file by the Appointing Authority in the event the conduct of the employee does not improve and subsequent disciplinary action is required.

P. **Insubordination** – State of being unwilling to perform tasks required of an employee; refusal to obey an order issued by the employee's administrative superior (supervisor).

Q. **Malfeasance** – The commission of some act which is positively unlawful; the doing of an act which is wholly wrongful and unlawful.

R. **Misfeasance** – The improper performance of some act which a person may lawfully do.

S. **Nonfeasance** – Non-performance of some act which ought to be performed, omission to perform a required duty at all, or total neglect of duty. "Nonfeasance" means the total omission of an act which a person ought to do.

T. **Position –** Any specific employment, or job calling for the performance of certain duties, and for the exercise of certain responsibilities by an individual employee; All of the slots in the organizational chart constitute the positions within the department; The arrangement of these positions under different supervisors, sections, or crews, constitute job assignments; Positions can be rearranged or reassigned, but the employee's classification remains the same unless reclassified.

U. **Promotion** – The act of placing an individual in a vacant position that carries a higher pay range or rate of pay than that previously held.

V. **Sick Leave Abuse** – Includes, but is not limited to, the following: The use of sick leave for any purpose other than as provided by applicable law; Calling in sick when the employee is able to work; Reporting illness in the employee's immediate family when such illness does not exist; Reporting off sick to participate in some other activity or take care of personal business; Setting a pattern of reporting off sick on certain days of the week or following regular days off, over an extended period of time; Failure to follow the rules and regulations regarding use of sick leave and reporting procedures.

W. **State Service** – includes all offices and positions in the service of the state, counties, and general health districts of the state. "State service" does not include offices and positions in the service of the cities, city health districts, and city school districts of the state.

X. **Supervisor** – An individual who has been authorized by the Appointing Authority or designee to oversee and direct the work of lower level employees on a daily basis.

Y. **Suspension** – Normally this involves relieving an employee from duty without pay as a disciplinary measure aimed at improving the employee's conduct. A suspension is usually issued after verbal and written warnings have failed to improve the employee's conduct or in the instance of a Group II

violation. In certain instances, suspensions may be worked with pay (suspension of record) without impacting the effect of the suspension for purposes of recording disciplinary actions.

Z. **Temporary Appointment** – An unclassified employee who works in a position which is of a non-permanent nature (full or part-time), which position has a specified duration of time, not to exceed one hundred twenty (120) days.

AA. **Transfer** – The movement of an employee from one position to another where there is no change in level of responsibility, classification, or salary.

BB. **Unclassified Employee** – A County employee who serves in a position which has been correctly designated as being in the unclassified service by virtue of ORC Section 124.11, or other applicable section of the Revised Code.

CC. **Work Unit** – A unit of an Appointing Authority's office, usually directed by a supervisor and charged with a specific work function, which contributes to the accomplishment of the office's public service function, e.g., civil, criminal, records, etc.

DD. **Written Reprimand** – This is the written record of disciplinary action, usually issued after instruction and cautioning has failed to improve an employee's conduct.

Original Adoption Date: 3/5/2008 Revision Date: _____

Objectives 1.3

A. The Employer recognizes that a personnel system which recruits and retains competent, dependable County personnel is indispensable to effective County government.

B. The policies and procedures contained in this manual are designed to:

1. Promote high morale among County employees by fostering good working relationships and by providing uniform personnel policies, opportunities for advancement, and consideration of employee needs and desires;

2. Maintain recruitment and promotion practices which will enhance the attractiveness of a County career and encourage each employee to give their best effort to the County and the public;

3. Provide courteous and dependable service to the public;

4. Provide fair and equal opportunity for qualified persons to enter and progress through County service, in a manner based on merit and fitness as determined through fair and practical personnel management methods;

5. Conduct all operations in an ethical and legal manner so as to bring into being a reputation as an efficient, progressive body in the community and state.

Americans with Disabilities Act 1.4

The County prohibits discrimination in hiring, promotions, transfers, or any other benefit or privilege of employment, of any qualified individual with a permanent disability. To be considered a qualified individual, the employee must satisfy the requisite skills, experience, education and other job-related requirements of the position he holds or desires and must be able to perform the essential functions of their position, with or without a reasonable accommodation.

The County will provide reasonable accommodation to a qualified applicant or employee with a disability unless the accommodation would pose an undue hardship on or direct threat to the facility. Decisions as to whether an accommodation is necessary and/or reasonable shall be made on a case-by-case basis. An employee who wishes to request an accommodation shall direct such request to their immediate Supervisor, whom shall have the authority and responsibility to work directly with Human Resources to investigate and take appropriate action concerning the complaint. Requests for accommodation should be in writing to avoid confusion; however, verbal requests will be considered. The employer and employee will meet and discuss whether an accommodation is appropriate and, if applicable, the type of accommodation to be given.

Any employee who feels that their rights have been violated under this policy should submit a written complaint as set forth in the Unlawful Discrimination and Harassment Policy.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Method of Filling Vacancies

2.1 Equal employment opportunity
2.2 Promotion
2.3 Transfers
2.4 Selection process and recordkeeping

Equal Employment Opportunity 2.1

The County is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, age, national origin, disability, military status, genetic testing, or other unlawful bias except when such a factor constitutes a bona fide occupational qualification ("BFOQ"). All personnel decisions and practices including, but not limited to, hiring, suspensions, terminations, layoffs, demotions, promotions, transfers, and evaluations, shall be made without regard to the above listed categories. The County intends for all of

its policies to comply with federal and state equal employment opportunity principles and other related laws.

The County condemns and will not tolerate any conduct that intimidates, harasses, or otherwise discriminates against any employee or applicant for employment on the grounds listed above. Anyone who feels that their rights have been violated under this policy should submit a written complaint of discrimination to a Supervisor and/or Manager, each of who shall have the authority and responsibility to work directly with Human Resources to investigate and take appropriate action concerning the complaint.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Promotion 2.2

A. Promotional opportunities shall be offered to qualified employees whenever possible. The promotion process is limited to qualified employees.

B. Factors to consider for promotion include, but are not limited to, previous related experience, required training courses, annual performance evaluation ratings, records of disciplinary action, licenses and/or certifications required for the position, and any other job-related criteria.

C. In order to be eligible for a promotion, an employee must have successfully completed the probationary period in their current position unless approved by appointing authority.

   A new probation period shall be set at one hundred twenty (120) days, unless extended by the appointing authority, but in no case shall such period exceed one (1) year for the employees newly promoted position.

D. Nothing herein shall be construed as a guarantee that an employee has an inherent right to a position due exclusively to the fact that he is currently employed by the Employer.

E. Promotions within the bargaining unit shall be made in accordance with the terms of the collective bargaining agreement**,** if applicable.

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Transfers 2.3

A. A transfer is defined as the movement of an employee from one position to another where there is no change in classification or salary.

B. A transfer shall be made if it is in the best interest of the Employer. Requests for transfer may be submitted by an employee or the Employer may designate certain employees for transfer.

C. A request by an employee to be transferred will be granted at the discretion of the Employer. In all cases, the needs of the Employer (personnel requirements, availability of work, skill requirements, etc.) will determine if such a request is granted. The needs of the Employer in all instances shall take priority over the wishes of the employee in such matters.

D. Employees who transfer departments within the same appointing authority will continue accrual of time worked with Belmont County. The hire date of service will prevail from the initial position held with the county upon transfer.

E. Employees who transfer within the same funding unit will have their vacation transferred in its entirety. All other employees transferring will have their vacation addressed on a case by case basis.

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Selection Process and Record Keeping 2.4

A. Each appointing authority is responsible for the hiring of new employees for their office. The County Commissioners' Office shall be available, however, to assist County appointing authorities with the selection of qualified personnel. The role of the Office may include, but not necessarily be limited to, maintaining applicant files, referring qualified applicants to appointing authorities, conducting reference checks on applicants, and recommending applicants for hiring purposes to appointing authorities. The Office shall also be available to assist appointing authorities through the promotional process in order to help ensure that appointing authorities adhere to all promotional policies and, if applicable, all relevant articles and sections of any labor agreement.

B. Selections by the Appointing Authority to new or vacant positions by internal placement or external selection shall be based on the applicant meeting job related qualifications and possessing the knowledge, skills, and ability to perform the essential functions of the position as ascertained through job related selection methods. The appointing authority may consider all legal factors when making employment and promotional decisions.

C. Each appointing authority is also responsible for maintaining records to reflect the disposition of all job applicants. Such records shall be kept on file in accordance with the records retention schedule. Documents which must be included (as applicable) are a completed job application form, reference check records, medical examination data, performance test scores and/or other job-related screening information.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Appointment

A. Each appointing authority is, of course, ultimately responsible for the hiring of new employees for their office. The County Commissioners' Office shall be available, however, to assist County appointing authorities with the selection of qualified personnel. The role of the Office may include, but not necessarily be limited to, maintaining applicant files, referring qualified applicants to appointing authorities, conducting reference checks on applicants, and recommending applicants for hiring purposes to appointing authorities. The Office shall also be available to assist appointing authorities through the promotional process in order to help ensure that appointing authorities adhere to all promotional policies and, if applicable, all relevant articles and sections of any labor agreement.

B. Each appointing authority is also 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, which shall be kept on file in accordance with the provisions outlined in Section 2.6 (B). Documents which must be included (as applicable) are a completed job application form, reference check records, medical examination data, performance test scores and/or other job-related screening information.

Original Adoption Date: 3/5/2008 Revision Date: _____

Appointment Section 3

3.1 Classified and Unclassified Employment
3.2 Seniority
3.3 Medical Examination
3.4 Personnel Files and Recordkeeping

Classified and Unclassified Employment 3.1

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 due to unsatisfactory work performance (see Section 4.1, Probationary Period). Classified status restricts an employee's ability to participate in partisan politics (see Section 7.15, Political Activity).

Definition: Classified Employee: An employee, who after serving a probationary period can only be demoted, suspended, or removed from public service for cause in accordance with ORC 124.34.

Summary: The majority of positions in Belmont County are classified. A classified employee is subject to examination and has employment protection under the terms of Ohio civil service laws.

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).

Definition: Unclassified Employee: An employee which is exempt from all examinations and is provided no tenure under the law. 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.

Summary: 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.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Seniority 3.2

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 their 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). Service time may be transferred from agency to agency without loss of seniority provided there is no break in service of more than thirty (30) days.

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.

D. 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: 3/5/2008 Revision Date: 5/27/2020

Medical Examination 3.3

A. The County may require an employee to take an examination, conducted by a licensed medical practitioner, to determine the employee's physical or mental capacity to perform the essential functions of the job, with or without reasonable accommodation.

B. The Employer will select the physician to administer the examination. The cost of any such physical examinations will be paid by the County. If the employee disagrees with the County's licensed medical practitioner's determination, he may request to be examined by a second licensed medical practitioner of their choice at their own expense. If the reports of the two practitioners conflict, a third opinion shall be rendered by a neutral party chosen by the County and paid for by the County. The third opinion shall be controlling.

C. Employees may be required to submit to a scheduled medical exam during the period of employment with the Employer to determine the employee's physical and mental capacity to perform the essential functions of the job with or without reasonable accommodation. Such an examination is intended to ensure that the incumbent continues to be physically and mentally able to perform the essential functions of the position.

D. If an employee, after examination, is found to be unable to perform the essential functions of the position with or without reasonable accommodation, the employee may request use of accumulated**,** unused, paid and unpaid leave benefits, if applicable.

If a classified employee remains unable to perform the essential functions of the position after exhausting available leaves, they may request a voluntary disability separation. If, after exhausting available leave, an employee refuses to request a voluntary disability separation, an Appointing Authority may place the employee on an involuntary disability separation if the Appointing Authority has substantial credible medical evidence to indicate that the employee remains disabled and incapable of performing the essential job duties. Such involuntary disability separation may be done in accordance with Ohio Administrative Code (O.A.C.) Chapter 123:1-30.

E. An employee's refusal to submit to an examination, to release the findings of an examination, or to otherwise cooperate in the examination process will be considered insubordination.

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Personnel Files and Record Keeping 3.4

A. The Employer shall maintain official personnel files of all employees. Pursuant to applicable law, medical records are not public records and are maintained in a separate file. Personnel files shall include individual employment data, payroll information, schedules, records of additions or deductions, application forms, and records 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.

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 their department head. No personnel records shall be removed from the official records unless in accordance with state or federal law or in accordance with the County's retention of records policy.

C. When a public records request is made for an employee's records, the County will endeavor to inform the employee of the request in advance of the release of records. The County will redact personal information, and other non- public information, from the files before release. Notifying the employee of the release may not result in an unreasonable delay in releasing the records pursuant to an appropriate request. Employees are responsible for taking legal action in the event they wish to prohibit release of the requested documents to the requesting individual or entity.

D. Employees must timely advise the County of any change in name, address, marital status, telephone number, number of tax exemptions, citizenship, association with any government military service organization, social security number, the name and phone number of a person to contact in case of an emergency, loss of licensure or insurability, if applicable, and, any other requested information.

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3.5 Temporary Assignments

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

All temporary assignments of classified employees shall be accomplished by a written letter of assignment delivered to the employee with copies to the auditor (if a pay adjustment is necessary). Classified employees temporarily assigned to a position with a higher rate of pay for more than 5 consecutive workdays shall receive the lowest rate of pay for that position which represents an increase in

pay to the employee, beginning on the sixth (6th) consecutive workday. This temporary increase in pay does not apply to employees who are actively involved in training.
Classified employees temporarily assigned to a position with a lower rate of pay shall continue to receive their current rate of pay.

Original Adoption Date: 10/19/2026 Revision Date: _____

Employee Performance Section 4

4.1 Probationary Period
4.2 Performance Evaluation
4.3 Ethics/Conflicts of Interest

Probationary Period 4.1

A. Each employee newly hired, transferred or promoted into a classified position shall serve a probationary period. Probationary periods shall be set at one hundred twenty (120) days, unless extended by the appointing authority, but in no case shall such period exceed one (1) year.

B. Probationary periods for bargaining unit employees are governed by the collective bargaining agreement.

C. Supervisors shall use the probationary period to closely observe and evaluate the employee's performance and aptitude for the job. Likewise, the employee is encouraged to bring problems to the supervisor to enhance their performance. Supervisors have a responsibility to only recommend retention of those employees who meet acceptable work standards during the probationary period.

D. An employee may be separated at any time during the probationary period for unsatisfactory service. Employees serving promotional or transfer probationary periods may be reduced to the classification and salary held prior to the promotion upon failure of the promotional or transfer probationary period. An employee who is removed during the probationary period does not have the right to appeal to the State Personnel Board of Review.

E. The action of reduction for failure to complete a promotional or transfer probationary period shall not be considered a disciplinary action and shall not serve to eliminate the employee for consideration for advancement to other positions.

F. The probationary period for full-time employees and part-time employees who work a portion of each normal working day shall be based on calendar days from the date of original appointment. Time on leave of absence or other non-paid leaves shall not be counted toward the completion of the probationary periods.

G. Part-time employees who work a portion of each normal working day shall have their probationary period determined by the number of calendar days following appointment in the same manner as

full-time employees. Employees who work an irregular schedule or who work less than the normal number of days per week shall have their probationary period determined based on time worked as described below:

1. 1000 hours are equivalent to a 180-day probationary period

2. 2000 hours are equivalent to a 365-day probationary period

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Performance Evaluations 4.2

The work performance of employees may be evaluated. If evaluations are conducted they will be in accordance with established procedures. Special evaluations may be made if authorized by the Employer or designee. If conducted, probationary employees may be evaluated at the mid-point of their probationary periods, and again immediately prior to the completion of probation.

Standard written evaluation forms shall be utilized for all employees within their respective job classifications. Evaluations, if conducted, will be based upon defined and specific criteria and will generally be reviewed and signed by the employee's direct supervisor, and those superiors in the direct chain-of-command.

If conducted, each employee shall be provided a copy of their performance evaluation. The supervisor shall discuss the results with the employee and the employee will be asked to sign the evaluation. An employee's signature will reflect their receipt of the evaluation, not their agreement with its contents. Should the employee refuse to sign, a notation will be made reflecting the date and time of the review along with the employee's refusal to sign. Employees may offer a written response to their performance evaluation. Such response, if given, will be maintained with the evaluation.

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Ethics/Conflicts of Interest 4.3

All employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the State of Ohio and other rules and regulations as may be set forth by the Employer. Conduct that interferes with normal office operations, brings discredit to the Office or County, is illegal, or

is offensive to the public or fellow employees will not be tolerated. Such conduct shall include, but shall not be limited to:

A. Engagement in any transaction, business, or any other interest which is in conflict with the proper discharge of official County duties; Disclosure of confidential information, without proper authorization, regarding the property, government, or affairs of the appointing authority's office.

B. No employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the County, nor shall they use such information to advance the financial or other private interest of themself or others.

C. Acceptance of any gift in the form of service, loan, item or promise from any person, firm, or organization that may tend to influence a County employee in the proper discharge of official County duties.

D. State law prohibits County employees and officials from having a financial interest in companies that do business with public agencies, with minor exceptions. Employees who have any doubt concerning a possible violation of these statutes are advised to consult an attorney.

E. Engaging in any matter which represents a conflict of interest with the County, or undermines the integrity of Belmont County government.

F. Questions regarding Ethics/Conflicts of Interest should be directed to the employee's immediate supervisor, the Board of Commissioners, or Human Resources.

It is important to remember that the compensation of all County employees is paid through taxes. Therefore, each County employee assumes responsibility to serve the public in an honest, effective, and cheerful manner.

Additionally, each newly hired public official or employee shall, within fifteen (15) days of commencing employment, be provided a copy of Chapter 102 and Section 2921.42 of the Ohio Revised Code by the applicable Employer. Each employee shall be requested to sign an acknowledgment form indicating that these documents have been presented by the Employer and that they acknowledge that they have been provided and govern/apply to their employment.

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Classification and Compensation Section 5

5.1 Compensatory Time
5.2 Overtime
5.3 Pay Period/Payroll Deductions
5.4 Retirement Plan and Deferred Compensation
5.5 Workers Compensation

5.6 Expense Reimbursement Travel and Meal Policy
5.7 Health Care Coverage
5.8 Time Sheets and Time Clocks
5.9 Compensation Structure

Compensatory Time 5.1

A. **Compensatory Time – Non-Exempt Employees Only**

Non-exempt employees: At the discretion of the Appointing Authority, certain non-exempt employees may be permitted to take compensatory time-off in lieu of overtime payment. Compensatory time, like overtime, shall accrue at a rate of at one and one-half (1 ½) times the hours actually worked and, for non-safety forces, applies only to hours actually worked in excess of forty (40) in any one work week. Compensatory time will be used on a first-in, first-out basis.

Employees may not exceed the maximum accrual cap of eighty (80) hours.

The appointing authority may, at its sole discretion, require an employee to use their compensatory time. Additionally, the Appointing Authority may choose to pay out an employee's compensatory time. If an employee's compensatory time is paid out, the employee shall receive payment at the employee's regular rate of pay at the time of payment.

B. **Earned Time Off – Overtime Exempt Employees**

Employees who are exempt from the overtime provisions of the FLSA are not eligible for overtime payment. The appropriate appointing authority shall determine if an employee is exempt from overtime requirements for purposes of the FLSA. Such exemptions may include employees whose job duties are executive, administrative or professional in nature. At the discretion of the appointing authority, exempt employees may be required to keep track of, and report, their hours without destroying their exempt status.

However, if approved by the appointing authority, a bona fide executive, administrative or professional employee may receive earned time off. Earned time off may not be given on a time and one half basis, but may be given as an hour for hour trade or as a lump sum "bonus" for hours worked on a particular project. Earned time off shall not be paid out and shall either be used or lost.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Overtime 5.2

A. All non-exempt employees shall be entitled to overtime compensation at one and one-half (1½) times their regular hourly rate of pay for time worked in excess of forty (40) hours in a workweek.

Such overtime compensation shall be paid in cash or may be taken in compensatory time if such an option is available. The adoption of a compensatory time policy is at the discretion of the Appointing Authority.

B. For the purposes of this section, the number of hours worked by an employee in any one workweek shall include all hours in active pay status.

C. Certain positions of a professional, administrative, or executive nature may be designated as overtime exempt.

D. Overtime must be approved by the supervising authority prior to hours worked.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Pay Period/Payroll Deductions 5.3

A. There are normally twenty-six (26) pay periods per year. All employees are paid every other Friday for the pay period ending two (2) weeks prior to payday. The County Auditor will annually issue a calendar which identifies the beginning and ending dates of all pay periods as well as the pay dates that correspond to each period.

B. If a holiday should occur on a payday, pay will be issued on the preceding Thursday, except under extenuating circumstances, in which case paychecks will be issued on the Monday following the holiday.

C. Federal, state, and municipal laws require automatic deductions of appropriate taxes and other deductions from employees' wages including, but not limited to OPERS and Medicare. Also, miscellaneous deductions may occur consisting of garnishments, child support payments or union dues.

D. Employees must review the information on their paystubs to ensure accuracy in payment, deductions and balances. Any inaccuracies should be immediately reported to the employee's supervisor.

E. Balances such as vacation, and sick leave are calculated on active pay. By "active pay" status, the Employer means all time actually worked as well as all time the employee did not work but still received pay such as a holiday, vacation day, sick day, etc.

F. Supervisors are to receive any questions regarding an employee's pay and are responsible for providing the necessary explanations and making the necessary inquiries to resolve pay related matters.

G. Pay advances of any kind including early issuance of checks are not permitted.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Retirement Plan and Deferred Compensation 5.4

A. Any "public employee," as defined in Section 145.01 of the Ohio Revised Code, must participate in the Ohio Public Employees Retirement System (OPERS). This retirement system is entirely independent of the Federal Social Security System, and retirement is in accordance with the rules and regulations of the OPERS.

B. Any employee who is interested in obtaining information regarding retirement options is urged to contact OPERS directly at:

OPERS
277 East Town Street
Columbus, Ohio 43215
1-800-222-7377
The web site is www.opers.org.

C. The County may make available to employees one or more deferred compensation plans. The decision to offer such a plan or plans is at the discretion of the County and such availability may be ended if the Employer deems such to be appropriate.

Original Adoption Date: 3/5/2008 Revision Date:

Workers Compensation 5.5

A. Ohio state law provides that every employee of the County may be eligible for coverage under the Workers' Compensation System for an injury arising out of or in the course of their employment.

B. To provide effective administration of this function, the following is required within forty-eight (48) hours of the injury/illness. Failure to properly report any accident or injury within forty-eight (48) hours may result in disciplinary action up to and including termination.

1. **Injury Report**: Whenever an employee is injured during the course of their employment with the County, they must complete an Injury Report Form. This should be done whether or not medical attention is required. The Injury Report must be forwarded to Human Resources by the end of the employee's or supervisor's shift. If the employee is unable to complete the Injury Report, it must be completed by their supervisor.

2. **Time Lost Due to Injury**: The appointing authority must be advised if the employee continues to be off work due to injury, an estimated return to work date, if known, and the date returned to work, when it occurs. If it is necessary for an employee who is injured while on duty to be off for a period of time, they may have the option of: (1) utilizing any existing sick leave, vacation, personal, or compensatory time he may be credited with; (2) applying for an unpaid leave of absence.

C. Employees who are injured in the line of duty and must leave work before completing their work period shall be paid for the balance of time in the workday.

D. In the event of a serious injury/illness, the injured employee's supervisor shall immediately notify Human Resources, so that an investigation maybe initiated, if necessary.

E. An employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Workers Compensation Act.

F. An employee with a work related injury or illness may be eligible to participate in the transitional work program. The transitional work program offers injured workers the ability to return to modified duty, with restrictions, and to be paid at the employee's usual rate. The transitional work program is designed to offer a progressive work strategy and shall not exceed ninety (90) calendar days in duration. The appointing authority and/or elected official must approve of the transitional work. Interested employees may seek additional information on the transitional work program from Human Resources. Eligibility and availability of the transitional work program will be considered on a case-by-case basis.

G. An injured employee may elect to use accrued sick leave and vacation leave prior to receiving payments from Workers' Compensation. Employees are prohibited, however, from receiving payment for sick leave while simultaneously receiving payment from Workers' Compensation.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Expense Reimbursement Travel and Meal Policy 5.6

County employees are to receive reimbursement for allowable expenditures made for a proper public purpose that are incurred while traveling out-of-County on official County business. Employees are eligible for expense reimbursement only when travel has been authorized in writing prior to the trip by the appointing authority and with appropriate receipts documenting claimed expenses. Overnight travel expense reimbursement requires the advance approval of the employee's appointing authority or the County Commissioners.

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

A. **Commercial air flights**: Reimbursement is available for air flight expenses only when the automobile mileage reimbursement would be more costly than the air fare, or where travel time is of significance.

B. **Ride Services**: Employees are to use the most economical means available when traveling on County business (e.g., bus, limousine, taxi, Uber, ride share, Lyft).

C. **Automobile**: Whenever possible, the appointing authority will assign a County vehicle for travel to and from meetings, conferences, and conventions. If no County vehicle is available and an employee is required to use their privately owned vehicle, they shall be reimbursed at a rate of IRS minimum, no less than $5.00. Such payment is considered to be total reimbursement for all vehicle-related expenses (e.g., gas, oil, depreciation, insurance, etc.). Mileage reimbursement is payable to only one (1) of two (2) or more employees traveling on the same trip, in the same vehicle. Rental of a vehicle is not reimbursable without prior approval of the appointing authority.

D. **Meals:** Expenses incurred for meals while on official business will be reimbursed at actual cost with the approval of the appointing authority. Such approval must be granted prior to the employee incurring the expense. An employee is eligible for such reimbursement only when travel has been authorized in writing by the appointing authority, and when travel extends overnight. Daily meal reimbursement should not exceed $50.00 in total excluding tips. Tips are reimbursable at 15% after tax. Employees shall order reasonably priced meals while traveling at the County's expense. Delivery charges are not reimbursable nor are alcoholic beverages.

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

1. The meal qualifies as an entertainment rule pursuant to IRS Reg. § 1.274-2(c) and (d). Examples of such meals are:

   - A meal where the main purpose is the active conduct of business, business is actually conducted, and there is more than a general expectation of income or some other specific business benefit in the future.

   - Meals at a hospitality room sponsored by the County at a convention.

   - A meal that is associated with the active conduct of the County's business, and occurs directly before or after a substantial business discussion.

2. Occasional meals that meet the De Minimis Exclusion pursuant to IRS Reg. § 1.132-6 (d)(2), such as infrequently providing coffee, donuts, or soft drinks. Also, occasional parties or picnics such as Christmas luncheon.

   Any meal provided to employees that are not excluded from taxable income herein will be reported to the Auditor’s office by the department as a taxable meal.

E. **Lodging**: Employees will be reimbursed for reasonable and necessary lodging expenses at the single room rate. If two (2) or more employees are attending the same program and they are the same gender, they may room together. If families accompany employees on out-of-town travel, the

County will pay the single room rate and the employee will be responsible for the difference. Employees will request the government rate and obtain a sales tax exemption certification from the County prior to payment of the lodging.

F. **Phone Calls:** Phone calls necessary for official County business are reimbursable.

G. **Parking and Tolls**: Expenses for parking, highway, bridge, and tunnel tolls are reimbursable. Parking expenses incurred within and outside Belmont County are reimbursable providing the employee is on official County business.

H. **Frequent Flier Miles/Credit Card Points**: Pursuant to the Ohio State Auditor's Office, employees are prohibited from taking advantage of frequent flier miles or credit card points when scheduling flights or hotel accommodations related to County business.

The following items are not subject to reimbursement:

1. tips in excess of 15% of the meal cost;
2. alcoholic beverages;
3. entertainment;
4. laundry and dry cleaning;
5. room service charge;
6. expenses of spouse traveling with employee;
7. any allowable expense where no receipt is proved as documentation by the employee.

Expense reports shall be filed by employees detailing all itemized costs with receipts attached within two (2) weeks of the accrued expense. Such detailed documentation will include the amount, date, time, place, and business purpose.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Health Care Coverage 5.7

A. Belmont County provides basic health care coverage on a single or family basis for full-time employees of the County. The cost of such coverage is shared between the Employer and the employee. The monthly contributions from employees are established by the Board of County Commissioners for non-bargaining unit employees.

B. To be eligible for coverage under the health care plan, employees must work thirty (30) or more hours per week on a continual basis, and be subject to the initial waiting period prescribed by the County.

C. Employee health care coverage becomes effective the first of the month following a thirty (30) day waiting period from date of hire. An employee who does not elect coverage or waives at the time they become eligible may elect participation only during open enrollment, unless there is a qualified change in eligibility status.

D. Employees who have been appointed to a full-time position from either part-time service or temporary full-time service must complete a thirty (30) day waiting period.

E. Employees who terminate their employment with the County may be eligible for continuation coverage as required by federal law and as outlined in the Plan policy.

F. Employees must remain in an active pay status in order to continue to be eligible for Employer-paid health care coverage except as provided for in the Federal Family and Medical Leave Act (FMLA) and the Employers FMLA policy. Employees may be eligible to waive health care coverage if they provide acceptable documentation for proof of coverage.

G. Health care benefits for bargaining unit employees are governed by the terms of the applicable collective bargaining agreement.

Health insurance coverage provisions are outlined in the health insurance certificates of coverage provided by the insurance carrier. Additional information regarding insurance benefits can be obtained by contacting the insurance provider directly.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Time Sheets/Time Clocks 5.8

A. For purposes of public accountability, all employees shall be required to account for all time worked and performed for the County by filling out time cards or by utilizing time clocks. These sheets/cards will serve as the official record of actual time worked by County employees. Accordingly, all employees must record/punch their time sheet/card when they arrive and are ready for duty. This entry should reflect the actual start time to the nearest quarter (1/4) hour (e.g., 8:08 a.m. is recorded as 8:15 a.m. etc.).

B. Overtime eligible employees shall not report for duty more than six (6) minutes prior to their scheduled start time without obtaining prior authorization.

Overtime eligible employees shall not report off duty more than six (6) minutes beyond the end of their scheduled workday without prior authorization.

C. For purposes of public accountability, all employees are expected to work a regularly scheduled week, in accordance with their schedule of compensation. Hours actually worked shall be accounted for by filling out the time sheets/cards discussed above.

D. Failing to report time worked, misrepresenting time worked, altering any time record, or allowing any time record to be altered by others**,** without supervisory approval, may result in disciplinary action up to and including termination.

E. At the end of every pay period, each employee shall review their time sheet/card for accuracy. Once the accuracy of the entries has been verified, the employee shall then sign and date the sheet/card and submit it to their supervisor who shall review and approve the sheet/time card for payment.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

5.9 Compensation Structure

The Belmont County Board of Commissioners (hereinafter referred to as "the County") in an effort to provide fair and equitable compensation for employees, hereby adopts the following compensation plan and administration procedures. The plan is intended to cover non-bargaining unit employees.

DEFINITIONS

Base Pay: the initial rate of compensation an employee receives, excluding additional payments such as overtime, bonuses, and benefits.

Lump Sum: is a single payment given at a particular time, in lieu of recurring payments distributed over a period of time.

PLAN STRUCTURE

A pay schedule has been developed to include sixteen (16) pay grades. Positions were assigned to their pay grade using internal and external equity analysis. Within each pay grade, (6) pay steps have been incorporated as a method to advance employees through their assigned pay grade.

HIRING

New employees shall normally be hired at the minimum rate for their position. At the discretion of the Commissioners, new employees who possess outstanding qualifications and experience may be hired at a starting rate of pay higher than the minimum, but careful consideration and Board of Commissioners approval should be given for any rate of pay that is offered over step 2.

PAY ADJUSTMENTS

The amount of base pay increases will be proposed annually to the Board of Commissioners in consultation with the Human Resources Administrator. Employees who are at rates of pay that are at or exceed the maximum rate for their pay grade shall receive no base increase until their rates of pay no longer exceed the maximum rate (i.e., until such time as the County increases the maximum rate of pay for their respective pay grade above the employee's current rate of pay). (The exception to this rule is any employee who is making more than the maximum rate at the time the new salary schedule is implemented.)

Step Increases

All employees will have an annual step date that either reflects their date of employment or their date of promotion. Annually on that date, each employee shall receive a step increase. New employees or promoted employees must serve a probation. Upon successful completion of probation, the new or promoted employee shall receive a step increase. The Board of Commissioners reserve the right to freeze wages in the event of a budget deficit.

Cost of Living Increases / Scale Shift

The amount and frequency of cost of living increases to the pay schedule will be determined by the Board of Commissioners. Normally, this will occur every few years. A cost of living increase results in an entire shift of the wage schedule.

Lump Sum Payment

The Board of Commissioners may decide to award lump sum payments that are not intended to increase an employee's base pay that are in addition to a base increase or in place of a base increase. Lump sum payments shall be the equivalent percentage of the base pay increase of the individual's annual wages, payable in a separate check.

Red-lined Employees

Employees who are at rates of pay that exceed the maximum for their pay grade are considered Red-lined Employees and shall receive no base increase; until their rate of pay no longer exceeds the maximum rate (i.e., until such time the County increases the maximum in their pay grade). However, an employee who is at a rate of pay that exceeds the maximum rate for his/her pay grade shall receive the increase awarded as a lump sum amount that will not increase his/her base rate of pay.

MOVEMENT BETWEEN PAY GRADES

Promotions

A promotion is the act of placing an employee in a position that requires greater skills, knowledge, and abilities to perform more complex and responsible work than the employee was required to perform in their previous position. When an employee is promoted, they will be advanced. An employee who receives a promotion will be placed in the appropriate pay range for the new position and a step in that range that most closely reflect at least that five percent (5%) raise.

Demotion

A demotion is the act of reducing an employee to a position that requires the performance of less complex or less responsible work than the employee was required to perform in their previous position. A demotion is also the reduction of an employee to a lower pay grade.

Transfer

A transfer is the act of moving an employee from a position in a department or division to a position with the same position title in another department or division. A transfer may also result in a change in work location and/or supervisor, but not a change in significant job duties. An employee's rate of pay will not change as a result of this type of action.

Lateral Movement

A lateral movement is when an employee is assigned to a different position, but the positions are assigned to the same pay grade and schedule. An employee's rate of pay will not be affected by such change.

PLAN MAINTENANCE

Maintenance of the compensation system is an important task which cannot be neglected. Failure to properly maintain the plan may eventually result in recruitment problems, pay inequities between positions, lowered employee morale, higher employee turnover, and other related organizational problems.

A. Changes in Position Functions and Responsibilities. There are numerous factors and influences which may contribute to the erosion of a compensation plan's validity. Common factors and influences generating change include:

1. Addition of new functions or responsibilities to a position;

2. Abolishment or elimination of a position's functions or responsibilities;

3. Reorganization of an organizational function, resulting in the consolidation of work activities;

4. Gradual change of a position by addition, deletion, or modification of duties and responsibilities;

5. New or revised licensure or certification requirements; or

6. Market demand.

B. Changes in Market Conditions. In addition to the above factors, ever-changing market conditions may dictate that the compensation plan be upgraded in order for the County to remain in a competitive posture with comparable jurisdictions.

C. Updates of Compensation Plan. The compensation plan needs to be updated on a periodic basis in order to remain internally equitable and externally competitive. The following general procedures should be followed in order to achieve these results:

1. On each occasion when a position’s duties are changed, it will be necessary to review that position’s pay grade assignment in order to ensure that equity between positions is maintained.

2. In addition to the continual maintenance process, it is recommended that the Agency conduct a wage survey of benchmark positions on a periodic basis. It is recommended that such a survey be conducted at least every three (3) years. The wage survey will help to ensure that wage rates paid to employees are competitive and continually reflective of changing labor market conditions.

3. A total review of the entire plan should occur at least once every three (3) to five (5) years.

Absences Section 6

6.1 Holidays
6.2 Vacations
6.3 Sick Leave
6.4 Sick Leave Conversion
6.5 Bereavement Leave
6.6 Court Leave
6.7 Military Leave
6.8 Leave of Absence Without Pay
6.9 Disability Leave and Separation
6.10 Inclement Weather
6.11 Family and Medical Leave
6.12 Unauthorized Leave
6.13 Paid Parental Leave

Holidays 6.1

A. All full-time employees (in active pay status the entire regularly scheduled workday immediately before and after the holiday) are entitled to the following holidays:

New Year's Day	First day of January
Martin Luther King Day	Third Monday of January
Presidents' Day	Third Monday of February
Memorial Day	Last Monday in May
Juneteenth Day	Nineteenth day of June
Independence Day	Fourth day of July
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans' Day	Eleventh day of November
Thanksgiving Day	Last Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Day	Twenty-fifth day of December
Christmas Eve Day[1]	Twenty-fourth day of December

[1] Christmas Eve Day has been added to our list of given holidays, but it is not a state or federal recognized holiday. If Christmas Eve falls on a weekend it will not be recognized as a holiday for that year. It will only be recognized as a holiday when it falls Monday- Friday.

B. If the holiday falls on Sunday, it will be observed on the following Monday; if it falls on a Saturday, it will be observed on the preceding Friday (exception: Christmas Eve Day). However, if an employee's work schedule is other than Monday through Friday, the employee is entitled to holiday pay for the day on which the holiday falls, regardless of the day of the week on which it is observed.

C. In observance of each authorized holiday, full-time employees will normally be granted the day off from work, with straight time pay, provided they are not employed in one of the twenty-four (24) hour, seven (7) day per week facilities.

D. If a holiday occurs while an employee is on vacation or sick leave, such vacation or sick leave day will not be charged against their vacation or sick leave balance. Such vacation day may be taken at a later date in accordance with the policy on vacation usage.

E. If a full-time non-exempt employee is required to work on one of the above holidays, they shall be paid at the rate of one and one-half (1 ½) times their regular hourly earnings. This premium pay for working the holiday will be in addition to the employee's straight time holiday pay.

F. In addition to the holidays specified in this policy, the Employer may recognize any day appointed and recommended by the President of the United States or the Governor of the State of Ohio, or any day created through legislation. The decision to recognize these additional holidays lies solely with the Employer.

G. Holidays and holiday pay for bargaining unit employees are governed by the terms of the applicable collective bargaining agreement.

Original Adoption Date: 5/16/2008, 12/28/2017 Revision Date: 5/27/2020, 2/2/2022; 1/1/2025

Vacations 6.2

A.

1. **Forty (40) hour full-time County employees** are eligible for paid vacation leave according to the following eligibility guidelines:

   After 6 months of service…….....accrued vacation
   After 1 year of service……80 hours vacation (3.1 hours per pay period)
   After 2 years of service……..….120 hours vacation (4.6 hours per pay period)
   After 5 years of service……...160 hours vacation (6.2 hours per pay period)
   After 10 years of service……..……..200 hours vacation (7.7 hours per pay period)

2. **Thirty-five (35) hour full-time County employees** are eligible for paid vacation leave according to the following eligibility guidelines:

   After 6 months of service……...accrued vacation
   After 1 year of service …….....70 hours vacation (2.7 hours per pay period)
   After 2 years of service…...……105 hours vacation (4.0 hours per pay period)
   After 5 years of service……....140 hours vacation (5.4 hours per pay period)
   After 10 years of service……...175 hours vacation (6.7 hours per pay period)

3. Vacation leave is earned based on hours worked. Vacation leave is earned while on paid leave, but additional vacation leave is not accrued through the working of overtime.

4. Vacation leave shall be taken upon approval of the appointing authority.

   Vacation leave shall only be accumulated while an employee is in active pay status. Full-time employees who are in active pay status for less than their number of regularly scheduled hours in any pay period will have their vacation accrual prorated for the pay period. Vacation will not accrue while an employee is on a period of unpaid leave.

B. No employee will be entitled to vacation leave under any circumstances until they have completed their probationary period.

C. Vacations are scheduled in accordance with workload requirements of the Employer. For this reason, it is important that vacation requests be made as far in advance as possible. The Employer reserves the right to approve or deny vacation requests.

Vacation Preference and Procedure for Application

1. All vacation dates are subject to the approval of the Appointing Authority or their designee.

2. It is recognized that certain types of vacation can be planned as much as eight (8) months in advance and others not until possibly one (1) month in advance. All employees are urged to request vacation as much in advance of the desired period as possible. Certain functions require one (1) or more persons on the job for proper operation and employees are expected to bear this in mind in correlating vacations.

3. The County may revoke vacation leave that has been approved if required for operational purposes.

D. Vacation leave is to be taken with the twelve (12) months following the employee's anniversary date. The employee may carry vacation over from year to year; however, vacation leave shall not be carried over for more than three (3) years.

E. An employee is entitled to compensation, at their current rate of pay, for any unused vacation, at the time of their separation. The employee shall be compensated for any accrued vacation leave accrued to their credit, with the permission of the Employer for up to three (3) years immediately preceding the last anniversary date of employment.

F. On and after October 25, 1995, employees will receive credit for prior service with the state or any political subdivision of the state for the purpose of vacation accumulation, per ORC 9.44. It is the employee's responsibility to provide necessary documentation of prior service. Notwithstanding the above, if any person removed for conviction of a felony "within the meaning of RC 124.34" is subsequently re-employed by the County, such person is only qualified to accrue vacation as if they were a new employee receiving no prior service credit.

G. The pyramiding of pay is prohibited

Sick Leave 6.3

A. Sick leave is a benefit and the usage of sick leave is not an entitlement. Sick leave will be provided in accordance with R.C. 124.38 and 124.39. Sick leave may be requested for the following reasons:

1. Illness or injury of the employee or a member of their immediate family (in case of a member of the immediate family not living in the same household, the appointing authority may credit sick leave when it is justified, and such cases may be investigated).

2. Medical, dental, or optical examinations or treatment of the employee or a member of their immediate family.

3. If a member of the immediate family is afflicted with a contagious disease or requires the care and attendance of the employee, or when, through exposure to a contagious disease, the presence of the employee at their job would jeopardize the health of others.

4. Pregnancy and/or childbirth, and other conditions related thereto, including leave where the employee's presence is reasonably necessary for the health and welfare of the employee or affected immediate family member.

For purposes of this policy, the "immediate family" is defined as only: spouse, parents, children, foster child(ren), grandparents, siblings, grandchildren, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, step-parents, step-children, step-siblings, legal guardian or other person who stands in the place of a parent.

Elective cosmetic surgeries that are not medically necessary do not constitute an appropriate usage of sick leave. Other appropriate leaves of absence, such as vacation, may be requested for such purposes.

B. An employee requesting sick leave shall inform their immediate supervisor or other designated person of the fact and the reason within one-half (½) hour after their scheduled starting time. Employees who work in a twenty-four (24) hour per day, seven (7) day per week program (e.g., 9-1-1, Sheriff) must provide a one (1) hour prior to their scheduled starting time notification. Failure to properly notify the designated person on the first day of illness may result in denial of sick leave for the period of absence. Subsequent notification beyond the first day of absence will be governed by the nature of the circumstances and the requirements established by the employee's appointing authority. Failure to do so may result in denial of sick leave for the period of absence. In the case of a condition exceeding three (3) consecutive calendar days, a physician's statement specifying the employee's inability to report to work and the probable date of recovery will be required. The employee will submit to such medical examination, nursing visit, or other inquiry which the Employer deems necessary.

C. For each completed eighty (80) hours (including overtime) compensated, an employee earns 4.6 hours of sick leave (70 hours earns 4.0 hours of sick leave). Active pay status is defined as hours during which an employee is eligible to receive pay, such as hours worked, hours on vacation, hours on holiday leave, hours on compensatory time, and hours of paid sick leave. Other than full-time employees will be credited with sick leave on a basis proportionate to the hours paid each pay period.

D. Sick leave shall be charged in minimum amounts of one-half (½) hour. Employees absent on sick leave shall be paid at the same basic hourly, daily, or biweekly rate as when they are working. The amount of sick leave time any one (1) employee may accrue is unlimited.

E. When an employee returns to work following an absence, such employee must first report to their supervisor or other designated person. Each employee returning to work must complete a Request for Leave Form to explain the reason for their absence. Any additional written documents which substantiate the employee's reason for absence should also be submitted at this time. This information will be reviewed by the Employer or their designee to determine if the absence will be approved.

F. Physician Statement. If medical attention is required, the employee will be required to furnish a statement from a licensed practitioner notifying the Employer that the employee was unable to perform their duties. Where sick leave is requested to care for a member of the immediate family, the Employer may require a licensed practitioner's certificate to the effect that the presence of the employee is necessary to care for the ill person, or in the case of childbirth and other conditions relating thereto, during the postnatal period.

G. Physician Examination. Should conditions warrant it, the Employer may require an employee to take an examination, conducted by a licensed practitioner, to determine the employee's physical and/or mental capability to perform the duties of the employee's position. If found not qualified, the employee may be placed, by the Employer, on an involuntary disability separation. The cost of such examination will be paid by the Employer.

H. Expiration of Sick Leave. If illness or disability continues beyond the time covered by accumulated sick leave, the employee may utilize any accrued but unused vacation leave they have to their credit. An employee who has exhausted all sick leave and vacation leave credits may, if appropriate, request a disability leave of absence without pay for a period not to exceed six (6) months, or a voluntary disability separation if the illness or disability is expected to exceed six (6) months. The use of other leaves is at the discretion of the County.

I. Abuse of Sick Leave. Employees intentionally failing to comply with sick leave rules and regulations shall not be paid. Employees who demonstrate a pattern of sick leave abuse may be disciplined. Application for sick leave with intent to defraud will result in discipline up to and possibly including termination, and will also require a refund of salary or wage paid. Altering a physician's certificate or falsification of a written, signed statement shall be grounds for discharge. The County reserves the right to investigate allegations of sick leave abuse. The County reserves the right to question employees regarding their sick leave usage. Whenever an employee is on sick leave, they must be at home during scheduled work hours, obtaining treatment or receiving treatment, absent prior approval.

J. Employees who transfer between County departments or agencies, or from another public agency, or who are reappointed or reinstated, will be credited with the unused balance of their accumulated sick leave credit, provided the time between separation, reappointment or transfer does not exceed ten (10) years and provided the employee has not cashed in any portion of that balance under ORC 124.39. The words "public agency" as used above means those entities required to provide sick leave under ORC 124.38 and 124.382, including the state, counties, municipalities, boards of education, civil service townships, etc., within the state. Villages, private industry councils, libraries organized as non-profit corporations and other entities not required to provide sick leave under ORC 124.38 or 124.382 are not "public agencies." Notwithstanding the above, or Section 6.4 - Sick Leave Conversion, if any "person removed for conviction of a felony" within the meaning of R.C. 124.34 is "subsequently re-employed" by the County, such person is only qualified to accrue sick leave as if they were a new employee receiving no credit for prior service.

K. Sick leave for bargaining unit employees is governed by the terms of the applicable collective bargaining agreement.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Sick Leave Conversion 6.4

A. A County employee, who separates in accordance with the provisions of OPERS, any retirement plan offered by the state, or after a successful resignation, shall be paid the value of their earned leave credit. The maximum of such payment, however, shall be for thirty (30) days of sick leave.

B. Such payment shall be based on the employee's hourly rate of pay at the time of separation.

C. Such payment shall be made only once and shall eliminate all sick leave credit accrued by the employee.

D. Eligible County employees separating from active service shall request such payment in writing, to initiate the payment process.

E. The beneficiary of a deceased employee shall be eligible for the sick leave conversion benefits for which the employee would have otherwise qualified in accordance with Paragraph A above. Such payment shall be made in accordance with Section 2133.04 O.R.C., or paid to the employee's estate

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2026

Bereavement Leave 6.5

A. In the event of the death of a member of an employee's immediate family, the employee shall be granted up to five (5) consecutive work days of sick leave to attend the funeral, make funeral arrangements, and carry out other responsibilities related to the funeral. A sick leave request form must be completed by the employee.

B. If no sick leave balance exists at the time of such bereavement, the employee, with approval of the appointing authority, shall be authorized to take a leave of absence without pay not to exceed five (5) consecutive workdays. A written request for leave shall be completed by the employee.

C. Bereavement leave for bargaining unit employees is governed by the terms of the applicable collective bargaining agreement.

Original Adoption Date: 3/5/2008 Revision Date:

Court Leave 6.6

A. The Employer shall compensate at straight time hourly rate, employees for regularly scheduled working hours on any day an employee is subpoenaed for court or jury duty by a federal, state, or any municipal court. All compensation received for court or jury duty is to be remitted by the employee to the Employer for deposit with the County Treasurer, unless the court or jury duty is performed totally outside normal working hours. Employees released from court or jury duty prior to the end of their scheduled work day shall report to work for the remaining hours of their shift.

B. Employees shall not be entitled to paid court leave when appearing in court for criminal or civil cases being heard in connection with the employee's own personal matters. These absences shall be considered leave without pay or vacation, as scheduled in advance with the Employer.

C. It is understood that any employee released from jury duty prior to the end of their scheduled workday shall report to work for the remaining hours. Court leave for bargaining unit employees is governed by the terms of the applicable collective bargaining agreement.

D. The time an employee spends at court jury duty or court service shall not be considered hours worked for purposes of calculating overtime, unless such court time is directly related or is an integral part of the employee's work duties.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Military Leave 6.7

Policy

A. **Active Duty Leave** — Military Leave is governed by both state and federal laws

B. **Military Reserve Leave** — R.C. 5923.05 requires that permanent public employees, who are members of Ohio National Guard, Ohio Organized Militia, or other reserve components of the armed forces of the United States be authorized twenty-two (22), eight (8) hour days of leave without loss of pay per calendar year for military duty or training. This payment is in addition to the gross uniformed pay and allowances the employee receives from the military.

C. **Military Reserve Leave in Excess of 176 Hours** — Any permanent public employee called to military duty for a period in excess of the one hundred seventy-six (176) hours because of an executive order issued by the President of the United States, because of an act of Congress, or because of an order to perform duty issued by the governor pursuant to R.C. Section 5919.29, is entitled to be paid the difference between the employee's gross monthly wage or salary and the gross uniformed pay and allowances up to $500.00 per month. If the gross uniformed pay and allowances equals or exceeds the employee's regular gross monthly wage or salary normally paid by the Employer, the employee is not entitled to any additional compensation from the Employer after being compensated for the initial one hundred seventy-six (176) hours per calendar year. This payment will continue until the order or act is withdrawn for the employee.

D. **Request for Leave** — Employees are required to submit to the Employer a copy of the published orders authorizing the military duty or a written statement from the appropriate military commander authorizing such duty. Employees requesting such leave will also be required to complete and submit a request for leave form.

Procedure

A. Employees are required to submit to their department head a copy of their military orders and a completed Request for Leave Form outlining the anticipated duration of the military leave.

For military leave up to twenty-two (22) days or one hundred seventy-six (176) hours in a calendar year, employees shall continue to be entitled to health insurance benefits as if they are working. These benefits shall continue beyond this period if the employee is on military leave and elects to utilize paid leave. Employees who exceed the twenty-two (22) days or one hundred seventy-six (176) hours and do not elect to utilize paid leave are not entitled to the health insurance benefits on the same basis as if they are working. In these circumstances, employees will be provided notice of their rights to continue this coverage at their cost in accordance with applicable law.

Also see Family and Medical Leave Act Policy

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Leave of Absence without Pay 6.8

A. Upon the advanced written request of a permanent employee, the Employer may grant the employee a leave of absence without pay. The maximum duration of a leave of absence without pay for personal reasons of the employee shall not exceed six (6) months. The maximum duration of a leave of absence without pay for purposes of education, training, or specialized experience which would benefit County service, or for other related reasons shall not exceed two (2) years. The authorization of a leave of absence without pay is solely a matter of administrative discretion, and each request will be decided by the Employer based upon its own merits. Whenever possible, any request for a leave of absence without pay must be made at least sixty (60) days prior to the commencement of the desired leave.

B. Upon returning from a leave of absence, the employee is to be placed in their original position, or another position at a similar level of responsibility should the original position be abolished. When an employee fails to return to work upon the expiration of an authorized leave of absence without pay, that employee may be removed for neglect of duty.

C. Because they are not in an active pay status, employees who are granted an authorized leave of absence without pay do not earn sick or vacation leave credit. Additionally, they do not qualify for other benefits such as paid holidays, paid health care coverage, etc. Time spent on the approved leaves of absences is to be counted when determining length of service for purposes where tenure is a factor provided the employee follows all procedures.

D. An employee who has received an authorized leave of absence without pay may be eligible for continuation coverage as required by federal law and as outlined in the Plan policy. Such continued coverage would be totally at the employee's expense and payment would be submitted to the County in accordance with the information the employee would receive on their COBRA rights.

E. If it is determined that an employee is abusing the leave of absence and not actually using the leave for the purpose specified, the Employer may cancel the leave and provide the employee with a written notice directing the employee to report for work.

F. All leaves shall be for a continuous period of time (e.g., weeks, months). No leave shall be granted for an intermittent period in order for an employee to remain on payroll for the purpose of the continuation of health care or other benefits provided to employees in an active pay status.

G. Leave of absence without pay for bargaining unit employees is governed by the applicable collective bargaining agreement.

Original Adoption Date: 3/5/2008 Revision Date: _____

Disability Leave and Separation 6.9

This section outlines the conditions under which disability leave and separation without pay may be granted, and procedures for administering its use.

A. **Voluntary Reduction**

When an employee becomes physically unable to perform the essential functions of their position, but is still able to perform the essential functions of a vacant, lower level position, they may voluntarily request reduction to the lower level position. An employee shall submit a request in writing to the Employer, stating the reason for the request. Such request must also be accompanied by a physician's statement. The approval of such requests shall be left to the discretion of the Employer and shall be based upon operational needs and requirements.

B. **Voluntary Disability Separation**

1. An employee who is unable to perform the essential job duties of their position due to a disabling illness, injury, or condition may request a voluntary disability separation. A voluntary disability separation occurs when the employee does not dispute their inability to perform the essential job duties of their position due to such disabling illness, injury, or condition.

2. The appointing authority may grant the employee's request for voluntary disability separation or may require the employee to submit to a medical or psychological examination conducted by one or more licensed practitioners selected by the appointing authority. If the examination supports the employee's request, the appointing authority will grant the employee's request for a voluntary disability separation. If the medical examination does not support the employee's request, the appointing authority will not approve the employee's request for voluntary disability separation.

3. An employee who is granted a voluntary disability separation will retain the right to be reinstated to their position for two (2) years from the date that the employee is no longer in active work status due to a disabling illness, injury, or condition.

4. Any employee who fails to apply for reinstatement, formally resign, or take disability retirement, shall be separated from service at the end of the two (2) year period from the last day worked.

C. **Involuntary Disability Separation**

1. If, after exhausting available leave, an employee refuses to request a voluntary disability separation, an Appointing Authority may place the employee on an involuntary disability separation if the Appointing Authority has substantial, credible medical evidence to indicate that the employee remains disabled and incapable of performing the essential job duties. Such involuntary disability separation may be done in accordance with Ohio Administrative Code (O.A.C.) Chapter 123:1-30-01.When an appointing authority has reason to believe that an employee is incapable of performing the essential functions of the

employee's position due to disabling illness, injury, or condition, the appointing authority may require the employee to submit to a medical or psychological examination conducted by one or more licensed practitioners selected by the appointing authority. It is not, however, necessary for the appointing authority to require the employee to submit to such examination prior to involuntary disability separation if: (1) the employee is hospitalized at the time such action is to be taken, (2) the employee has exhausted any leave to which he is entitled under the FMLA, and (3) substantial credible medical evidence already exists that documents the employee's inability to perform the essential job duties.

2. When the appointing authority has received the results of a medical or psychological examination and initially determines that the employee is incapable of performing the essential functions of the employee's position due to a disabling illness, injury, or condition, the appointing authority will institute pre-separation proceedings. Under the proceedings, a hearing will be scheduled and advance written notice of at least seventy-two (72) hours will be provided to the employee. At the hearing, the employee will have a right to examine the appointing authority's evidence of disability, to rebut the evidence, and to present testimony and evidence on the employee's own behalf. The employee should also be permitted to waive their right to a hearing.

3. If the appointing authority determines, after weighing the testimony presented and the evidence admitted at the pre-separation hearing, that the employee is unable to perform the essential functions of their position, the appointing authority will issue an involuntary disability separation order.

4. The effective date of separation, for the purpose of reinstatement, will be based on the date the employee was no longer in active work status due to the disabling illness, injury, or condition. The total continuous time of absence due to the disabling illness, injury, or condition will not exceed two (2) years for purposes of reinstatement rights.

5. An employee who is involuntarily disability separated will have the right to appeal in writing to the State Personnel Board of Review within ten (10) days following the date the order is served on the employee.

6. The appointing authority will also notify the employee, at the time the involuntary disability separation order is provided to the employee, of the required procedures to apply for reinstatement.

D. Any appointment made to a position vacated by disability leave or separation will be on a temporary basis, ORC 124.30 (A)(2), and such employee must be made fully aware of their status. Should the employee returning from disability leave or separation be reinstated to another position, the temporary appointment may be made permanent.

E. Disability leaves and separation for bargaining unit employees are governed by the applicable collective bargaining agreement.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Inclement Weather 6.10

A. If a weather emergency is declared in Belmont County, the Appointing Official or designee will make a decision regarding closing the office. A weather emergency is where the county or city restricts travel except for emergency vehicles. In such an emergency, when the office is closed, non-essential employees normally scheduled to work will not be required to report to work and will receive pay for the employee's normal day.

Statewide, there are three (3) snow emergency levels that the County Sheriff can declare.

1. **Level 1 Snow Emergency** – County and township roads are hazardous with blowing and drifting snow. Roads are also icy and drivers should use caution.

2. **Level II Snow Emergency** – County and township roads are hazardous with blowing and drifting snow. Only those who feel it is necessary to drive should be out on the county and township roads. Listen to radio stations and/or contact employers to see if you should report to work.

3. **Level III Snow Emergency** – All county and township roads are closed to non-emergency personnel. No one should be out unless it is absolutely necessary to travel. All employees should listen to radio stations and/or contact employers to see if they should report to work. Those traveling on county and township roads may subject themselves to arrest.

The above snow emergency levels declared by a sheriff should not be confused with a "State of Emergency" which may be issued by elected officials of the affected jurisdiction (mayor, county commissioners, township trustees, etc.). A State of Emergency is generally not issued unless local resources are not adequate to handle the emergency or disaster and state assistance is needed. The office will automatically be closed to the public during a declared Level III Snow Emergency or when a State of Emergency is declared in Belmont County.

B. During a countywide emergency, employees shall comply with the following:

1. Employees and the general public may be advised not to leave the premises because of severe weather or other emergency conditions continuing after regular working hours. Remaining on the premises after hours will not entitle employees to overtime compensation or compensatory time unless they remain at work because they are required by department head direction to assist during the emergency situation. Situations such as this require supervisor approval.

2. An employee on sick leave or vacation status at a time of emergency closing will not be affected and will have their sick leave or vacation account charged accordingly.

3. Part-time employees who are scheduled to work will be treated in the same manner as full-time employees for purposes of this section. (Hours paid will not exceed the employee's scheduled number of work hours.)

4. Certain designated employees of the Appointing Authorities may be considered essential employees under this section and are responsible for responding to emergency situations and snow/ice removal as directed.

C. Employees who are not able to report to work due to weather conditions when no weather emergency has been declared may, at their supervisor's direction, make up the lost hours within the same workweek or use other available leave time not including sick leave.

D. Notwithstanding the provisions above, the Employer retains the right to close the department offices, or to remain open during periods of inclement weather or other emergency conditions, at their discretion and based upon operational needs and work load requirements. Employees required to work during emergency conditions shall not be entitled to any additional compensation.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Family Medical Leave Act ("FMLA") 6.11

A. **Statement of Policy**

Eligible employees may request time off for family and/or medical leave of absence with job protection and no loss of accumulated service provided the employee meets the conditions outlined in this policy and returns to work in accordance with the Family and Medical Leave Act of 1993.

B. **Definitions**

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

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

   a. Upon the birth of an employee's child and in order to care for the child.

   b. Upon the placement of a child with an employee for adoption or foster care.

   c. When an employee is needed to care for a family member who has a serious health condition.

   d. When an employee is unable to perform the functions of their position because of the employee's own serious health condition.

   e. Qualifying service member leave.

2. Service Member Leave: The spouse, parent or child of a member of the U.S. military service is entitled to twelve (12) weeks of FMLA leave due to qualifying exigencies of the 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 twenty-six (26) weeks of leave within a "single twelve (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 twelve (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 twelve (12) months later, regardless of the twelve (12) month period established for other types of FMLA leave.

3. "Per year": A rolling twelve (12) month period measured 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 twelve (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 four (4) weeks of FMLA leave beginning February 4, 2009, four (4) weeks beginning June 1, 2009, and four (4) weeks beginning December 1, 2009, the employee would not be entitled to any additional leave until February 4, 2010.

4. "Serious health condition": Any illness, injury, impairment, or physical or mental condition that involves:

   a. Inpatient care.

   b. Any period of incapacity of more than three (3) consecutive calendar days that <u>also involves</u>:

      i. Two (2) or more treatments by a health care provider**,** the first of which must occur within seven (7) days of the first day of incapacity and both visits must be completed within thirty (30) days; or

      ii. Treatment by a health care provider on one occasion that results in a regimen of continuing treatment under the supervision of a health care provider.

   c. Any period of incapacity due to pregnancy or for prenatal care.

   d. A chronic serious health condition which requires at least two (2) "periodic" visits for treatment to a health care provider per year and continues over an extended period of time. The condition may be periodic rather than continuing.

   e. Any period of incapacity which is permanent or long term and for which treatment may not be effective (i.e. terminal stages of a disease, Alzheimer's disease, etc.).

   f. Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than three (3) days absent medical intervention. (i.e. chemotherapy, dialysis for kidney disease, etc.).

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

6. "Family member": Spouse, child, parent or a person who stands "*in loco parentis"* to the employee.

7. "Covered Service Member": Means either:

    a. A current member of the Armed Forces, including a National Guard or Reserve Member, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness; or

    b. A covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a National Guard or Reserves Member, at any time during the five (5) years preceding the date the eligible employee takes FMLA leave to care for the covered veteran.

        i. Note: An individual who was a member of the Armed Forces (including National Guard or Reserves) and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period of October 28, 2009 and March 8, 2013, shall not count toward the determination of the five (5) year period for covered veteran status.

8. "Outpatient Status": The status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving outpatient medical care.

9. "Next Of Kin": The term "next of kin" used with respect to a service member means the nearest blood relative of that individual.

10. A "serious injury or illness", for purposes for the twenty-six (26) week military caregiver leave means either:

    a. In the case of a current member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness that was incurred by the covered service member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating; and,

    b. In the case of a covered veteran, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of

duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:

i. a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or

ii. a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service–Related Disability Rating (VASRD) of fifty (50) percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or

iii. a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or

iv. an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

11. "Covered Active Duty" or "call to covered active duty":

a. In the case of a member of a Regular Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country. (Active duty orders of a member of the Regular components of the Armed Forces generally specify if the member is deployed to a foreign country."

b. In the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to specific sections of the U.S. Code, as outlined in 29 CFR § 825.126.

12. "Deployment to a foreign country" 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.

13. "Qualifying Exigency": (For purposes of the twelve (12)-week qualifying exigency leave) includes any of the following:

a. Up to seven (7) days of leave to deal with issues arising from a covered military member's short notice deployment, which is a deployment on seven (7) or fewer days' notice.

b. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member.

c. Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member.

d. Making or updating financial and legal arrangements to address a covered military member's absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust.

e. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member.

f. Rest and recuperation leave of up to fifteen (15) days to spend time with a 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 fifteen (15) calendar days from the date the military member commences each instance of Rest and Recuperation leave.

g. Attending certain post-deployment activities within ninety (90) days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member.

h. Qualifying parental care for military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under eighteen (18) years of age, when the parent requires active assistance or supervision to provide daily self-care in three (3) or more of the activities of daily living, as described in 29 C.F.R. § 825.126, and the need arises out of the military member's covered active duty or call to covered active duty status.

i. Any qualifying exigency which arose out of the covered military member's covered active duty or call to covered active duty status.

C. **Leave Entitlement**

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

1. Worked for the agency for at least twelve (12) non-consecutive months, or fifty-two (52) weeks.

2. Actually worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period immediately prior to the date when the FMLA leave is scheduled to begin.

3. Work at a location where the Employer employs fifty (50) or more employees within a seventy-five (75) mile radius.

    a. The entitlement to FMLA leave for the birth or placement for adoption or foster care expires at the end of the twelve (12) month period following such birth or placement.

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

D. **Use of Leave**

The provisions of this policy shall apply to all family and medical leaves of absence as follows:

1. Generally: An employee is only entitled to take off a total of twelve (12) weeks of leave per year under the FMLA. As such, employees will be required to utilize their accumulated unused paid leave (sick, vacation, etc.) in conjunction with their accumulated unused unpaid Family Medical Leave. Employees will be required to use the type of accumulated paid leave that best fits the reason for taking leave and must comply with all procedures for requesting that type of leave as stated in the relevant policy. Any time off that may legally be counted against an employee's twelve (12) week FMLA entitlement will be counted against such time.

2. Birth of An Employee's Child: An employee who takes leave for the birth of their child must first use all available accrued paid sick and vacation leave, if applicable, prior to using unpaid leave for the remainder of the twelve (12) week period. However, if the employee requests leave for the employee's own serious health condition as a result of the pregnancy or postpartum recovery period, the employee will be required to exhaust all of their sick leave prior to using unpaid leave for the remainder of the twelve (12) week period. *(Note: See section E below for information on disability leaves.)*

3. Placement of a Child for Adoption or Foster Care: An employee who takes leave for the placement of a child for adoption or foster care must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.

4. Employee's Serious Health Condition or Family Member's Serious Health Condition: An employee who takes leave because of their serious health condition or the serious health condition of their family member must use all available accrued paid sick and vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.

E. **FMLA and Disability/Workers' Compensation**

An employee who is eligible for FMLA leave because of their own serious health condition may also be eligible for workers' compensation if the condition is the result of workplace accident or injury. Regardless of whether the employee is using worker's compensation benefits, the Employer may designate the absence as FMLA leave, and count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, as these may be compensated absences, if the employee participates in the worker's compensation program, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the employer require them to do so, while the employee is receiving compensation from such a program.

F. **Procedures for Requesting FMLA Leave**

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

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

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

G. **Certification of Need for FMLA Leave for Serious Health Condition**

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

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

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

or refusal of the employee to submit to or cooperate in obtaining either the second or third opinions, if requested, shall result in the denial of the FMLA leave request.

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

H. Certification for Leave Taken Because of a Qualifying Exigency

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

I. Intermittent/Reduced Schedule Leave

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

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

An employee who requests and is granted FMLA leave on an intermittent or reduced schedule basis may be temporarily transferred to an available alternative position with equivalent class, pay, and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

An employee who requests intermittent or reduced schedule leave due to foreseeable medical treatment shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the Employer's operations.

J. Employee Benefits

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

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

If the employee chooses not to return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, the Employer may seek reimbursement from the employee for any amounts paid by the Employer for insurance benefits the employee received through the Employer during any period of unpaid FMLA leave. Leave balances accrued by an employee prior to taking FMLA leave and not used by the employee as outlined in the section entitled "Use of Leave" will be retained by the employee.

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

K. Reinstatement

An employee on FMLA leave must give the Employer at least two (2) business days' notice of their intent to return to work, regardless of the employee's anticipated date of return. Employees who take leave under this policy will be reinstated to the same or a similar position upon return from leave except that if the position that the employee occupied prior to taking FMLA leave is not available, the employee will be placed in a position which entails substantially equivalent levels of skill, effort, responsibility, and authority and which carries equivalent status, pay, benefits, and other terms and conditions of employment as the position the employee occupied prior to taking FMLA leave. The determination as to whether a position is an "equivalent position" will be made by the Employer.

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

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

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.

Original Adoption Date: 5/16/2008 Revision Date: 5/27/2020

Unauthorized Leave 6.12

A. Employees are expected to communicate all absences to their supervisor or Human Resources department in a timely manner and as outlined under the appropriate sections of this manual.

B. If an employee fails to follow the appropriate leave procedure as outlines in this manual, has exhausted all forms of paid leave, and is not eligible for authorized unpaid leave, they will be considered absent without leave (AWOL). Employees in AWOL status may be subject to discipline in accordance with section 8 of this policy manual.

C. Job Abandonment: An employee in the classified service who is habitually in AWOL status or AWOL for three (3) or more successive duty days will be subject to removal for neglect of duty. This rule does not require the appointing authority to initiate removal actions if it is determined to be unwarranted nor does It preclude removal; action for a shorter period of absence if the absence is of sufficient seriousness. The determination as to what constitutes a serious situation shall be made by the appointing authority of the agency.

Original Adoption Date: March 9, 2016 Revision Date: 5/27/2020

Paid Parental Leave 6.13

Paid parental leave provides up to six (6) continuous weeks of leave for full time, FMLA eligible employees. It is utilized in the event of birth or adoption of a child where the employee is a biological parent, or legal guardian, and the child resides with the employee. The benefit begins with an initial two (2) weeks (14 calendar days) of leave for which employees shall use their applicable accrued leave time or take unpaid if no appropriate leave is available, and is followed by four (4) weeks of leave at 70% of the employees' regular pay. Employees shall use any applicable accrued leave to supplement their pay, up to 100% during the last four (4) weeks of leave. Family Medical Leave will run concurrently as required.

Employees may elect to receive two thousand dollars ($2,000.00) for adoption expenses in lieu of receiving the leave benefit provided under this section. Such payment may be requested upon placement of the child in the employee's home. If the child is already residing in the home, payment may be requested at the time the adoption is approved.

While an employee is on paid parental leave they remain eligible to receive all employer paid benefits and continue to accrue all other forms of paid leave as if they were in active pay status. They are ineligible to receive overtime pay, and no portion of their parental leave shall be included in calculating overtime pay. They are ineligible to receive holiday pay. A holiday occurring during the leave period shall be counted as one day of parental leave and be paid as such.

If two (2) employees, both FMLA eligible and either biological parents or legal guardians of the child/children pursue paid parental leave, only one employee is permitted to utilize this benefit. Both employees cannot be on paid parental leave for the same birth or adoption of their child/children.

Original Adoption Date: 5/27/2020 Revision Date: _____

Conduct Section 7

7.1	Attendance
7.2	Tardiness
7.3	Health & Safety
7.4	Workplace Violence
7.5	Concealed Weapons
7.6	Tools, Supplies, and Equipment
7.7	Use of County Owned Vehicles
7.8	Use of Telephones / Cell Phone Policy
7.9	Drug Free Workplace Policy
7.10	Outside Employment
7.11	Dress and Work Area

7.12 Solicitation and Distribution
7.13 Political Activity
7.14 Equal Employment Opportunity/Anti-Discrimination Complaint Procedure
7.15 Computer/Internet/Electronic Mail Policy
7.16 Nepotism
7.17 Tobacco Use Policy
7.18 Self Help to Records Prohibited
7.19 Social Media Policy
7.20 Cyber Security

Attendance 7.1

A. Regular and predictable attendance by all employees is an essential component of the employment relationship. Therefore, this policy is established in order to communicate the priority that the Employer places on regular and predictable attendance on the part of all employees. Attendance under this policy not only includes regular appearance at work, but also means honoring all regulations pertaining to breaks, lunch periods, meetings, etc.

B. The normal work week for most full-time employees is computed on the basis of forty (40) hours, composed of five (5), eight (8) hour days or thirty-five (35) hours, composed of five (5) days, seven (7) hours. Schedules may be modified by the Appointing Authority.

C. In order to maintain complete and accurate records of all time worked, employees are required to complete a Bi-Weekly Attendance Form, or if available, punch in and out on a time clock. Each employee will be responsible for making certain that they have properly recorded their daily arrival and departure times, as well as the time departed and returned from the lunch period. Any employee not properly adhering to this procedure may be subject to discipline. Under no circumstances will any employee punch or otherwise record another employee's time card or report.

D. Supervisory and management staff are charged with the responsibility of ensuring that employees have accurately recorded arrivals and departures. Additionally, supervisors are responsible for submitting a bi-weekly payroll summary by noon on the Monday following the end of the payroll period. This summary should accurately reflect the number of hours actually worked, or taken in paid or unpaid leave during that period. The information on the payroll summary should be obtained by reviewing the Bi-Weekly Attendance Record or the time card which each employee is required to complete and submit to their supervisor. Because several of the County's operations are operated on a twenty-four (24) hour per day basis, it is understood that these Bi-Weekly Attendance Records may not be immediately available due to days off or other reasons. Employees shall in every instance be required to submit the attendance card and any request for leave (paid or unpaid) as soon as possible, and without fail prior to receiving a paycheck for the pay period. The original copies of these records, along with the Bi-Weekly Payroll Summary, will be maintained by the Employer in order to be available for auditing purposes.

E. When authorized by their immediate supervisors (based on operational needs), employees may take not more than two (2) fifteen (15) minute rest periods each full workday. Rest periods shall be

considered a privilege and not a right and shall never interfere with the proper performance of the work responsibilities of the department. Rest periods shall not abut the beginning of or the end of a shift, a lunch period, or another rest period.

F. The Employer has no provision for make-up time. Whenever an employee is absent from work through no fault of the Employer, they will not be permitted to work overtime solely for the purpose of "restoring" the lost time.

G. Employees are prohibited from engaging in work prior to or after established shift starting/quitting times without specific authorization from their supervisor. Further, lunch and break periods are to be taken in the prescribed areas and not in the employee's work location.

H. If an employee, of their own accord, does not take their lunch break during the prescribed time allotted for such lunch break, it is not permissible for the employee to take the unused lunch break solely for the purposes of leaving work early and/or arriving at work late to avoid using any accumulated time such as vacation and/or sick leave. If a manager should approve a schedule other than the one established it will be done so based on operational need and established by the manager in advance.

I. Absenteeism shall not be tolerated. Employees are expected to regularly and consistently report for work as scheduled. Employer approval of leaves as contained herein shall not render an employee immune from investigation.

J. Employees will be disciplined for unauthorized leaves of absence. If an employee is unable to report to work as scheduled, they must follow the proper procedure for reporting off.

K. The Employer recognizes the fact that emergency situations can arise that can cause an employee to be late or unable to report to work, e.g., car accidents, fire, etc., but these situations are the exception. In the case of an emergency, the employee should notify the supervisor as soon as possible and explain the nature of the emergency. Requests for emergency leave (authorization after the fact) will be considered based on the merits of the request.

L. Excused Absence: An employee's absence will be excused only when it has been approved in advance, or it is approved after the fact once the Employer has determined it is a proper use of available leave. Any other absence will be considered an unexcused absence (unauthorized leave of absence) and will be disciplined accordingly.

M. Patterned Abuse will not be tolerated and will result in appropriate discipline. Examples of patterned abuse are as follows:

1. absence on the day immediately prior to or immediately following the employee's scheduled holiday, vacation day, pay day, etc.;

2. absence which recurs with regularity (e.g., every other Wednesday, every Monday, third Thursday of the month, etc.);

3. absence when the employee is scheduled for special duty, including but not limited to overtime or temporary increases in work load.

N. An employee who fails to report to work without any notification for three (3) or more consecutive scheduled work days shall be terminated, unless the employee can demonstrate, to the Employer's satisfaction, that there was sufficient justification for such no call/no show.

O. Supervisory Responsibilities: Each supervisor should exemplify good attendance. It is the supervisor's responsibility to investigate abuse and bring it to the attention of the Appointing Authority or appropriate designee.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Tardiness 7.2

A. Tardiness or lateness on a regular basis is inexcusable and will not be tolerated. Tardiness is defined as any situation where an employee reports to work one (1) or more minutes after their scheduled starting time. Whenever an employee is tardy, that employee's time should reflect the actual start time to the nearest quarter (1/4) hour.

B. An employee who is tardy may be subject to appropriate disciplinary action as follows, unless they offer to the supervisor a written reason for being tardy deemed acceptable by the supervisor:

2 times tardy – instruction and cautioning
3 times tardy – written reprimand
4 times tardy – 3 days or less suspension, or fine*
5 times tardy – 15 days or less suspension, or fine*
6 times tardy – termination from service

*This may be a working suspension of record or a non-working suspension without pay.

C. Each tardiness disciplinary action shall have force and effect for a period of eighteen (18) months after its issuance. (Whenever possible, the employee shall be required to call their supervisor to provide notification regarding an anticipated incident of tardiness. However calling in to report tardiness will not necessarily grant approval of the tardiness.)

D. Instruction and Cautioning will be issued by the supervisor and a Record of Instruction and Cautioning will be given to the employee with a copy placed in the employee's personnel file. Written reprimands will be issued by the employee's supervisor and a Record of Written Reprimand will be given to the employee with a copy placed in the employee's personnel file.

E. Suspensions, fines, and terminations related to tardiness and/or lateness will be recommended by the responsible management or supervisory authority, and will require official action of the Employer.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Health and Safety 7.3

A. Safety is the responsibility of both supervisory and non-supervisory employees. It is the responsibility of each to make certain that all safety equipment is being used and all safety procedures and practices are observed. Any employee found to be negligent in equipment operation, resulting either in damage to the equipment or an accident, shall be disciplined in accordance with the County's progressive discipline policy. The safe and efficient completion of work assignments, without injury, is the County's primary concern. Only through the determined elimination of the causes can we reduce the frequency of accidents. ORC section 4101.11.

B. Any employee found to be reckless or negligent in equipment operation, resulting in the damage to the equipment or an accident, shall be subject to discipline up to and including termination.

C. All employees, particularly supervisors, have the responsibility of reporting the existence of any hazardous conditions or practices. Supervisors found to be negligent in requiring the use of prescribed safety equipment or practices will be subject to disciplinary action.

D. Any accident occurring during normal working hours shall be reported, in writing, to the immediate supervisor at once. The supervisor shall in turn notify the Employer or designee.

E. Upon notification of an accident, the supervisor and employee shall complete an accident form which must be forwarded to the appointing authority no later than the end of the shift (or as soon as possible) in which the accident occurred in order to ensure that the employee may be covered under Workers' Compensation insurance.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Workplace Violence 7.4

Zero Tolerance

A. The County is committed to providing a work environment that is safe, secure and free of harassment, threats, intimidation and violence. In furtherance of this commitment, the County enforces a zero tolerance policy for workplace violence. Consistent with this policy, threats or acts of physical violence, including intimidation, harassment, and/or coercion which involve or affect employees, or which occur on County property or at a worksite, will not be tolerated. Employees who are found to have committed acts of workplace violence will receive discipline and possible criminal prosecution, depending on the nature of the offense.

B. The Employer prohibits the following:

1. Any act or threat of violence by an employee against another person's life, health, well-being, or property;

2. Any act or threat of violence which could result in damage to County equipment or property;

3. Any act or threat of violence, including, but not limited to, intimidation, harassment, or coercion;

4. Any act or threat of violence which endangers the safety of employees, clients, residents, or the general public;

5. Any act or threat of violence made directly or indirectly by words, gestures, or symbols; or

6. Unauthorized possession/inappropriate use of a weapon on County premises or on a County controlled site, or an area that is associated with County employment except as required in the line of duty (i.e., law enforcement). A weapon is defined as a loaded or unloaded firearm or a device, electronic stun device, chemical substance, or other material that could be used, ordinarily would be used, or is intended to be used to cause serious bodily injury.

C. Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on County property shall be removed from the premises as quickly as safety permits and shall remain off the premises pending the outcome of an investigation. The Employer will initiate an appropriate response. This response may include, but is not limited to, suspension, and/or termination of any business relationship, reassignment of job duties, suspension, or termination of employment, and/or criminal prosecution of the person(s) involved.

D. Employees shall immediately report to their supervisor any behavior that compromises the Employer's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job-related or might be carried out on a County-controlled site, or is connected with employment by the Employer.

E. If situations arise where immediate assistance from the Sheriff's Office is required, the Sheriff (740-695-7933) may be called.

F. All employees who apply for, obtain, or are the subject of a restraining order which lists County locations as being protected areas, must provide to the County a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

Warning Signs and Risk Factors

In all situations, if violence appears imminent, employees should take the precautions necessary to assure their own safety and the safety of others. An employee should immediately notify their supervisor or

member of management if they witness any violent behavior.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Concealed Carry 7.5

A. Consistent with the Ohio Revised Code, no employee, contractor, client or other individual may carry, possess, convey or attempt to convey a deadly weapon or ordnance onto property of the county. A valid concealed carry license does not authorize an individual to carry such a weapon onto these premises. Law enforcement officers specifically authorized to carry a firearm are exempted from this provision and may be permitted to carry a concealed weapon.

B. County employees are prohibited from carrying firearms any time they are working for the county or acting within the course and scope of employment. These situations include but are not limited to attending training sessions or seminars, wearing a county identification badge, uniform, or other county issued paraphernalia that an employee is required to wear relative to their employment and working residents' homes or other sites off county premises. Except for law enforcement officers, no employee or member of the public may carry, transport, or store a concealed weapon, firearm or ammunition in a county owned vehicle.

C. This policy does not prohibit employees, possessing a valid license to carry a concealed handgun, from transporting and/or storing a firearm or ammunition in their personal vehicle at work locations where their personal vehicle is otherwise permitted to be (e.g. county parking lot). However the employee must leave the firearm and ammunition in their personal vehicle. Employees are neither permitted to remove their firearm or ammunition from their personal vehicles while at work locations nor are they permitted to bring a concealed carry firearm or ammunition in a county owned building. The employee's firearm and ammunition must be stored in their personal vehicle in accordance with the storage provisions of the Concealed Carry statute. The firearm and ammunition must be in a locked vehicle either in the glove compartment, a lock box or the trunk.

D. Employees shall immediately contact a supervisor if they suspect an employee or member of the public is carrying a concealed weapon, firearm, or ammunition on county premises. Employees are required to immediately contact a supervisor if they suspect an employee to be carrying a concealed weapon or firearm in violation of this policy at any time while they are working for the county, acting within the course and scope of employment, or acting as a representative of the county.

Original Adoption Date: 6/10/2008 Revision Date: 4/5/2017, 4/26/2017

Tools, Supplies, and Equipment 7.6

All tools, supplies and equipment needed to perform job duties are provided by the Employer. Employees are prohibited from using County materials, tools, facilities, equipment and labor for personal or private use regardless of whether the use is during working or non-working time. It is the responsibility of supervisors to see that they are properly used and maintained.

A. Misuse, neglect, theft, and abuse of tools, supplies, equipment, personal computers, or telephones are prohibited. Accidents involving misuse of tools or equipment may be cause for disciplinary action (see Safety). Loss of tools on more than one occasion may require payment by the employee for those tools lost. Employees who separate from service with the County are responsible for return of reusable County property in their possession.

B. County tools, supplies, and equipment shall not be used for personal use, including private work for themselves, co-workers, friends or family members during working or non-working hours.

C. Tools and equipment must be used and operated within the laws and rules/regulations of the County.

D. Violations of this policy shall result in discipline up to and including termination.

Employees have no reasonable expectation of privacy in the use of County property and facilities. In order to safeguard employees and the workplace, and in order to maximize efficiency, safety and productivity, the County reserves the right, in its sole discretion and without notice to employees, to inspect, monitor or otherwise search County property and facilities or any other enclosed or open area within County property or facilities and to monitor or inspect any items found within such facilities. Employees are required to cooperate in any work place inspection. The County also reserves the right to inspect any packages, mail, parcels, handbags, briefcases, or any other possessions or articles carried to and from County facilities and job sites where permitted by law.

Keys for use on locks, secured gates, doors, desks, file cabinets, vehicles, and County equipment will be issued to those employees whose duties require them to have such keys. Employees shall, at all times, be responsible for any keys which have been issued to them.

Concerns regarding repairs or maintenance of County tools or equipment must be reported to the employee's immediate supervisor.

Employees shall be required to immediately return any keys which have been issued to them, upon request of their supervisor or the Appointing Authority. Employees shall also be required to return any keys issued to them upon separation of employment with the County.

Original Adoption Date: 8/14/2013 Revision Date: 5/27/2020

Use of County Owned Vehicles 7.7

A. This policy is for the use of any motor vehicles owned or leased by the Board of County Commissioners or any County Office, if applicable, for the use of the County Commissioners or any

department, commission, board, office, or agency under its direct supervision, or for the use of any elected County official and/or their employees. For the purpose of this policy, the term "employee" hereinafter means the persons comprising of the Board of County Commissioners, any employee of any department, commission, board, office, or agency under its direct supervision or jurisdiction, and any elected official and/or their employees using a vehicle provided by the Board of County Commissioners.

B. No person who is not a compensated employee of Belmont County, Ohio may operate a County-owned or leased vehicle unless specifically authorized by the Board of County Commissioners. The Board of County Commissioners will consider exceptions to this requirement for law enforcement purposes, emergency response, and other like circumstances upon the request of the Sheriff, Emergency Management Agency Director, or County Coroner. No County official or employee shall use or permit the use of any vehicle or any supplies for it, except in the transaction of public business or work of the County (O.R.C. 307.42, 307.43 and 124.71). Under Ohio law, however, the County Commissioners have the authority to determine the meaning of and the manner of which employees and elected officials use vehicles owned or leased by the Board of County Commissioners for the transaction of public business, work of the County, or commuting.

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

County-owned or leased vehicles are not provided as a means of compensation to employees.

Only passengers on official County business shall be permitted in all County-owned or leased vehicles except as approved and/or authorized under R.C. 1551.25, (Ride Sharing).

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

Vehicles owned or leased shall not be used for commuting to and from work, except as permitted by the Board of County Commissioners, County Sheriff for vehicles assigned to the Sheriff specifically for the performance of a law enforcement activity, or the County Coroner for vehicles assigned to the Coroner for related County business purposes, if any.

E. It is recommended that a County official and/or employee operating a County- owned or leased vehicle drive to a safe location and park the vehicle prior to using a cellular telephone and/or pager.

F. Smoking is prohibited in all County-owned or leased vehicles.

G. All operators and passengers in County-owned vehicles will comply with the following:

1. **Operator's License:** All operators of any County-owned or leased vehicles must have a valid State-issued operator's license, which includes the specific class of vehicle being operated. Suspension of a County official and/or employee's operator's license will result

in a suspension of any and all County-approved driving privileges. Any official and/or employee who is authorized to use a County-owned or leased vehicle and whose operator's license is suspended, must notify their immediate supervisor of this fact at the earliest of the following: day of suspension or next working day. An elected official, department head, or supervisor must notify the Board of County Commissioners within the same time limitations.

2. **Seat Belts:** As required by the Ohio Revised Code, all front seat passengers of a County-owned or leased vehicle or privately-owned vehicle, while being operated in the transaction of public business or work of the County, shall wear safety belts at all times while the vehicle is in operation. Rear seat passengers shall also wear safety belts, except in emergency medical or law enforcement vehicles. The vehicle operator is responsible for insuring all passengers wear safety belts. Failure by any employee to comply with this provision must be reported to the appropriate supervisor.

3. **Alcohol and other Substances:** All County elected officials, County employees and/or other persons authorized to use a County-owned or leased vehicle shall not operate any County-owned or leased vehicle while under the influence of any alcohol or any controlled substances. Alcoholic beverages, controlled substances, and/or illegal drugs are not to be used or transported in, or on any County-owned or leased vehicles, except as permitted in emergency medical or law enforcement vehicles. Legally prescribed medications are permissible only when their use does not adversely affect the official's or employee's driving ability.

4. **Accident Reporting/Traffic Citations:** In the event of an automobile accident, the vehicle operator is responsible for contacting the appropriate law enforcement agency immediately, or as soon after the accident as is practical.

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

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

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

5. **Preventive Maintenance and Service:** All County-owned or leased vehicles shall receive preventative maintenance according to standards established by the Board of County Commissioners and/or by the department head. All elected officials or department heads who have vehicles assigned to their department, office, or agency are responsible for insuring required maintenance and service is scheduled. Any vehicle operators shall immediately

notify their supervisor should they detect any unsafe or hazardous condition in or upon any and all County-owned or leased vehicles. The supervisor shall, in turn, be responsible to schedule such service.

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

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

6. **Insurability:** All employees required to drive a County-owned vehicle, or drive their own vehicle on County time must be insurable under the County's Liability Insurance Plan. Any employee deemed uninsurable by such insurance company may be disciplined up to and including termination.

H. **Use of Personal Vehicles for County Business:** All County employees who are required to, or who choose to use their personal vehicles in the transaction of public business or work of the County, will be reimbursed on a mileage basis at the authorized County rate subject to approval by the appropriate department head and submission of transaction or public business or work of the County. All officials and employees must maintain their own liability insurance as required by law at the following limits:

Bodily injury, one person	$100,000.00
Bodily injury, accidental	$300,000.00
Property Damage	$150,000.00

The employee's personal insurance shall be considered primary coverage. The Board of County Commissioners may request proof of automobile insurance coverage from each County official, department head, and any and all employees.

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

Each vehicle operator shall be responsible for maintaining the appropriate vehicle logs. The type of log used may be specific to the function of the vehicle. Vehicles' use logs must be reviewed by the elected official or department head monthly. Logs must contain date of trip, purpose of trip, place of trip, and beginning/ending odometer readings. Employees will also be required to submit a Vehicle Usage Affidavit annually to cover the twelve (12) month period ending October 31 each year. This affidavit must be completed by the employee, approved by the department head, and forwarded to the Auditor's office by November 15 each year.

J. County-owned vehicles will not be used for personal use by employees. Each employee will certify, as identified in Section I above, the amount and reason for any personal use and will calculate the taxable amount to be reported based upon the employees' allowed method of valuation. The available valuation methods are:

1. **Cents Per Mile Rule – Reg. §1.61-21(e):** Vehicle must either be driven at least 50% for business, to transport at least three (3) employees to work, or at least 10,000 miles per year. This method cannot be used if the fair market value in 2006 exceeded $15,000. (Revised annually). If selected, you must continue to use this method unless the vehicle no longer meets the requirements, except an employer may change to the commuting valuation rule.

2. **Commuting Valuation Rule – Reg. §1.61-21(f):** Value of personal use is $3.00 per day per person that commutes in the subject vehicle. The requirements are:

   - Employer has a written policy prohibiting personal use of the vehicle.
   - Employee does not use the vehicle for personal use.
   - The Employer must require the employee to use the vehicle. It cannot be voluntary on the employee's part.
   - This valuation method is not allowed for elected officials.
   - This valuation method is not available for those whose compensation is at least as great as a federal government employee at Executive Level V. (2007-$13X0) Reg. §1.61-21(f)(6). This is $136,200 per year for 2007.

3. **Automobile Lease Valuation Rule – Reg. §1.61-21(d):** Value is determined as listed below:

   a. Determine the Fair Market Value on the first day made available to the employee. The Employer's cost including tax, title, etc. may be used to determine FMV. §1.61-21(d)(5).

   b. Compute the Annual Lease Value using the table in Pub. 15B or §1.61-21(d)(iii).

   c. Multiply the annual Lease Value by the Percent of Personal Use from the logs.

   d. Value fuel by multiplying $.055 per mile times the number of personal miles.

   e. Add the values calculated in steps 3 and 4 to determine the taxable value. No adjustments need be made for maintenance or insurance costs.

Once computed, the Annual Lease Value remains in effect until December 31 of the 4th full calendar year after the rule was first applied.

A Daily Lease Method is required if the vehicle is available for less than thirty (30) days.

K. **External Marking of County Vehicles:** All County-owned vehicles shall bear the approved external markings:

1. County logo;
2. Vehicle number

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

Vehicles may be unmarked in the interest of the public safety as determined by the Sheriff, or by the nature of the public business conducted as determined by the Board of County Commissioners upon written application by the elected official or department head, and subject to the administrative approval of the Board of County Commissioners.

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

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

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

1. Written notice of the violation;
2. For recurring traffic violations or accidents, the person may be assigned to attend a defensive driving or driving instruction class;
3. Loss of driving privileges – not permitted to drive County-owned or leased motor vehicle.

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

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Use of telephones/Cell Phone policy (includes laptop computers) 7.8

A. **Scope:** This policy applies to all employees under the Appointing Authority of the Board of Belmont County Commissioners who possesses and uses a cellular telephone, IPad, tablet, or laptop computer purchased and/or provided by Belmont County, Ohio.

B. **Purpose:** This policy defines the conditions for which the County will provide a cellular telephone, or laptop computer to an employee as well as the expectations for proper use of such County-issued

equipment, and identify how personal use of such County equipment will be reimbursed by the employee using the fair market value on a per minute basis. This policy shall apply to all cellular telephones, combination radio/cellular telephones, related necessary accessories when provided by the County, and all applicable service agreements.

C. **Policy:** The Board of Belmont County Commissioners recognizes that cellular telephones, and/or laptop computers have become a valuable tool for County officials and employees to enhance their productivity while working on behalf of Belmont County, Ohio. This communications tool can provide an effective and efficient means to coordinate work activities, provide and/or receive needed information, deliver public services with minimal delay and assure personal and public safety; therefore, the cellular telephones, and/or laptop computers may be provided for use regarding official County business to those officials and/or employees whose jobs require the ability to have constant contact, in accordance with this policy. The Board of Belmont County Commissioners expects all officials and/or employees to have appropriate and reasonable use of all County-owned telephones, and/or laptop computers.

D. **Procedure:** It is the responsibility of each County agency or department head to determine who, in their respective offices, shall be assigned a County-owned cellular telephone, and/or laptop computer for official use. No official and/or employee shall be automatically eligible to receive a County-owned cellular telephone, and/or laptop computer based solely upon position, title, or classification. In order to be eligible for a County-owned cellular telephone, and/or laptop computer, the official and/or employee must meet at least one (1) of the following:

1. **Public Safety:** The County official and/or employee requires immediate and direct communication with local emergency responders in order to provide for the safety of the public.

2. **Accessibility:** The County official and/or employee, while working outside of the office, must initiate immediate and direct communication with their office and/or other public or private entities or persons to access information in order to conduct official County business in a timely fashion where there is a likelihood that conventional telephones will not be readily accessible.

3. **Responsiveness:** It is routinely necessary for other County officials and/or employees or members of the general public to reach this individual immediately and directly to discuss official County business when they are out of the office.

E. **Acquisition and Return of County Cellular Telephones:** Once a cellular telephone has been provided, the recipient shall acknowledge in writing that they have received the equipment and a copy of this policy.

If a County cellular telephone is damaged, lost, or stolen, it must be reported by the employee to their immediate supervisor as soon as possible; the immediate supervisor shall notify the Appointing Authority, who will make the necessary arrangements for termination of service and/or arrange a replacement.

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

F. **Proper and Improper Use:** Except for urgent or unanticipated situations where no other form of communication is available, County cellular telephones are provided for official County business only. The frequency and duration of such unofficial calls must be kept to a minimum. Text messages shall be considered "calls" regarding this policy.

Cellular telephones, iPads, tablets, or laptops are County property and to be used for business use only. Cellular telephones, iPads, and/or laptop computers may also be capable of email, text messaging, internet browsing, running third party applications, GPS and entertainment. The use of certain features may require supervisory approval. The county holds sole discretion to limit or restrict features on such devices at any point. Use of a County-owned cellular telephone, iPad, tablet, and/or laptop is prohibited while operating a motor vehicle (personal or County-owned).
Except as provided for above, a County cellular telephone and/or pager shall not be used for any of the following:

1. Any call made in relation to an official's or employee's personal business;

2. Any call made for the purpose of personal entertainment, including, but not limited to, "900" numbers or other pay per call numbers;

3. Any general or routine calls made in relation to an official's or employee's personal life;

4. Any call of an obscene, threatening, harassing, or otherwise offensive nature that would be illegal, prohibited, or inappropriate as defined by law or which would be in violation of any other County policy.

Officials and/or employees are advised that all communications including, but not limited to, voice mails, text messages, and/or email communications, are not confidential and are subject to review for the purpose of enforcing the policies stated herein.

G. **Penalties for Misuse of a County Cellular Telephone:** Officials and/or employees who misuse a County cellular telephone will be responsible for reimbursement as required; will lose their authorization to possess a County cellular telephone; and/or may be subject to disciplinary action up to and including termination.

H. Reimbursement by employee for personal use:

1. Upon receipt of the monthly cellular phone bill, the Employer shall provide the employee, who has been provided a cellular phone with the monthly charges. The employee shall identify by highlighting any personal calls on the monthly bill. If the employee made any personal calls, the employee shall reimburse the County the fair market value per minute for all personal calls. If the employees fail to submit their monthly bills timely in accordance with this policy, all costs associated with their assigned cellular phone will be reported as taxable income at the fair market value rate.

2. The employee will promptly and in no event longer than one (1) week from the date of notification deliver to the Employer the required reimbursement in the form of cash and/or a personal check payable to "Belmont County Treasurer," (not the cellular phone service provider) for which the department will issue the employee a receipt.

I. Employees will not be permitted to add a second line to a County-owned cell phone account for the employee's personal use.

J. County employees assigned laptop computers, PPA's will have their personal usage reported as taxable income using the fair market value for a monthly lease program. Employees will also be required to submit a Personal Usage Affidavit annually to cover the twelve (12) month period ending October 31 each year. This affidavit must be completed by the employee, approved by the department head, and forwarded to the Auditor's office by November 15 each year.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Drug Free Workplace Policy 7.9

A. **Purpose:** It is the intent of the Belmont County Board of Commissioners to provide a zero tolerance Drug-Free Workplace Policy to protect the health and safety of all employees; to insure reasonable protection and quality of service to the people of Belmont County, as well as responsible use of county equipment; to insure the reputation of the Employer and its employees within the community; to reduce absenteeism and tardiness and improve job performance and job safety; to understand that illegal drug and alcohol dependency is a disease; to provide referral to rehabilitation assistance for any employee who seeks such help; not to infringe upon personal rights of any employee except as those rights are balanced against the rights of other employees, the rights of the residents of Belmont County, and the rights of the Employer.

B. **Reference:** Federal Drug Free Workplace Act
Ohio Bureau of Workers' Compensation Drug Free Workplace Program

C. **Scope:** This zero tolerance Drug Free Workplace Policy (policy) applies to all employees that are covered by one of the Board of Commissioners' (Employer's) Ohio Bureau of Workers' Compensation insurance policies.

D. **Responsibilities:** The Employer looks to all its employees to support this zero tolerance controlled substance and alcohol policy to better the overall safety, health, productivity and welfare of employees. Employees are asked to discourage fellow employees from violating this policy. Employees are expected to cooperate in the Employer's efforts to enforce this policy.

The Employer states that each employee has a personal responsibility to abide by reasonable regulations governing behavior and performance on County property. Without detracting from the existing rights and obligations of the parties recognized in other provisions of this policy, the

Employer agrees to cooperate to encourage employees affected by alcoholism or drug abuse to undergo a coordinated program directed to their rehabilitation.

E. **Goals:** This concern, while not directed at the social and private lives of the employees, is directed at the abuse of alcohol or controlled substances that affect the safety of that employee on the job, the safety of their co-workers, and/or interferes with job performance. The following conditions are established:

1. All employees are prohibited from being under the influence of alcohol, drugs, or controlled substances at any time during working hours.

2. The sale, possession, transfer, or purchase of illegal drugs on County property or while performing official duties is strictly prohibited. Such action will be reported to the appropriate law enforcement officials.

3. The use, sale, or possession of any illegal drug or controlled substance while on duty is cause for termination.

4. No alcoholic beverage will be brought to or consumed on Employer property.

5. No prescription drug will be used on County property by any person other than the one for whom it is prescribed. Such drugs will be used only in the manner, combination, and quantity prescribed. Should the prescribed medicine have the potential side effect of impacting on the employees' performance (e.g., drowsiness), the employee shall notify the immediate supervisor that he is utilizing the prescribed substance.

F. **Notice upon Hiring:**

1. As a condition precedent to hiring, all prospective employees must present themselves drug free.

2. As a condition precedent to hiring, all prospective employees will receive a copy of the Employer's statement and policy, and will be required to sign a receipt, which will become a permanent part of the employee's personnel file.

3. In addition, all prospective employees will be required to acknowledge that compliance with the Employer's Drug Free Workplace policies is a condition of employment.

G. **Distribution of Drug Free Workplace Policy:** All current employees will receive a copy of the Employer's Drug Free Workplace statement and policy; and will be required to sign a receipt for it, which will become a permanent part of the employees' personnel file.

H. **The Drug Free Workplace Policy:**

1. **Definitions:** For purposes of this policy:

a. **Employee** – defined as any person (i.e., management, supervisory or non-supervisory) who is paid in whole or in part by the Employer.

b. **Controlled Substance** – defined as any controlled substance contained in Schedules I through V of Section 202 of the Controlled Substance Act (21 USC 812; or as defined in 3719.01 O.R.C.).

c. **Conviction** – defined as any finding of guilt, including a plea of nolo contendere (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

d. **Criminal Drug Statute** – defined as a criminal statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.

e. **Drug** – defined as any substance capable of altering an individual's coordination, mood, perception of time, space or distance, pain level, or judgment.

f. **Prescription Drug** – defined as any substance prescribed by a licensed medical practitioner for individual consumption. Such drugs will be used only in the manner, combination, and quantity prescribed.

g. **Illegal Drug** – defined as any substance that the possession of or consumption of is considered illegal.

h. **Alcohol** – defined as any beverage that may be legally sold and consumed that has an alcoholic content.

i. **Drug Test/Screen** – defined as urine analysis, blood/hair sampling, and/or breathe alcohol testing performed by a non-Employer organization certified to perform such tests.

For purposes of this policy all definitions will be consistent with Ohio Revised Code Section 3719.01, et seq O.R.C.

2. **Distribution:** Each employee will receive annually from their respective department head an information package containing:

a. Information concerning the dangers of drug abuse in the workplace.

b. A current copy of the Employer's posted/published statement.

c. A current copy of the Acknowledgment of Receipt for signature.

d. A current copy of the Employer's Drug Free Workplace policy.

e. Information concerning any available drug counseling, rehabilitation and employee assistance programs.

f. Information concerning the penalties that will be imposed for the breach of the Employer's Drug Free Workplace policy.

g. Notice to the employee that any work-related conviction of any federal or state criminal drug statute must be reported in writing to the Employer within five (5) calendar days after such conviction.

3. **Supervisor Training:**

a. Two (2) hour annual employee education/awareness training.

(1) written policy will be distributed and everyone will be expected to sign that they received a copy;

(2) a qualified professional will offer at least one (1) session designed to make employees aware of substance use as a problem;

(3) the effects it can have on the individual and the family;

(4) signs and symptoms of use;

(5) effects of commonly used drugs in the workplace;

(6) the assessment of the degree of the substance use problem and/or treatment will also be covered;

(7) new employees will learn about this program during orientation and they will receive substance education as soon as possible thereafter.

b. Four (4) hour initial training from a qualified professional the first year. Two (2) hour refresher thereafter. This training will be designed to:

(1) help supervisors recognize behaviors that demonstrate an alcohol or drug problem;

(2) how to document these behaviors and confront an employee about the problem;

(3) how to initiate reasonable cause testing;

(4) how to make appropriate referrals of an employee for an assessment of the problem or other assistance;

(5) how to follow up with employees who returns to work after a positive test;

(6) how to operate consistently with collective bargaining agreements.

4. **Employee Training:**

a. Two (2) hour annual employee education/awareness training with an opportunity to ask questions.

(1) written policy will be distributed and everyone will be expected to sign that they received a copy;

(2) a qualified professional will offer at least one (1) session designed to make employees aware of substance use as a problem;

(3) the effects it can have on the individual and the family;

(4) signs and symptoms of use;

(5) effects of commonly used drugs in the workplace;

(6) assessment of the degree of the substance use problem and/or treatment will also be covered;

(7) new employees will learn about this program during orientation and they will receive substance education as soon as possible thereafter.

5. **Regulations:** The unlawful manufacture, distribution, dispensation, possession, or consumption/use of a controlled substance by any employee which takes place in whole or in part in the Employer's workplace is strictly prohibited and will result in criminal prosecution and discipline of the employee, which may include termination from employment.

6. **Notification of Conviction:** Any employee convicted of any federal or state criminal drug statute for a workplace-related drug offense must notify the Employer of that fact within five (5) calendar days of the conviction.

Any employee convicted of a workplace-related drug offense, who fails to report the conviction as required, will be:

a. terminated from employment;

b. barred from future employment;

c. held civilly liable for any loss of federal funds resulting from the failure to report the conviction.

Original Adoption Date: 6/10/2008 Revision Date: 9/7/2016

Outside Employment 7.10

Employees are required to notify their Appointing Authority or Agency Head of any outside employment. No employee shall have outside employment which conflicts in any manner with the employee's ability to properly and efficiently perform their duties and responsibilities with the County. Employees are expected to be at work and fit for duty when scheduled.

Employees are prohibited from engaging in secondary employment while on a leave of absence. Employees are strictly prohibited from engaging in or conducting outside private business during scheduled working hours and are further prohibited from engaging in conduct which creates a potential or actual conflict of interest with their duties and responsibilities as a County employee.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Dress and Work Area 7.11

A.

1. The Employer reserves the right to prescribe appropriate dress and grooming and to set standards that are in the best interests of the County service. The Appointing Authority requires that an employee's clothing, grooming, and overall appearance be appropriate, in good taste, present a favorable public image, and be in conformity with policies established by the County due to the specialized nature of service provided or the employment position maintained.

2. Clothing shall be conducive to the safe and effective performance of required job duties. Employees who work around machinery and equipment should also observe sound safety regulations, including the use of appropriate articles of clothing and safety equipment as required (shoes, goggles, hard-hats, and so forth). Employees who fail to observe sound safety regulations, including the use of appropriate articles of clothing and/or safety equipment, may be disciplined.

3. All employees are expected to maintain a clean and neat work area. The condition of work areas and equipment affect the public's impression of both County government and County employees. County offices and work areas should always give a business-like impression. Anything detracting from a business atmosphere will not be tolerated. This extra care will also apply to appearance, uniforms, clothing, personal hygiene, equipment, and break areas.

B. The Employer shall provide an employee with a uniform only when it is necessary to identify employees for a particular purpose (e.g. law enforcement officer), prevent unreasonable wear and tear on personal clothing, or to prevent injury while performing assigned duties.

1. A required uniform will be provided by the County at no expense to the employee. Shoes may also be provided when the specific job responsibilities require a certain shoe/boot for safety reasons. Shoes that are not considered "safety shoes" must be reported as taxable

income in accordance with Section B herein.

2. The elected official and/or department head shall ensure that appropriate record keeping is maintained to identify all items of clothing purchased, who such clothing is assigned to, the cost of each item, and when returned.

3. The style and composition of the specific uniform shall be determined by the Employer. All uniform shirts shall be identified using the County logo and/or Belmont County, Ohio placed visibly on the outside for recognition purposes. All uniform pants need not have such identifying markings as they accompany the uniform shirts when worn. All employees shall display a name tag or have their name monogrammed on their uniform for identification purposes.

4. All uniforms issued by the County shall only be worn during working hours, when representing the County, in travel to and from work, and at such other times as directed by the elected official and/or department head. Any uniforms or portions of uniforms shall not be worn on days off, after work, or for personal business.

5. All employees required to wear a uniform shall take the necessary steps to protect it from damage, excessive wear, and shall be responsible for all cleaning and laundering, unless this service is provided through the specific department.

6. When uniform items are replaced by the County, the old or worn uniform items are to be returned to the elected official and/or department head. In the event of employment termination, all uniforms and all uniform accessories (e.g. hats, belts, shoes) are to be returned to the elected official and/or department head.

7. Should an employee fail to return the uniform, or any uniform accessories, either to be replaced or returned if leaving the employment of the County, the elected official and/or department head, at their discretion, may charge the employee up to the full replacement cost for each item which is not returned. If necessary, the elected official and/or department head may withhold such payment from the employee's pay check.

C. Clothing provided to County employees may be considered taxable income to the employee. In order to comply with IRS guidelines, all employees provided uniforms will be provided an affidavit annually to cover the twelve (12) month period ending October 31 of each year. This affidavit must be completed by the employee, approved by the department head, and forwarded to the County Auditor by November 15 of each year for inclusion on the employee's W-2.

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

Original Adoption Date: 6/10/2008 Revision Date: 5/27/2020

Solicitation and Distribution 7.12

A. In order to provide specific rules and regulations for employees and outside organizations for buildings and other facilities and/or equipment under the control of the Belmont County Board of Commissioners, the following rules shall apply:

1. **Employee No-Solicitation Rule** — Any solicitation by an employee of another employee on the premises of the Employer, while either employee is on their working time, is prohibited. "Working time" means all the time when an employee's duties require that they be engaged in such work tasks. However, such solicitation is permitted during non-work time in work areas and during non-working time in non-working areas.

2. **Employee No-Distribution Rule** — Distribution of any type of literature, brochures, goods, etc., during working or non-working time is prohibited. Employees will not be permitted to sell crafts, items for schools, clubs and organizations during working or non-working time in working areas. However, employees may distribute goods and written materials, sell small crafts and other items for schools, clubs and organizations during non-working time in non-working areas, e.g., lounge/lunchroom, restrooms.

3. **Employee No-Access Rule** — Employees are not permitted access to the facilities under the control of the Belmont County Commissioners or to outside work areas during off-duty hours without the written approval of the Belmont County Board of Commissioners or their designee(s).

4. **Non-Employee Solicitation and Distribution** — Non-employees are not permitted access to the facilities under the control of the Belmont County Commissioners including the interior of the facilities and other outside working areas, for the purpose of solicitation and/or distribution of funds or signatures, including membership drives, distributing literature or gifts, offering to sell merchandise or services and/or other similar activity on the premises or at a worksite.. This section does not apply to vendors as defined in the Definition Section of this policy who have obtained prior authority. The distribution of literature, solicitation and the sale of merchandise or services is prohibited in public areas.

5. **Litter** — Distributing literature in a way that causes litter on County property is prohibited.

6. **Communications Systems** — The County maintains various communications systems to communicate County-related information to employees and to disseminate or post notices required by law. The unauthorized use of the communications systems of the distribution or posting of notices, photographs, or other materials on any County property is prohibited.

The Board of County Commissioners may authorize exceptions to this policy for non-employees engaged in work-related activities to assist the County in carrying out its statutory or community functions and responsibilities. Such authorized exceptions will be communicated to all appointing authorities in writing by the County Commissioners. Additionally, the Board of County Commissioners may authorize a limited number of fund drives. Employees may be encouraged to participate, but such participation is entirely voluntary.

Violations of this policy will be addressed on a case-by-case basis. Disciplinary measures will be determined by the severity of the violation, not the content of the solicitation or literature involved.

B. **Definitions:**

Distribution — means an act of distributing goods, materials and/or written materials.

Employee — means any person in the employ of the Employer in any status.

Employer — means the Belmont County Board of Commissioners.

Non-Work Area — means any area on or off an Employer's premises not designated as a work area.

Non-Work Time — means any time during an employee's work day where the employee is totally relieved of work duties, such as break time and lunch time. Whether an employee is in paid or unpaid status during these times is immaterial to the designation of non-work time.

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

Vendor — means any individual or group engaged in or desiring to engage in the supply of goods, materials, or services to the County and its employers, which goods, materials, or services are utilized in the conduct of public business.

Work Area — means any office, building, or physical location where official business is transacted and/or operations are being conducted. This includes any public or private area where employees are engaged in work activities.

Work Time — means all the time when an employee's duties require that they be engaged in work tasks, but does not include an employee's own time, such as meal periods, scheduled breaks, and time before or after a work shift.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Political Activity 7.13

A. This policy lists political activities legally permitted and legally prohibited to classified County employees, including classified employees on authorized leave of absence from their positions.

1. **Activities Permitted To Classified Employees**

a. Registration and voting.

b. Expressing opinions, either orally or in writing.

c. Voluntary financial contributions to political candidates or organizations.

d. Circulating of non-partisan petitions or petitions stating views on legislation.

e. Attendance at political rallies.

f. Signing nominating petitions in support of individuals.

g. Display of political materials in the employee's home or on the employee's property.

h. Wearing of political badges or buttons, or the display of political stickers on their private automobiles.

i. Serving as a precinct election official in accordance with Section 3501.22 of the Revised Code.

j. Activities otherwise permitted by law.

2. **Activities Prohibited to Classified Employees**

a. Participating in a partisan election as a candidate for office.

b. 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.

c. Filing of petitions meeting statutory requirements for partisan candidacy to elective office.

d. Circulating official nominating petitions for any candidate participating in a partisan election.

e. Holding an elected or appointed office in any partisan political organization.

f. Accepting a party-sponsored appointment to any office normally filled by partisan election.

g. Campaigning by writing for publications, by distributing political material or by making speeches on behalf of a candidate for partisan elective office.

h. Soliciting, either directly or indirectly, any assessment, contribution, or subscription for any political party or political candidate.

i. Soliciting the sale of or selling political party tickets.

j. Engaging in partisan activities at the election polls, such as soliciting votes for other than non-partisan candidates and non-partisan issues.

k. Serving as a witness or challenger for any party or partisan committee.

l. Engaging in political caucuses of partisan nature.

m. Participation in a political action committee that supports partisan activity.

n. Activities otherwise prohibited by law.

B. Unclassified employees whose jobs are funded in whole or in part by the federal government may also be subject to prohibitions against partisan political activity. Any employee having a question pertaining to whether specific conduct of a political nature is permissible should contact their immediate supervisor prior to engaging in such conduct.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Equal Employment Opportunity/Anti-Discrimination Complaint Procedure 7.14

Policy

A. Any person may file a complaint if the individual believes:

An employee has illegally discriminated against the individual under any state or federal anti-discrimination law, including a violation of the ADA or conduct involving discriminatory harassment.

Procedure

A. All complaints alleging illegal discrimination shall be filed on the EEO/Anti-Discrimination Complaint Form contained in this manual. Complaints shall be filed within a reasonable period of time following the incident which gave rise to the complaint.

B. Complaints shall be filed with the EEO/ADA Coordinator. The EEO/ADA Coordinator shall investigate all complaints and respond to the complainant as soon as the investigation is completed. If the EEO/ADA Coordinator is the subject of the discrimination complaint, the complaint may be filed with the Appointing Authority or the Chairperson of the Board of Commissioners. If the Appointing Authority or Chairperson is the subject of the complaint, or if the employee is uncomfortable reporting the act to that individual, the employee may report the act to any other member of management.

C. When reviewing employment discrimination complaints alleging a violation of the ADA,

EEO/ADA Coordinator will determine whether the complainant is a "qualified person with a disability," whether the Employer may have discriminated against the complainant, and if so, whether the Employer can "reasonably accommodate" the complainant or otherwise resolve their complaint.

D. Any employee who has been found by the Employer, after appropriate investigation, to have committed an act of illegal discrimination against another employee, job applicant, or other person in their capacity as an employee at the County, will be subject to appropriate disciplinary action.

E. Non-employees found to have committed an act of illegal discrimination against an employee in the workplace will be dealt with appropriately as allowed by law.

F. If any program, service, or facility is found to be non-accessible to disabled individuals, the Employer shall take appropriate steps to achieve accessibility according to the law.

Original Adoption Date: 3/5/2008 Revision Date: _____

Computer/Internet/Electronic Mail Policy 7.15

The use of computer technology and assignment of an e-mail/Internet account through a Belmont County appointing authority's office is a benefit to the employee and should be treated as such. The following constitute proper use of these privileges. County computers and information systems are County property and may only be used for authorized purposes. Computer, Internet, and electronic mail usage may be monitored by system or other personnel at any time consistent with law.

Employees have no right to privacy with regard to the Internet and email on County systems. Authorized designees (as referenced above) may access any files stored on, accessed via, or deleted from computers and information systems consistent with law. When necessary, Internet, email, social media and Instant Messenger (IM) usage patterns may be examined for work-related purposes, including situations where there is a need to investigate possible misconduct and to assure that these resources are devoted to maintaining the highest levels of productivity. All software installed on any County computer must be licensed to the County. No County employee may install, uninstall, or reconfigure any software or hardware owned by the county without prior authorization from the County. The use of privately-owned or contractor-owned devices (i.e., PDAs, smart phones, and laptops) for official county business must be authorized in advance by the County.

Employees may be required to maintain passwords for their computers. Employees are responsible for safely securing their passwords. Absent supervisor approval, employees shall not share passwords. Employees may be required to periodically change passwords. Employees shall follow all IT Guidelines regarding passwords.

The use of any electronic technology resources of Belmont County implies acceptance of all current operational policies.

A. **General Standards of Conduct for Internet Use**

1. Any use of County computers or on-line computer services to facilitate illegal activity is prohibited.

2. View or distribute offensive or harassing statements, or to disparage others based on race, color, national origin, sex, sexual orientation, age, disability, political, military status or religious beliefs. Harassment and disparagement include but are not limited to slurs, obscene messages, or sexually explicit images, cartoons, or messages.

3. View, distribute, transmit, download, print, or solicit items displaying materials, pornography, non-forensic nudity, non-forensic sexually explicit content, or non-forensic items that are racist, sexist, or harassing in a sexual or religious manner, or any actual, graphic, animation or other depiction, in any other form, of these items.

4. Due to the fact the County encourages its employees to become familiar with new technology, the personal use of the Internet is permitted during non-work time. However, the employee's personal use of the Internet must follow these general standards for Internet use and may not result in any additional costs to the County.

5. Disruption of electronic services, supporting equipment, or information available on it is prohibited, including, but not limited to, tampering with hardware or software, vandalizing or destroying data, introducing or using computer viruses, attempting to gain access to restricted information or networks, violating copyright laws, or installing non-County-owned software of any kind.

6. The use of electronic services to harass other users or to transmit materials likely to be offensive or objectionable is prohibited.

7. Users of electronic services are to protect themselves and others by not issuing or releasing confidential information, addresses, passwords, or telephone numbers, remembering that on-line computer services are not private.

8. Employees shall not use a code or password, access a file, or retrieve any stored information unless authorized to do so. Employees should not attempt to gain access to another employee's messages without the latter's permission. All computer pass codes or passwords used on the County's equipment must be provided to supervisors. No pass code or password may be used that is unknown to the appointing authority.

9. Threatening others.

10. Soliciting or recruiting others for commercial ventures, religious or political causes, outside organizations, or other matters which are not job related.

11. Using computers or information systems in association with the operation of any for-profit business activities or for personal gain.

12. Sabotage, e.g. intentionally disrupting network traffic or crashing the network and connecting systems or intentionally introducing a computer virus.

13. Vandalizing the data of another user.

14. Forging electronic mail and instant messenger messages.

15. Sending rude or obscene messages (anything that would embarrass or discredit the County).

16. Disseminating unauthorized confidential or proprietary County documents or information or data restricted by government laws or regulations.

17. Browsing or inquiring upon confidential records maintained by the County without substantial business purpose.

18. Disseminating (including printing) copyrighted materials, articles, or software in violation of copyright laws.

19. Accessing the Internet in any manner that may be disruptive, offensive to others, or harmful to morale.

20. Transmitting materials (visual, textual, or auditory) containing ethnic slurs, racial epithets, sexually-oriented messages/images or anything that may be construed as harassment or disparagement of others based on age, race, color, national origin, gender, sexual orientation, disability, religious or political beliefs.

21. Sending or soliciting sexually-oriented messages or images.

22. Using the Internet to sell goods or services not job-related or specifically authorized in writing by an approving authority.

23. Downloading and viewing non-work-related streaming audio or video (i.e. listening to radio stations, etc.) due to the limited bandwidth of the system.

24. Intentionally using Internet facilities to disable, impair, or overload performance of any computer system or network or to circumvent any system intended to protect the privacy or security of another user.

25. Speaking to the media or to the public within any news group or chat room on behalf of the County if not expressly authorized to represent the County.

26. Uploading or downloading games, viruses, copyrighted material, inappropriate graphics or picture files, illegal software, and unauthorized access attempts into any system.

27. Any employee who violates this policy or uses electronic services for improper purposes shall be subject to discipline, up to and including discharge.

NOTE: Whether on working time or not, these prohibitions apply at all times to county-owned computers and information systems. Personnel cannot expect that the information they convey, create, file, or store in County computers and information systems will be confidential or private regardless of the employee's intent.

B. **E-mail**

1. Any message sent or received via a Belmont County e-mail system may be monitored by the appointing authority at any time, with or without prior notification. If an appointing authority discovers any misconduct or criminal activity, the information contained in such e-mail messages may be used to document such conduct and may be revealed to the appropriate authorities. All e-mail usage shall comply with the appointing authority's policy and all state and federal laws including those barring discrimination because of age, race, color, sex, religion, disability, military status, etc.

2. E-mail relevant to the course of business in the appointing authority's office should be printed and filed in the same manner as written correspondence.

3. E-mail relevant to a specific case should be printed and filed, if appropriate.

4. E-mail accounts are to be used only by the authorized owner of the account or another person with the owner's specific authorization.

5. Subscriptions to unrelated services or news groups is not allowed as they create unnecessary traffic on the e-mail system.

6. It is permissible to transmit documents via e-mail as attachments. However, transmitting copyrighted material including software, research data, and manuscripts without the consent of the copyright holder is strictly prohibited.

7. Caution should be exercised before opening any attachment to any incoming e-mail. If the e-mail is of unknown origin, or is not business-related, the attachment should not be opened.

8. The use of personal e-mail is not forbidden, but should be used with common sense and restraint as is the telephone for personal business.

9. The downloading of files/programs for personal use from the Internet without advance permission is prohibited. Permission is obtained from the department head, appointing authority, or designee.

C. **Standards of Conduct for E-mail on a Belmont County Electronic System**

1. Do not overuse e-mail by sending courtesy copies of messages to people who do not need them. Similarly, it is not generally necessary to reply to an e-mail just to inform the sender that you have received it.

2. Be careful when forwarding e-mail messages. Use common sense: if you would not forward a copy of a paper memo with the same information, do not forward the e-mail.

3. Global transmission of e-mail is prohibited without the advance written permission of the appointing authority.

4. Be careful what you write. E-mail is not the same as conversation. It is a written record, can be duplicated at will, and may constitute a "public record."

5. Use normal capitalization and punctuation. Typing a message in all caps is bad "netiquette."

6. When replying to e-mail, it is often useful to include a portion of the original senders message to put your reply into context. It is appropriate to delete unimportant portions of the original message in order to prevent the message from getting too long.

7. If a user discovers defamatory, disparaging, or otherwise damaging statements about the County on the Internet, the user should inform the appropriate department head to follow-up on that discovery.

D. **Use of the World Wide Web**

The Internet is a powerful and useful tool for research and other functions. Employees are encouraged to develop computer and Internet skills to improve their job knowledge and to promote the interests of the appointing authority's office. Employees should treat the Internet as a formal communications tool similar to the telephone, radio, video, and written communications. All employees are responsible for their actions and communications using computers and the Internet.

The County will permit personal use of the Internet with reasonable restrictions as to the amount of time devoted to personal usage and sites visited provided such use does not adversely affect business or productivity. Incidental/occasional use is comparable to time authorized for meals and reasonable breaks during the workday and those times only should be used to attend to personal matters. Personnel are not permitted to utilize the Internet for personal use equal to meal and break times and also take their scheduled meal and breaks. Agency Internet resources must be devoted to maintaining the highest degree of productivity. Personal Internet usage is a privilege, not a right. As such, the privilege may be revoked at any time and for any reason or for no reason. Employees are prohibited from engaging in personal use, including social media, while in active pay or otherwise on County time.

E. **Securing Computer Equipment and Electronic Data**

County employees who are responsible for or are assigned portable computer equipment, cell phones, and electronic media (i.e., laptops, flash memory devices, external hard drives, DVDs, CDs, etc.) shall secure those items when not in the office as these items may contain confidential and/or HIPAA information, which could be compromised if lost or stolen. If an employee loses a piece of equipment or it is stolen, they are required to immediately notify their supervisor. Failure to properly secure portable computer equipment, cell phone, and electronic data is subject to disciplinary action.

Employees accidentally sharing County information, or accessing an improper website, or opening an email with a virus are to immediately notify their supervisors. Employees who receive

ransomware, or other malware/virus, are to immediately notify a supervisor. Employees shall not open emails, or click links, about which they have a concern.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Nepotism 7.16

A. **Hiring**

The County will receive employment applications from relatives of current employees. However, the following four (4) situations shall prevent the County from hiring a relative of a current employee:

1. If one relative would have supervisory or disciplinary authority over another.

2. If one relative would audit the work of another.

3. If a conflict of interest exists between the relative and the employee or the relative and the County.

4. If the hiring of relatives could result in a conflict of interest.

B. **Employment**

An employee is not permitted to work in a position where their supervisor or anyone within their chain of command is a relative. If such a situation is created through promotion, transfer or marriage, one of the affected employees must be transferred or an accommodation acceptable to the County must be established. Termination of employment will be a last resort. If two employees marry, they will be subject to the same rules listed above as other relatives.

The provisions of O.R.C. §§ 102.03 and 2921.42 render it unlawful for a public official to use their influence to obtain a benefit, including a job for their relative. Any violation of these statutes may result in criminal prosecution and/or disciplinary action. For purposes of the Article, the term "relative" shall include: spouse, children, grandchildren, parents, grandparents, siblings, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father-in-law, mother-in-law, step-parents, step-children, step-siblings, and a legal guardian or other person who stands in the place of a parent to the employee.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Tobacco Use Policy 7.17

A. In order to promote a healthy and comfortable work environment, County employees are prohibited from using tobacco while on County property, while performing duties related to County employment whether on or off site, while traveling for County business, and in any other circumstances or locations where an employee is representing the interests of the County. County property includes, but is not limited to: buildings, offices, restrooms, hallways, common work areas, parking lots, garages, County vehicles, conference rooms, sidewalks, green space, stairs, cafeterias/break rooms, and storage areas.

B. For the purpose of this policy, tobacco is defined as all tobacco, tobacco derived and/or substances mimicking tobacco containing products, including but not limited to: cigarettes, electronic cigarettes, vapor cigarettes, any artificial/faux cigarette, cigars, cigarillos, pipes, oral tobacco, or any other manner of using or consuming tobacco, tobacco derived substances and/or substances mimicking tobacco. The definition is intended to include all products that deliver nicotine for purposes other than cessation.

C. Any employee caught using tobacco in an area designated as a non-tobacco use area shall be subject to disciplinary action.

Original Adoption Date: 3/5/2008 Revision Date: 11/20/2016

Self Help to Records Prohibited 7.18

A. **Self Help to Records Prohibited**

1. Employees may not copy or remove any record, with the exception of an approved written request for the employee's own medical records as defined under R.C. 4113.23, or an approved request for the employee's own payroll records as defined under R.C. 4111.14(G) or writing for personal use or for the personal use of another employee, even those regarded as "public records," without first obtaining advanced written permission from their supervisor, or without going through the process for obtaining public records outlined above.

2. Except as otherwise provided by law, no employee shall tape record any meeting, hearing, or appeal involving the Employer or a representative of the Employer without the advanced written permission of the Appointing Authority. Such recording may become a public record, subject to the County Records Retention Schedule. As such recording may be a public record, it should be provided to the County Human Resources Director.

3. Except for official County business or records obtained through a response to a public records request or as a part of discovery in a legal proceeding, including but not limited to a grievance, pre-disciplinary, or arbitration procedure, employees may not have any County writing or document in their possession, unless obtained through this policy.

B. **Penalty for Breach of this Policy**

Any employee who is discovered to have violated any of the above enumerated policies will be subject to discipline, up to and including removal consistent with the County's Discipline Policy. Any former employee who is discovered to have obtained an unauthorized tape recording will be barred from reemployment by the Employer and may be subject to civil or criminal penalties.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Social Media Policy 7.19

A. **Purpose:** The purpose behind this policy is to make an employee aware of their privacy rights and prohibited conduct with respect to an employee's actions and its impact on the employer when using social media sites on and off duty. This policy is also intended to ensure efficient use of employee time and to minimize any distraction from an employee's assigned tasks and duties. It will allow the employer to ensure that employer rules are followed and all employees are treated fair and consistent.

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

B. **Scope:** All employees, volunteers, interns or other acting on behalf of Belmont County, will be subject to and held accountable for any conduct outlined in Social Media Policy. This policy works in conjunction with other related personnel policies and procedures (e.g., harassment).

C. Social Media refers to the use of websites such as, but not limited to, Facebook, Myspace, Twitter, Flickr, LinkedIn. For purposes of this policy, Blogs and other internet forums shall also be covered. Nothing in this policy is meant to prohibit access to any social media website or Blog which may be work-related.

D. **Policy**

1. **On Duty Conduct:** Accessing social media sites for non-work purposes is strictly prohibited. While at work, an employee may only access social media websites, Blogs and/or other internet forums of communication during their lunch, breaks or other non-working time. This includes access from a personal device during an employee's compensated hours of work.

2. **On and Off Duty Conduct:** Employees are reminded to be careful of the information they disclose on the internet, including social media sites. The following uses of social media are strictly prohibited, whether on or off duty:

a) Comments or displays about coworkers, supervisors or the County that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the County's workplace policies against discrimination, harassment or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, military status or other protected class, status, or characteristic.

b) Statements or uses of the County's logo which are slanderous or detrimental, including evidence of the misuse of the County's authority, information, insignia or equipment.

c) Unprofessional communication which, if left unaddressed, could potentially result in a civil or criminal cause of action against the County. Unprofessional communication also includes that which the County could demonstrate has a substantial risk of negatively affecting the County's reputation, mission or operations, such as slander, defamation or other legal cause of action.

d) Disclosure of confidential and/or proprietary information acquired in the course of employment. Confidential information includes not only information that would not be available pursuant to a public records request, but also includes any information which does not relate to an issue of public concern.

e) Comments or displays which impact employees' abilities to perform their job duties or the County's ability to maintain an efficient workplace.

f) Employees are encouraged to follow the internal complaint procedure and not take to the internet to voice work-related complaints.

g) Employees found to have violated any part of this policy may be subject to discipline up to and including termination.

h) Any questions regarding the policy should be directed to the employee's immediate supervisor.

Social media sites may be inspected by the County for cause to determine potential policy violations. If an employee believes that an online communication violates a County policy, the employee should immediately report the communication to their supervisor. The County may investigate the matter, determine whether such communication violates policy, and take appropriate action. This policy does not apply to communications protected by the U.S. or Ohio Constitutions.

Original Adoption Date: 12/22/2015 Revision Date: 5/27/2020

Cyber Security Policy 7.20

A. Purpose.

The purpose of this policy is to establish a framework for protecting the confidentiality, integrity, and availability of Belmont County's information systems, data, and technology resources in compliance with R.C. §9.64 cybersecurity requirements.

B. Scope.

This policy applies to all elected officials, employees, contractors, vendors, and third parties who access or manage Belmont County's technology resources, including but not limited to:

- Computers, servers, and mobile devices
- Cloud services and hosted applications
- Networks and telecommunications systems
- Sensitive or confidential data (e.g., PII, financial, law enforcement, health-related, or other protected records)

C. Policy Statement.

Belmont County is committed to safeguarding its information systems against cybersecurity threats and ensuring compliance with R.C. §9.64 by:

1. Establishing baseline cybersecurity practices.
2. Providing ongoing cybersecurity awareness training.
3. Preparing for detection, response, and recovery from incidents.
4. Reviewing and updating cybersecurity policies annually.

D. Roles and Responsibilities.

1. Board of Commissioners: Approves cybersecurity policy and ensures resources are allocated.

2. Administrator/Manager: Oversees policy implementation, coordinates with IT providers and legal counsel.

3. IT Provider (Internal or Vendor): Implements technical safeguards, monitors for threats, and reports incidents.

4. Employees/Users: Follow cybersecurity protocols, complete training, and report suspicious activity.

E. Cybersecurity Control.

1. Access Control:
   a. Require unique user IDs and strong passwords.

   b. Enforce multi-factor authentication (MFA) for remote or administrative access.

   c. Limit access to sensitive data on a "least privilege" basis.

2. Network and System Security:
   a. Maintain up-to-date firewalls, antivirus and intrusion detection/prevention.

   b. Apply software patches and updates within 30 days of release.

   c. Segregate critical systems from public networks when possible.

3. Data Protection:
   a. Encrypt sensitive data at rest and in transit.

   b. Regularly back up critical data and test restoration procedures.

   c. Retain records according to Ohio records retention schedules.

4. Incident Response:
   a. Designate an Incident Response Lead.

   b. Establish procedures for detecting, reporting, and escalating incidents.

   c. In the event of a cybersecurity incident, notify the following parties in the manner listed:

      i. The Executive Director of the division of homeland security within the department of public safety, in a manner prescribed by the Executive Director, as soon as possible but not later than seven days after the political subdivision discovers the incident.

      ii. The Auditor of State, in a manner prescribed by the Auditor of State, as soon as possible but not later than thirty days after the political subdivision discovers the incident.

   d. Conduct a post-incident review and update policies as needed.

   e. Establish procedures for the repair and subsequent maintenance of infrastructure after a cybersecurity incident.

5. Training and Awareness:
   a. Require all employees to complete cybersecurity awareness training annually.

   b. Provide role-specific training for IT Administrators and staff handling sensitive data.

6. Vendor and Third-Party Management:
   a. Require vendors to comply with Belmont County's cybersecurity standards.

   b. Maintain contracts with cybersecurity clauses and breach notification requirements.

F. Compliance and Review.

This policy will be reviewed annually and updated to reflect changes in technology, law, and organizational needs.

Departments and third-party IT providers must submit evidence of compliance to the Administrator/Manager annually.

G. Enforcement.
Violations of this policy may result in disciplinary action up to and including termination of employment or contract, as well as potential civil and criminal penalties in accordance with applicable law.

Original Adoption Date: 1/1/2026 Revision Date: _____

Section 8 Discipline, Grievances

8.1 Discipline
8.2 Complaint Procedure

Discipline 8.1

The appointing authority believes that a clearly written discipline policy will serve to promote fairness and equality in the workplace, and will minimize potential misunderstandings among employees in disciplinary matters.

Employer has adopted this discipline policy as a guideline for the administration of discipline. It is not, however, to be construed as a delegation of, or a limitation upon, the Employer's right to impose a different level of discipline, when circumstances warrant.

The County has the right to investigate all alleged disciplinary violations. Employees are required to cooperate fully during investigations. Employees who are the subject of a formal investigation have the right to be accompanied, represented, and advised by an attorney. For all employees, the failure to respond, to respond truthfully, or to otherwise cooperate in an investigation, shall be considered insubordination and may result in termination. Employees involved in an investigation shall not discuss the facts of the investigation during the pendency of the investigation. Investigations shall be conducted upon receipt of an allegation of potential misconduct. Investigations shall be conducted promptly and in a reasonable and efficient manner from the moment the employer becomes aware, to determine whether the alleged misconduct occurred.

Classified employees may be placed on “administrative” leave of absence pending an investigation. The county will follow the Ohio Revised Code, section 124.388 “Administrative Leave with or without pay”. Unclassified employees may be placed on paid or unpaid leave pending an investigation.

Employees who have completed their probationary period and who are in the classified civil services may only be disciplined for just cause. Disciplinary action will be commensurate with the offense. Discipline

for minor infractions will normally be imposed in a progressive manner with consideration given to the nature of the offense, prior disciplinary action, length of service, the employee's position, the employee's record of performance and conduct along with all other relevant considerations. Nothing in the policy shall be construed to limit the County's discretion to impose a higher level of discipline under appropriate circumstances.

The following forms of misconduct constitute grounds for disciplinary action: incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, policy or work rule violations, conviction of a crime, failure of good behavior including a violation of ethics of public employment, failure to maintain licensing requirements, and any other acts of misfeasance, malfeasance, nonfeasance or any other reason set forth in O.R.C. § 124.34.

The property and image of the County is to be respected at all times; as such, an employee's off duty conduct that has a nexus to the workplace or could reasonably negatively impact the County may form the basis for discipline. Any comments or questions concerning the standard of conduct expected should be directed toward the employee's immediate supervisor.

Employees have an obligation to immediately inform the County of any on-duty or off-duty arrests or convictions. An arrest or conviction may, or may not, result in discipline depending on the nature of the incident, the job performed, and other relevant considerations. Employees will not be granted vacation leave in order to serve jail time.

The filing or prosecution of criminal charges or other civil administrative investigations against an employee for alleged misconduct or criminal activity shall not be determinative as to appropriate disciplinary action, if any, under this policy. The County may investigate the employee's alleged misconduct or activities and determine the appropriate discipline, if any, without regard to pending administrative or criminal charges. The disposition of such administrative or charge is independent of a disciplinary investigation. Although the County may utilize information obtained during other investigations, the County's decision to take appropriate disciplinary action may or may not correspond with the filing, or non-filing, of criminal charges or civil actions. A felony conviction while employed with the County is just cause for termination.

Staff is responsible for reporting any incident or conduct they believe is inappropriate and/or in violation of County Policies and Procedures whether the conduct occurs on-duty or off-duty. This duty includes incidents actually observed, reported by residents, reported by staff, or suspected due to other facts.

When the County believes that discipline of a classified employee in the form of a paid or unpaid suspension, reduction or elimination of longevity pay, demotion or termination, or loss of pay or benefits is possible, a pre-disciplinary conference shall be scheduled. Not less than twenty-four (24) hours prior to the scheduled starting time of the conference, the employee will be provided with written notice of the charges against them. At the pre-disciplinary conference, the employee may respond to the charges, verbally or in writing, or have their chosen representative respond. The employee may also waive the Pre-Disciplinary conference. Failure to attend the pre-disciplinary conference shall be deemed a waiver of the conference.

Unclassified employees and probationary employees are not eligible for a Pre-Disciplinary Conference.

The purpose of disciplinary action is to encourage corrected performance or behavior, except where the employee is removed.

The Employer may place an employee on administrative leave with pay, but only in circumstances where the health or safety of an employee or of any person or property entrusted to the employee's care could be adversely affected. The length of the leave shall not exceed the length of the situation for which the leave is guaranteed, for example, in a disciplinary situation such leave might extend until the Employer the pre disciplinary process and takes action or decides not to do so. Compensation for administrative leave shall be equal to the employee's base rate of pay.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Complaint Procedure 8.2

Employees may have questions or concerns caused by misunderstandings in the application of policies, procedures and work rules. The County believes questions and concerns will be heard promptly and action will be taken to resolve or clarify a particular situation, if necessary. Complaints regarding unlawful discrimination or harassment should be brought according to the unlawful discrimination and harassment policy contained in this manual.

All employees shall have the right to file a complaint without fear of retaliation. No employee shall be disciplined, harassed or treated unfairly in any manner as a result of filing a complaint. A complaint is defined as a disagreement between an employee and County as to the interpretation or application of official policies, departmental rules and regulations, or other disagreements perceived to be unfair or inequitable relating to treatment or other conditions of employment. The following is the procedure to be followed when an employee has a complaint as defined above:

A. **Step 1: Immediate Supervisor**

An employee having a complaint shall file it in writing with their Immediate Supervisor, as outlined in the procedure for their work unit. The employee's Immediate Supervisor will review the complaint and attempt to resolve the complaint within a reasonable time and will provide the employee with a written response. Step 1 may be bypassed by either the employee or Immediate Supervisor if the Immediate Supervisor lacks the authority to make a change and/or the Immediate Supervisor is the subject of the complaint.

B. **Step 2: Department Head**

Where the employee is not satisfied with Step 1 response of the Immediate Supervisor, the employee may submit the original complaint to the Department Head. The Department Head will review all material provided and provide the employee with a written response in a timely manner.

C. **Step 3: Employer (Commissioners or Designee)**

Where the employee is not satisfied with the Step 2 response, the employee may submit the original complaint to the Commissioners or Designee. The Commissioners or Designee will review all material provided and will provide the employee with a written response in a timely manner. The Step 3 response shall be final.

Original Adoption Date: 3/5/2008 Revision Date: 5/27/2020

Non-disciplinary separation Section 9

9.1 Resignation
9.2 Exit Interview
9.3 Layoff and Recall

Resignation 9.1

A. Employees may voluntarily resign by submitting a written letter of resignation to their immediate supervisor. Administrative and professional personnel shall provide at least thirty (30) days' notice and other employees at least fourteen (14) days' notice prior to the effective date of separation. The letter shall be a signed, dated statement indicating the employee's desire to resign and the effective date of separation. Failure to give proper, timely notification may render the employee ineligible for future re-employment with Belmont County. Upon formal resignation, employees shall be required to turn over all property belonging to the Employer (vehicles, keys, equipment, identification card, uniforms, etc.).

B. An employee who resigns in good standing may be reinstated, at the discretion of the employer, to the employee's former position or a similar position within one (1) year following the employee's resignation, provided the former employee remains qualified to perform the duties of the position, the position is vacant, and reinstatement would be in the best interest of the employer.

C. The Employer or designee may attempt to schedule an exit interview with the employee prior to the effective date of the resignation. Such interview shall be conducted prior to issuance of the employee's final pay

Original Adoption Date: 5/16/2008 Revision Date: 5/27/2020

Exit Interview 9.2

A. When an employee has resigned, or otherwise voluntarily terminated employment, the employee may be requested to complete an exit interview questionnaire, and to personally discuss the questionnaire with the Employer or designee.

B. The exit interview is an opportunity for the employee to offer constructive criticism and insights to the Employer relative to the operation of the office as well as to be advised regarding the continuation of health care benefits and other matters associated with the termination of employment.

Original Adoption Date: 5/16/2008 Revision Date: 5/27/2020

Layoff and Recall 9.3

Layoffs will be in accordance with R.C. 124.321 to 124.327 and the Rules of the Director of Administrative Services.

Original Adoption Date: 3/5/2008 Revision Date: