

**THE
HURON COUNTY
PERSONNEL POLICY AND PROCEDURE
MANUAL**

THIS DOCUMENT IS NOT A CONTRACT

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INTRODUCTION/DISCLAIMER**SECTION 1.01**

- A. Policies are the basic rules which guide administrative action for accompanying an organization's objectives. Adherence to comprehensive and clearly written policies, consistently and fairly administered, are essential to the success of any organization. Furthermore, it is intended to be used to assist and guide employees in the day-to-day performance of their duties, the responsibilities of their positions, and expected standards of performance and behavior.
- B. Any promises or statements made by any individual that conflict with this Manual is unauthorized, expressly disallowed, and should not be relied upon. Therefore, each employee is responsible for being thoroughly familiar with this manual's contents. Likewise, supervisors and other management personnel must systematically and impartially interpret and administer these policies.
- C. Written procedures provide members of the organization with administrative interpretation of the application of the organization's policies and explain the specific manner in which such policies are implemented.
- D. This manual contains the policies and procedures of the office or offices of the Huron County Commissioners and/ or other Appointing Authorities of Huron County (hereinafter also referred to as the "Employer").
- E. Questions regarding the interpretation and application of these policies shall first be directed to the employee's immediate supervisor. However, if the employee and the immediate supervisor are unable to agree regarding interpretation and/or application of a policy, the immediate supervisor shall then review the matter with its Appointing Authority, who will interpret/apply the policy in the exercise of its judgment and discretion.
- F. The policies adopted in this Manual supersede all previous written and unwritten personnel policies or operational guidelines that directly conflict with this Manual.
- G. Violation of these policies shall result in disciplinary action up to and including termination.
- H. **THIS MANUAL IS PRESENTED FOR INFORMATIONAL PURPOSES ONLY AND MAY BE CHANGED AT ANY TIME BY THE EMPLOYER WITH OR WITHOUT NOTICE. THIS MANUAL IS NOT A CONTRACT WHETHER EXPRESSED OR IMPLIED.**

OBJECTIVES**SECTION 1.02**

- A. It is the philosophy of Huron County that providing personnel policies that aid in recruiting and retaining competent, dependable employees is vital to the success of the County.

- B. The policies and procedures stated in the Manual are designed to:
 - 1. Promote high morale and foster good working relationships among employees by providing uniform personnel policies and consideration of employee needs;
 - 2. Provide fair and equal opportunity for qualified employees to enter and progress in service based upon merit and fitness as determined through objective and practical personnel management methods;
 - 3. Promote and secure a safe and healthy work environment;
 - 4. Enhance the attractiveness of a career with Huron County and encourage each of its employees to give his/her best effort to the County and the public;
 - 5. Encourage courteous and dependable service to the public; and
 - 6. Ensure that all activities are conducted in an ethical and legal manner to promote the County reputation as an efficient, progressive body in the community and the State.

- C. It is the intent that these policies, procedures and methods will hereafter govern the working relationship between the employee and the County.

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| DEFINITIONS/ABBREVIATIONS | SECTION 1.03 |
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Unless otherwise indicated, the following definitions and abbreviations apply to the below-listed terms as used in this manual.

Absent without Leave: Failure to report for work without authorization from the Appointing Authority or designee to be absent from work.

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

Active Pay Status: Except where otherwise defined in this manual, active pay status is a period when an employee is eligible to receive pay directly from the Employer and includes hours worked, vacation, personal, sick leave, compensatory time, paid military leave, bereavement leave and paid court leave.

ADA: The Americans with Disabilities Act.

ADAAA: The Americans with Disabilities Act Amendments Act of 2008.

Appointing Authority: The elected County officials or the designees of such officials who are authorized by law with the power to appoint or remove positions in any office, department, commission, board, Appointing Authority, or institution.

Break in Service: Any separation from service of thirty-one (31) days or more. Neither an approved absence nor an abolishment/layoff will constitute a break in service provided that the employee returns in a timely manner. Time during a break in service does not count toward retention points.

BWC: Ohio Bureau of Workers' Compensation.

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

Classification Change: A change in an employee's classification title as a result of a promotion, demotion, or reassignment to another classification.

Classification Plan: The alphabetically arranged compilation of the classification specifications for employees of the Employer.

Classified Employee: An employee who, after serving a probationary period, may only be demoted, suspended, or removed from public service for cause, in accordance with the State Civil Service statute ORC 124.34.

Compensatory Time Leave (Comp Time): Time off work granted to nonexempt employees in lieu of payment for overtime hours worked and granted off at the rate of one and one-half (1½) hours for each hour of overtime.

Continuous Service: Means the uninterrupted service of an employee with the department without any intervening break in service.

County: The County of Huron, State of Ohio.

Day(s): Unless otherwise specified, means calendar day(s).

Demotion: See reduction.

Designee: Any person authorized by the Appointing Authority to perform a function with or on behalf of the Appointing Authority.

Discourteous Treatment of the Public: Failure by an employee to treat any member of the general public with respect, in a polite and courteous manner.

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

Distribution: Means an act of dispersing, delivering, apportioning, allocating, or circulating goods, items, materials, or any other tangible thing, including but not limited to writings and literature.

Drunkenness: The condition of a person whose mind is affected by the immediate use of intoxicating drinks; the state of one who is “drunk” or under the influence of alcohol. The effect produced upon the mind or body by drinking intoxicating liquors or beverages to such an extent that the normal condition of the subject has changed and their capacity for rational and appropriate action and conduct is substantially lessened.

Employee: Any person holding a position subject to appointment, removal, promotion, or reduction by the Appointing Authority and the subject to the policies of this manual.

Employer: The Appointing Authority, or the designee of the Appointing Authority, authorized by law to make appointments to positions.

Excused Absence: Absence from work with the approval of the Employer (e.g., sick leave, vacation, holiday, compensatory time, unpaid leave of absence, etc.).

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

Failure of Good Behavior: Failure by an employee to accept, adhere to, or maintain the expected levels of performance and/or conduct required by the Employer, or reasonably expected by the Employer, even in the absence of a written work rule.

FLSA: Fair Labor Standards Act, Federal legislation which primarily governs the payment of overtime compensation and “minimum wage”.

Flex-Time: Adjustment of an employee’s work hours, by or with the approval of the Employer, to avoid the employee working in excess of forty (40) hours in one (1) workweek or any other standard work period established in accordance with the FLSA.

FML: Family and Medical Leave, as provided by the Family and Medical Leave Act of 1993, and by policy adopted by the Appointing Authority.

FMLA: Family and Medical Leave Act.

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

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

Incompetency: Lack of ability, legal qualifications, or fitness to perform duties required of an employee.

Inefficiency: Quality of being incapable or indisposed to perform duties required of an employee within reasonable standards.

Insubordination: Intentional failure to perform duties required of an employee; refusal to obey an order issued by the employee's supervisor.

Intoxication: The condition of a person affected by the use of intoxicating drinks or controlled substances; the state of one who is under the influence of alcohol or controlled substances. The effect produced upon the person by drinking intoxicating liquors or beverages or ingesting another intoxicating substance to such an extent that the normal condition of the individual has changed and the person's capacity for rational and appropriate action and conduct is substantially lessened.

LOA: Leave of absence.

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

Misfeasance: The improper performance or commission of some act which a person may lawfully do.

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

Nonexempt Employee: An employee who is entitled to be paid the federal minimum wage and to be paid at the rate of one and one-half (1½) times the employee's regular rate of pay for all time worked in excess of forty (40) hours in an established workweek. The FLSA has set forth a different standard of determining overtime for specific types of employees, such as law enforcement employees.

Nonfeasance: Nonperformance of some act which ought to be performed; the total omission to perform a required duty; or the total neglect of duty.

Non-Work Area: Those areas of the Employer's property such as the employees' lounge and parking lot or other areas where no official Employer business is transacted, nor operations conducted.

Non-Worktime: Means any time during an employee's workday where the employee is totally relieved of work duties and is not performing a work-related function such as break time, lunch time, and time before or after worktime.

OPERS: Ohio Public Employees Retirement System of Ohio.

ORC: Ohio Revised Code. Also abbreviated as RC when followed by a chapter or section number.

OSHA: Abbreviation for Ohio's Occupational Safety and Health Act.

Overtime: Compensation paid to a nonexempt employee at a wage rate of one and one-half (1½) times the employee's regular rate of pay for time worked in excess of forty (40) hours in the established workweek.

Personnel Decisions: Such decisions include but are not limited to: (1) recruitment, (2) selection, (3) placement, (4) testing, (5) training, (6) promotions and transfers, (7) layoff and recall, (8) removal, (9) disciplinary action, and (10) employee benefits and compensation.

Position: A group of duties and responsibilities assigned or delegated by the Appointing Authority to be performed by one (1) person. All of the positions listed in the organizational chart constitute positions within a department. Positions and the duties of a position may be revised, but the employee's classification remains the same unless the position is reclassified.

Probationary Period: A period of time at the beginning of an original appointment or immediately following a promotion, which constitutes a trial or testing period for the employee, and during which the employee may be terminated if serving an original probationary period or reduced if serving a promotional probationary period. Probationary periods apply to certified and provisional classified appointments, not to unclassified appointments.

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

Reclassification: The act of changing the classification of an existing position. If left in the position, the employee shall be reassigned to the new classification.

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

Reinstatement: The act of returning a person to employment following a period of separation or a leave of absence, with retention of the person's seniority and status.

Removal: The termination of a "classified" employee's employment with the department for the reasons outlined in ORC 124.34; or the termination of an "unclassified" employee's employment with the department at the pleasure of the Appointing Authority with or without cause or prior notice.

Resignation: A voluntary separation from department employment by an employee.

Seniority: Generally the uninterrupted length of continuous service with the Employer. More specific definitions of seniority for particular purposes are contained throughout this manual and shall control for the particular purpose indicated.

Sick Leave Abuse: Use of sick leave for any purpose other than as provided by applicable law, including without limitation, calling in sick when the employee is able to work, reporting illness in the immediate family when such illness does not exist or does not exist to the extent reported by the employee, reporting off sick to participate in some other activity or to 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 the use of sick leave or reporting procedures.

SERB: State Employee Relations Appointing Authority.

SPBR: Ohio State Personnel Appointing Authority of Review.

Solicitation: An act of requesting an individual to purchase or receive goods, materials, services, or any other item, including for example, writings and literature. Solicitation also means any plea for financial contribution or donation.

Supervisor: An individual who has been authorized by the Employer to perform or assist in performing some or all of the following: hiring, transferring, suspending, laying off, recalling, promoting, discharging, assigning, rewarding, or disciplining employees under the direction of the Employer; to responsibly direct employees; to adjust their grievances; or effectively recommending any of these actions.

Suspension: Relief of an employee from duty without pay, usually for a short period of time (i.e., one [1] to fifteen [15] days), as a disciplinary measure aimed at improving the employee's conduct.

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

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

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

Verbal Warning: Written documentation of a verbal counseling and instruction which is provided to the employee and placed in the employee's personnel file to correct any misconduct and improve the employee's conduct and performance.

Work Area: Any office, room, or physical location where official Employer business is transacted and/or operations of the Employer are conducted.

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

Work Unit: A division under the Employer's control usually directed by a supervisor and charged with a specific work function which contributes to the accomplishment of the Employer's public service function.

Written Reprimand: The written record of disciplinary action, usually issued after a verbal warning has failed to improve an employee's conduct, or when the employee has committed a more serious violation, which is provided to the employee and placed in the employee's personnel file in an attempt to improve the employee's conduct and performance.

SCOPE OF COVERAGE**SECTION 1.04**

- A. These policies apply to all employees, supervisors, and administrators of the Appointing Authorities who have adopted this manual, except where their context indicates otherwise. In the event there is a conflict between the matters expressed in this manual and any other applicable laws, rules, regulations, or binding legal decisions rendered by a person or entity of competent jurisdiction, the applicable law shall prevail until the particular section of the manual in conflict is revised.
- B. Each Appointing Authority that has adopted this manual may have additional policies and procedures each employee is required to follow. These policies will be in addition to, but not in conflict with, the policies of this manual. Any additional policies will be posted or otherwise made available to all affected employees and must be on file with the Appointing Authority and Huron County Prosecutor, and provided to the affected employee(s).
- C. Some policies may reference or leave matters to more specific plans or documents (such as the health care plan), in which case the more specific plans or documents will control. Undoubtedly, there will be situations which shall require administrative interpretations 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 and Huron County Human Resources and the Prosecutor will be contacted to obtain the interpretation, which must be applied uniformly by all Appointing Authorities except in cases of unique circumstances which warrant a different application. To that extent, the Appointing Authorities or departments may issue directives that clarify these policies in a manner more specific to their particular operations.
- D. As conditions change in the county, it may be necessary to add, delete, or revise specific policies affected by the change. Updated policies will be issued to all manual holders and communicated to all affected employees.

- E. In the event there is a conflict between a policy or procedure herein and the provisions of a collective bargaining agreement, the policy, or procedure shall be interpreted and applied so as to eliminate such conflict. To the extent this Manual confers benefits not granted by a collective bargaining agreement, those benefits shall not apply to those employees covered by such agreement.

In the event of a conflict between the policies or procedures herein and the United States or Ohio Constitutions or any Ohio Revised Code provision not superseded by the applicable Law or constitutional provision shall prevail and such policy and/or procedure shall be interpreted and applied so as to eliminate such conflict.

- F. These policies and procedures supersede all previous written and unwritten personnel policies and past personnel practices of the Employer.

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| MANAGEMENT RIGHTS | SECTION 1.05 |
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- A. The Employer retains the full right and responsibility to direct operations; to establish, interpret, and administer all policies, procedures, rules, and regulations; to set compensation; to direct every phase of the operations; and to take any action the Appointing Authority determines to be in the best interests of the County.
- B. The Appointing Authority’s management rights include, but are not limited to:
 - 1. To manage and direct employees, including the right to select, hire, promote, demote, transfer, assign, evaluate, layoff, discipline, suspend, or discharge;
 - 2. To assign job duties and tasks, determine position requirements, establish status of employment, and establish compensation levels and policy;
 - 3. To manage and determine the location, type, and number of the physical facilities, equipment, programs, and work methods and procedures to be performed;
 - 4. To determine goals, objectives, programs, and services to utilize personnel in the manner designated to effectively meet these purposes;
 - 5. To determine the size and composition of the workforce and the organizational structure;
 - 6. To determine the hours of work and work schedules required to operate most efficiently;
 - 7. To determine when a job vacancy exists, the duties to be included in all classifications, and the standards and quality of performance to be maintained;
 - 8. To determine the need to schedule compensatory time and/or overtime and the amount required;

9. To maintain the security of personnel and financial records and other important data or information;
10. To determine the overall budget of the departments;
11. To maintain and improve the efficiency of the operations;
12. To determine and implement necessary actions in emergency situations;
13. To establish expected standards of ethical conduct;
14. To develop and implement work rules;
15. To take any and all action the Employer deems necessary and incidental to carrying out the mission of the departments as a government unit; and
16. To maintain and improve the efficiency and effectiveness of the operations.

IMPLEMENTATION AND DISSEMINATION**SECTION 1.06**

- A. All employees shall be provided with and be required to read (or have read and explained to them) the Huron County Personnel Policy and Procedure Manual and agreed to the terms and conditions of the employment contained herein.
- B. All supervisory personnel responsible for administering policies shall receive and be thoroughly familiar with this Personnel Policy and Procedure Manual, administer all policies and procedures contained in this manual, and ensure that their subordinate employees comply with these policies and procedures.
- C. This manual shall remain the exclusive property of the Employer and shall be surrendered upon request. Unauthorized distribution, reproduction, or destruction of this manual or the handbook is prohibited.
- D. As conditions warrant, the policies contained in this manual may be added to, amended, revised, or deleted by the Appointing Authority. Prior to their effective date, such additions, amendments, revisions, or deletions will be posted on the department bulletin board(s), or other conspicuous places, or through emails, and/or otherwise communicated to employees. When employees receive an amendment to the Policy and Procedure Manual, they will sign a new acknowledgement form to indicate that they have been made aware of the change(s) and have read the change(s).
- E. The Commissioners and each Appointing Authority shall maintain a master copy of this manual as the official copy, and copies of the manual shall be given to each supervisor .

- F. Each employee shall read or have this Personnel Policy and Procedure Manual read and explained to them within the first month of employment, and after reading or having it read to them, sign an Acknowledgment of Receipt of Documents Form, which will then be placed in the employee's personnel file.

AMENDMENT**SECTION 1.07**

- A. Changes within the organization or changes in applicable regulations will necessitate changes in this manual. This manual may be amended, revised, or deleted only by written action of the Employer or the political subdivision as appropriate in such instances after review and approval by the Huron County Commissioners and the Prosecuting Attorney.
- B. When the Employer adopts a new policy or procedure, the policy or procedure shall be reviewed to determine whether it amends, revises, or deletes a section of this manual. As a result, the affected manual section may need to be entirely or partly rewritten. Any amendment, revision, or deletion shall be subject to approval by the Huron County Commissioners for general application, and the Huron County Prosecutor for legal sufficiency and application.
- C. The original of the new section will be placed in the Appointing Authority's master copy of the manual.
- D. A copy of the new section shall be given by the Appointing Authority to each supervisor.
- E. The Appointing Authority shall provide amendments, revisions, or deletions to the affected employees (i.e., group meetings, posting on bulletin boards, etc.). An employee shall sign an Acknowledgment of Receipt of Document Form, acknowledging receipt, and the receipt shall be placed in the employee's personnel file within one (1) month of the amendment, revision, or deletion.

SEVERABILITY**SECTION 1.08**

- A. If any section or part of this manual or any amendment is invalidated by operation of law or by order of a court of competent jurisdiction, or compliance with or enforcement of any article or section of this manual is restrained by a court, the remainder of this manual and any amendments shall not be affected and shall remain in full force and effect, unless the context of the manual as a whole indicates that another section should be invalidated as well to conform with the Employer's intent.
- B. Whenever any section of this manual is amended by operation of law or by court order, the section shall be amended pursuant to Section 1.07 of this manual.

PERSONNEL ADMINISTRATION

SECTION 1.09

- A. Personnel and benefit functions shall be established by the Huron County Commissioners and administered by the Appointing Authority, Human Resources or designee, and/or the County Auditor. Personnel and benefits administration shall include, but not be limited to:
1. Recruiting qualified personnel;
 2. Conducting background investigations of prospective employees;
 3. Interviewing, orienting, and evaluating of employees;
 4. Establishing classification specifications;
 5. Developing policies and procedures for recommendation to the Appointing Authority;
 6. Interpreting and enforcing policies and procedures;
 7. Administering benefits;
 8. Conferring with department heads, division heads, and/or supervisors regarding disciplinary actions; and
 9. Conferring with department heads, division heads, and/or supervisors regarding leave and other employee benefits.

NONDISCRIMINATION**SECTION 2.01**

- A. Huron County is an Equal Opportunity Employer. No personnel decisions concerning any term or condition of employment shall be unlawfully based upon race, color, religion, sex, national origin, age, pregnancy, ancestry, military or veteran's status, genetic information, disability, or any other manner prohibited by law.
- B. The Huron County Human Resource/ Loss Control Coordinator is the Employer's EEO/ADA Coordinator. The EEO/ADA Coordinator is responsible for providing information regarding anti-discrimination laws to employees and others, and for reviewing complaints involving alleged discrimination.
- C. The EEO/ADA Coordinator shall be responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity. Supervisors shall maintain responsibility for their actions in regard to offering equal opportunity to each department employee or job applicant.
- D. No inquiry shall be made prior to employment regarding the applicant's race, color, age, religion, gender, national origin, military or veteran's status, or disability except as necessary to gather equal employment opportunity or other statistics that, when compiled, will not identify any specific individual. Disclosure of this information by the applicant is a voluntary action on the applicant's part.
- E. It is the policy of the Employer to comply fully with all Federal, State, and local nondiscrimination laws.

AMERICANS WITH DISABILITIES ACT**SECTION 2.02**

- A. The Employer recognizes that Federal and State law prohibit discrimination on the basis of disability and vows to maintain facilities that are accessible to all and to maintain a work environment free of discrimination. The Employer will not discriminate against qualified individuals with disabilities because of the disability of such individual in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. The Employer shall maintain in operable working order all features of facilities and equipment which are for the use, benefit, aid, or service of the public, in a manner which is readily accessible to and usable by persons with disabilities.
- C. Each service, program, and activity shall be operated in a manner that, when viewed in its entirety, shall be readily accessible to and usable by individuals with disabilities.
- D. The Employer shall ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.

- E. The Employer shall ensure that all interested persons (including those with impaired vision or hearing) can obtain information on the existence and location of accessible services, activities, and facilities.
- F. Notwithstanding the above commitments to accessibility, taking action to achieve accessibility is not required when it would result in a fundamental alteration in the nature of a service, program, or activity or cause undue financial and administrative hardships.
- G. Complaints, comments, or questions regarding the Appointing Authority's compliance with the ADA should be filed in accordance with the Discrimination Complaint Procedure contained in Section 2.04 of this manual.
- H. The Employer will conduct an interactive dialogue with an individual who has claimed a disability or has requested an accommodation. The interactive dialogue is an informal interactive discussion between the Employer and the individual aimed at finding a means by which the disabled individual can perform the essential functions of the job. The purpose of the meeting is to identify the precise limitations resulting from the disability and to discuss the potential reasonable accommodations that could overcome those limitations.
- I. Upon being notified by an individual of a disability or a need for accommodation, the following process will be followed:
 - 1. The Employer will analyze the particular job involved and determine its purpose and essential functions;
 - 2. The Employer will consult with the potentially disabled individual to ascertain the precise job-related limitations imposed by the claimed disability and how those limitations could be overcome with a reasonable accommodation (may be required to provide medical documentation and/ or other relevant proof);
 - 3. Provided the individual's condition meets the definition of a disability, found in Section J, the Employer will consult with the disabled individual to identify potential accommodations and assess the effectiveness each would have in enabling the individual to perform the essential functions of the position; and
 - 4. The Employer will consider the preference of the disabled individual and select and implement the accommodation that is most appropriate for both the employee and the Employer, provided the accommodation does not impose an undue hardship on the operation of the Employer's business.
- J. Definitions
 - 1. Disability: The term disability means, with respect to an individual:

- a. A physical or mental impairment that substantially limits one (1) or more major life activities of such individual;
- b. A record of such an impairment; or
- c. Being regarded as having such an impairment.

*The employee shall provide credible medical evidence to prove that a disability exists.

2. Essential Functions: Fundamental or core duties of the position.

3. Major Life Activities:

- a. Major life activities include but are not limited to functions, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, sitting, standing, lifting, learning, eating, sleeping, bending, reading, concentrating, thinking, communicating, and working.
- b. A major life activity also includes the operation of a major bodily function including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

4. An individual meets the requirement of “being regarded as having such an impairment” if the individual establishes that they have been subjected to an action prohibited under the Americans with Disabilities Act because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity. The Appointing Authority does not and will not regard an employee as having a disability.

DISCRIMINATORY HARASSMENT**SECTION 2.03**

- A. It has always been the policy of Huron County that all our employees should be able to enjoy a work environment and a job site free from all forms of discrimination, including gender-based discrimination due to sexual harassment. In order to maintain this environment, discriminatory harassment, whether committed by supervisors, coworkers, or members of the public, of the opposite or same sex is strictly prohibited.
- B. Discriminatory harassment is any type of harassing conduct that is based upon a person’s race, color, sex, national origin, pregnancy, age, religion, military or veteran’s status, genetic information, or disability.
- C. Sexual harassment is a specific type of discriminatory harassment. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with work effectiveness.

- D. Sexual harassment, whether committed by supervisory or non-supervisory personnel, is a form of sexual discrimination and is specifically prohibited. This includes, but is not limited to:
1. Unwanted and/or offensive sexual flirtations, advances, or propositions;
 2. Continued or repeated verbal abuse of a sexual nature, or the use of sexually degrading words to describe an individual;
 3. Graphic or degrading verbal, written, or electronically submitted comments about an individual or their appearance;
 4. The display of sexually suggestive objects, pictures, or the display of such items through other media;
 5. The implication or threat that an employee or applicant's employment, assignment, compensation, advancement, career development, or other condition of employment will depend on the employee's or applicant's submission to sexual or discriminatory harassment in any form;
 6. Any offensive, abusive, or unwanted physical contact of a sexual nature; and
 7. Any other conduct or behavior that may be construed as being sexually degrading or offensive.
- E. It is the policy of the Employer to terminate from employment any employee found to have committed an act of sexual harassment or engaged in conduct giving insult or offense on the basis of race, color, religion, sex, pregnancy, military or veteran's status, national origin, ancestry, age, genetic information, or disability.
- F. It is the responsibility of all employees to aid the Employer in maintaining a work environment free from discrimination, including unlawful discriminatory harassment. Therefore, it is the policy that each employee, including but not limited to supervision and management, shall immediately report to Huron County Human Resources (see Discrimination Complaint Procedure, Section 2.04) any conduct that may constitute discriminatory harassment of any employee or persons receiving services from the Appointing Authority. An employee failing to report such conduct shall be disciplined. Moreover, any employee who receives a complaint alleging conduct which may constitute discriminatory harassment of any employee or individual receiving services from the Appointing Authority but fails to report it shall be disciplined.

- G. It is further the responsibility of each department head to ensure that all employees under their supervisors are aware of the policy against discriminatory harassment, the complaint and reporting procedures, and the consequences of engaging in discriminatory harassment. Department heads shall also ensure that all employees are aware of this policy and have received sufficient training to maintain an environment free from discriminatory harassment.
- H. It is the responsibility of each department head to maintain an environment free from discriminatory harassment.
- I. Once a complaint of discriminatory harassment has been received or an instance of such harassment has been reported (see Discrimination Complaint Procedure, Section 2.04), Human Resources will immediately investigate the matter in accordance with the investigation procedure. The complaining employee and/or reporting employee will be informed of the results of the investigation.
- J. If after a thorough and prompt investigation it is determined discriminatory harassment has occurred, the employee who has been found to have committed such harassment will immediately be terminated from employment.
- K. If after the investigation it is determined that no discriminatory harassment occurred, or that there is insufficient evidence to determine whether or not such harassment has occurred, the complainant and/or reporting employee will be informed of the information.
- L. There will be no reprisal against any employee for making a report as provided in this section. Legitimate complaints made in good faith are strongly encouraged; however, false complaints or complaints made in bad faith will not be tolerated. Failure to prove unlawful discrimination or harassment will not constitute a false complaint without further evidence of bad faith. False complaints are a violation of this policy and as such shall be terminated from employment.
- M. Workplace Romance:
1. To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform their Appointing Authority if they currently are, or if they intend to become, romantically involved with a coworker. Such relationships are not necessarily prohibited but must be appropriately addressed. In the event the Employer determines that a conflict exists between an employee's employment and a personal relationship with a co-worker, the Employer will attempt to work with the employees to resolve the conflict. Should operational needs prevent resolution, the relationship must cease or one or both parties must separate from employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any employee they directly, or indirectly, supervise.

DISCRIMINATION COMPLAINT PROCEDURE**SECTION 2.04**

- A. Any employee who believes they have been the subject of discriminatory harassment and/or any employee who has witnessed an incident or incidents of such harassment shall report the alleged act(s) to Human Resources immediately. If a Human Resources employee is the subject of the complaint, the employee should report it to the Appointing Authority or designee.
- B. The employee alleging discrimination or discriminatory harassment shall reduce their complaint to writing and submit it to Human Resources. The employee shall provide:
1. The person's name;
 2. The name of the subject of the complaint;
 3. The act(s) complained of;
 4. The date(s) of the act(s);
 5. The name of any witness to the alleged act(s);
 6. Whether the employee has previously reported the alleged discriminatory harassment or discrimination and to whom; and
 7. The remedy the employee is seeking.
- This should be completed by the employee as soon as possible following the alleged act giving rise to the discrimination or harassment complaint.
- C. If the employee alleging discriminatory harassment is unwilling to put their complaint in writing, the matter should be addressed under the "duty to report" section and a written statement should be completed by the person to whom the verbal complaint was made.
- D. After the written statement has been completed, the complaint will promptly be investigated by the appropriate authority. Information obtained during this investigation will be kept as confidential as practicable and as allowed by statute; confidentiality, however, cannot be guaranteed.
- E. If the investigation reveals that the complaint is valid, prompt action will be taken to end the harassment immediately. Non-employees found to have committed an act of illegal discrimination against an employee will be dealt with appropriately as allowed by law.

DISCRIMINATION – DISCIPLINE PROCEDURE**SECTION 2.05**

- A. When it is determined that there is cause for believing that discriminatory harassment has occurred, these steps will be followed:
1. The charged party will immediately be suspended with pay or temporarily transferred pending the final resolution of the complaint.
 2. If the charged party requests it, a meeting will be held during which the charge will be explained to the charged party. The charged party will be given the opportunity to respond to the charge. This response may be in writing and submitted to the person conducting the investigation.
 3. If it is determined that a case of discriminatory harassment has been established, the charged employee will be terminated from employment.
- B. Any employee who makes a false statement and/or false accusations during the investigation will be terminated from employment. Although legitimate complaints made in good faith are strongly encouraged, false complaints or complaints made in bad faith will not be tolerated. Failure to prove harassment will not constitute a false complaint without further evidence of bad faith.

**REQUIREMENTS FOR EMPLOYMENT/
RESIDENCY REQUIREMENT****SECTION 3.01**

- A. Generally. The Appointing Authority or designee appoints, employs, disciplines, and establishes policies and procedures and other conditions of employment for employees. The Appointing Authority fixes compensation for employees in conjunction with the Huron County Board of Commissioners' budget approval. Employment with the Employer is employment in a public agency, subject to Federal, State, and local laws and the requirement that employees recognize and agree to abide by all applicable laws and all applicable policies and procedures as a condition of employment.
- B. Residency Requirement - All Classified Employees. All classified employees of the Employer, except for interim, temporary, intermittent, seasonal or exceptional appointees, must be or become forthwith residents of the State of Ohio.
- C. Employment of Relatives.
1. The Appointing Authority will not hire immediate family members of employees in the same work unit or in a direct supervisor/subordinate relationship in order to avoid the appearance of impropriety and violations of Ohio's Ethic Laws.
 2. No employee shall occupy or be eligible to be considered for a position in which the employee could directly supervise or have influence in a decision concerning a member of the employee's immediate family. If such a situation arises after employment, the Appointing Authority or designee may reassign either employee.
 3. "Immediate family" for the purpose of this section only means an employee's parents, brothers, sisters, spouse, children, whether dependent or not, grandparents, grandchildren, or any other person related by blood or marriage and living in the employee's household.

CLASSIFIED AND UNCLASSIFIED EMPLOYMENT**SECTION 3.02**

- A. As a county employee, you are a member of the Ohio Civil Service. In accordance with ORC 124.11, all positions in the civil service fall into one of two general categories: "classified" or "unclassified".
1. Classified. Most classified employees may only be disciplined for cause and by following the procedures set forth in RC Chapter 124. Exceptions include probationary employees in the classified service who may be removed or reduced for unsatisfactory service during the probationary period without a showing of cause (see Section 3.10, 3.10.1: Probationary Period). Classified status severely restricts an employee's ability to participate in partisan politics (see Section 7.09: Political Activity). All of the terms and conditions of employment contained herein apply to classified employees unless specifically stated otherwise. Employees are presumed to be classified civil servants unless their position has been generally or

specifically exempted from the classified service by law or by personal exemption allowed by County elected official(s).

2. Unclassified. Unclassified employees serve at the pleasure of the Appointing Authority. A position is in the classified service unless generally or specifically exempted by law, or by personal exemption allowed by County elected official(s) following the proper designation steps. Unclassified employees are not prohibited from engaging in partisan political activity on their own time and away from areas in public buildings where official business is transacted or conducted.

EMPLOYEE STATUS**SECTION 3.03**

- A. In addition to being categorized as classified or unclassified, all employees shall be categorized in one (1) of the following employee status types:
 1. Full-Time. An employee who works at least thirty-seven (37) hours per week on a regularly scheduled basis or the standard full-time workweek as designated by the Appointing Authority.
 2. Part-Time. An employee who works fewer than thirty-seven (37) hours per week, or less than full-time as designated by the Appointing Authority, but on a regularly scheduled basis.
 3. Intermittent. An employee who works on an irregular schedule which is determined by the fluctuating demands of the work and is generally not predictable. An intermittent employee generally works fewer than one thousand (1,000) hours per year. Intermittent employees serve in the unclassified service by operation of law.
 4. Temporary. An employee appointed to a non-permanent position, on a full-time, part-time, or intermittent basis, for a specified period of time, not to exceed one hundred and twenty days (120). Successive temporary appointments to the same position shall not be made. Temporary employees serve in the unclassified service.
 5. Seasonal. An employee appointed to a position on a full-time, part-time, or intermittent basis, for a specific period of time, on a recurring non-permanent basis to perform work or activity limited to a season or specific period of the year. Seasonal employees serve in the unclassified service.
 6. Interim. An employee appointed to a position for an indefinite period of time, fixed by the length of absence of an employee due to the sickness, disability, or approved leave of absence of such employee. Such appointment shall continue only during such period of employee's absence. An interim appointment may be made on a full-time, part-time, or less than part-time basis.

7. Student. An employee who is a student at an educational institution employed in a position. (Student appointments are in the unclassified service by operation of law.)
- B. Contract service providers and/or vendors are not considered to be employees and are not eligible for benefits provided by the County. Contract service providers and/or vendors include but are not limited to foster parents, daycare, transporters, investigators, attorneys, etc.
- C. These categories apply for civil service purposes, such as order of retention in the event of layoff. However, these categories may not apply to certain benefit programs, such as eligibility for health care coverage, especially where eligibility and categories of employee status are established by those benefit programs.
- D. If an employee works the number of hours per week on a regular basis for six (6) consecutive months of a status greater than their current status, the employee will be considered to have changed employment status and will be informed of such change.
- E. Employees shall be informed at appointment of their employment status. Temporary, interim, seasonal, and intermittent appointments should be communicated in writing to employees.

VACANCIES IN THE CLASSIFIED SERVICE**SECTION 3.04**

- A. The Appointing Authority shall announce all vacancies in the classified service, except vacancies that are to be filled by transfer or reinstatement, by appropriate means and maintain a list of announced vacancies for public inspection. The Appointing Authority may internally post classified vacancies which occur or are imminent within the organization. Positions are filled by promotion as far as practicable. If the Appointing Authority does not promote one of their current county employees, the job may be filled by hiring outside applicants.
- B. Each announcement, insofar as practical, shall specify the job title, compensation range, nature of the job, the required qualifications, the essential functions of the position, and the deadline, method, and place of application. The announcement shall also include the essential functions of the job or contain a reference to a contact person or posting location that will advise applicants of the essential functions of the position.
- C. The Appointing Authority may post on employee bulletin boards internal vacancies in the classified service which occur or are imminent. The Appointing Authority will attempt to fill vacancies from among interested, current, full-time employees of the Appointing Authority who meet the necessary qualifications and are able to perform the essential functions of the position.
- D. An application must be properly completed and submitted before an applicant will be considered for employment.

- E. The Appointing Authority will make reasonable accommodations to assist qualified persons with disabilities to apply for vacancies.
- F. Current employees interested in vacant positions in the classified service must timely submit a formal application to be considered for the vacant position.
- G. If the Appointing Authority does not promote a current county employee, the vacancy may be filled by hiring outside applicants. In such case, the vacancy shall be published in the local newspaper and/or by other appropriate means.
- H. Outside applicants must timely submit a completed Application for Employment to be considered for employment.
- I. Nothing in this section shall be construed to prevent the Appointing Authority from advertising for external applicants concurrently with the internal advertising for vacancies.
- J. Normally, employment applications shall be accepted only when a vacancy exists or is imminent and has been announced. Applications will be considered active for a period not to exceed one (1) year.

EVALUATION OF APPLICANTS FOR CLASSIFIED POSITIONS**SECTION 3.05**

- A. Appointments by the Appointing Authority to vacant positions in the classified service either by internal promotion or external selection will be based solely on the applicant meeting the minimum 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.
- B. The Employer will first review all applications to determine those applicants who possess the minimum, job-related qualifications as stated on the position description (e.g., minimum licenses, certifications, experience, etc.).
- C. Once the Employer has determined those applicants who meet the minimum job-related qualifications, the Employer will consider each applicant's:
 - 1. Knowledge, skill, and ability to perform the essential functions of the position;
 - 2. Work experience in positions comparable to vacant positions;
 - 3. Work history (i.e., length of past employment, reasons for leaving, etc.);
 - 4. Work record (i.e., attendance, performance, disciplinary actions, etc.); and
 - 5. Application appearance.

- D. Applicants may be required to submit to any or all of the following: reference checks, background checks, job-related performance tests, interviews, criminal history checks, and other job-related procedures and drug testing.
- E. Otherwise, qualified applicants may be eliminated from consideration for a position if the applicant:
1. makes a false statement of material fact in the application/other hiring documents or examination;
 2. has committed or attempted to commit a fraudulent act at any stage of the selection process;
 3. is an alien not legally permitted to work in the United States;
 4. has previously been terminated from another job for just cause, except in unusual circumstances to be determined by the Appointing Authority;
 5. has been convicted of a felony or a crime involving moral turpitude;
 6. is addicted to drugs;
 7. has a pattern of poor work habits and performance with previous employers;
 8. has been guilty of infamous or notoriously disgraceful conduct;
 9. has been dismissed from either branch of the civil service for delinquency or misconduct; or
 10. any other relevant factor considered by the Appointing Authority.
- F. If an applicant is hired and it is subsequently discovered that one of the above disqualifying criteria apply, the employee will be termination from employment.
- G. Once the preferred candidate is selected, the Appointing Authority may inquire whether the candidate requires an accommodation to perform the job. The Appointing Authority will not classify a candidate who requires an accommodation as unqualified because that candidate requires an accommodation. However, if the accommodation is unreasonable, or would only cause undue hardship to the Appointing Authority, the candidate may be considered unqualified.
- H. The Appointing Authority is responsible for maintaining a record-keeping system reflecting the disposition of all job applicants and the reasons therefore. Such records shall be kept on file for at least two (2) years and shall include a completed job application, medical examination data, test results, and/or other job-related information.

MEDICAL EXAMINATION**SECTION 3.06**

- A. A physical and mental examination by a licensed physician may be required by the Appointing Authority prior to appointment to ensure that selected job applicants are physically and mentally able to perform the essential duties of the position for which they are applying. Examinations may include any job-related examination determined to be a pre-employment requirement.
- B. For purposes of this policy, a “licensed physician” is a physician, psychiatrist, psychologist, or other appropriately licensed mental health professional such as a licensed professional clinical counselor who is licensed to perform the appropriate examination.
- C. No medical examination will be conducted until after the Appointing Authority has made the applicant a conditional offer of employment.
- D. The Appointing Authority shall select the licensed physician to administer the examination and shall pay the cost. Applicants may obtain a waiver of the medical examination requirement for the following reasons:
 - 1. religious opinion or affiliation, or
 - 2. reinstatement within one (1) year of separation.

Any applicant choosing to waive the examination requirement for one of these reasons listed shall submit a written affidavit from a qualified physician describing his or her state of health at the time of employment.

- E. After hire, an employee may be legally required to submit to medical examinations for certain purposes during their period of employment with the county. Such an examination is intended to ensure that the incumbent continues to be physically and mentally able to perform the essential functions of their position. Examples include mandatory drug and alcohol testing for CDL holders, examination to certify continued eligibility for Family and Medical Leave, examination to assess eligibility for Workers’ Compensation, examination required by Occupational Safety and Health programs, examinations pursuant to the drug-free workplace policy of the Appointing Authority, fitness for duty examinations, etc.
- F. Prior to examination, the Employer will supply to the physician conducting the examination the applicable position description and additional applicable information including physical and mental requirements of the employee’s position, duty statements, etc. For employee examinations, the Employer will also supply the examining physician with facts related to any perceived illness, injury, or condition, and a list of questions regarding the employee’s ability to perform the essential functions of the position.

- G. An employee's refusal to submit to the examination, the unexcused failure to appear for an examination, or the refusal to release the results of an examination amounts to insubordination, punishable by termination of employment.

IMMIGRATION REFORM AND CONTROL ACT**SECTION 3.07**

- A. It is the policy of the Appointing Authority to employ only those individuals authorized to work in the United States. In compliance with the Immigration Reform and Control Act, it is against Employer policy to discriminate against any individual authorized to work in the United States because of such individual's national origin or citizenship.
- B. All offers of employment will be conditioned on the individual providing proof of eligibility for employment in the United States in accordance with the Immigration Reform and Control Act using Form I-9.
- C. I-9 forms and photocopies of supporting documentation shall be retained for three (3) years after the date of hire or for one (1) year after the individual's employment is terminated, whichever is later.

ORIENTATION**SECTION 3.08**

- A. Upon appointment/hire, all employees will be provided with a copy or given access to the Huron County Personnel Policy and Procedure Manual, which contain the general terms, conditions, benefits, policies, and procedures of employment. Employees will be given all required notices, forms, and documents, and will be required to sign all acknowledgments, forms, and documents required by law or the Employer.
- B. All newly hired employees will participate in an employee orientation regarding the policies, procedures, and operations of the Employer and the responsibilities involved in proper operations of the Employer. This orientation will be conducted by the Appointing Authority, Human Resources, or other designee.
- C. New employees will be required to sign a statement acknowledging receipt of certain required documents including the Huron County Personnel Policy and Procedural Manual.

PROBATIONARY PERIODS**SECTION 3.09**

- A. Each employee newly hired or promoted into a classified position shall serve a probationary period. Probationary periods shall be set at one hundred eighty (180) calendar days from the date of hire, unless otherwise specified.
- B. 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 only to recommend retention of those employees who meet acceptable work standards during the probationary period.

- C. Dismissal or reduction may be made during the probationary period.
- D. Employee serving promotional probationary period will serve a probationary period of one-hundred eighty (180) consecutive calendar days from the date of hire. An Employee serving promotional probationary period may be reduced to the classification and salary held prior to the promotion, or otherwise treated as provided in R.C. Chapter 124 upon failure of the promotional probationary period. The action of reduction for failure to complete a promotional probationary period shall not be considered a disciplinary action and shall not serve to eliminate the employee for consideration for advancement to other positions. An employee who is reduced during the probationary period does not have the right of appeal to the State Personnel Board of Review.
- E. Probationary removals or reductions will be affected through timely action of the Appointing Authority. An employee who is removed during the probationary period does not have the right of appeal to the State Personnel Board of Review.
- F. The action of reduction for failure to complete a promotional probationary period shall not be considered a disciplinary action and shall not serve to eliminate the employee for consideration for advancement to other positions if the employee is not removed.
- G. The probationary period for full-time employees and part-time employees shall be based on calendar days from the date of original appointment. Time during leave of absence or other non-paid leaves shall not be counted toward the completion of the probationary periods.
- H. The Appointing Authority does not intend to waive the ability to remove an unclassified or intermittent employee, at the Appointing Authority's pleasure, by adopting this policy or by designating an initial instruction period as a "probationary" period.
- I. Bargaining unit employees shall serve a probationary period in accordance with their collective bargaining agreement.

PERFORMANCE EVALUATION**SECTION 3.10**

- A. A written Performance Evaluation Form provides supervisors with an effective mechanism to measure and communicate levels of job performance to their employees. It provides the employee with documented, constructive feedback concerning current job performance. Documented performance evaluation serves as a basis for important management decisions regarding training needs, job assignments, promotion, and retention of employees. The work performance of each regular employee shall be evaluated in accordance with established procedures.
- B. Each employee may be evaluated annually at the discretion of the Appointing Authority. Special evaluations may be made if authorized by the Appointing Authority. Probationary employees may be evaluated twice during the probationary period. The first evaluation may be made at the end of the first half of the probationary period, and the second immediately prior to the completion of the probationary period.

- C. Each employee should be rated by the immediate supervisor to whom they are regularly assigned. If an employee reported to two (2) or more supervisors within the year to be evaluated, the present supervisor should complete the rating while the previous supervisor(s) should prepare a written narrative covering that time the employee served under their supervision. If an employee received approximately equal supervision from two (2) persons, the supervisors should cooperate on a rating, and both should sign the report as raters.
- D. An employee will be provided a copy of their performance evaluation. The supervisor will discuss the report with the employee and will counsel the employee regarding any improvement in performance which appears desirable or necessary. The employee shall sign the evaluation which indicates that the employee received the document and that the employee and the supervisor met and discussed the evaluation.

TRAINING**SECTION 3.11**

- A. Employee's Responsibility for Maintaining and Upgrading Job Skills. Each individual Appointing Authority, supervisor, and employee bears primary responsibility for maintaining individual knowledge, skills, and abilities necessary to perform the job, and for upgrading skills necessary to meet technological change or seek promotion. The County will facilitate those efforts and provide training from time to time.
- B. Independent Study/Training. An employee may pursue independent study or training but may not obligate the County to pay expenses or compensation without specific advance permission.
- C. Training Program Evaluation. The Appointing Authority will periodically examine current and proposed training programs in order to ensure the program's relevance to both the individual employee and organizational training needs.
- D. On-the-Job Training (OJT). On-the-job training prepares an employee to effectively perform the responsibilities required of their position. It allows the employee to learn their job duties, proper procedures, and expected performance levels.
- E. Job-Related Training Programs. If the Appointing Authority assigns the employee to attend such training or approves a specific request from an employee to attend such training, the expense incurred shall be paid by the Appointing Authority. The Appointing Authority will not, however, pay for training when it is taken voluntarily (and is not related to the employee's job duties). Any such training taken voluntarily by the employee that is job related shall be subject to the prior approval of the Appointing Authority. Employees may be required to attend job-related training programs, courses, workshops, seminars, etc.
- F. Hours Worked. Time spent by employees attending lectures, meetings, classes, and training programs is not considered hours worked when all four of the following criteria are met:

1. Such time is spent outside normal working hours;
2. Attendance by the employee is voluntary;
3. The lecture, meeting, class, or training program is not directly job-related;* and
4. The employee does not perform any productive work for the Employer during the employee's attendance.

Training is directly "job-related" if it is designed to enable the employee to perform the employee's job more effectively. Training is not job-related if it is designed to train the employee to perform a different job.

* Voluntary attendance by an employee at an independent school or college outside working hours is not considered hours worked, even if the courses taken are directly job-related.

- G. Travel Time. When an employee is required to travel, and such travel occurs within the regular hours of a workday, travel time is considered compensable with a deduction for usual mealtime. When an employee is required to travel, and such travel requires the employee to stay overnight, travel time is to be considered as time actually worked when it cuts across the employee's normal working hours (e.g., 7:30 a.m. to 4:00 p.m.). This is true even if the travel occurs on a non-scheduled working day (e.g., Sunday). Usual mealtime may be deducted from this time.

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| PROMOTION | SECTION 3.12 |
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- A. When job vacancies in classified positions occur, qualified employees may apply for such vacant positions as far as practicable. The Appointing Authority may limit a selection process to qualified employees or may allow such employees preference in application and/or consideration, to the extent such is permitted by State and Federal laws.
- B. Factors to be considered for promotion include but are not limited to an employee's:
1. Completion of any required probationary period;
 2. Completion of any required training courses, licensing or certification requirement;
 3. Other minimum requirements;
 4. Knowledge, skill, and ability to perform the essential functions of the position;
 5. Work experience in positions comparable to the vacant position; and
 6. Work record (i.e., attendance, performance, disciplinary action, etc.).

- C. Employees interested in being considered for a posted vacancy shall complete an Application for Employment and submit it to the Appointing Authority or designee within the posting period.
- D. Nothing in this policy shall preclude the Appointing Authority from temporarily filling a vacant position pending the Appointing Authority's determination as to whether or not the vacancy should be filled on a regular basis.
- E. Employees selected for promotion shall serve a promotional probationary period (see Section 3.10 of this manual, Probationary Periods).

REDUCTION**SECTION 3.13**

- A. A reduction is the movement of an employee to a position which has a lower level of responsibility, classification, and compensation. Reductions generally result from an employee's failure to perform the duties of their position at an acceptable level or as a result of discipline. Reductions may also be voluntarily requested by an employee or result from an accommodation of a qualified employee with a disability who is no longer able to perform the essential functions of the employee's position with or without a reasonable accommodation but can perform the essential functions of a lower classification with or without a reasonable accommodation. Reduced employees shall be reduced in pay to the highest rate of pay for the new position which represents a reduction in pay to the employee.
- B. Employees who desire to be considered for a posted vacancy in a lower classification shall complete an Application for Employment and submit it to the Appointing Authority or designee within the posting period.

SENIORITY**SECTION 3.14**

- A. Seniority is generally defined as an uninterrupted length of continuous service with the Huron County. Employees begin acquiring seniority after successful completion of their probationary period as defined in this manual.
- B. An authorized leave of absence without pay does not constitute a break in service for annual step increases, layoff purposes, or for computing amount of vacation leave service credit. Seniority time continues to accumulate during the term of the leave, provided the employee complies with the rules and regulations governing the leave of absence, and the employee is reinstated from the leave. Authorized leave of absence shall not exceed six (6) months in an unpaid status. Paid leave of absence (vacation, compensatory time, sick leave) shall be used, with an amount of vacation time not to exceed the amount of vacation to be earned in a one (1) year period, before unpaid leave of absence will be considered.
- C. Layoff per Department. For purposes of layoff, seniority is defined as continuous service with the state or any other county, or general health district within Ohio. Service may be transferred from one (1) of the preceding agencies to another without loss of seniority, as

long as no break in service of more than thirty (30) days occurs. A break in service for layoff purposes occurs if an employee is terminated for any reason other than layoff and is not reinstated to the employee's prior position within one (1) year of the termination date. If an employee is reinstated within one (1) year of the layoff date, continuous service will not be broken, and prior service credit will be credited to the employee for purposes of determining seniority. Employees who are reinstated (or re-employed) from layoff within one (1) year of the layoff date will retain previously accumulated seniority but will not be credited with seniority for the time spent on layoff.

- D. Retirement. Seniority for the purposes of determining retirement benefits is defined by the provisions of the retirement system in which the employee participates.
- E. Other. For all other purposes than those specified above, seniority shall be defined as set forth in the ORC.

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| LAYOFF – CLASSIFIED CIVIL SERVICE | SECTION 3.15 |
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Reductions in force and/or layoffs of non-bargaining unit employees will be done generally in accordance with the civil service laws, ORC Sections 124.321-124.327.

- A. In implementing layoffs, the Appointing Authority hereby adopts the following procedures. In adopting these procedures, the Appointing Authority intends to follow applicable laws but does not intend to impose upon themselves any restrictions that are not required by applicable laws; and the Appointing Authority reserves the right to substantially comply with these procedures where permitted:
 1. Employees may be laid off as a result of lack of funds (as determined by the Appointing Authority), lack of work (as determined by the Appointing Authority), or job abolishment (the need for which will be determined by the Appointing Authority).
 2. Positions (“jobs”) may be abolished as a result of reorganization for the efficient operation of the County, for reasons of economy (determined at the time the Appointing Authority proposes to abolish the position), or for lack of work.
 3. The Appointing Authority shall decide in which classification or classifications the layoff or layoffs will occur and the number of employees to be laid off within each affected classification.
 4. In the case of a layoff or an abolishment that results in a reduction of the workforce, the Appointing Authority shall follow the order of layoff, displacement (bumping), recall, etc. that the Appointing Authority is required to follow under RC 124.321-124.327.
- B. Furthermore, the Appointing Authority will follow the current procedures established by the Ohio State Personnel Board of Review and Ohio Director of Administrative Services’ (ODAS) administrative rules (as they are amended from time to time) regarding:

1. Order of layoff and displacement (except any laid off or displaced employee shall have the right to fill an available vacancy or displace into an immediately prior-held position if they meet the criteria set forth in RC 124.324(A)(3) (held the position within the last three (3) years and meets the minimum qualifications).
2. Content and service of notices to employees of layoff or displacement (e.g., mailed 17 days in advance if served by certified mail, or 14 days in advance if hand-delivered).
3. The calculation of retention points.
4. Other aspects of abolishment, layoff, and recall.

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

- C. The Appointing Authority reserves the right to amend this policy from time to time in accordance with applicable law.
- D. If it becomes necessary to reduce the staffing level of bargaining unit employees, the Appointing Authority shall layoff and recall such employees in accordance with the layoff and recall procedures contained in the appropriate negotiated agreement.

RESIGNATION/RETIREMENT**SECTION 3.16**

- A. Employees may voluntarily resign by submitting a written letter of resignation to their Appointing Authority in advance of the date of separation. All positions require at least a two (2) week advance notice. Such written letter of resignation shall be a signed, dated statement indicating the desire to resign and the effective date of separation. Failure to give proper, timely notification shall render the employee ineligible for reinstatement or re-employment with the Employer.
- B. The Appointing Authority hereby accepts a letter of resignation upon receipt and will rely on having received it. A resignation may not, therefore, be revoked without permission from the Appointing Authority.
- C. A person who has resigned in good standing and has served the required probationary period may be reinstated, at the discretion of the Appointing Authority, in his or her former type of position within one (1) year following resignation, provided the person remains qualified to perform the duties of the position and such reinstatement would be in the County's best interests.

- D. Employees who plan to retire shall notify the Appointing Authority, in writing, at least sixty (60) days in advance of their anticipated retirement date.
- E. Resigning and retiring employees shall return all Employer property to the Employer on or before the employee's last workday. The employee's final paycheck shall not be delivered until all such property has been returned.
- F. Employees retiring shall timely submit a written letter, to their Appointing Authority containing:
 - 1. The stated intention to retire from service;
 - 2. The date of the notice;
 - 3. The effective date of the retirement;
 - 4. The reason for the retirement (optional); and
 - 5. The employee's signature.
- G. The Appointing Authority shall notify the County Auditor of the separation so that payroll records may be updated and the appropriate documents processed.
- H. The Appointing Authority or designee may schedule a voluntary exit interview with resigning employees. In such case, the Appointing Authority or designee shall provide the resigning employee with an Exit Interview Form and request that the employee complete the form and discuss its contents with the Appointing Authority or designee at an exit interview, which should be scheduled and held on the employee's last workday. The exit interview is for the purpose of:
 - 1. Discovering any unknown complaints or problems relating to the resigning employee's employment;
 - 2. Determining all compensation and benefits owed;
 - 3. Determining the resigning employee's availability for future employment (if applicable);
 - 4. Obtaining the resigning employee's correct mailing address; and
 - 5. Ensuring all Employer-owned equipment has been returned.
- I. A signed, dated Exit Interview Form shall be placed in the resigning employee's closed personnel file by the Appointing Authority.

NEW-HIRE REPORTING**SECTION 3.17**

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

NEPOTISM**SECTION 3.18**

- A. Pursuant to O.R.C. 2921.42, the Appointing Authority prohibits "related" employees from occupying positions within the same hierarchy of supervision. No person will be employed by Huron County while they or a related individual serves on the Huron County Board of Commissioners, or any committee of the Huron County.
- B. Furthermore, an employee or Appointing Authority member is prohibited from soliciting or using their authority or influence, formally or informally, to secure the employment of a "related" applicant, or to otherwise act with respect to that related individual's employment. These matters include, but are not limited to, any of the following:
 - 1. Changes in compensation or benefits (vacation, sick leave, holidays, etc.) that are determined by individual working conditions; and

2. The assignment of duties that will change the terms of employment, evaluations, and actions involving promotions, discipline, layoffs, and termination.
- C. “Related” employees include those persons related to employees, members of the Huron County Board of Commissioners, or appointed officers through family of origin, extended family, or marital affiliation. For the purposes of this policy, the terms “related” employees and “relatives” include:
1. Parent and step-parent;
 2. Grandparent;
 3. Spouse;
 4. Child, step-child, son-in-law, and daughter-in-law;
 5. Sibling and step-sibling;
 6. Grandchild; and
 7. Any other individual related to an employee, Board member, or appointed officer by blood or marriage. An employee is a “member of the official’s family” if they live in the same household with the official or employee. For example, if an employee’s cousin, uncle, aunt, nephew, or niece lives in the same household with the employee, that person is a member of the employee’s family.
- D. Employees will notify the Appointing Authority immediately if one of their immediate family members is placed on the Huron County Commissioner’s Board, or other position within the County that will result in the violation of this policy.
- E. If properly and timely reported by the employee, the Appointing Authority will make an effort to work with the employees who become part of any “newly formed” family relationship in order to avoid any violations of this policy. If two (2) employees marry, neither must resign nor transfer unless the positions they occupy at the time of the marriage are in a supervisor/subordinate relationship. If the two (2) employees are employed in a supervisor/subordinate relationship, they shall decide between themselves who will resign or transfer. If no such decision is made prior to the marriage, the Appointing Authority retains the right to make the decision in the best interests of the County, and if there is no transfer opportunity available, one of the affected employees will be terminated from employment to eliminate the nepotism.
- F. Any employee who violates this policy will be terminated from employment. An employee, Board member, or appointed officer may receive a jail sentence and/or be fined if convicted of violation of Ohio’s laws regarding employment of relatives (nepotism).

COMPENSATION**SECTION 4.01**

- A. The compensation practices of the Appointing Authority shall be in accordance with applicable laws and regulations. No compensation decisions shall be unlawfully based upon race, color, religion, sex, national origin, age, military or veteran's status, genetic information, pregnancy, ancestry, or disability.
- B. A new employee shall normally be compensated at the minimum rate of the approved salary/wage range as determined by each Appointing Authority. In exceptional circumstances, the Employer may authorize hiring above the minimum rate of pay.
- C. An employee moving from one (1) classification to another, but remaining in the same pay range, shall receive no change in compensation.
- D. Upon promotion, an employee shall be compensated at the lowest rate of the approved range which would provide an increase in pay over that received in the previous class.
- E. Whenever the Employer makes an error in the computation of pay, the Employer shall correct that error as soon as possible.

PAY PERIODS/PAY CHECKS**SECTION 4.02**

- A. There are normally twenty-six (26) pay periods per year, each consisting of two (2) weeks. The biweekly pay period for employees begins at 12:01 a.m. Sunday and ends at 12:00 midnight the second succeeding Saturday. The Appointing Authority shall review and approve, subject to modification, payroll at the end of the pay period or no later than the next business day after the conclusion of the pay period.
- B. Pay day shall be Friday, one (1) week following the end of each two (2) week pay period. If a payday occurs on a holiday, pay checks will be issued on the preceding day, except under extenuating circumstances, in which case paychecks will be issued on the next following workday.
- C. Direct deposit of payroll may be available to employees upon the written authorization of the employee.
- D. Pay advances are not permitted.
- E. Questions regarding pay shall be addressed to supervisors who are responsible for making necessary explanations or inquiries to resolve the matter.

PAYROLL DEDUCTION

SECTION 4.03

- A. Certain deductions are made from an employee's paycheck as required by law and in accordance with employee benefit plans or as requested by the employee. Payroll deductions are itemized on the employee's pay statement, which accompanies their biweekly paycheck.
- B. The following deductions will be withheld from an employee's pay:
1. OPERS. The state law requires that employees contribute to the Public Employees Retirement System rather than Social Security¹.
 2. Income Taxes. Federal and State laws and some city ordinances require that taxes be withheld from each salary payment. The amount of tax to be withheld is determined from tables furnished to the County by the Ohio Department of Taxation and various Ohio cities and varies according to the amount of salary and number of dependency exemptions. Employees are required to complete withholding tax certificates upon initial employment and to inform the Appointing Authority or Auditor of any dependency change whenever such change occurs.
- C. The Appointing Authorities of Huron County will establish a policy and procedure for the voluntary deduction of organizational dues for the employees who belong to such organizations and/or associations. Huron County, through its agent, the Huron County Auditor, will deduct regular employee organization and/or professional association dues from the pay of any eligible County employee upon receiving written authorization signed individually and voluntarily by the employee, provided that the procedures and requirements listed below have been complied with.
- D. When the Auditor receives a request for payroll deductions for an employee organization or professional association, the Auditor will notify said organization that it must place on file with the Huron County Auditor the following statements and information:
1. A statement that the organization has no restriction on membership based on race, age, religion, color, pregnancy, sex, national origin, ancestry, military or veteran's status, genetic information, or disability.
 2. A statement signed by the organization's Appointing Authority or designee, that the organization holds the County of Huron harmless from any claims, actions or proceedings by any employee arising from deductions made by the county. In addition, a statement of agreement that once the funds are remitted to the organization, their disposition thereafter shall be solely and exclusively the obligation and responsibility of the organization.

¹ Membership in the system is compulsory upon being employed except those persons specifically exempted under the provisions of Section 145.03 of the Ohio Revised Code.

3. The address of the organization where the deductions are to be forwarded.

An organization is required to comply with this procedure one time only.

Once an employee organization or professional association has complied by filing these statements and information under D (1), (2), and (3) of this procedure, the Auditor will deduct the authorized dues each pay period. The Auditor shall forward the deductions made once each month for those deductions made in the previous month.

No deductions will be made when (1) an employee is in layoff status; (2) an employee is on a leave of absence; (3) the authorization has been canceled by the employee; or (4) the employee's total wages are insufficient to cover the amount of the deduction.

- E. Other deductions include wage garnishments, deferred compensation, child support, credit union, employee insurance contributions, etc.
- F. The Huron County Auditor may refuse to make deductions not required by law which are below certain prescribed minimum amounts, which occur at irregular intervals, or for another similar cause. Other than those deductions required by law, the Auditor may decline to make a deduction that the employee's check is insufficient to cover.
- G. All requests for payroll deductions must be presented to the Appointing Authority in writing for authorization.

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| EMPLOYEE STATUS UNDER FLSA (EXEMPT OR NON-EXEMPT) | SECTION 4.04 |
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- A. It is the primary mission of the Appointing Authority to serve effectively and responsibly and be accountable to the citizens of Huron County. As such, job performance and personal conduct of each employee impacts directly on the public trust. Each employee, including salaried exempt employees, are expected to work, at a minimum, a regularly scheduled workweek in accordance with their schedule of compensation.
- B. Nonexempt. Most employees fall into the non-exempt status, that is they are covered by the provisions of the Fair Labor Standards Act (FLSA). Such employees are eligible for overtime in accordance with Section 4.08 of this Manual, Overtime.
- C. Exempt. There are some employees, however, who are specifically exempt or fall into one of the specific categories of "non-covered" employees of the FLSA. Salaried employees, determined to be exempt from the overtime requirements of the FLSA, shall not be eligible for overtime pay as defined in the FLSA. Such employees shall receive a reduction in pay for absences of less than one (1) day. Such absences will, when applicable, be deducted from the employee's accumulated sick leave or vacation leave time. Exempt employees are expected to work a minimum of forty (40) hours per week unless instructed otherwise. Sick leave, vacation leave, and holiday pay are based upon a forty (40) hour week for exempt employees or as set by the Appointing Authority. Pay deductions may be made for salaried exempt employees for absences of one (1) or more full days when:

1. An employee is absent from work for personal reasons other than sickness or disability;
2. An employee is absent due to sickness or injury and paid leave has been exhausted including Family and Medical Leave;
3. Permission for leave has not been sought or has been sought and denied;
4. An employee chooses to use leave of absence without pay;
5. The employee has engaged in an infraction of a safety rule of major significance;
6. The employee has received a disciplinary suspension without pay for violation of an established work rule and/or law; or
7. The employee has performed no work in a workweek.

Any full- or partial-day pay deduction of a salaried exempt employee shall be carried out according to the provisions of the FLSA, accompanying regulations including but not limited to 29 CFR Sections 541.602 and 541.710 and the Ohio Revised Code.

WORK SCHEDULING**SECTION 4.05**

- A. The Employer shall establish the standard workday, workweek, and starting and quitting times for employees on each shift in each department in consideration of current and anticipated workload and other relevant factors. The Employer shall establish daily work schedules. No established schedule shall be construed as a guarantee of work hours or as a restriction on the Employer's right to restructure the workday or workweek.
- B. An Appointing Authority will determine if employees will be granted reasonable periods of rest during their workday. Generally, employees will be granted one (1), fifteen (15) minute paid rest break for each four (4) consecutive hours of work. The Appointing Authority will ensure that breaks are provided to employees in a fair manner and in consideration of service demands. An employee must remain on the work premises during rest breaks and may be interrupted to perform job duties. Rest breaks are a privilege, not a right. Breaks may not be taken at the beginning or end of a workday or to extend a meal period. Rest breaks may not be accumulated and used later. Any time beyond the approved fifteen (15) minutes must be noted on the employee's timecard.
- C. Appointing Authorities will make every effort to allow each employee an unpaid meal period each workday. The Appointing Authority will designate the length of the meal period. Employees must work at least four (4) hours in a day to be eligible for a meal break. The meal break will be taken at the time set by the employee's Appointing Authority. Every effort will be made to ensure that meal periods are provided to employees in a fair manner and in consideration of service demands.

An employee will be relieved of all duties and may not stay in his or her work area during any unpaid meal period. If an employee is required to perform job duties during a meal period, it will be considered part of the employee's compensable work hours.

- D. The Employer's standard workday, workweek, work shifts, starting and quitting times, and other items required to be established by the FLSA for each department of the Employer are to be established by the Employer and individual department.

TIME RECORDS**SECTION 4.06**

- A. All FLSA non-exempt employees are required to record all hours worked for the Appointing Authority, including all times the employee started work and stopped work each workday. Time clocks, timesheets, and other types of records may be used by the Appointing Authority to document the hours worked by employees so that wages can be determined. Failure to adhere to the reporting procedures adopted by the Appointing Authority shall result in disciplinary action and loss of pay for the hours of work the Appointing Authority cannot verify.
- B. Employees reporting hours worked on biweekly time sheets shall indicate on the time sheet all actual hours worked in the biweekly period. This time sheet must also indicate the actual times the employee started work and stopped work and began and ended each meal period each day. Upon completion, each employee must submit a signed original time sheet to the employee's Appointing Authority or immediate supervisor for review and approval.
- C. Employees using time clocks are responsible to clock in when they start work and clock out when they stop work. Employees shall also clock out and in for their meal break. Employees shall only punch their own timecard. An employee who punches another employee's timecard shall be subject to discipline.
- D. Failing to report time worked, misrepresenting time worked, altering any time record, or allowing any time record to be altered by others shall result in termination, and may be subject to criminal prosecution.

STARTING/LUNCH/QUITTING TIMES**SECTION 4.07**

- A. FLSA non-exempt employees are not permitted to commence work and/or sign/clock-in prior to seven (7) minutes before their scheduled starting time or continue working and/or sign/clock-out more than seven (7) minutes after their scheduled quitting time without the advanced approval of the Appointing Authority, except in emergency situations where advance approval cannot be granted. The Appointing Authority may approve time in excess of the scheduled worktime and recognize the time as compensatory time.

- B. FLSA non-exempt employees shall be provided a meal period each workday as determined by the Appointing Authority. Meal periods shall be scheduled to accommodate the efficient flow of work. Employees who choose or are required to remain at their work locations should be completely relieved from work assignments during this period, and will not be compensated for such period, unless approved in advance by the Appointing Authority. Employees who receive an unpaid lunch period shall not work during their lunch period except with the approval of their supervisor or in an emergency situation.

OVERTIME**SECTION 4.08**

- A. Any employee may be required to work in excess of the normal workday or workweek to meet operational demands. Non-exempt employees shall be paid at the rate of one and one-half (1½) times the employee's regular hourly rate of pay for all hours in excess of forty (40) in the established seven (7) day work period. A different standard may apply to health care employees and safety forces in determining overtime pursuant to the FLSA.
- B. The normal work period for employees of Huron County will be seven (7) consecutive days, beginning Sunday 12:01 a.m. through Saturday 12:00 midnight (some departments may use a different work period, based on operational need). Eligibility for overtime shall be based upon all hours actually worked in the normal workweek, plus holiday hours paid to an employee not required to work on a holiday. Premium pay paid to an employee who is required to work the holiday (i.e., that amount paid over and above what the employee would have been paid for not working) shall not be considered in the calculation of overtime because separate compensation is already paid. Vacation, sick leave, or other paid leave time shall not be counted in determining whether an employee has actually worked in excess of forty (40) hours unless otherwise established in written policy approved by the respective Appointing Authority. Vacation and sick leave shall not be earned during compensatory time or overtime.
- C. Overtime and/or compensatory time shall normally be scheduled, documented, and approved in advance by the Board, Appointing Authority, or supervisor except for emergency situations. Compensation for overtime worked in unusual or emergency instances shall be determined by the Appointing Authority.
- D. When an employee incurs an overnight stay on County business, time spent traveling and time spent overnight on official County business shall not be considered time worked for purposes of calculating overtime, except to the extent that time intersects normal working time or to the extent the employee is doing actual work.
- E. Compensatory time off should be taken as soon as possible after the time is earned.
- F. The Appointing Authority maintains the right to determine the method of compensation. This may be subject to a Collective Bargaining Agreement.
- G. Scheduled overtime which is subsequently canceled for any reason shall not entitle the employee to overtime compensation.

FLEX TIME AND COMPENSATORY TIME**SECTION 4.09**

- A. Flex Time. The Employer may utilize “time off” or flexible hours in order to avoid employees working in excess of the standard work period or forty (40) hours in a week (or other overtime hour limit). Flex-time scheduling must be approved in advance by the Appointing Authority.
- B. Compensatory Time. The Appointing Authority may allow an employee to accumulate compensatory time in lieu of overtime pay at a rate of one and one-half (1½) hours for each one (1) hour worked overtime in excess of forty (40) hours in a seven (7) day week. Compensatory time should be used as soon as possible. Employees can only accumulate forty (40) hours of compensatory time before they will be required to use it. The Appointing Authority maintains the right to require employees to utilize their compensatory time within a certain time frame. The Appointing Authority must maintain records of compensatory time.
- C. Once the Appointing Authority and the employee have decided to utilize overtime hours worked as compensatory time as recorded, the employee cannot cash out the accrued compensatory time unless the employee is separated from employment with the Appointing Authority.

ON-CALL COMPENSATION**SECTION 4.10**

- A. Certain employees may be required to be in on-call status during non-work hours. An Appointing Authority may assign and/or approve an employee to be assigned to on-call status for specified periods. Designated on-call status may be terminated or denied by the Appointing Authority at any time.
- B. An employee on sick leave or FMLA leave, or on leave under workers’ compensation or wage continuation is not available to perform on-call duties and is not eligible for an on-call stipend. As conditions warrant, exceptions may be considered at the discretion of the Appointing Authority. Every effort will be made to avoid placing an employee into on-call status if such status promotes overtime pay plus the on-call stipend. Unclassified, FLSA exempt employees do not qualify to be placed in on-call status.
- C. An employee on-call is free to engage in personal activities remaining alcohol/substance free and must remain available, without delay, to perform on-call duties as necessary. An employee on-call is expected to be onsite at the emergency location within one hour of the call. An employee on-call may be furnished an activated device for contact, a cell phone, be paid a monthly cell phone stipend, or be reimbursed for business calls made on his or her personal cell phone. On-call employees must ensure that their Appointing Authority has the proper telephone number to contact the employee.

- D. An employee on-call will be compensated by stipend for his or her on-call time. That stipend shall be \$22.00 per weekday and \$45.00 per weekend or holiday, in addition to his or her regular hourly rate of pay. This pay will be in accordance with Federal and State laws regarding overtime and compensatory pay (i.e. on-call pay is included in the calculation of overtime pay).

WEATHER/EMERGENCY CLOSINGS**SECTION 4.11**

- A. The County recognizes that on certain days it may be difficult or impossible for a scheduled employee to come to work due to excessive snow, ice, or other inclement weather. The County encourages its employees to come into work on such occasions, only if, in the employee's judgment, they are able to do so in a safe manner.
- B. Whenever weather or other emergency conditions make it necessary, County buildings and/or facilities may be officially closed for all or a portion of a particular day. The County EMA Director shall be responsible for delaying the opening of the County buildings until 10:00 a.m. after consulting with the County Sheriff and the County Engineer. If the County Sheriff issues a Level 3 Road Conditions Advisory, County Offices will be closed. Parking lots and/or sidewalks may not be cleared during the Level 3 closure.
- C. If necessary to close or delay the opening of County buildings, the EMA Director will notify the radio station WLKR (95.3 FM) no later than 6:00 a.m. The EMA Director will also notify the Sandusky Register, Norwalk Reflector, and Norwalk Ohio News. Employees may choose to be notified by text message, via the WENS Notification System, by completing the Huron County WENS Authorization form and returning it to their appointing authority.
- D. If the buildings and other facilities are officially on delay, they shall remain closed until 10:00 a.m. Each Appointing Authority shall determine if the departments falling under their purview will remain closed or open for the remainder of the day and make appropriate notification to their employees and the public.
- E. If the buildings and/or facilities have been officially closed, employees will be compensated for those hours they were scheduled to work. However, should employees opt not to report to work, due to personal safety concerns during severe weather when County offices are open, or report to work late or leave work early, those employees will not receive pay but may, upon approval of their Appointing Authority, choose to use accrued vacation, personal, or compensatory time. Such absences are **NOT** a legitimate use of sick leave.
- F. During a workday, whenever weather or other emergency conditions make it necessary, County offices may be closed upon determination by the applicable Appointing Authority. The Appointing Authority or a Designee will make the aforementioned media outlets aware of the closing circumstances.

- G. Employees who are not scheduled to work on a day that offices are closed (e.g., scheduled day off, sick leave, FMLA, vacation, etc.) are not entitled to inclement/hazardous/emergency closing pay for the hours the office or facility was officially closed.
- H. Some employees, including but not limited to, law enforcement staff and Buildings & Grounds personnel, may be required to work even though the County offices are officially closed. Such employees will receive straight time pay for the hours they work unless they are in an overtime status.
- I. The Engineer's Office employees are exempt from the Weather/Emergency Closing policy.
- J. Collective bargaining unit employees should refer to their respective agreements regarding this issue.

SICK LEAVE

SECTION 5.01

- A. Accrual. Each employee shall be entitled for each completed eighty (80) hours of service to sick leave of four and six-tenths (4.6) hours. Sick time accumulation is not credited for hours worked beyond forty (40) in one week. Unused sick leave may be accumulated without limit. Employees may accumulate and carry over all sick leave earned with no limits.
- B. Credit for Prior Service. Employees who transfer between county departments or agencies, or who were previously employed by another public agency, or who are reappointed or reinstated, will be credited with their unused balance of accumulated sick leave, provided the time between separation, reappointment, or transfer does not exceed ten (10) years and provided the employee has not cashed in any portion of that balance under ORC 124.39. The words “public agency” as used above means those entities required to provide sick leave under RC 124.38 and 124.382, including the State, counties, municipalities, all boards of education, civil service townships, etc. within the State. Villages, private industry councils, non-civil service townships, libraries organized as nonprofit corporations, and other entities not required to provide sick leave under RC 124.38 or 124.382 are not “public agencies” for purposes of this policy. Notwithstanding the above or the Sick Leave Conversion Policy herein, if any “person removed for conviction of a felony” within the meaning of RC 124.34 is “subsequently re-employed” by the Employer, such person is only qualified to accrue sick leave as if the individual were a new employee receiving no credit for prior service.
- C. Usage. Upon approval of the Employer, sick leave may be used for the following reasons:
1. Personal illness, injury, pregnancy-related condition, or exposure to contagious disease which could be communicated to other employees;
 2. Illness, injury, or pregnancy-related condition of employee’s immediate family where the employee’s attendance is reasonably necessary;
 3. Death of a member of the employee’s immediate family; or
 4. Medical, dental, psychological, or optical examinations or treatment of employee, or of a member of the employee’s immediate family when the employee’s attendance is reasonably necessary and when such examination or treatment cannot be scheduled during non-work hours.
- D. Immediate Family. For purposes of this policy, “immediate family” is defined as the employee’s mother, father, brother, sister, stepbrother, stepsister, child, stepchild, spouse, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, legal guardian, or other person who stands in the place of a parent.
- E. Charging Sick Leave. Employees absent on approved sick leave shall be paid at their applicable hourly or salaried rate. Sick leave payment shall not exceed the employee’s

normal straight time daily or weekly earnings. If an employee is paid for sick leave that is subsequently denied, the amount overpaid shall be deducted from the employee's next paycheck. Sick leave shall be charged minimum increments of one-half (½) hour unless otherwise approved by the supervisor.

F. Written Statement for Approval. The employee is required to provide the Appointing Authority a written Request for Leave justifying the use of sick leave. If medical attention is required by the employee or member of the employee's immediate family, a physician's certificate may be required by the Appointing Authority. The Employer maintains the right to investigate the circumstances surrounding an employee's request for sick leave. A request for sick leave may or will be denied if:

1. The employee fails to comply with the procedure for proper sick leave usage;
2. The employee fails to present a required physician's certificate or a properly completed request form upon return to work after sick leave usage;
3. An investigation of a sick leave request discloses facts inconsistent with the proper use of sick leave, such as a pattern of using sick leave before or after regular days off, falsification of sick leave records including a physician's statement/certificate, acting inconsistent with the request for sick leave, or other evidence of intent to defraud; or
4. An employee who is requesting sick leave is working another job or participating in any recreational or social activities, inconsistent with the reason that the employee is off for sick leave.

Falsification of sick leave, physician's statement/certificate, or fraud shall be grounds for termination from employment.

G. An employee requesting sick leave for a scheduled medical appointment shall notify the employee's immediate supervisor as soon as possible. An employee requesting sick leave for other than a scheduled appointment must notify the employee's supervisor or designee of the employee's absence and reason therefore as soon as possible and no later than thirty (30) minutes prior to the employee's scheduled starting time. Employees must follow this notification requirement each and every day the employee will be absent, unless otherwise instructed by the Employer. 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 shall be required. Employees requesting sick leave for treatment of medical appointments of immediate family members must obtain a physician's statement verifying the employee's need to be present during such treatment or appointment.

H. Upon return to work from sick leave, an employee must notify the employee's immediate supervisor, complete a Request for Leave form and submit it to the supervisor as soon as possible upon return to work following sick leave usage. If the employee is sick on the last day of the pay period, the employee must make arrangements to complete and submit a

Request for Leave form by 9:00 a.m. on the Monday following the end of the two (2) week pay period or upon return to work.

- I. If an employee sought medical treatment for an illness or injury, or if an employee's illness or injury extends for three (3) or more consecutive workdays, or in cases of a pattern of sick leave usage, the Appointing Authority shall require a Medical Physician's Statement stating the date and nature of the illness or injury and when the employee is able to return to work and perform the duties of the position. The Employer may require an Application for Family Medical Leave at this time as well.
- J. If the employee is unable to return to work and perform the duties of the position on the date the physician expected (as contained in the Medical Physician's Statement), the Appointing Authority shall require another Medical Physician's Statement with an expected return-to-work date.
- K. The employee's immediate supervisor and Appointing Authority or designee shall review the completed Request for Leave form and the circumstances surrounding the absence and approve or deny the sick leave by appropriate signature on the Request for Leave form.
- L. The employee's immediate supervisor, Appointing Authority, or designee shall inform any employee whose sick leave request is denied of such denial and the reasons therefore, and thereafter may take the necessary disciplinary action for the employee being absent without approved leave.

SICK LEAVE CONVERSION**SECTION 5.02**

- A. Sick Leave Conversion Upon Retirement. County employees, at the time of retirement from active service with the County and under the OPERS system, shall be paid one-fourth (1/4) the value of their accrued but unused sick leave credit. The maximum payment may not exceed thirty (30) days of pay at the employee's hourly rate of separation. Employees hired prior to May 3, 2002 may choose to be paid in cash for one-fourth (1/4) of the value of his/her earned but unused sick leave not to exceed forty-five (45) days of pay at the hourly rate of separation. To qualify for such payment, the employee shall have had, prior to the date of retirement, ten (10) or more years of service with the County, the State, or any of its political subdivisions, and be eligible to receive OPERS benefits. Those hired prior to May 3, 2002, must have at least five (5) years of service with Huron County.

As used in this policy, "retirement" shall mean disability or service retirement under any State retirement system applicable to County employees.

- B. Sick Leave Conversion Upon Death of the Employee. In the case of death of an employee, the employee's unused sick leave balance shall be paid to the beneficiary in accordance with Section 2113.04 of the Ohio Revised Code or to the employee's estate. The payment under this circumstance shall be made in the same manner outlined in Section A above, as if the employee had retired on the date of the employee's death.

- C. Upon retirement, the employee must initiate the above sick leave conversion procedures by submitting a written request to their Appointing Authority at the time the employee requests the Appointing Authority to certify the employee's retirement application to the OPERS.
- D. Payment to eligible employees shall be made based on the employee's hourly rate of pay at the time of separation or at the time of the annual conversion, if applicable, and the documented hours of unused sick leave reflected in the records maintained by the county. Salaried employees shall be compensated based upon the normal workday.

PERSONAL LEAVE**SECTION 5.03**

- A. At the beginning of each calendar year, each full-time, non-probationary employee will have access to forty (40) hours of personal leave, or the amount equal to five (5) normal workdays, whichever is less. In the event an employee attains non-probationary status after January 1st in any calendar year, this leave shall be prorated and said leave credited to the employee on the date that non-probationary status is attained. Leave shall be prorated rounding to the nearest hour. Approval of the use of personal leave will be based upon maintaining an accrual of at least forty (40) sick leave hours.
- B. Employees must submit a written request to use Personal Days and receive approval from their Appointing Authority prior to use. Personal Leave time may be used in minimum increments of one (1) hour. The use of Personal Leave shall not conflict with operations of the department or office.
- C. Employees, upon giving reasonable notice to their Appointing Authority and receiving approval, may use Personal Leave for absence due to mandatory court appearances (other than those covered under Civic Duty Leave), legal or business matters, family emergencies, unusual family obligations, medical appointments, weddings, religious holidays or holydays not otherwise noted in this Manual, or any other matter of a personal nature.
- D. Compensation for Personal Leave shall be equal to the employee's regular rate of pay.
- E. At the end of each calendar year, any unused personal leave time shall be forfeited. Unused personal leave time cannot be carried over or converted to pay. Documentation of each employee's accumulated personal time shall be reviewed semi-annually with the Appointing Authority.

VACATION**SECTION 5.04**

- A. Full-time County employees shall be entitled to forty (40) vacation after completion of six (6) months of employment with Huron County. Employees are not entitled to cash out their accrued but unused vacation hours if they leave employment before completing one (1) year of service with the Employer. They shall not be entitled to use any additional accrual of vacation until they reach one (1) year of service.*

Vacation time is credited each bi-weekly pay period at rates as established below in accordance with Ohio Revised Code sections 325.19 and 124.13 as applicable. An

- employee who is not in active pay status for part of a bi-weekly pay period shall earn a pro-rated amount of vacation leave for that period.
- B. Regular part-time employees are entitled to accrue vacation leave but is it accrued on a pro-rated basis. Seasonal, temporary, and intermittent employees are not eligible to accrue vacation.
 - C. Vacation leave will accrue during periods of authorized paid leaves of absence but will not accrue while an employee is on unpaid leave status. Vacation leave will not accrue on any hours worked beyond eighty (80) hours in a pay period.
 - D. In accordance with Ohio Revised Code section 9.44, employees may be entitled to prior service credit for time spent with the State of Ohio or any political subdivision of the State. It is the employee's responsibility to provide necessary documentation of prior service.
 - E. For each completed year of service in accordance with the table listed in Section J. below full-time county employees shall be credited with forty (40) hours of vacation leave in the pay period following their anniversary date in addition to the new accrual rate per the same table.
 - F. Vacation Leave Use: Vacation requests should generally be received by the employee's supervisor in advance on the appropriate request for leave form. Vacation requests will be granted on a first-come, first-served basis and may be taken in half (1/2) hour increments. Vacation approval will be based on operational needs and the County may revoke vacation leave that has been approved if necessitated by operational reasons.
 - G. Upon separation from service with at least one (1) year of recognized public service with Huron County, an employee is entitled to compensation for accrued but unused vacation up to a three (3) year maximum based on Employee's years of service as illustrated in Section J. Employees may accrue and utilize vacation leave beyond a three (3) year limit while employed for Huron County but can only be paid out up to a three (3) year maximum when they separate from employment. Calculation of the compensation will be based on the employee's rate of pay at the time of separation.
 - H. In addressing the matter of using accrued vacation as an employee approaches retirement, it shall be completely discretionary on the part of the Elected Official if the retirement date is preceded by any period of vacation.
 - I. Vacation Leave Use Change: If an employee incurs an illness or injury or experiences a death in the family that would qualify for paid sick leave while he or she is on vacation, he or she may request that the time off be charged to sick leave. Such an altering of the leave status is contingent on the employee's presenting documented proof of the illness, injury, or death. Should the leave qualify under the provisions of the FMLA it will be charged against the employee's annual entitlement.

J.

| Length of Service | Credit per Pay Period | Vacation Hours |
|----------------------------------|-----------------------|----------------|
| Less than 6 months | 0 | 0 |
| 6 months, but less than 1 year* | 3.104* | 80* |
| 1 year, but less than 8 years | 3.104 | 80 |
| 8 years, but less than 15 years | 4.6 | 120 |
| 15 years, but less than 24 years | 6.2 | 160 |
| 25 years or more | 7.704 | 200 |

HOLIDAYS**SECTION 5.05**

A. Full-time employees are entitled to these paid holidays:

| | |
|-----------------------------|------------------------------|
| New Year's Day | 1st day of January |
| Martin Luther King, Jr. Day | 3rd Monday of January |
| President's Day | 3rd Monday of February |
| Memorial Day | last Monday of May |
| Juneteenth | 19 th day of June |
| Independence Day | 4th day of July |
| Labor Day | 1st Monday of September |
| Columbus Day | 2nd Monday of October |
| Veterans' Day | 11th day of November |
| Thanksgiving Day | 4th Thursday of November |
| Christmas Day | 25th day December |

B. Employees may use vacation time, personal time, or floating holidays, if available, for observance of religious holidays or holydays not listed above.

C. Employees who regularly work Monday through Friday shall observe holidays which fall on Saturday on the preceding Friday and shall observe holidays which fall on Sunday on the following Monday.

D. Employees working in departments which operate on a continuous basis shall observe the holiday on the date specified above.

- E. Full-time employees earn holiday pay. Holiday pay shall be an employee's regular hourly rate of pay times the employee's normal daily work hours, or eight (8) hours, whichever is less.
- F. Any eligible employee who is non-exempt from overtime under the FLSA and who is required to work at their regular job on a day of holiday observance shall be paid for all hours actually worked at one and one-half (1½) times the employee's base rate of pay, plus holiday pay if any. If the employee does not work on the actual day that is designated as a holiday, the employee will receive the base rate of pay.
- G. When calculating overtime for a calendar week which includes a holiday, the automatic eight (8) hours, or normal daily work hours (whichever is less) of holiday pay is considered as time in active pay status regardless of whether or not the employee worked on such holiday. Time actually worked on a holiday is not considered time in active pay status for overtime calculations because separate compensation is already paid.
- H. If a holiday occurs while an eligible employee is on vacation or sick leave, the holiday will not be charged against the employee's vacation or sick leave balance.
- I. Except when excused by the Appointing Authority when using accrued leave, employees are not eligible for holiday pay if they fail to work both their last full scheduled workday immediately preceding the holiday and their next full scheduled workday immediately following the holiday.

BEREAVEMENT LEAVE**SECTION 5.06**

- A. Eligibility. Full time and non-probationary employees may, upon approval of the Employer, use up to a maximum twenty-four (24) hours of bereavement leave in the event of the death of an immediate family member as defined in the Sick Leave Section of this manual. The twenty-four (24) hours of leave shall be charged against the employee's yearly allotted bereavement leave, and the employee shall receive the employee's regular rate of pay for such leave. If extenuating circumstances exist, an employee may request up to five (5) additional days pursuant to the Sick Leave section of this Manual. This leave will be allowed at the discretion of the Appointing Authority.
- B. Usage. Bereavement leave may be used to attend the funeral, make funeral arrangements, or attend to other matters directly related to the funeral of an immediate family member. Funeral leave shall not be granted for any days following the date of the funeral unless approved by the Appointing Authority.

Requests for use of this leave are subject to verification and abuse thereof will be subject to disciplinary action.
- C. Part-time Employees. Part-time employees shall be eligible to use accrued sick leave as described herein and receive their respective regular rate of pay for such leave, only for the days and the number of hours each day that the employee is scheduled to work.

- D. Notification. See Section 5.01 (Sick Leave) regarding notification of absence.
- E. An employee requesting Bereavement Leave for an immediate family member must complete a Request for Leave form and submit the request to the employee's immediate supervisor.

COURT LEAVE**SECTION 5.07**

- A. Eligibility. All employees shall be entitled to leave when subpoenaed to appear before court or summoned for jury duty by the United States, the State of Ohio, or any political subdivision during regular working hours, unless such court appearance is in connection with the employee's personal business (e.g., criminal or civil cases, traffic court, divorce proceedings, etc.). If the employee is a party to the action, the employee may be granted vacation or personal time by the Appointing Authority for a court appearance. This section shall not apply to employees who appear in court on behalf of the County as part of their employment as such appearances are compensated as hours worked.
- B. Payment. Employees on eligible court leave shall pay all monies received as compensation for court services over to the County Treasurer and shall be paid the employee's applicable hourly rate for all time on court leave. If any employee is called to appear in court or is called for jury duty, outside of the employee's regularly scheduled working hours, all monies received as compensation for such court service shall be retained by the employee. An employee shall not receive double compensation, and the court service money shall be surrendered to the County Treasurer upon receipt from the court or court's representative/responsible office.
- C. Work Attendance. Employees on court leave shall report for work before or following such leave if two (2) or more hours remain in the employee's scheduled workday, unless the employee has chosen to take a pre-approved paid time off such as vacation, personal, or compensatory time.
- D. Employees shall submit a copy of the subpoena, summons, or jury duty notice to their immediate supervisor as soon as possible after receipt to receive paid civil leave.

MILITARY LEAVE**SECTION 5.08**

- A. Military leave is a complex issue that is governed by both federal (The Uniformed Services Employment and Reemployment Rights Act or USERRA) or state law.
- B. County employees who are members of the Ohio organized militia or members of other reserve components of the armed forces, including the Ohio National Guard, are entitled to military leave. Employees requesting military leave must submit a written request to the County as soon as they become aware of such orders. Employees must provide the published order or a written statement from the appropriate military authority with the request for leave.

- C. Pursuant to Ohio Revised Code section 5923.05, employees are authorized for periods of up to one month, for each federal fiscal year in which they are performing service in the uniformed services. During this period, employees are entitled to receive their regular pay in addition to compensation from military pay. Any employee required to be serving military duty 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 section 5919.29 of the Revised Code is entitled, during the period designated in the order or act, to a leave of absence and to be paid, during each monthly pay period of that leave of absence, the lesser of the following:
- (1) The difference between the permanent public employee's gross monthly wage or salary as a permanent public employee and the sum of the permanent public employee's gross uniformed pay and allowances received that month;
 - (2) Five hundred dollars.
- D. Employees who are on military leave more than for longer than a month, for each federal fiscal year in which the employee performed service in the uniformed services; may use their accrued vacation leave, personal leave or compensatory time while on military leave. Employees who elect this option shall accrue vacation leave and sick leave while on such paid leave.
- E. For military leave for periods of up to one month, for each federal fiscal year in which they are performing service in the uniformed services; 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 periods of up to one month, for each federal fiscal year in which they are performing service in the uniformed services 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 with notice of their rights to continue this coverage at their cost in accordance with applicable law.

CATASTROPHIC LEAVE**SECTION 5.09**

- A. The Catastrophic Leave Bank Plan, a paid leave donation program, was established by the Huron County Board of Commissioners to provide a mechanism for employees to remain in active pay status during catastrophic illnesses of themselves or immediate family members. The County is interested in providing this benefit to aid the continuation, if possible, of medical insurance benefits and life necessities to employees who are already encountering emotional and physical stress.
- B. Participation:
1. Only full-time and regular part-time employees, who were employed at least 520 hours in the previous twelve (12) months, may participate in the Catastrophic Leave Bank Plan. An employee must be eligible to continue receiving sick leave at the time the contributions are made and at the time distributions are made of the paid leave hours. An employee must be covered by the County medical insurance at the

time the request for distribution is made for medical insurance to continue. The County makes no representations as to the effect of the distribution on already existing plans, such as disability separation, long-term disability leave, or other benefits that may be in existence.

C. Contributions:

1. All contributions shall be voluntary and may be of sick leave hours or vacation leave hours. Contributions may be made in multiples of eight (8) hours, but in no case, may a contribution be less than eight (8) hours for full-time employees. Part-time employees shall be allowed to contribute, as a minimum, only the number of hours equal to what that employee works during his or her shift. No employee shall contribute sick leave hours if the hours contributed would cause the employee to have eighty (80) hours or less of sick leave to that employee's credit. No employee shall contribute vacation leave hours if the hours contributed would cause the employee to have forty (40) hours or less of vacation leave to that employee's credit. Contributions are considered irrevocable except as otherwise provided herein.
2. There shall be two open window periods per year with each period open for one (1) month. Additionally, the Catastrophic Leave Bank Committee may open other contribution windows as it deems necessary.
3. Contributions will be donated by individual employees towards a general bank by completing and signing a Contribution Release Form. Contributions and distributions are recorded hour-for-hour without consideration to cash value.
4. Appointing Authorities are responsible for verifying that the employee's contributions are available for transfer and readjusting the contributor's balances to reflect the donation. There will be no actual transfer of funds connected with this plan.

D. Committee:

1. The Catastrophic Leave Bank Committee is composed of the County Auditor, the Board, and the County Prosecutor. A Designee from each of those Appointing Authorities will constitute the voting body of the Committee. A quorum is two members present in voting. If the distribution of Catastrophic Leave Bank hours concerns an Appointing Authority other than the three listed above, the concerned Appointing Authority, or Designee, will form the ex-officio, fourth member of the Committee. It is understood that no applicant for the Catastrophic Leave Bank shall be a Designee sitting on the Committee. If an Appointing Authority's Designee to the Catastrophic Leave Bank Committee is an applicant, for that meeting the Appointing Authority will choose another Designee to attend and vote on the application.
2. The County Auditor will be considered the fiscal agent and will also receive the contributions from employees. All applications for distributions shall be sent to the

office of the County Auditor. The Committee will meet within thirty (30) days of receipt of an application, or sooner if the application is a clear emergency, to determine distribution of the Catastrophic Leave Bank hours.

3. The Committee will meet annually in January and after each open window contribution period to certify the number of hours available. The Committee is a public body under Ohio Revised Code section 121.22 and therefore, will comply with all requirements of the Sunshine Laws. Minutes will be kept of all the open parts of meetings of the Committee.
4. After the Committee meets and a decision is reached, the County Auditor, or a Designee, will notify the employee and the employee's Appointing Authority. The employee will be notified of the Committee's decision by certified mail or hand delivery.
5. The Appointing Authority of the employee receiving Catastrophic Leave Bank hours is responsible for paying the Catastrophic Leave Plan benefit. As appropriations are made based on the yearly salary, this will not cause an additional appropriation or budget shortfall for the Appointing Authority.
6. The Committee may amend the procedural aspects of the Catastrophic Leave Bank Plan within the limits of the authority granted to it. The Committee must return to the Board, as the County legislative body under the applicable sections of the Ohio Revised Code, to change any substantive portions of the Plan.

E. Qualifications for Use:

1. An eligible employee must be out of all accrued paid leave before a distribution of Catastrophic Leave Bank hours may be made. The situation for which the application is made must be a critical, life-threatening disease/injury of the employee or a dependent member of the employee's immediate family. "Immediate family" is defined, in this section, as the employee's spouse or partner or minor child or child for which the employee serves as both in loco parentis and custodian. If the critical, life-threatening disease/injury is not that of an employee, then there must be sufficient information and doctor verification on the application to show that the employee is needed to attend to the dependent family member. "Critical, life-threatening medical condition" is defined as a serious life threatening or terminal illness/injury involving substantial amounts of hospitalization and/or medical treatment and the subsequent recuperative and rehabilitative period.
2. An employee must complete and sign the Application Form and include all documentation requested. Incomplete applications will be returned to the employee for completion prior to consideration by the Committee. Completed and signed forms, with documentation, shall be sent to the office of the County Auditor in a sealed envelope marked "Confidential – Catastrophic Leave Bank." The employee should retain a copy of the form and documents submitted.

3. In the case where an employee is in a condition due to a critical or life-threatening disease/injury which does not permit the employee to apply for benefits, the next of kin or an individual having legal authority to handle the employee's matters may apply. Evidence of the legal authority or status of next of kin must be submitted with the Application Form. The individual holding legal authority or next of kin status must sign the Application Form for the employee who is not able to sign.
4. This Plan is not available for work related injuries. Those injuries are covered under the Ohio Bureau of Workers' Compensation Program. There will be coordination between Catastrophic Leave Bank benefits and FMLA benefits as required by federal law and under the FMLA policies contained in this Manual.
5. The Catastrophic Leave Bank distributions will be treated as wages and, therefore, will be subject to any appropriate deductions required by law. An employee may be paid with Bank leave at a rate not to exceed the maximum number of hours the employee is regularly scheduled to work each pay period. Employee recipients are in active pay status while using Bank leave and accrue their own paid leave at the applicable rates. Such accrued leave must be used in the following pay period before additional Bank leave is credited. The employee will receive sick leave hours and the rate of pay of the employee at the time the application is made.
6. If the employee is separated from employment with the County and has sick leave hours from a Bank distribution, the distributed hours shall be returned to the Bank. In no event, shall the donated leave be converted into a cash benefit or transferred to the employee's credit with his or her next employing agency.

F. Distribution Reimbursement:

1. An employee who returns to active pay status is responsible for reimbursing the Catastrophic Leave Bank in the amount of distribution, or forty (40) hours, whichever is less, within eighteen (18) months of the date of return to work. The employee may use either sick leave hours or vacation leave hours to reimburse the Bank. If the employee has not directed the timely reimbursement of hours to the Bank, the employee's Appointing Authority will automatically transfer either forty (40) hours or the amount distributed, whichever is less, to the Bank from the employee's accrual with notification to the Auditor and to the employee.

G. Appeal:

1. If an eligible employee is denied a distribution and the application cites a qualified distribution request, the employee has a right to request and be recredited the hours that the employee contributed to the Bank during the preceding twelve (12) months. The employee must send notice of the appeal within thirty (30) days of the date of the employee's receipt of the denial of the

distribution request. The appealing employee will be recredited for the hours contributed to the Bank during the twelve (12) months preceding the application for distribution within thirty (30) days of the date of receipt of the appeal by the office of the County Auditor.

- H. All forms necessary for the process included in this section are available from the office of the County Auditor.

VOLUNTARY FIRE DEPARTMENT SERVICE LEAVE

SECTION 5.10

- A. Employees who serve on volunteer fire departments will suffer no loss of pay when responding to a fire extends into their regularly scheduled workday. Employees are required to submit to their Appointing Authority proof of coverage under State of Ohio Workers' Compensation from the township, village, or municipality they serve.

LEAVE OF ABSENCE WITHOUT PAY

SECTION 5.11

- A. Eligibility. Any employee, classified or unclassified, must request a leave of absence without pay in writing. Approval of such request is solely at the discretion of the Appointing Authority and each request will be determined on its own merits. A leave of absence without pay for personal reasons shall not exceed six (6) months.
- B. Return From Leave. Upon returning from an approved leave of absence, the employee shall be placed in the employee's original position, or similar position in the same classification should the employee's original position be unavailable.
- C. Failure to Return. Failure to return to work within three (3) working days after a valid cancellation or the scheduled end of an authorized leave of absence without acceptable justification will result in termination of employment.
- D. Effect On Employment. Sick and vacation leave are not earned by employees while on an authorized leave of absence without pay. A leave of absence without pay shall not be considered a break in service for annual step increases, layoff purposes, and vacation accrual. However, leave of absence without pay shall be used to adjust the anniversary date by adding the time to the original date to come up with a new anniversary date. Leave of absence without pay will affect the employee's seniority for the purpose of job retention.
- E. Cancellation of Leave. If the Appointing Authority determines that an employee is not using a leave of absence for the requested purpose, the leave may be canceled, and the employee may be directed to return to work with a written notice to the employee. The employee may also be subject to discipline in such case up to and including termination.
- F. A leave of absence without pay may be granted for a maximum period of two (2) years for the purpose of education or training which would be of benefit to the County or for voluntary service in any governmentally sponsored program of public betterment.

- G. All requests for leaves of absence without pay shall be submitted to the employee's Appointing Authority in writing and shall state the specific reason for the requested leave and shall have all supporting documentation attached to the request.

DISABILITY LEAVE/SEPARATION**SECTION 5.12**

This Section outlines the conditions under which Disability Separation may be granted and procedures for administering its use. It is intended to outline the procedures to be followed after determining that no reasonable accommodation can be made.

- A. Voluntary Reduction. When an employee becomes physically unable to perform the essential functions of their position even with a reasonable accommodation but is still able to perform the duties of a vacant lower-level position, they may voluntarily request reduction to the lower-level position at the rate of pay for that position. Such request shall be in writing, shall state the reason for the request, and, if approved by the Appointing Authorities, will be attached to the implementing Personnel Action.
- B. Disability Leave. A physically incapacitated employee, who has exhausted their accumulated sick leave, authorized vacation leave, compensatory time, and Family and Medical Leave, and for whom voluntary reduction or reasonable accommodation is not practicable, may request up to six (6) months of disability leave without pay, only if they can present evidence as to the probable date on which the employee will be able to return to the same or similar position within the six (6) month period. Such request shall be submitted in writing to the Appointing Authority with a copy of a physician's statement attached.
- C. Involuntary Disability Separation.

Involuntary disability separation or demotion is effective in the following cases:

1. If an employee becomes unable to perform the essential job duties of the employee's position, subject to the Americans with Disabilities Act, and if the employee has exhausted Family and Medical Leave (if eligible), the Appointing Authority may separate the employee due to such disability.
2. If an employee on disability leave is unable to return to work when the employee's disability leave is exhausted, then the Appointing Authority shall involuntarily disability separate or may grant the employee's request for a voluntary demotion, provided the employee can perform all of the essential functions of the requested position with or without a reasonable accommodation.
3. If an employee is placed on leave of absence without pay and is subsequently separated due to the same disabling illness, injury, or condition, then the total combined time of absence due to the disability shall not exceed two (2) years for purposes of reinstatement rights under this chapter.

- D. Medical Examination. The Employer may require an employee to submit to a medical examination in order to determine if the employee will be able to carry out the essential functions of the employee's position with or without a reasonable accommodation.

When requested by an Appointing Authority, a medical or psychological examination conducted by a licensed physician, substantiating the disabling illness, injury, or condition, shall be required prior to separating the employee, unless the employee is hospitalized at the time the employee is separated. The Appointing Authority shall bear the cost of the examination. Both the Appointing Authority and the employee shall receive the results of that examination and related documents, subject to division (C)(1) of RC 1347.08.

- E. Prior to examination, the Appointing Authority must supply the examining physician with facts relating to the perceived disabling illness, injury, or condition and must supply additional information including a position description. The cost of the examination shall be paid by the Appointing Authority. Both the Appointing Authority and the employee shall receive the results of that examination and related documents subject to division (C)(1) of RC 1347.08.

- F. Employee Refusal. An employee's refusal to submit to the examination, the unexcused failure to appear for an examination, or the refusal to release the results of an examination will be just cause for termination of employment.

- G. Right to Pre-Separation Conference: Rights of Appeal. The Appointing Authority shall institute pre-separation proceedings when it has received the results of a medical or psychological examination or the employee's own statements give the Employer reason to believe that an employee is incapable of performing the essential functions of the employee's assigned position with or without a reasonable accommodation.

1. Under those proceedings, a conference shall be scheduled, and advanced written notice shall be provided to the employee;
2. If the employee does not waive the right to that conference, then at that conference the employee has a right to examine the Appointing Authority's evidence of disability, to rebut such evidence, and to present testimony and evidence on the employee's own behalf.

- H. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-separation conference, that the employee is capable of performing their essential job duties, then the pre-separation conference shall cease, and the employee shall be considered to be fit to perform their essential job duties with or without reasonable accommodations. If the Appointing Authority determines, after weighing the testimony presented and the evidence admitted at the pre-separation conference, that the employee is unable to perform their essential job duties with or without reasonable accommodations, then the Appointing Authority shall issue to the employee an RC 124.34 order of involuntary disability separation.

- I. An employee so separated shall have the right to appeal in writing to the Personnel Board of Review within ten (10) days following the filing of the order with the Personnel Board of Review.
- J. The Appointing Authority shall notify the employee at the time of the involuntary disability separation of the required procedures to apply for reinstatement.
- K. Right to Reinstatement; Rights of Appeal. An employee may make a written request to the Appointing Authority for reinstatement from an involuntary disability separation, which request shall be accomplished by substantial, credible medical evidence that the employee with or without reasonable accommodations is once again capable of performing the essential functions of the employee's job, and which request shall be made not more than once every three (3) months and not later than two (2) years following the beginning of the disability separation, or a leave of absence followed by an involuntary disability separation.
- L. When an involuntary disability separation employee presents to the Appointing Authority substantial, credible medical evidence, that the employee is once again capable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation, the Appointing Authority shall either reinstate the employee or require that the employee submit to the medical or psychological examination conducted.
- M. The Appointing Authority shall reinstate the employee after receiving the results of that examination if the Appointing Authority determines that the employee is once again capable of performing the essential duties of the employee's assigned position with or without a reasonable accommodation.
- N. The Appointing Authority shall institute pre-reinstatement proceedings if the Appointing Authority has received the results of the examination and initially determines that the employee remains incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation. Under these proceedings, a hearing shall be scheduled, and adequate advanced written notice shall be provided to the employee. If the employee does not waive the right to that hearing, then at the hearing the employee has a right to examine the Appointing Authority's evidence of continuing disability, to rebut that evidence, and to present testimony and evidence on the employee's own behalf.
- O. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is once again able to perform the essential job duties of the employee's assigned position with or without a reasonable accommodation, then the Appointing Authority shall reinstate the employee. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is not able to perform the essential functions of the employee's assigned position with or without a reasonable accommodation, then the Appointing Authority shall not reinstate the employee.

- P. If the Appointing Authority determines that an employee, who has been separated, has committed an act that is inconsistent with the employee's disability illness or injury, then that act may be considered by the Appointing Authority when determining an employee eligibility for reinstatement
- Q. Once an Appointing Authority properly determines that the employee is to be reinstated, the employee has a right to be assigned to a position in the classification the employee held at the time of involuntary disability separation. If the classification the employee held at the time of involuntary disability separation no longer exists or no longer is utilized by the Appointing Authority, then the employee shall be placed in a similar classification. If no similar classification exists, the employee may be laid off in accordance with RC Chapter 124 or in accordance with an applicable collective bargaining agreement executed in accordance with RC Chapter 4117.
- R. An employee refused reinstatement as provided in Subsection (F)(5) shall be notified in writing of the refusal to reinstate and of the right to appeal in writing to the Personnel Board of Review within ten (10) days of receiving notice of that refusal to reinstate.
- S. An employee who fails to apply for reinstatement within two (2) years following an involuntary disability separation, or a leave of absence followed by an involuntary disability separation, shall be deemed permanently separated from service.

LONGEVITY**SECTION 5.13**

- A. Only full-time employees, who are on the active payroll as of December 31st of each year and who have at least ten (10) years of service with the County may receive a longevity payment. The longevity payment shall be in an amount established by the Appointing Authority, but no more than fifty dollars (\$50.00) per year of service for all full years of service with the County as of December 31st. This benefit has allowed up to a maximum of one thousand dollars (\$1,000).
- B. Longevity pay shall be paid in January of the next year.
- C. Those staff who are less than full-time and have received this benefit prior to the adoption of this Manual shall remain whole.
- D. Any employees hired after January 1, 2018 will not be eligible for longevity pay.
- E. Regular part-time, temporary, intermittent, and seasonal employees are not eligible for longevity pay.

HEALTH/LIFE INSURANCE COVERAGE

SECTION 5.14

- A. Pursuant to section 305.171 of the Ohio Revised Code the Huron County Board of Commissioners is responsible for the design, selection, and administration of the Huron County Health Plan and the options contained within it. Employees should refer to their benefit book or their Summary of Benefits and Coverage (SBC) for specifics regarding coverage and exclusions. Employees may also call Human Resources if they have any questions or concerns.
- B. Eligibility. All newly hired, full-time and part-time employees are eligible to participate in the Employer's health insurance program under the cost sharing arrangement described herein. Pursuant to the Patient Portability and Affordable Care Act employees who work thirty (30) or more hours per week are eligible for coverage. Employees who work twenty (20) to twenty-nine (29) hours per week are eligible for health insurance coverage but only for an employee only (single) plan. Temporary, seasonal and intermittent employees are not eligible for health insurance coverage. The terms of the insurance program and degree of Employer participation in its cost are subject to change without notice.
- C. Election. Employees and Elected Officials may elect coverage under the insurance plan by notifying the County Auditor within thirty (30) days of employment or may apply for coverage during any annual open enrollment thereafter or a qualifying event such as special enrollment periods or loss of other coverage.
- D. Coverage. Eligible newly hired employees shall become covered on the first day of the month following a thirty (30) day waiting period from date of first day worked. The following are examples of how those dates might fall:
1. An employee is hired on September 1st. His/her eligibility date is October 1st.
 2. An employee is hired on December 15th. His/her eligibility date is February 1st.
 3. An employee is hired on August 31st. His/her eligibility date is October 1st.
- E. Payment. Employees must contribute toward the cost of their health insurance in amounts established annually by the BOC or as established in negotiated collective bargaining agreements. Huron County maintains a policy that is generally known as a "spousal carve out". In this situation, any employee's spouse who is employed and can obtain insurance from their employer must do so. From time to time an audit will be performed by HR to determine compliance with this policy.
- F. Paid Leave/Family and Medical Leave. The Employer will continue to pay its share of the health insurance premium for employees on all paid leaves of absence for so long as the employee is in active pay status as defined in the Definitions Section of this manual, or qualified and on Family and Medical Leave as defined in the Family and Medical Leave Section of this manual.

- G. Unpaid Leave of Absence. If an employee is granted an unpaid leave of absence after exhausting all available paid leave and/or Family and Medical Leave, the county's obligation to pay any portion of insurance premium costs shall cease immediately. The employee shall become eligible for continued coverage at the employee's sole expense.
- H. Employees desiring insurance coverage shall complete an application at initial employment or during open enrollment and shall notify Human Resources within thirty (30) days of hire. Employees declining coverage shall sign a waiver of coverage at commencement of employment and during open enrollment each year. Enrollment and waiver forms can be obtained from Human Resources.
- I. The Appointing Authority will immediately inform the County Auditor and County Human Resources in writing when an employee is:
1. Separated from service;
 2. Off work on workers' compensation;
 3. On Family and Medical Leave; or
 4. On any other unpaid leave of absence.
- J. The County provides a fully paid, ten thousand-dollar (\$10,000) life insurance policy to regular full-time and regular part-time employees (those working twenty (20) or more hours per week). The life insurance policy is maintained during an approved leave under the FMLA. Upon separation from employment, a conversion option from the provider may be offered.

WORKERS' COMPENSATION**SECTION 5.15**

- A. Workers' Compensation is a complex system that is governed by the Ohio Constitution and RC Chapters 4121 and 4123.
- B. All injuries which arise out of or in the course of employment shall be reported and compensated for under this Workers' Compensation section (except if election is made under the County Continuous Wage Program) and not under the Employer's health insurance plan.
- C. Accident/Incident Reports. When an employee is injured during the course of employment, the employee's supervisor shall provide the employee with an Incident Report. The form shall be completed regardless of the apparent seriousness of the injury and whether or not medical attention is required. The appropriate form[s] must be completed within twenty-four (24) hours of the incident to meet PERPP requirements and to avoid possible delays in processing the claim and returned to County Human Resources immediately unless extenuating circumstances exist. Such form(s) shall be completed by the employee and forwarded to the employee's supervisor, who shall forward the same to Human Resources as soon as possible after the injury occurs. The supervisor will need to

- complete the supervisor section of the Incident Report. If there were witnesses to the accident/injury, a statement of witness to accident will be completed by all witnesses. Copies of all forms will be provided to Human Resources.
- E. If an employee's injury does require medical attention, the employee shall be provided with a Worker's Compensation packet available in the County Human Resource Office, which forms must be completed by the attending physician. All appropriate forms must be completed within twenty-four (24) hours and be forwarded to Human Resources as soon as possible.
- F. The employee's first "visit" may be any provider of the employee's choice. However, all medical attention after the initial visit must be with a BWC certified provider. If the provider is not BWC certified, the employee will be responsible for the payment. BWC will not cover visits after the initial visit if such visits are a provider who is not certified with the existing Huron County Managed Care Organization.
- G. Application for Payment of Medical Benefits Only. When an employee's injury requires any type of medical attention, the employee shall complete a First Report of An Injury, Occupational Disease or Death. This form may be obtained from Human Resources and are available at the Emergency Room at the hospital, also. This form shall be prepared and signed by the employee and given to Human Resources, who, if necessary, shall send the form to the attending physician for completion. Upon return of the form from the attending physician, this form shall be forwarded to Human Resources. It is very important for the employee to sign and date the medical release section on all forms to avoid any delays for payments to employee and/or provider.
- H. Application for Payment of Compensation and Medical Benefits. When, in addition to medical attention, an employee's injury results in an employee's absence from work for seven (7) days or more, the employee must complete a First Report of an Injury, Occupational Disease or Death, if such employee desires compensation for lost wages. Employee will also need to fill out the BWC-Form C-84 Request for Temporary/Total Compensation and the physician will fill out side two (2) of the BWC-Form C-84. If this is in any way involving a previous injury, employee will be required to submit BWC-Form C-85-A Application to Reactivate Claim. This form shall be given to Human Resources for completion. Human Resources will provide the same to the County Auditor.
- I. Serious Injury. In the event of a serious injury, the injured employee's immediate supervisor shall notify the Appointing Authority or designee immediately so that an investigation can be initiated.
- J. Return to Work. The Employer must be advised and continually updated if an employee continues to be absent due to a work-related injury. Employees are responsible for providing to their Employer their expected date of return (if known). The Employer is responsible for immediately notifying, in writing, Human Resources when an employee is able to return to work.

- K. Documentation. Any documents received from the injured employee, the employee's physician, the hospital, or the State regarding Workers' Compensation claims must be immediately forwarded to Human Resources.
- L. Simultaneous Payments. Employees are prohibited from receiving payment for sick leave (but may receive other paid leave) while simultaneously receiving payment from Workers' Compensation.
- M. Accommodation of Disabled Employee. When confronted with an employee claiming a disability under the Workers' Compensation system, who is disabled as defined in the ADA, the Employer will consider making a reasonable accommodation that would allow the employee to continue performing the essential functions of the employee's position. When submitting information to the Bureau of Workers' Compensation or the Industrial Commission, the Employer will include:
1. Copies of the employee's position description;
 2. Related medical records; and
 3. Any offer of reasonable accommodation.

The Employer will provide the same information to any examining physician or other appropriate, licensed practitioner.

NOTICE TO INJURED EMPLOYEES

Under law there is a Wage Continuation Option relating to employees who are injured or contract an occupational disease while in the course of employment. In most Workers' Compensation cases there are administrative delays of significant interruption in income from the last day worked to the eventual receipt of worker's compensation benefits. In order to prevent such delays, Huron County will, in compensable claims, continue to pay wages at the same rate of pay the injured worker was making at the time of the injury. This rate will be multiplied by the usual number of scheduled hours per week. This compensation will be paid for a period not to exceed twelve (12) weeks. If the period disability exceeds twelve (12) weeks, the County may, solely at management's discretion, extend or deny wage continuation payments. The payment by Huron County will take the place of the payment by the Bureau. Wage continuation will be made only during the period of time that worker's compensation benefits would otherwise be paid by the Bureau. In most cases, payments will immediately commence upon receipt of proof of disability from the preferred medical provider and a completed First Report of Incident form, allowable under workers' compensation law.

The payments by Huron County will be taxable income to the employee and subject to the same tax withholding as a regular weekly wage. Workers' compensation benefits payable by the State are not taxable income to the employee. However, Huron County's net payment after expenses and benefits will be greater or equal to the payment by the Bureau and will reduce the delay.

Receipt of wage continuation payments will be in lieu of workers' compensation lost time benefits. The payment of medical benefits will continue to be the responsibility of the Bureau of Workers' Compensation on approved claims. The payment of these wages is subject to the same rules that govern temporary total paid by the bureau. All other income and benefits the employee may receive while on wage continuation must be reported by penalty of law to the county. Alternatively, after twelve (12) weeks or failure to extend the claim, the County Commissioners may request that the employee commence payments from the Bureau of Workers' Compensation.

Employees should contact Human Resources or the Workers' Compensation Coordinator with any questions they may have or to obtain a copy of written guidelines pertaining to qualification for receipt of injury leave benefits.

RETIREMENT PLAN**SECTION 5.16**

- A. All employees, except for certain students, are required by law to participate in the Ohio Public Employees Retirement System (OPERS). Both the employee and the Employer are required to contribute to OPERS, in amounts set by State law. The employee's contribution is paid by payroll deduction.
- B. Employees who separate from service prior to retirement eligibility may withdraw their own contributions without interest from the plan.
- C. Questions regarding an OPERS program should be directed to:

Ohio Public Employees Retirement System
277 E. Town Street
Columbus, Ohio 43215
1 -800-222-7377

Social Security number should be included.
- D. Employees shall submit a signed, dated letter to the Appointing Authority stating their intention to retire and the effective date of their retirement at least sixty (60) days in advance.
- E. Benefits provided by OPERS are according to current OPERS regulations, which are subject to change.

RETIRE/REHIRE**SECTION 5.17**

- A. In accordance with RC 145.381, if the retiring employee is subject to hire through a Appointing Authority, then sixty (60) days prior to rehire in the same job from which the employee retired, the hiring Appointing Authority must give public notice of the employee's intent to rehire. The hiring Appointing Authority must then hold a public hearing on the issue between fifteen (15) and thirty (30) days prior to the retired employee's rehire date.
- B. At the time of retirement, the employee must be paid all accrued vacation time. When rehired, the employee will begin accruing vacation as a new employee. The employee will not receive credit for prior years' service in determining the vacation accrual rate.
- C. If the employee requests payment of sick leave upon retirement, the employee will start with a zero balance and accrue sick leave as a new employee. The employee will not be eligible for any future payment of unused sick leave earned during post-retirement employment.
- D. If the employee does not request payment of sick leave upon retirement, they may retain the sick leave balance for use when rehired, provided their rehire date is within ten (10) years of their retirement. If the employee chooses not to request payout upon retirement, they shall not be eligible for any payment of unused sick leave upon separation from the post-retirement employment.
- E. Classified employees who are rehired subsequent to taking OPERS retirement will receive no credit for prior service. Rehired employees will start a new period of classified service for the purpose of calculating service credits in the event of layoff or other action affecting their employment.
- F. Employees are required to notify the Employer of their retirement date. The County or Appointing Authority reserves the right to start a rehired employee at a newly negotiated rate of pay.

FAMILY AND MEDICAL LEAVE**SECTION 5.18**

- 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. If the Employer determines the employee may have an FMLA qualifying event they can require the employee apply for FMLA leave in accordance with the same law.
- 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; or
 - 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 forward from the date an employee's first Family and Medical Leave begins. 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.
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 also involves:
 - (1) Two or more treatments by a health care provider, the first of which must occur within seven (7) days of the first day of incapacity and both visits must be completed within thirty (30) days; or

- (2) 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.); or
 - 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.

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; or
 - 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:
 - (1) 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
 - (2) 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 percent (50%) or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - (3) 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
 - (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
11. Covered Active Duty” or “Call to Covered Active Duty.

- a. In the case of a member of a Regular Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country. (Active-duty orders of a member of the regular components of the Armed Forces generally specify if the member is deployed to a foreign country.)
 - b. In the case of a member of the Reserve Components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to specific sections of the U.S. Code, as outlined in 29 CFR § 825.126.
12. Deployment to a foreign country. Deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the U.S. including international waters.
13. Qualifying Exigency. (For purposes of the twelve (12) week qualifying exigency leave) includes any of the following:
- a. Up to seven (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 or more of the activities of daily living, as described in 29 C.F.R. § 825.126, and the need arises out of the military member's covered active duty or call to covered active duty status. Any qualifying exigency which arose out of the covered military member's covered active duty or call to covered active-duty status.

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

- 1. Worked for the Employer 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; and
- 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 Employer 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 vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period. However, if the employee requests leave for the employee's own serious health condition as a result of the pregnancy or post-partum recovery period, the employee will be required to exhaust all of her sick leave prior to using unpaid leave for the remainder of the twelve (12) week period. (Note: See Section E below for information on disability leaves.)
 3. Placement of a Child for Adoption or Foster Care. An employee who takes leave for the placement of a child for adoption or foster care must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.
 4. Employee's Serious Health Condition or Family Member's Serious Health Condition. An employee who takes leave because of 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:

1. A statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
 2. An approximate date on which the qualifying exigency commenced or will commence;
 3. Beginning and end dates for leave to be taken for a single continuous period of time;
 4. An estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently;
 5. Appropriate contact information for the third party if the qualifying exigency requires meeting with a third party and a description of the meeting; and
 6. 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 Appointing Authority. 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 Appointing Authority 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 they would have been required to pay had they 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, 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. 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 Employer, 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.

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

TRAVEL EXPENSE REIMBURSEMENT

SECTION 6.01

- A. Employees shall be reimbursed for the following expenses incurred while traveling on official Employer business. Every effort should be made to have the Employer prepay the cost of travel in order to avoid reimbursements.
- B. Upon prior written authorization of the Appointing Authority, employees may attend meetings, conferences, and conventions related to the employee's position. The Employer will reimburse employees for the necessary and reasonable expenses (as defined herein) incurred to attend such authorized meetings, conferences, and conventions. The Employer may pre-pay registration fees when such pre-payment is required. Employees will not be reimbursed for unattended meetings, conferences, or conventions.
- C. Mileage, Parking, Tolls, and Vehicle Rental:
1. Employees should drive a county vehicle when traveling on county business. If an employee must drive their own vehicle, they must receive preapproval from their Appointing Authority. Employees shall be reimbursed for actual miles driven in their personal vehicle, on official Employer business, at the current rate approved by the Commissioners but will generally follow IRS guidelines. Such payment is total reimbursement for all vehicle-related expenses (e.g., gas, oil, depreciation, insurance, etc.). Mileage reimbursement is payable to only one (1) of the two (2) or more employees traveling on the same trip, in the same automobile.
 2. Charges incurred for parking at the destination, and any highway tolls, are reimbursable at the actual amount with receipt.
 3. Charges incurred for vehicle rental at the destination are reimbursable at the actual amount.
 4. No expense reimbursement is paid for travel between home and work.
 5. Receipts for parking costs, highway tolls, and vehicle rentals are required.
- D. Upon prior written authorization of the Appointing Authority, expenses incurred for meals while on official Employer business during a normal meal period will be reimbursed at the actual cost of the meal. This includes the total cost (including any associated delivery fees) of meals delivered to employee. Employees shall order reasonably priced meals while traveling at the Employer's expense. If meals are included in registration fees, duplicate meals shall not be reimbursable. Normally, meals will not be reimbursed for travel within the County or adjoining counties unless specifically authorized in advance.

The U.S. General Services Administration has established average cost of meals, based upon per diem rates for metropolitan areas within the State of Ohio. The 2023 average standard per diem rate of \$59.00 includes Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton/Fairborn, Hamilton, Medina/Wooster, Mentor, Sandusky/Bellevue, and Youngstown, as well as Erie, Huron, and Lake Counties.

Standard meal reimbursement rates based on the \$59.00 per diem rate are as follows:

| Breakfast | Lunch | Dinner |
|-----------|-------|--------|
|-----------|-------|--------|

\$14.00

\$16.00

\$29.00

Tips for meals are considered an allowable expense but only to a maximum of 20% of the bill and only for the individual employee.

- E. Upon prior written authorization of the Appointing Authority, the actual cost of a motel room (single room rate) will be reimbursed in full when an employee travels on official Employer business and such travel requires an overnight stay. However, no lodging will be allowed if an event attended is within a sixty (60) mile radius of the City of Norwalk.
- F. The following are not reimbursable:
1. Alcoholic beverages;
 2. Entertainment;
 3. Laundry and dry cleaning unless Employer requires employee to wear a uniform or special clothes;
 4. Room service charges;
 5. Expenses of spouse, other family member, or traveling companion traveling with employee;
 6. Duplicate meals (Meals purchased when meal was included with registration fee).
 7. Movies or games (in room or otherwise);
 8. Traffic violations; and
 9. Any allowable expense where no receipt is provided.
- G. Employees shall submit a sales tax exemption form to hotels when applicable to eliminate the need to pay sales tax when traveling on Employer business.
- H. Original receipts for all reimbursable expenses must be kept by employees and submitted with requests for reimbursement.
- I. When considering any employee request for job-related travel, the Employer will consider the special needs of an employee with a permanent disability that substantially affects the employee's ability to drive, see, hear, etc. The Employer will not deny job-related travel opportunities to employees with a disability due to such disability.
- J. Any employee desiring to attend a meeting, conference, convention, or otherwise incurring expenses on official Employer business shall make advance written application utilizing the county Travel Request Form and submitting to their Appointing Authority thirty (30) days in advance.

- K. After returning from any meeting, conference, convention, or other official Employer function wherein reimbursable expenses have been incurred, an employee shall submit an Expense Reimbursement Form and all original receipts and other documentation to the employee's supervisor for forwarding to the Appointing Authority. The report shall be reviewed by the Appointing Authority and either approved for reimbursement or returned to the employee for adjustment or further documentation.
- L. The Appointing Authority shall submit the signed copy of the approved travel expense report to the County Auditor. County credit cards may be issued for purchase of gasoline and oil only for employees using a COV for County business. Personal use of a county credit cards is strictly prohibited.

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|--|---------------------|
| USE OF COUNTY-OWNED/PERSONAL VEHICLES | SECTION 6.02 |
|--|---------------------|

- A. The use of County-owned motor vehicles shall be strictly controlled by the Appointing Authority and shall be for business purposes only.
- B. Employees operating County-owned vehicles must:
1. Be at least eighteen (18) years of age;
 2. Possess and maintain the valid operator's license required for their classification (either a motor vehicle operator's license or Commercial Driver's License with appropriate endorsement(s));
 3. Be insurable under the county's insurance plan;
 4. Provide a current copy of the required license to the County;
 5. Provide proof of personal liability insurance coverage as specified herein; and
 6. Pass a county motor vehicle record (MVR) check which are performed annually through the Ohio Bureau of Motor Vehicles.

MVR checks will be done on all county employees who drive county-owned vehicles and/or use their personal vehicles in the course of their duty who have signed the county form acknowledging the use of their personal vehicle.

County-owned trailers can only be pulled/moved with County-owned vehicles.

- C. In those classifications which require a certain motor vehicle license, newly hired employees must generally possess such license as a condition of employment, and all current employees must maintain said license for the duration of their employment in said classification. Loss of license and driving privileges by such employees may result in termination of employment for cause.
- D. County-owned vehicles are not to be used for employee travel to and from work unless authorized in writing by the County.

- E. Employees shall exercise caution and responsibility and adhere to all safety regulations when operating County-owned vehicles. Employees shall wear safety belts at all times while driving or riding in a County-owned vehicle or their personal vehicle on County business. Negligent, reckless, or intentionally improper operation of vehicles on County business is grounds for disciplinary action.
- F. Injury to employees while driving on County business is covered by Workers' Compensation. Employees operating County vehicles or using their own vehicles on County time shall provide proof of continuous insurance coverage with at least the minimum amount of insurance coverage as required by the State of Ohio under ORC 4509.01(K).
- G. Employees must continuously recognize that use of a County-owned vehicle is a privilege and that they are a constantly visible as an official representative of the County. Employees should show every courtesy while operating a County vehicle in order to enhance the good reputation of the County.
- H. Passengers not on official County business and hitchhikers are not permitted in County-owned vehicles. (i.e., spouses, children, friends, etc.). Any violation of this policy shall be subject to disciplinary action up to and including termination.
- I. Employees to whom a County-owned vehicle is assigned for overnight use shall take all reasonable precautions to protect the vehicle from damage and theft.
- J. All accidents involving a County-owned or personally owned vehicle on Employer business must be immediately reported to the immediate supervisor, the Appointing Authority, County Human Resources and Huron County Commissioners.
- K. Employees who operate a county-owned or a personally owned vehicle for County business, are responsible for reporting, within one business day, to their Appointing Authority any moving/non-moving traffic violations obtained while on/off duty as an employee's personal driving record may impact his or her ability to be covered on the County's liability insurance policy. Employees who drive on behalf of the County are subject to discipline in the event of a license revocation, suspension, or traffic offense conviction.
- L. Smoking, including the use of e-cigarettes, tobacco in any form and vaping is prohibited in all County-owned vehicles.
- M. County-owned vehicles shall be used by employees whenever possible on approved County business.
- N. Use of alcoholic beverages or controlled substances immediately prior to or during the operation of a County-owned or personal vehicle on County business is prohibited. Alcoholic beverages or controlled substances shall not be transported in a County-owned vehicle. Any employee convicted of operating a department vehicle while under the influence of drugs or alcohol shall be terminated from employment.
- O. Employees shall immediately report all accidents occurring during worktime involving County-owned vehicles or personally owned vehicles. An Incident Report shall be completed, signed, and submitted by the employee to the employee's immediate supervisor. The supervisor shall in turn review and submit this form

to the Appointing Authority or designee. The driver will also report the accident to the appropriate law enforcement agency, obtain that agency's accident report, and forward that report along with the county incident report to the Appointing Authority and Huron County Human Resources. Any driver involved in any accident occurring during worktime involving County-owned vehicles or personally owned vehicles may be required to take a drug or alcohol test in accordance with County policy. An employee's refusal to submit to a drug or alcohol test shall result in termination.

- P. Employees who, in the sole discretion of the County, have an MVR record that demonstrates poor driving habits shall not drive any vehicle on behalf of the County without receiving additional training and/or intervention, and/or discipline, until otherwise exhibiting to the County's satisfaction that there has been substantial improvement in driving abilities, performance, and skills. The County or its insurer may exclude coverage for any driver on a temporary or permanent basis.
- Q. The County may, at its discretion, monitor the use of County vehicles via a GPS system. Such monitoring by the County shall be limited to an employee's use during working hours; for take-home vehicles, to confirm that a vehicle is not being used improperly during non-working hours; or, for other reasons to confirm that the vehicle is being used for a purpose consistent with this policy.
- R. County Human Resource will maintain an eligible drivers list containing the names of all employees eligible and authorized to drive a vehicle. Upon evaluation by the County, drivers may have their driving eligibility temporarily or permanently revoked, may be required to participate in driving or alcohol/controlled substance intervention programs, and/or be subject to disciplinary action. Any conviction of one or more of the violations listed below during the prior 36 months may result in such action.
1. Driving under the influence of alcohol or drugs
 2. Leaving the scene of an accident
 3. Vehicular homicide or manslaughter
 4. Driving during a period of suspension or revocation
 5. Reckless operation or other intentional and dangerous use of a motor vehicle
 6. Attempting to elude or flee a law enforcement officer after a traffic violation or other violation of the law
 7. Failure to maintain an assured clear distance
 8. Failure to control
 9. Use of a motor vehicle in the commission of a crime
 10. Non-compliance with the Ohio Financial Responsibility Law
- a. The following list of motor vehicle-related convictions during the prior 36-month period may result also in the temporary or permanent revocation of the employee's driving eligibility and/or disciplinary action.
1. Two or more "at fault" accidents.
 2. Two or more moving violations
 3. One "at fault" and one moving violation.

- S. In any case where the County has temporarily or permanently suspended/revoked the employee's driving eligibility and driving is an essential function of the employee's job, the Appointing Authority may take appropriate disciplinary action, up to and including termination, as permitted by department policy, federal, state laws and regulations, and any applicable collective bargaining agreement.
- T. Cell Phones and Driving. Employees whose job responsibilities include driving and who must use a cell phone for business use are expected to refrain from using their phone while driving. Employees should allow their voicemail or their passenger to handle calls when possible. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call or texting. Texting is prohibited while driving a County-owned vehicle.
1. If placing or accepting a call is unavoidable and pulling over is not a safe option:
 - a. Use hands-free devices;
 - b. Use the voice-activated or "speed dial" feature;
 - c. Keep the call short;
 - d. Refrain from discussing complicated or emotional issues; and
 - e. Keep eyes and attention on the road and both hands free to operate the vehicle.
 2. Special care should be taken in the following situations:
 - a. Moderate to heavy traffic;
 - b. Inclement weather; or
 - c. Driving in an unfamiliar area.
 3. In situations where employees drive and accept phone calls, State law, as well as this policy, require the use of "hands-free" equipment. The County prohibits the use of text messaging, emailing, or use of the internet or other applications on a cellular phone while driving. Under no circumstances are employees allowed to place themselves at risk to fulfill county needs. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. Violations of this policy will be subject to discipline, including termination.
- U. This policy does not include voluntary Board members.
- V. Concerns regarding repairs or vehicle maintenance must be reported to the employee's Appointing Authority.

CYBERSECURITY/ INCIDENT RESPONSE

SECTION 6.03

CYBERSECURITY**Purpose:**

To address cyber threats that are constantly evolving with increasing intensity and complexity.

To minimize these threats that may harm the ability to achieve **Huron County** member mission objectives and delivery of member functions. These mission objectives and deliver member functions are increasingly reliant on information systems and the Internet, resulting in increased cyber risks that could cause severe disruption to **Huron County** functions, or impact reputation, or compromise sensitive data and intellectual property.

1) Password Security

Discussion for 2020: Password methodology has evolved significantly over the past few years. Passwords that were once considered secure yesterday are considered inadequate by today's standards. Password strength comes from its length and its ability to be remembered. A password that is written down and kept under the keyboard has lost its effectiveness. An eight-digit complex password has similar security strength as an eight-digit simple password. In 2020, the recommendation is to use passphrases. Passphrases are the combination of words, numbers, and symbols to create a longer password that is easier to remember. Please review the updated suggestions.

- a) Passwords are the first line of defense, but do not replace the need for other data security measures. If passwords need to be documented, it is strongly recommended to use a Password Manager program.
- b) Specific requirements:
 - i) Passwords should not be recycled.
 - ii) Passwords should be unique per account. Passwords should not be reused for different services or applications. Remembering many passwords is a difficult task and it is recommended that a password manager be used to document user's passwords.
 - iii) Minimum Password Length should be 12 characters. However, if users employ the idea of passphrases, passwords should easily reach 20 or more characters.
 - iv) It is highly recommended that, whenever possible, Two Factor Authentication (2FA) should be implemented. 2FA should be a requirement for any web-based or cloud-based applications.
 - v) It is the employee's responsibility to not share passwords and not engage in unauthorized use of other users' passwords. It is the employee's responsibility to safeguard her/his password.
 - vi) Upon termination all employee IDs, passwords, etc. must be immediately disabled and data kept as per retention schedule.
 - vii) All passwords should be changed once a year.
- c) It is imperative that you keep your password(s) safe and not giving it to any other individual or allowing anyone but yourself to access systems using your password. Any event occurring to systems accessed under your password can result in discipline up to and including termination.

2) Antivirus/Malware and Firewall Software

- a) Applicability

- i) This policy applies to all computing environments, networks and computer systems owned, contracted, leased, or operated by **Huron County**. It also applies to personally owned or third-party computers transmitting our sensitive data electronically or connecting directly to the member's network, including any websites operated by the member.
- ii) This policy applies to all users, including administrative consultants, employees, contractors, administrators, and third parties.
- iii) Next-Generation Firewalls (NGFW's) are network-based firewalls that are able to inspect traffic and take action at the application level. These NGFW devices are able to run Antivirus and Intrusion Prevention modules. It is highly recommended to install this new generation of network firewalls to add an additional layer of Antivirus security.
- b) The willful introduction of a computer virus, malware, and disruptive/destructive code to the member network is prohibited.
- c) All **Huron County** appointing authorities are responsible for deploying and maintaining licensed antivirus/malware and firewall prevention software to all systems it supports/ administers and providing timely updates for all components of the software on:
 - i) All servers on the county network including, but not limited to:
 - (1) Servers running the Windows Server Operation System
 - (2) Hypervisor servers (Hyper-V, VMWare, XenServer, etc.)
 - (3) Linux distributions & appliances
 - ii) **Huron County** deployed desktops, laptops, and tablets
 - iii) When technically feasible, cell phones, smart phones and PDAs
 - iv) For non-member deployed laptops or mobile devices, **Huron County** should ensure, where feasible, that both up-to-date antivirus/malware prevention software and a personal firewall are deployed on the connecting device prior to granting permission to connect to the member network.
- d) Users are not to make any changes to their system that will disable or remove approved antivirus and malware prevention or firewall software or otherwise prevent the software from performing its intended purpose.

- e) Users are not to open any files or macros attached to an email from an unknown, suspicious, or untrustworthy source. All unexpected content received from a trusted source should be verified with that source prior to opening.
- f) Computer systems that are unable to run antivirus and malware prevention software must be restricted to an isolated network with sufficient network-level protections deployed to prevent viruses/malware from spreading into any other areas of our network (e.g. running antivirus technology at its “gateway” to **Huron County** network).
- g) Computer systems that are running an End-of-Life version of software must be restricted to an isolated network with sufficient network-level protections deployed to prevent viruses/malware from spreading into any other areas of our network
 - i) As of the writing of this document the following software is considered “End-of-Life” and should be removed or isolated from **Huron County** network as soon as possible.
 - (1) Windows XP
 - (2) Windows Vista
 - (3) Windows 7
 - (4) Windows Server 2000
 - (5) Windows Server 2003
 - (6) Windows Server 2008
- h) All software updates will be installed and scheduled to run at regular intervals or upon electronic notification of a new security update, patch, vulnerability, or threat. Wherever possible, **Huron County** computing resources should be set to auto-apply/update security patches on a regular basis.
- i) For PCs/servers/computing devices that are not normally rebooted, firewall, antivirus and malware scanning should be “always on” when technically feasible.
- j) All **Huron County** appointing authorities are responsible for receiving and acting upon alerts (via automated alert, email, news, etc.) promptly to ensure minimal exposure and security risk to the confidentiality, integrity, and availability of our electronic assets.

- k) Critical security patches should be deployed by a maximum of 48 hours after released by the operating system software or application vendor, unless there is reason to believe the patch might negatively impact a business-related activity or application.
- l) After appropriate testing, updates without issue will be made available to all PCs/servers/computing devices, as well as remote employees.
- m) Malware prevention software scans shall be run routinely (at a minimum weekly).
- n) Antivirus and malware prevention software shall be run immediately after the installation of any new software.
- o) Suspicious content (files or macros attached to email) should be quarantined for review or permanently deleted immediately.
- p) All downloads should be scanned with an updated member standard antivirus/malware prevention scanner immediately (automatically, if possible).
- q) Computing systems will be rebooted as required to ensure virus definitions (as well as operating system updates) are updated and that the antivirus software can run to check for viruses.
- r) Default settings should be set up so that antivirus software runs upon startup or reboot.

3) Mobile Computing

- a) Protection of laptop/mobile devices, especially when used off-site, is necessary in order to reduce the risk of both unauthorized access to the data contained on the device, as well as the data that the device has access to on **Huron County** network. Protection is also necessary to safeguard against loss or damage of the device itself.
- b) A Virtual Private Network (VPN) is a secured private network connection built on top of a public network, such as the internet. Whenever feasible, it is strongly recommended to utilize a VPN for all remote computing.
- c) Shipments of new or unassigned laptops/mobile devices are to be stored in locked closets or rooms with controlled access and no false ceilings or partial walls within a reasonable time of receipt.
- d) Security instructions to users should be included with laptop/mobile device when issued.
- e) In 'open' access areas, a laptop restraint/lockdown device ("Kensington lock" or similar) will be used when the computer is left unattended if deemed necessary to protect it.
- f) Tamper-proof identification labels with the company name/ID shall be visibly placed on all laptops to assist in identification if stolen or misplaced. (Where a safety issue is involved, the local security environment may necessitate masking the company name.)
- g) The laptop/mobile device make, model, serial number and media access control (MAC) address is to be recorded and stored in a safe location in order to give precise information to authorities in case of theft.
- h) Unattended storage standards for laptop/mobile devices should be same as those for the storage of similar hard copy information.
- i) Back-ups of **Huron County** data onto our servers should be accomplished on a basis which ensures the availability and negates the significant loss of **Huron County** data.
- j) The user has overall responsibility for the confidentiality, integrity, availability and accessibility of his/her assigned member laptop/mobile device and the data on or accessible through the laptop/mobile device.
- k) Device/hard drive must be encrypted to maintain confidentiality and protect against the bypass of software controls (e.g., booting from a system disk or USB, file encryption) must be utilized.
- l) Anti-virus/anti-malware software will be installed on the laptop/mobile device and all incoming disks/magnetic/digital media /jump drives should be virus checked before being used.

- m) Users must take steps to prevent casual overview or attempted use by unauthorized personnel. The use of privacy screens is encouraged.
- n) User ID and authentication is required before access is given to data and applications residing on the laptop/mobile device. Some smartphones only allow for pattern or PIN for authentication without a User ID, which is acceptable for accessing the device itself.
- o) A screensaver and password or “clear and lock” feature will be used to protect the machine if the user must leave the activated laptop; a user password must be re-entered for further access.
- p) Passwords must meet the standards set forth in this policy.
- q) To help prevent damage and theft, a laptop should not be placed in or as checked baggage. If a laptop must be left in an automobile, it must be stored in the trunk or otherwise out of plain view. Mobile devices may not be stored in a vehicle overnight unless the vehicle is parked in a locked and secure garage.
- r) Any lost or stolen device must be immediately reported to appropriate appointing authority.

4) Use of Personal Devices

- a. **Huron County** may provide its employees who acknowledge and agree to the terms and conditions below, the opportunity to use their own computers, smart phones, tablets, and other devices for business purposes to access and use Email and other authorized member systems and information. Authorization and use is up to the discretion of the appointing authority and is subject to the following terms and conditions:
 - i. Device Requirements
 - 1. "Personal Device" means a computer, smart phone, tablet, or other device that is authorized to access member data or is used to backup any such device and is owned by employee and acquired voluntarily, without payment by member and without any expectation of reimbursement for any costs related to the purchase, activation, operational/connectivity charges, service or repairs, or other costs that may be incurred related to the device or its use.
 - 2. The minimum security requirements for using a Personal Device are listed below, but may be subject to change.
 - ii. A password/pin code must be entered on any Personal Device after fifteen (15) minutes of inactivity.
 - iii. The employee must maintain the original Personal Device operating system and keep the Personal Device current with security patches and updates, as released by the Personal Device manufacturer. The employee will not "Jail Break" or “Root” the Personal Device (installing software that allows the user to bypass standard built-in security features and controls) or otherwise modify the safeguards installed on the Personal Device by the manufacturer.
 - iv. The Personal Device must be encrypted and any resulting back-ups must also be encrypted.
 - v. The Personal Device must support the ability to be remotely wiped. This may result in loss of personal information if the device must be wiped for business purposes.
 - vi. If a Personal Device becomes non-compliant with any of the Minimum Security Requirements, it must be remedied within a reasonable period of time, or the Personal Device will be blocked from access to member termination of this privilege may be revoked.
 - vii. All data on the device may be subject to a public records request or legal discovery.
- b. Personal devices should not be allowed on **Huron County** internal network. A separate BYOD (Bring Your Own Device) network should be created for these semi-trusted devices. The purpose of the network is to provide access to specific network resources, including the Internet, via a network firewall.

5) Network Design and Administration

- a) Implement a “trust no-one” policy. Assume all connections are a risk that needs to be minimized. This would include internal systems such as HVAC, Card Access, elevator controls, etc.
- b) No equipment should be connected directly to the “internet” unless it is 100% unavoidable.
 - i) Do not connect directly to an ISP’s modem without an intervening firewall or other layer of acceptable security.
- c) No equipment should be connected to the network in the out-of-the-box configuration.
 - i) At a minimum, the default administrative passwords should be changed to comply with the strong password policy.
 - ii) Where possible, individual sign-ins to the administrative interface of the equipment should be used for access and change tracking rather than the default administrator account login.
- d) Security devices (Firewalls, Proxies, IDS/IPS, etc.) should be of an enterprise-grade type, no matter how small the operation. Major name brands of equipment should be used. It is highly recommended that a Next-Generation Firewall (NGFW) be implemented. This new technology allows the firewall to inspect deeper into application flows and take smarter action to protect the network.
- e) Network equipment should be classified as MANAGED. Managed devices allow the administrator to log traffic and events, customize the configuration, and harden security.
- f) Cyber-threats evolve in real-time. Your equipment is vulnerable the second it is put into use. Firewalls, switches, and routers should have the most current firmware and threat-list available. In general, software patches should be applied weekly or monthly to servers and network equipment. Security Definitions (Antivirus and IDS definitions) should be applied hourly or daily.
- g) Network Address Translation (NAT) and Port Address Translation (PAT) should be used to mask all internal private IP addresses communicating to the internet or other external entities.
- h) The strongest AES encryption should be used in every instance of VPN connection. CJIS requirements should be observed as the minimum even in non-CJIS access (i.e. FIPS).
- i) Networks should avoid a “flat” network design where a person can open “Network” on their pc and see the entire organizations pc’s and servers listed. The design should include:
 - i) The use of multiple VLAN’s
 - (1) State\Fed mandated Secure (CJIS connected, etc.)
 - (2) By Department (HR, Accounting, Commissioners, Health, etc.)
 - (3) By Equipment (HVAC, Elevator, Server Type, etc.)
 - ii) The use of multiple IP Subnets
 - (1) Per VLAN
 - (2) Per Department
 - (3) Per Equipment Type
 - iii) Deploy firewall zones to monitor communications between internal network segments (e.g. between network clients and network servers).
- j) Wireless Access Points are an easy target by anyone with a smartphone or a tablet.
 - i) SSID should NEVER be “open” and should always require authentication and encryption.
 - ii) It is recommended to use certificate-based authentication for all internal SSID’s. This will allow **Huron County** devices to login to the network securely and will create a log trail per user that can be audited.
 - iii) It is recommended to use WPA2 or WPA3 with Passphrases for BYOD and guest SSID’s.

- iv) WEP and WPA are considered insecure and should not be used.
- k) At the very least, the use of a syslog server should be used to capture the activities of the routers, switches, and firewalls. It is recommended to deploy a SIEM product to aggregate all logs (network and server) to provide a single-pane of glass for audits and monitoring.
- l) Unused network ports (no pc, printer, phone, etc. connected to them) should have the patched switch port DISABLED to prevent rogue and unapproved devices from being able to connect to the network by vendors, contractors, etc.
- m) Physical security of your data systems is often overlooked.
 - i) Servers should be in a locked room where access is controlled. Only necessary people should have access to the room (IT personnel, facility personnel, etc.)
 - ii) Some means of auditing the access to the room should be in place, such as a camera, card access system, visitor log, etc.
 - iii) Keys to the room should be limited to qualified IT persons and limited Facilities persons so they may respond in the case of a fire, etc.
- n) Contract with a reputable vendor for a network vulnerability assessments, run from both the outside and the inside and remediate where necessary.

6) Software Updates/Patches

- a) **Huron County** will review, evaluate, and appropriately apply software patches as soon as possible after release. If patches cannot be applied immediately due to hardware or software constraints, mitigating controls will be implemented based upon the results of a risk assessment.
- b) This policy covers all servers, workstations, network devices, operating systems (OS), applications, and other information assets for which vendors provide system patches or security updates.

7) Interaction With Other Information and Equipment Security Policies

This policy is one part of **Huron County** information and equipment security policies. It is to be utilized in addition to, not instead of, other policies such as, but not limited to, the Use of Member Property, Social Media, Computer Use, Internet, Email, Telephone and Privacy Policies.

8) Compliance

Violations of this policy may lead to suspension or revocation of system privileges and/or disciplinary action up to and including termination of employment. In the case of a third party, there may be contractual obligations for encryption that the third party is responsible for implementing. Violations of those provisions may result in cancellation of any related privileges or termination of the contract. We reserve the right to advise appropriate authorities of any violation of law.

9) INCIDENT RESPONSE PLAN

a) Purpose

The purpose of this Incident Response Plan (“IRP”) is to provide guidance on the appropriate steps to be taken and documented in the event of a possible security incident or data breach, from the time of suspected breach to post-incident response closure, so that all incidents are handled in a consistent manner and the exposure to the potentially breached party is limited. It also provides a methodology for collecting evidence in the event

of criminal activity. Documentation of responsive actions taken in connection with any security incident or data breach, as well as documentation of the post-incident events and actions taken is critical in making appropriate changes to business practices to improve the safeguarding and handling of Sensitive Information.

b) IRP Personnel

The IRP personnel shall consist of a member(s) of the IT department, HR/Loss Control Coordinator, and Prosecutor's Office.

c) Applicability

This IRP process applies to all employees, administrative consultants, contractors, temporary personnel, and the like who may experience or witness a security incident or possible data breach. After discovery, this process provides a checklist or outline for responding so that steps or information related to the incident are not missed. We are committed to protecting our information and responding appropriately to a security incident or data breach.

d) Scope

Protection of our information and data is paramount. This IRP will provide a checklist for responding to a security incident or potential data breach. An incident can be intentional or unintentional, and this IRP could be implemented in response to many events having an adverse effect on the network.

e) Guidelines

- This IRP describes our safeguards to protect sensitive information. These safeguards are provided to:
- Protect the confidentiality, integrity and availability of data.
- Protect against a data breach that could result in harm or inconvenience to a client or user and meet any notification requirements;
- Protect against anticipated threats or hazards to the security or integrity of sensitive information;
- Identify and assess the risks that may threaten Personally Identifiable Information (PII);
- Conduct a reasonable investigation to determine the likelihood of information that has been or will be misused;
- Conduct a post-incident investigation to capture lessons learned;
- Develop written policies and procedures to manage and control these identified risks and/or vulnerabilities;
- Adjust the Information Security Program to reflect changes in technology, the sensitivity of data stored, and internal or external threats to information security.

The IRP should be tested annually to ensure all participants on the Incident Response Team (IRT) know their roles in the event of a true incident.

f) Process

1) This section establishes steps for responding to an incident and initiating the IRP.

a) Incident Response Process – Initial Discovery

- i) Anyone suspecting or noting a security incident, data breach or potential system compromise, or malicious activity contact the IT Department.
- ii) Determine if there has been a security incident, and the nature and seriousness of the incident, by considering the following questions and discussing them with Information Security, and document initial triage.
 - (1) Does the system contain sensitive information?
 - (2) Is there a chance outside law enforcement may need to get involved?

IT should perform a network vulnerability scan of the system after it is unblocked to identify any unresolved security issues that might be used in future attacks against the system.

b) Post-incident Lessons Learned

- i) Hold a meeting of the IRT within 48 hours of completion of response.
- ii) Review chronology of the event.
- iii) Identify what went wrong and what went right. For instance, “encryption was used on the file server containing confidential Information and PII.”
- iv) Identify the threat or vulnerabilities that were exploited and determine whether it/they can be alleviated.
- v) Review if all intrusion detection or prevention was in place, active and up to date.
- vi) Document “lessons learned” and assign appropriate updates to Information Security Program.

c) Privacy Breach Incident Response

- i) If a security incident is suspected to be a data privacy breach, immediately notify the IRT, including the Appointing Authority, Prosecuting Attorney, and IT.
- ii) Determine what information was suspected to be breached, i.e., specific individuals’ first and last names with a type of data.
- iii) When appropriate, bring in an incident-response expert or law enforcement to conduct an investigation. Identify the scope, time frame and source(s) of breach, type of breach, whether data encryption was used and for what, possible suspects (internal or external, authorized or unauthorized, employee or non-employee user).
- iv) Review for other compromised systems.
- v) Monitor all systems for potential intrusions.
- vi) Determine the notification requirements and address within the required timeframe.

g) Training

County IT staff along with the other IRP personnel, as defined in this policy, shall complete annual training on the County Incident Response Plan and shall sign a yearly

acknowledgement that training was completed (Acknowledgment found in forms section of this manual).

RISK MANAGEMENT/ LOSS PREVENTION**SECTION 6.04**

A. The County recognizes the need to protect its assets and to preserve operational continuity by recognizing risks and hazards that may arise during business or from other activities or events that may affect the County. It also recognizes that the health of its employees is tantamount to providing for efficient operations. The following matters are addressed to provide a framework for a safe and healthy environment for employees and members of the public and to ensure the solvency of the County.

B. General

1. All County policies and procedures shall be adhered to consistently and equitably by employees and management. A Department of Human Resources (HR) has been established to ensure adherence to policies and procedures and to confer with Elected Officials, Appointing Authorities and/or Designees on employment-related matters. Risk of catastrophic loss will be given the County's full attention and all reasonably practical techniques to avoid, control, or finance such catastrophic risk will be given due consideration. A disaster control plan, created and administered by the County Emergency Management Agency (EMA), shall be followed during disasters or catastrophic events. Each County Office or Department shall follow its Continuity of Operations Plan (COOP). If an office has not developed a COOP plan HR and EMA are available to assist in this very important matter.
2. The Huron County Board of Commissioners (BOC) and the Huron County Elected Officials shall have ultimate authority and responsibility for risk management within the County. The BOC assumes responsibility for the County's insurance programs. The Huron County Prosecutor's Office provides recommendations to the BOC to facilitate major risk management decisions and reviews contracts and agreements between the County and outside vendors. HR is charged with day-to-day responsibility for ongoing administration of the risk management program and development of the County's loss control/safety policies and training.
3. HR, along with various third-party administrators, manages Workers' Compensation claims, reports other claims to insurers, performs accident investigations, administers the loss prevention program, and performs related functions. All County employees are expected to act responsibly in the performance of their duties and are required to participate in the County's safety programs to the extent required by the County or their Appointing Authority. Federal, state, and local laws will be applied as appropriate in the risk management program and subsequent changes to it, as well as in its administration.

C. Claims, Loss, Vandalism

1. Any claims against the County or related offices must be submitted to Human Resources, which is authorized to process them through the County's insurer. Claims represented by an attorney will be processed through the office of the County Prosecutor. All incidents, near-misses, and accidents involving County vehicles, County drivers, or bodily injury must be reported immediately to Human Resources. The initial contact will be followed

by a written County incident report within one business day. Law enforcement reports will be sent to Human Resources as soon as they are received.

2. If unsafe conditions or a breach of procedures occurred, these will be reviewed by Human Resources and recommendations for correction will be made to the appropriate Appointing Authority. Lost, vandalized, or stolen vehicles or equipment must be reported immediately to the proper law enforcement authorities and to Human Resources. Reporting of an incident to law enforcement must be followed by a written incident form sent to Human Resources within one business day. Any resulting claim will be submitted to the County's insurer by Human Resources.
3. All repair estimates and invoices must be submitted to Human Resources for forwarding to the County's insurer. All claims approved by the County's insurer are subject to a \$2,500 deductible per claim. Payment of the deductible is the responsibility of the non-General Fund Office or Department under which the incident/accident giving rise to the claim occurred.

PORTABLE SPACE HEATERS**SECTION 6.05**

A. This policy addresses the use of portable space heaters in all County-owned, leased, or rented buildings. While the use of space heaters is strongly discouraged because they are a potential source of fire, the County recognizes that there may be a legitimate reason for their use on a temporary basis. When this occurs, the following stipulations govern their use. In addition to the following stipulations and prior to the use of any portable space heaters, employees shall have them inspected by the County's Operations Director or Human Resources:

- Space heaters may not be placed under desks or other enclosed areas.
- Space heaters must be monitored always when in operation. Do not leave them unattended!
- The space heater must be plugged directly into a wall receptacle. Space heaters may not be plugged into extension cords or power strips.
- Heaters must be monitored daily. Those heaters missing guards, control knobs, feet, etc. must be taken out of service immediately and repaired by a competent repair person.
- Heaters may not be used in rooms that are not continuously occupied.
- Doors and windows of rooms in which space heaters are being used must be kept closed.
- Space heaters must be kept away from exit ways, walkways, and paths of travel.
- Space heaters may not be used in wet areas, such as bathrooms or kitchens.
- Do not use space heaters if small children are expected in the area.

In addition, space heaters must meet the following criteria:

- All space heaters must be Underwriters Listed (UL) or Factory Manual approved for their intended use.
- Heaters must have a thermostat to automatically shut down the unit when the desired temperature is reached.
- Heaters must have a tip-over automatic shut-down feature.
- Heaters must be kept at least 3 feet (36 inches) from all combustible materials (e.g., file cabinets, desks, trash cans, paper boxes, etc.).
- Kerosene or open flame space heaters are strictly prohibited.
- No open-coil space heaters are permitted in any County buildings.

SECONDARY EMPLOYMENT**SECTION 6.06**

- A. Employees shall not have other employment that conflicts with the Employer's policies, objectives, and operation.
- B. "Employment conflicts" occur when a second job impairs an employee's ability to perform the job duties or adversely affects (directly or indirectly) the reputation of the interests of the Employer. Two (2) common employment conflicts are:
1. Time Conflicts. Full-time employment by Huron County shall be considered an employee's primary occupation and take precedence over all other occupations. Full-time employees shall not have other employment which presents a "time conflict." A time conflict for purposes of this section exists when the working hours of a secondary job directly conflict with an employee's scheduled working hours or mandatory overtime obligations, if any, or when the demands of a secondary job prohibit adequate rest or otherwise affect the quality of the employee's job performance.
 2. Interest Conflicts. No employee, regardless of employment status, shall have other employment which presents an "interest conflict" with the employee's position. An interest conflict exists when an employee engages in any secondary employment which tends or may appear to compromise the employee's judgment, actions, or job performance or conflict with the policies, objectives, and operations of the County.
- C. An employee is subject to discipline, up to and including termination, if such secondary employment directly results in any conflict, policy infraction, or other specific violation.

- D. Employees shall notify the Appointing Authority in writing of any outside employment (preferably prior to accepting such employment). The Appointing Authority will determine whether the secondary employment presents a conflict.
- E. If the Appointing Authority believes secondary employment is adversely affecting an employee's job performance or impacting adversely upon the Employer, the Appointing Authority may recommend but may not demand that the employee cease the secondary employment.

SAFETY AND HEALTH**SECTION 6.07**

- A. Generally. The Employer is concerned about the safety and health of every employee. Supervisors and employees are responsible for maintaining a safe workplace.
- B. Supervisor Responsibility. Each supervisor is responsible for safety in the area under the supervisor's control and will be given the assistance, authority, and support necessary to fulfill this responsibility. Every work-related accident should be investigated promptly and thoroughly with the aim of preventing the same or a similar accident in the future. The supervisor should correct unsafe conditions. The supervisor should ensure that each employee complies with all rules and regulations, and that safe working methods are used by employees under the supervisor's supervision.
- C. Employee Responsibility. Employees are also responsible for maintaining a safe workplace. Employees shall obey all workplace safety rules and report all potential or evident workplace safety problems to their supervisor.
- D. Exposure Records. Employee exposure records (Environmental monitoring and Safety Data Sheets) and accident reports shall be made available to the employee who is the subject of the record, or to their designated representative. Employee medical records including Biological Monitoring shall be made available to the employee, and to their designated representative upon tendering to the Employer a signed written consent form from the employee who is the subject of the record.
- F. Supervisors shall report all equipment or other malfunctions to the Buildings and Grounds Department and all accidents or incidents via incident report to Human Resources as soon as possible.
- F. Employees shall report all violations of workplace safety rules or potential or evident workplace safety problems to the employee's supervisor, who shall forward the same to the Appointing Authority.
- G. Employees acting in good faith have the right to refuse to work under conditions which they reasonably believe present an imminent danger of death or serious harm to themselves, provided that such conditions are not such as normally exist or might reasonably be expected to occur in an employee's position. Any incident of work refusal shall immediately be reported to the employee's supervisor, who will advise the Employer whether they believe any corrective action is necessary in order to eliminate or reduce a

potential danger or hazard. The recommendations of the employee's supervisor are advisory only and shall not bind the Employer or prevent the employee(s) from filing a written safety complaint with the Bureau of Employment Services. An unjustified refusal to work will result in termination.

- H. When workplace engineering and work practice controls fail to adequately protect employees from safety hazards or reduce health hazards to an acceptable level, the Employer will provide personal protective equipment, except when PERRP specifically requires engineering and work practice controls. The equipment provided must meet the requirements of PERRP or agencies referred to by PERRP (e.g., ANSI, MSHA, NIOSH, OSHA).

Failure to utilize or wear safety equipment and/or personal protective equipment where it has been deemed necessary shall subject the offending employee to disciplinary action.

- I. The Appointing Authority may adopt health and safety policies and procedures that are beyond the scope of this manual.

PERSONNEL FILES**SECTION 6.08**

- A. The Appointing Authority will maintain complete and accurate personnel files. These records shall include but may not be limited to such information as:
1. Personal data;
 2. Employment application documents;
 3. References;
 4. Medical reports;
 5. Documentation pertaining to an employee's change of status;
 6. Performance evaluations;
 7. Communications or disciplinary actions; and
 8. Paid and unpaid leave records.
- B. The Appointing Authority will use the personnel files in accordance with RC Section 1347.01 et. q, RC 149.43 et. q. or as otherwise required by law or court order.
- C. Each employee will be allowed to review the contents of their file(s) unless a physician, psychiatrist, or psychologist determines that the disclosure of the information is likely to have an adverse effect on the employee.

- D. Representatives of employees requesting to obtain or review confidential records as defined in Section 6.07 B (5) must provide a written release from the employee requesting the record (Personnel File Release found in the forms section of this manual).

REPORTING CHANGES IN PERSONNEL FILES**SECTION 6.09**

- A. An employee's failure to report changes in their personnel file may prevent that employee from obtaining or maintaining valuable employee benefits or services. It is each employee's responsibility to report any change of personal information within three (3) calendar days of the occurrence of the change. Notification shall be made by the employee in writing to the employee's immediate supervisor.
- B. For the purposes of this section, a change in personal information shall include the following:
1. Name change;
 2. Address change;
 3. Phone number change;
 4. Marital status change;
 5. Changes which may affect employee benefits (i.e., insurance and pension(s) such as changes in dependents or beneficiaries);
 6. Number of exemptions for tax purposes;
 7. Citizenship; and
 8. Association with a government military service organization.
- C. On-call personnel are required to notify the Employer of all temporary changes in telephone and address when on-call.
- D. Supervisory staff will make certain that notification of any change is immediately forwarded to the Appointing Authority.
- E. On-call employees are required to immediately notify the Appointing Authority or on-duty personnel of the address and phone number of the place they can be reached when on call.

PUBLIC RECORDS – INSPECTION, RELEASE, AND RETENTION SECTION 6.10

- A. The Employer will prepare and make available for inspection and/or copying “public records,” as defined in RC 149.43, upon the request of any member of the general public. Appointing Authorities should consider that most records are public, but some are not. The County’s policy is to follow the law in striking the proper balance between the public’s right to certain records and the individual’s or agency’s right to privacy or duty to keep certain information confidential. The procedure below describes in more detail the records that should not be released.
- B. In order to accurately and promptly answer such requests, the Employer suggests that requestors comply with the following procedure:
1. Any individual or organization wishing to inspect or obtain copies of public records may be required to submit a written request (in duplicate) to the Employer prior to the inspection or release of such information. Such written request should include the following information:
 - a. The name of the individual or organization making the request;
 - b. The mailing address of the individual or organization making the request; and
 - c. A list of records the individual or organization wishes to inspect and/or have copied.
 2. The Appointing Authority will forward a copy of the request to the County Auditor if the request involves records maintained by the Auditor.
- C. The Employer shall charge a fee of cost only for photocopy requests. The fee for requests will be determined by the Employer based upon the total cost of pages copied and assemble the records requested. In addition, the cost of mailing said records shall be paid by the requesting party. The individual or organization requesting copies of records shall remit full payment of photocopy and mailing fees prior to the release of information by the Employer. The Employer shall forward copies of all requested records within a reasonable period of time from the date of the request.
- D. The Employer shall make all records requested available for inspection within a reasonable period of time from the date of the request, and at a reasonable time during regular business hours.
- E. The Employer may waive any or all provisions under this policy when a request to inspect or obtain copies of records is made:
1. By another governmental agency;
 2. By an authorized representative of another governmental agency;

3. By an authorized agent of a Huron County Board; or
 4. In accordance with a court order.
- F. The Employer shall refuse to make the following confidential records available for inspection and copying by anyone other than the subject employee (see Section 6.08 - Personnel Files for more information on releasing information to an employee):
1. Medical records;
 2. Records pertaining to adoption, probation, and parole proceedings;
 3. Juvenile records under RC Section 2151.85 and appeals there from and division (C) of section 2919.121 of the Revised Code;
 4. Records specified in division (A) of section 3107.52 of the Revised Code;
 5. Information in a record contained in the putative father registry established by Section 3107.062 (3107.06.02) of the Revised Code, regardless of whether the information is held by the Department of Human Services, or pursuant to Section 3111.69 of the Revised Code, the Division of Child Support in the Department or a child-support enforcement agency;
 6. Trial preparation records/work product;
 7. Confidential law enforcement investigation records;
 8. Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;
 9. DNA records stored in the DNA database pursuant to RC 109.573; and
 10. Other records, the release of which is prohibited by State or Federal law.

This list is not an all-inclusive list of records that are confidential.

- G. All public records in the custody of the Employer shall be retained in accordance with all State and Federal laws and regulations establishing record retention periods for specific classes of records and the rules and regulations of the Huron County Records Commission. Public records shall not be removed, destroyed, mutilated, transferred, or otherwise damaged or disposed of, in whole or in part, except as permitted by State and Federal laws and regulations and the rules of the Commission.
- H. The issue of whether or not a record is public as defined in RC Section 149.43 should be determined by the Huron County Prosecuting Attorney. The Employer shall request such opinion in writing.

TOOLS, SUPPLIES, AND EQUIPMENT**SECTION 6.11**

- A. The Employer provides certain tools, supplies, vehicles, and equipment to employees for the performance of job duties. All employees are responsible for using and maintaining such assets in a safe and proper manner.
- B. An employee shall be held strictly responsible and accountable for equipment they are issued, in addition to any generally issued equipment, tools, or supplies which are used by the employee. Employees shall immediately report to their immediate supervisor equipment and property malfunction. Failure to report equipment and property damage or malfunction shall result in disciplinary action.
- C. Loss, misuse, neglect, abuse, theft, or careless failure to care for Employer assets is strictly prohibited and may result in discipline and/or demand for payment to the Employer for the cost to replace or repair such asset(s).
- D. Use of Employer assets, including Employer telephones, for other than work purposes is subject to prior approval of the Appointing Authority or designee.
- E. Presence on or use of Employer facilities (i.e., garage, office, etc.) during non-workhours by employees is prohibited, unless authorized by the Appointing Authority.

BULLETIN BOARDS**SECTION 6.12**

- A. Except as otherwise provided in this policy, only the Appointing Authority may post any material on or remove any material from any department bulletin boards.
- B. The Appointing Authority may post or permit to be posted on any department bulletin board information of general interest to the public, provided the posted material does not contain:
 - 1. Any personal attack upon any employee, public official, or any other person;
 - 2. Any scandalous or derogatory attack upon any employee, public official, governmental unit or agency, or any other person;
 - 3. An attack on or any unfavorable comment regarding a candidate for public office.
- C. The Appointing Authority will permit employees to post information of interest to employees on any bulletin board so long as they comply with the provisions of Section (D) below, and the material that they wish to post:
 - 1. Does not violate any provision of Section (B) above;
 - 2. Is not morally offensive; and

3. Does not adversely reflect upon the integrity or reputation of the Appointing Authority.
- D. Anyone who wishes to post any material on a bulletin board must first submit a written request to the Appointing Authority. The material shall not be posted until it has been approved by the Appointing Authority. The written request shall include:
1. The name(s) of the person(s) or group(s) making the request;
 2. A copy of the material to be posted; and
 3. The proposed posting period.
- E. If there is any doubt or concern about the suitability of material that is submitted for posting, the Appointing Authority shall review the material and make the final determination. The material shall not be posted until the Appointing Authority has authorized the posting.
- F. Employees shall not post material anywhere on County or department premises or equipment, except in accordance with this policy. The Appointing Authority's designee shall remove any post that is not in compliance with this policy and such violation shall be cause for discipline.

USE OF INFORMATION SYSTEMS**SECTION 6.13**

- A. The following exists as the Appointing Authority's policy regarding access to and disclosure of data contained in the Appointing Authority's information systems. Information systems include but are not limited to email, internet, software, hardware/peripherals (e.g., computers, mouse, keyboard printer, monitor, tablet, smart phone, copiers, fax, etc.), departmental information, and/or data systems.

The use of information systems and assignment of an email/internet account through the Appointing Authority is a benefit to the employee and should be treated as such. The following constitutes proper use of these privileges. Computer, internet, and electronic mail usage may be monitored by the Employer at any time. The use of any electronic technology resources of the Appointing Authority implies acceptance of all current operational policies.

In order to ensure that the systems are being used properly and in compliance with this policy, the Appointing Authority, without notice, may periodically access, display, copy, delete, or listen to any messages or communications sent, received, created, deleted, or stored through or in its systems.

- B. Employees shall use the information systems for Employer business only. Information systems shall not be used for gathering and/or distribution of personal or non-business

- information. This includes but not limited to soliciting for commercial ventures, religious or political causes, outside organizations or other non-job-related functions.
- C. Any use of the Appointing Authority's computers or online computer services to facilitate illegal activity is prohibited.
 - D. Downloading, viewing, or distributing offensive or harassing statements, or to disparage others based on race, color, national origin, sex, pregnancy, age, disability, military status, veteran status, genetic information, or religious belief is prohibited.
 - E. Viewing, distributing, transmitting, downloading, printing, or soliciting items; displaying materials, pornography, nudity, sexually explicit content, or items that are racist, sexist, or harassing in a manner that is sexual, racial, religious, and/or pertaining to national origin, military status, veteran status, age, disability, genetic information, or pregnancy; or any actual, graphic, animation or other depiction in any other form of these items is prohibited.
 - F. Use of social media (e.g., Facebook, YouTube, Snap Chat, LinkedIn, Twitter, Digg, Google+, etc.) is not permitted on Huron County systems. Employees assigned to update and manage the Appointing Authority's web presence pages shall visit and utilize such pages for business purposes only. All changes to the Appointing Authority's website must be approved by the Appointing Authority.
 - G. Employees shall not engage in Internet time loss activities such as eBay, online retail shopping, games, online gambling services, chat or discussion threads, posting on online bulletin boards and blogs, etc.
 - H. Disruption of Employer information systems, 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-Appointing Authority-owned software of any kind.
 - I. The use of Huron County information systems (e.g., internet, email, social media, cellular phones, etc.) to harass other users or to transmit materials likely to be offensive or objectionable is prohibited.
 - J. Users of Employer information systems are to protect themselves and others by not issuing or releasing confidential information, addresses, passwords, or telephone numbers, remembering that online computer services are not private.
 - K. Employees shall not use a code or password, access a file, or retrieve any stored information unless authorized to do so. Unless otherwise authorized by the Employer, employees should not attempt to gain access to another employee's messages without the employee's permission. All computer pass codes or passwords used on the Appointing Authority's equipment must be provided to supervisors.

- L. Employees are prohibited while on or off duty from posting or in any other way broadcasting without prior Employer approval information on the internet (including but not limited to sites maintained by or pertaining to the Appointing Authority), or other medium of communication, the business of the Appointing Authority. This includes anything posted to a social networking website, blog, or other similar internet forum of communication. Although information may be posted to a “private” webpage, the employee should be aware this information can still be accessed by the public in a number of ways. This policy is not meant to infringe upon an individual’s First Amendment rights. Examples of prohibited postings include but are not limited to:
1. Photographs/images relating to any work-related matter;
 2. Video or audio files pertaining to any work-related matter;
 3. Video, audio, photographs, or any other images, etc. which memorialize any work-related action of the Employer;
 4. Logos/uniforms/badges or other items which are symbols associated with the Employer;
 5. Medical and/or any other such information about the Appointing Authority, its employees, and/or its clients which is deemed confidential by the Employer and/or applicable statute(s);
 6. Any other item, information, or material which is identifiable to the Appointing Authority;
 7. Pictures, video, or comments which are insubordinate with respect to the employee’s employment;
 8. Pictures, videos, or comments which constitute or could be construed as unlawful behavior;
 9. References that in any way represent the employee as an employee of Huron County without the Employer’s approval. This shall include but not be limited to:
 - a. Text which identifies the Appointing Authority;
 - b. Photos which depict the logos, patches, badge, or other identifying symbol of the Appointing Authority;
 - c. Accounts of events which occur within the scope of employment with the Appointing Authority; or
 - d. Any other material, text, audio, video, photograph, or image which would be identifiable to the Employer;

10. Materials which promote violence or the use of weaponry against employees, customers, vendors, or the public;
 11. Materials which advocate domestic terrorism and/or contain instructions or directions on the manufacture or procurement of illegal explosive devices, chemical weapons, biological weapons, or other weapons of mass destruction;
 12. Any materials which would be detrimental to the mission and function of the Appointing Authority (e.g., pictures, videos, or comments that are sexual, offensive, harassing, or pornographic in nature, along with reference to the Appointing Authority, its customers, vendors, employees, or individual's employment, etc.); and
 13. False information about the Huron County, Appointing Authority, employees, or those who have a relationship with the Appointing Authority. This also includes disparagement of a fictitious character or computer-generated likeness that resembles the above.
- M. Employees are prohibited from using their title as well as any reference to the Appointing Authority in any correspondence to include emails, postings, blogs, Twitter, YouTube or Flickr video, social network sites such as Facebook, chat or discussion sites, bulletin boards, and online encyclopedias unless the communication is of an official nature and is serving the mission of the Appointing Authority. This prohibition also includes signature lines in personal email accounts. An employee may seek Employer approval for such use. Should there be any doubt as to the appropriateness of any such use, the employee should direct such questions to the Appointing Authority.
- N. Employees shall not violate copyright and/or trademark laws or licensing agreements by downloading, copying, transmitting, reusing, or otherwise plagiarizing information, written materials, images, photographs, drawings, musical performances, logos, service marks, trademarks, and/or software without first obtaining proper authorization from the holder of the rights to the material(s).
- O. Email
1. Any message sent or received via an Appointing Authority email system may be monitored by the Appointing Authority at any time, with or without prior notification. If the Appointing Authority discovers any misconduct or criminal activity, the information contained in such email messages may be used to document such conduct and may be revealed to the appropriate authorities. All email usage shall comply with the Appointing Authority's policy and all State and Federal laws including those barring discrimination because of age, race, sex, pregnancy, religion, disability, military status, veteran status, genetic information, ancestry, national origin, etc.
 2. Email relevant to the course of business in the Appointing Authority should be printed and filed in the same manner as written correspondence.

3. Email relevant to a specific case should be printed and filed, if appropriate.
 4. Email 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 are not allowed as they create unnecessary traffic on the email system.
 6. It is permissible to transmit documents via email 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 email is of unknown origin, or is not business related, the attachment should not be opened. Examples of questionable attachment types include but are not limited to: .exe, .scr, .dll, .cab, cgi-install, etc.
 8. The use of personal email 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 is prohibited.
 10. Viewing, participating in, or forwarding chain and/or junk emails (SPAM) is prohibited.
- P. Standards of Conduct for Email on the Appointing Authority's Electronic System:
1. Do not overuse email by sending courtesy copies of messages to people who do not need them. Similarly, it is not generally necessary to reply to an email just to inform the sender that you have received it.
 2. Be careful when forwarding email messages. Use common sense: If you would not forward a copy of a paper memo with the same information, do not forward the email.
 3. Be careful what you write. Email is not the same as conversation. It is a written record, can be duplicated at will, and may constitute a "public record".
 4. Use normal capitalization and punctuation. Typing a message in all caps is bad "etiquette".
 5. When replying to email, it is often useful to include a portion of the original sender's 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.

6. If a user discovers defamatory, disparaging, or otherwise damaging statements about the Appointing Authority on the internet, the user should inform the appropriate department head to follow up on that discovery.
- Q. 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. 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. All employee activity online via the use of Appointing Authority computers and devices may be monitored at any time.
- R. Any question regarding this policy should be directed to the Appointing Authority before risking possible violation of this policy.
- S. Any violation of this policy or other improper use of the Appointing Authority's information systems (computers, email, internet, etc.) shall result in discipline up to and including termination. The level of discipline will be based on the seriousness of the violation and the employee's discipline record.

USE OF CELLULAR PHONES AND ELECTRONIC DEVICES**SECTION 6.14**

- A. During work hours, employees are expected to exercise discretion in using personal phones. Personal usage of phones during working hours can interfere with employee productivity and safety and may be distracting to others. Please use the following as guidelines when making personal calls during work hours:
1. Personal cellular phones and electronic devices may not be used during working hours unless the employee is on an approved break and/or during the employee's lunch and "on emergency basis" unless instructed by their Appointing Authority.
 2. Employees are to make personal calls, send personal text messages, or use the internet or applications on their personal phone during breaks and lunch. Make sure that friends and family members are aware of the Huron County policy.
 3. Employees should turn off ringers or change ringers to "mute" or vibrate" on personal cell phones during work hours to avoid distracting coworkers or interrupting meetings.
 4. Personal usage of the phone during working hours must never include obscene language or be discriminatory, offensive, prejudicial, or defamatory in any way (such as jokes, slurs, and/or inappropriate remarks regarding a person's race, sex, religion, color, age, national origin, pregnancy, ancestry, military or veteran's status, genetic information or disability).

- B. The Huron County will not be liable for the loss of personal cell phones brought into the workplace or damaged in the workplace.
- C. Employees whose job responsibilities include driving and who must use a cell phone for business use are expected to refrain from using their phone while driving. Allow voicemail or the passenger to handle calls when possible. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call.

If placing or accepting a call is unavoidable and pulling over is not a safe option:

1. Use hands-free devices;
2. Use the voice-activated or “speed dial” feature;
3. Keep the call short;
4. Refrain from discussion of complicated or emotional issues; and
5. Keep eyes and attention on the road and both hands free to operate the vehicle.

Special care should be taken in the following situations:

1. Moderate to heavy traffic;
2. Inclement weather; or
3. Driving in an unfamiliar area.

In situations where employees drive and accept phone calls, State law as well as this policy require the use of “hands-free” equipment. The County prohibits the use of text messaging, emailing, or use of the internet or other applications on a cellular phone while driving. Under no circumstances are employees allowed to place themselves at risk to fulfill County needs. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

- D. To safeguard confidential information, to eliminate the unauthorized creation of public records, to eliminate self-help to public records, to eliminate violations of Revised Code 2933.52, to safeguard HIPAA protected information, and to reduce opportunities for illegal harassment, the Appointing Authority regulates the use of electronic equipment used to capture images such as camera phones, camera PDAs, video equipment, cameras, handheld scanners, flash drives, and any other device capable of capturing or storing an image. The Appointing Authority also regulates the use of any device capable of making an audio recording.

- E. No employee shall record any conversation, including but not limited to any meeting, hearing, or appeal involving the Employer or a representative of the Employer without the advance written permission of the Appointing Authority.
- F. Employees are prohibited from using any type of device capable of recording images or audio recordings while on the Employer's premises or at any location where Employer work activities are being conducted, without prior approval from the Appointing Authority. These types of devices are prohibited even when not in use in areas where personal privacy is generally acknowledged, including dressing rooms, bathrooms, etc.
- G. Employees are forbidden from creating or transmitting offensive, harassing, vulgar, obscene, or threatening images or communications to any other employee or member of the public regardless of whether the employee is on or off duty. Electronic equipment may not be used to defame, embarrass, or disparage the Employer, employees, members of the public, visitors, or vendors.
- H. Employees are prohibited from capturing images of any accidents except as required in the performance of their job responsibilities. Employees are further prohibited from sharing such images obtained in the performance of their job responsibilities with anyone except as required in order for the employee to carry out their job duties.
- I. Privileged or confidential materials or communications are not to be photocopied, scanned, photographed, or otherwise copied or recorded except as authorized by the Appointing Authority. Any unauthorized recording of any type is strictly prohibited.
- J. Any employee who has a question regarding the use of electronic recording devices capable of making audio or visual recordings should request clarification of the Appointing Authority's policy before risking a possible violation. Employees are to immediately report any violations of this policy to their department head. Any employee violation of this policy will be subject to termination of employment.

NEWS MEDIA**SECTION 6.15**

- A. Media is defined as entities engaged in mass communication (broadcasting, publishing, and the internet) and includes but is not limited to newspaper, television, radio, internet blogger, etc.
- B. All contacts made with news media regarding the Appointing Authority shall be handled by the Appointing Authority or designee.
- C. All news releases must be approved in advance by the Appointing Authority.
- D. Employees are strictly prohibited from discussing Appointing Authority operations with the news media without the prior authorization of the Appointing Authority or designee. Only the Appointing Authority or their designee(s) is authorized to release official information concerning issues related to the Appointing Authority to the media.

- E. If the news media should contact any employee for a comment about the Appointing Authority's policies, procedures, rules, etc., the employee shall refrain from commenting and refer the person to the Appointing Authority or designee.
- F. Violations of this policy will result in disciplinary action, up to and including termination.

SOCIAL MEDIA**SECTION 6.16**

- A. Purpose. The purpose of this policy is to make employees 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. The Employer has an overriding interest and expectation in deciding what is "spoken" on behalf of the Employer on social media sites.

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 also help to ensure employees are aware of the Employer's rules regarding social media and that such rules are followed by employees. Employees shall remember they are paid by public funds, and the public holds them to a high standard of professionalism.

- B. Scope. All employees will be subject to and held accountable for any conduct outlined in this policy. This policy works in conjunction with other related personnel policies and procedures (e.g., harassment).
- C. Consent. An employee's use of any form of social media technology constitutes consent to being monitored by the Employer.
- D. Social Media refers to the use of websites such as but not limited to Facebook, Twitter, Tik Tok, LinkedIn, Snapchat, Instagram, etc. 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 website or blog which may be work-related.
- E. On-Duty Conduct. While at work, employees shall not access any social media websites, blogs, and/or other internet forums of communication not related to the performance of their job duties. The use of social media while on the job adversely affect employees' job performance or interfere with the delivery of services to any citizen or customer. Violation of this policy shall be cause for disciplinary action.
- F. On-/Off-Duty Conduct. An employee enjoys no expectation of privacy to information posted into cyberspace even while off duty. This includes anything posted to a social media website, blog, or other similar Internet forum of communication. Although information may be posted to a "private" webpage, the employee should be aware this information can still be accessed by the public and other sources in a number of ways. Because of this, an employee needs to use "common-sense" when posting comments, photos, opinions, or any other information related to their employment. This policy is not meant to infringe on one's First Amendment rights. Examples of prohibited conduct include but are not limited, to:

1. Posting one's photograph while wearing the Employer's uniform (or other similar attire which could be misidentified as the official uniform), Employer ID badge, or other symbol of employment by the Employer;
 2. Posting pictures, videos, or information obtained in the course of employment that an employee would not otherwise have access to or could only access through a public records request;
 3. Posting pictures, videos, or comments that are insubordinate or disrespectful with respect to the employee's employment;
 4. Posting pictures, videos, or comments that constitute or could be construed as unlawful behavior;
 5. Knowingly or recklessly posting false information about the Employer, department heads, division heads, supervisors, coworkers, public officials, or those who have a relationship with the Employer. This also includes disparagement of a fictitious character or computer-generated likeness that resembles the above;
 6. Posting, transmitting, or disseminating any pictures or videos of official training activities or work-related assignments without the express permission of the division head; and
 7. Posting pictures, videos, or comments that are sexual, violent, offensive, harassing, or pornographic in nature, along with any reference to the Employer or such individual's employment.
- G. Employees shall not imply they are speaking on behalf of the Employer and shall include a disclaimer when speaking on certain matters affecting the Employer or the employee's employment.
- H. Confidential Information. An employee shall not disclose any work-related confidential or proprietary information on any social media website, blog, or other internet forum of communication. This can include information that may eventually be obtained through a valid public records request.
- I. Employees are normally expected to follow the internal complaint procedure and not take to the internet to voice work-related complaints.
- J. This policy shall not infringe on an employee's rights under RC 4117.
- K. Employees found to have violated any part of this policy may be subject to discipline up to and including termination.
- L. Any deviation from the above policy must first be pre-approved in writing by the Appointing Authority.

- M. Any questions regarding the policy should be directed to the Appointing Authority.
- N. Employees shall take note of the following: **DELETE DOES NOT MEAN DELETE.** Once something is posted into cyberspace it remains there.

NO EMPLOYEE EXPECTATION OF PRIVACY**SECTION 6.17**

- A. No employee shall have any expectation of privacy regarding any personal information, documents, materials, or other personal items kept in any Employer-provided locker, vehicle, desk, file, computer, cellular telephone, or elsewhere in Employer-owned property.
- B. The Employer shall have the right to search and review any files, emails, websites, etc., maintained or accessed by the employee on any computer provided by the Employer for the employee's use. The Employer shall have complete access to any telephone records, cellular telephone logs, or other information maintained on any Employer-provided cellular telephone.
- C. Any Employer-provided locker, desk, vehicle, or other equipment shall be subject to search at any time by the Employer.
- D. Any common areas in county-owned buildings, i.e. break rooms, employee lounges, hallways, conference rooms etc., may be subject to surveillance for security and safety purposes.

NO SELF HELP TO PUBLIC RECORDS**SECTION 6.18**

- A. No employee may copy or remove any record or writing, even those regarded as "public records," without first obtaining advanced written permission from the Appointing Authority or without going through the process for obtaining public records.
- B. No employee may copy or use any agency writing, document, or record in any grievance, appeal, or legal action without having first obtained the written permission of the Appointing Authority. This particular policy does not apply to matters obtained through formal "discovery" under the Rules of Civil Procedure.
- C. No employee shall tape record any meeting, hearing, or appeal before the Employer without the written permission of the Appointing Authority.
- D. Except for official County business, employees may not have any County writing or document in their possession, unless obtained through this policy.
- E. Penalty for Breach of this Policy. Any employee who is discovered to have violated any of the above enumerated policies will be terminated. Any former employee who is discovered to have obtained an unauthorized document or produced any unauthorized tape recordings will be barred from reemployment and may be subject to civil or criminal penalties.

ETHICS OF PUBLIC EMPLOYMENT

SECTION 7.01

- A. All employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the State of Ohio and other rules and regulations as may be set forth by the Employer. It is important to remember that the compensation of all employees is paid through taxes. Therefore, each employee assumes the responsibility to serve the public in a professional, effective, and friendly manner. Discourtesy or rudeness to the public will not be tolerated.
- B. For purposes of public accountability, all employees, including salaried, overtime-exempt employees, are expected to work a regularly scheduled week, in accordance with their schedule of compensation.
- C. In recognition of same, no employee shall:
1. Use their position for personal gain or engage in any transaction which is in conflict with the proper discharge of the employee's official duties;
 2. Use or disclose confidential or proprietary information concerning the property, government, or affairs of the County without proper legal authorization. All employees shall sign confidentiality statement upon hire;
 3. Solicit or accept anything of value, whether in the form of service, loan, item, or promise from any person, firm, or corporation which is interested directly or indirectly in any manner whatsoever in business dealings with the County;
 4. Accept from a person, firm, or corporation doing business with the County, any material or service for the private use or benefit of the employee;
 5. Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper performance of the employee's official duties or would tend to impair independent judgment or action in the performance of official duties. Note: Secondary employment requires the Appointing Authority's prior approval See Section 6.06;
 6. While an employee, or for one (1) year thereafter, represent another person before a public agency on any matter in which the employee personally participated as an employee through decision, approval, disapproval, etc.;
 7. Receive or agree to receive outside compensation for services rendered in a matter before any office or department of the County unless excepted as provided in RC Section 102.04; or

- 8. Have a personal interest in a contract with the County or use their position or authority to secure approval of a public contract in which the employee, a member of the employee’s family or business associate has an interest.
- D. Any employee in doubt as to the application of this section or other ethics laws or regulations should consult with the Appointing Authority, who may seek the advice of the Huron County Prosecutor, who may refer the matter to the Ohio Ethics Commission for a binding advisory opinion.
- E. Violations of this policy shall result in disciplinary action. The level of discipline will be based on the seriousness of the violation and the employee’s discipline record.
- F. The Appointing Authority will provide employees with access to Ohio Ethics laws, RC Section 102, and RC Section 2921.42 within fifteen (15) days of hire and will require employees to acknowledge receipt in writing.

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| LATE ARRIVAL | SECTION 7.02 |
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- A. Late arrival is inexcusable and will not be tolerated. Late arrival is defined as any situation where a non-exempt employee reports to work after the employee’s scheduled starting time (including returning late from lunch), and such tardiness is not approved sick, vacation, or other authorized leave, or excused by the employee’s supervisor. Late arrival will only be excused for good cause shown and if the employee notified the Employer as soon as possible that the employee would be late. However, they are still obligated to deliver the expected services to the citizens they serve.
- B. In addition, a late, non-exempt employee shall be subject to progressive disciplinary action as follows, unless the employee has also committed an offense subjecting the employee to discipline pursuant to the Guidelines for Disciplinary Action and Penalties Section of this manual.

| <u>Event</u> | <u>Discipline</u> |
|--------------|--|
| 1 time | Counseling |
| 2 times | Verbal Warning |
| 3 times | Written Warning |
| 4 times | Up to and including a twenty-four (24) hour suspension without pay |
| 5 times | Termination of employment |

Any employee violating this Tardiness Policy shall be charged with neglect of duty and nonfeasance.

- C. In applying this policy, the Employer shall only consider the employee’s tardiness record over the previous twelve (12) months in active pay status from the date of the most recent occurrence.

- D. Counseling and verbal warnings will generally be given by the supervisor and a Counseling Session Form or Record of Verbal Warning shall be given to the employee with a copy placed in the employee's file. Written warnings will also be issued by the employee's supervisor and a Record of Written Warning shall be given to the employee with a copy placed in the employee's personnel file.
- E. Only the Appointing Authority has the authority to reduce in classification or pay, suspend, or terminate an employee. Suspensions of more than twenty-four (24) hours, reductions in pay or classification, and terminations of classified employees require the approval and signature of the Appointing Authority and must be filed on the DAS Order of Removal, Suspension, or Reduction Form in accordance with RC 124.34.

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| ABSENTEEISM AND NOTIFICATION OF ABSENCE | SECTION 7.03 |
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- A. Absences. Absenteeism increases the workload of other employees and affects the quality of services. A non-exempt employee is absent for purposes of this section if: (1) the employee fails to report to work for an entire scheduled workday or leaves work prior to the scheduled quitting time; and (2) such absence has not been excused or sick leave has been denied. In addition to the lack of pay for absences, such non-exempt employees shall be subject to progressive discipline for absences pursuant to the Discipline Section of this manual:

| <u>Absences</u> | <u>Discipline</u> |
|-----------------|--|
| 1 time | Verbal Warning |
| 2 times | Written Warning |
| 3 times | Up to and including a twenty-four (24) hour suspension without pay |
| 4 times | Termination. |

A salaried, FLSA-exempt employee is absent for the purposes of this section if (1) the employee fails to report to work for an entire scheduled workday; and (2) such absence has not been excused or sick leave has been denied. Such salaried, FLSA exempt employees shall be subject to progressive discipline as outlined above provided the restrictions under the FLSA regarding salary deductions are not violated.

- B. Termination. If an employee fails to report to work at their regularly scheduled time and remains absent for three (3) or more consecutive workdays without reporting such absence, the employee shall be terminated.
- C. AWOL. Anytime an employee is absent from work the employee must complete the appropriate leave request form. An employee will be considered absent without leave (AWOL) unless the Employer approves paid leave (i.e., vacation, sick leave, etc.), FMLA, or other available leave. Any employee who is absent from duty, habitually, without leave and without notice to the employee's supervisor of the reason for such absence will be terminated for neglect of duty.

- D. Notification. Absent employees must report to the supervisor on duty as soon as possible and prior to the employee's scheduled starting time on each day of absence and must explain the reason for the absence. Upon return to work, the employee shall report to the employee's immediate supervisor to further explain the reason for the absence and to provide documentation, if any is needed, to substantiate the absence. Documentation must be completed and submitted upon return to work.
- E. Application of Discipline
1. Each unexcused absence shall count as a separate absence (i.e., an employee absent for two [2] consecutive days is charged with two [2] absences).
 2. In applying this policy, the Employer shall consider only those absences which have occurred twelve (12) months prior to the date of the most recent occurrence.
 3. Written warnings will generally be issued by the supervisor and a Record of Written Warning shall be given to the employee with a copy placed in the employee's personnel file.
 4. Only the Appointing Authority has the authority to reduce classification or pay, suspend, or terminate an employee. Suspensions of more than twenty-four (24) hours, reductions in classification or pay, and terminations of classified employees require the approval and signature of the Appointing Authority and must be filed on the DAS Order of Removal, Suspension, or Reduction Form (ADM 4055 - Form 35), in accordance with RC Section 124.34.

SOLICITATION AND DISTRIBUTION**SECTION 7.04**

- A. Generally. This solicitation and distribution policy is designed to protect the interests of the citizens of Huron County by ensuring that only official Employer business is transacted in the Employer's work areas during worktime. Solicitation under this policy does not cover solicitation for political contributions, which is addressed by a more restrictive policy (see Section 7.10 - Political Activity).
- B. Non-Employee Solicitation and Distribution. There shall be no solicitation or distribution by non-employees at any time in any work area. This section shall not apply to Vendors.
- C. Employee No Solicitation Rule. There shall be no solicitation by employees of any other employee or non-employee during worktime. Employees may solicit other employees during non-worktime in work areas, and during non-worktime in non-work areas.
- D. Employee No Distribution Rule. There shall be no distribution by employees during work or non-worktime in the work area. Employees may distribute goods and written materials during non-worktime in non-work areas only.

- E. Employer's Responsibility. It is the responsibility of each of the several Appointing Authorities of the County to promulgate rules for the enforcement of this policy, and to further specify worktime and non-worktime, and work areas and non-work areas. These rules shall be clearly posted on each Appointing Authority's premises. Each Appointing Authority's rules shall be approved as to content and form by the Huron County Prosecutor.
- F. Employee Compliance. Employee compliance with these policies is required. Employee violations of these policies will result in appropriate disciplinary action.
- G. Miscellaneous. The terms "distribution," "solicitation," "vendor," "worktime," "non-worktime," "work areas," and "non-work areas" are defined in the Definitions Section of this manual.

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| PERSONAL APPEARANCE | SECTION 7.05 |
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- A. The Employer reserves the right to prescribe appropriate dress and personal grooming in the Employer's best interest.
- B. The Employer requires that an employee's clothing, grooming, hygiene and overall appearance be appropriate, present a favorable public image, and be in conformity with regulations established by the Employer. Personal appearance regulations should reflect the specialized nature of service provided or the employment position maintained.
- C. Notwithstanding this policy, Appointing Authorities may designate "dress-down" day for their employees.
- D. Employees who do not meet the standards of this policy shall be disciplined and may be required to take corrective action which may include sending the employee home to change. Time spent away from work will not be compensated.

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| DRUG-FREE WORKPLACE | SECTION 7.06 |
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- A. Drug-Free Workplace Policy
 - 1. The Appointing Authority is concerned with the effects that alcohol and drug abuse can have on employees, their families, and employees' abilities to perform their work safely and efficiently. Drug use poses a significant threat to the Appointing Authority's goals. It is the policy of the Appointing Authority to maintain a safe and productive workplace free of drugs and free of those individuals who use drugs. The Appointing Authority believes that it is important, as a public entity, to serve as a leader in the community in the war against drugs by establishing a policy prohibiting the unlawful manufacture, distribution, dispersal, possession, or use of controlled substances in the workplace. The following policy is designed to meet the above objectives and comply with the provisions of the Federal Drug-Free Workplace Act of 1988.

The Appointing Authority recognizes that drug abuse and addiction may be treatable illness. The Appointing Authority realizes that early intervention and support improve the success of rehabilitation. The Appointing Authority encourages employees to voluntarily seek help for drug problems by utilizing the services of qualified professionals in the community to assess the seriousness of suspected drug problems and identify appropriate sources of help.

Nothing in this statement of policy is to be interpreted as constituting a waiver of the Employer's responsibility to maintain discipline or the right to take disciplinary measures in the case of poor job performance or misconduct that may result from alcoholism or drug dependency.

2. Coverage. Any individual who conducts business for the Appointing Authority or is applying for a position is covered by this policy. This policy includes but is not limited to all employees.
3. Acknowledgement and Notice.
 - a. All new hires will be required to acknowledge they are aware of the Huron County's Drug-Free Workplace policy, and they understand it is a condition of employment.
 - b. New hires will receive a copy of the Drug-Free Workplace policy. New employees shall be given an opportunity to ask questions. Questions shall be forwarded to the Appointing Authority.
4. Drug Testing Policy. The Appointing Authority may require current employees to undergo testing for alcohol or drug use when there is reasonable suspicion to believe the employee is under the influence of alcohol or drugs while at work.
5. Definitions. For purposes of this policy:
 - a. Alcoholic Beverage: Any beverage that may be legally sold and consumed and has an alcohol content in excess of one-half of one percent (0.5%) or more of alcohol by volume.
 - b. Employee: Any person (i.e., management, supervisory, or non-supervisory), who is paid in whole or in part by the Appointing Authority.
 - c. Huron County Premises: Is used in the broadest sense and includes all land, property, buildings, structures, installations, parking lots, and means of transportation owned by or leased to the Appointing Authority or otherwise being utilized for Huron County business. Private vehicles parked on Huron County's premises are included within this definition.

- d. Controlled Substance: Any drugs, compound, mixture, preparation, or controlled substance contained in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC 812) or as defined in the Ohio Revised Code, ORC 3719.41, 3719.43, and 3719.44.
 - e. Conviction: Any finding of guilt, including a plea of nolo contendere (no contest) or the imposition of a sentence, or both, by any judicial body with the responsibility to determine violations of the Federal or State criminal drug statutes.
 - f. Criminal Drug Statute: A criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance.
 - g. Unlawful/Illegal: Is not conforming to, permitted by, or recognized by Federal or State law. Should a substance be considered prohibited, unlawful, or illegal at the Federal level but not at the State level or at the State level but not at the Federal level, it is considered unlawful for the purposes of this manual (i.e., medical and recreational marijuana is permitted in Ohio but prohibited by Federal law. Therefore, employees are prohibited from the use of medical or recreational marijuana; etc.).
 - h. Workplace: Wherever an employee is representing or conducting business for the Appointing Authority including all working hours, whenever conducting business for or representing the Appointing Authority, while on call, and/or while on Huron County premises.
6. “Zero Tolerance” of Prohibited Activity. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee, which takes place in whole or in part in the workplace is strictly prohibited, will be reported to law enforcement, and will result in termination from employment. Reporting to work with a blood-alcohol content (BAC) of .04 or higher or the on-duty consumption of alcohol is strictly prohibited and will result in termination from employment.

The use, possession, or distribution of medical and recreational marijuana by employees is strictly prohibited and will result in termination of the employee’s employment.

In accordance with ORC 3796.28, the Appointing Authority is not required to permit or accommodate an employee’s use, possession, or distribution of medical marijuana. The Appointing Authority has the right to refuse to hire, discharge, discipline, or take an adverse employment action against a person because of that person’s use, possession, or distribution of medical marijuana.

7. Prescription and Over-the-Counter Medications. An employee may continue to work, even though under the influence of a prescription or over-the-counter medication, if the employee does not pose a threat to their own safety or the safety of coworkers and if the employee's job performance is not significantly affected by the medication. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action determined by the Appointing Authority.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of the Drug-Free Workplace policy to misuse and/or abuse prescription medications. The illegal or unauthorized use of prescription drugs which takes place in whole or in part in the workplace will result in termination from employment.

No prescription drug will be brought on Employer premises or to the workplace by any person other than the one for whom it is prescribed or a member of the employee's immediate family unless extenuating circumstances exist where the employee immediately needs the medication and an immediate family member is unavailable. When an employee has a need for a prescription drug on Employer premises and/or in the workplace, that employee shall notify the employee's immediate supervisor of such need prior to the prescription drug being brought onto Employer premises or into the workplace. Such drugs shall be used only in the manner, combination, and quantity prescribed. Under no circumstances shall marijuana, whether or not prescribed, be brought onto Employer premises or into the workplace.

8. Notification of Drug-Related Work Restrictions. Any person using any drug or medication which is known or advertised as possibly affecting or impairing judgment or coordination, causing dizziness or drowsiness, or which may adversely affect the employee's ability to perform work in a safe and productive manner shall notify their department head of such usage and restrictions before beginning work. Such notification shall include the name(s) of all drugs being taken, the prescribed dosage of each drug, and any warnings or restrictions associated with such drugs that may affect the employee's ability to think clearly and/or perform their work duties in a safe and efficient manner.
9. All prospective CDL-licensed employees will also be required to sign a waiver and consent form authorizing the release of previous drug testing results from past employers.
10. Notification of Conviction. Any employee convicted of any Federal, State, or municipal criminal drug statute must notify the Employer of such fact within five (5) calendar days of the conviction.
11. Employer Action. If after receiving the notice of conviction from an employee the Employer concludes that the employee has violated the Huron County Drug-Free Workplace Policy, the employee will be terminated from employment.

If an employee's licensure has been revoked due to a conviction, sentence, and/or court order and such licensure is required to perform the essential functions of the employee's position, the employee will be terminated from employment.

12. Failure to Report. Any employee who fails to report a drug-related conviction shall be:
 - a. terminated from employment;
 - b. forever barred from future employment with Huron County; and
 - c. held civilly liable for any loss of Federal funds resulting from the failure to report the conviction.

B. Reasonable-Suspicion Testing.

1. Drug and alcohol testing may be conducted on employees when the Employer has reasonable suspicion of drug or alcohol use. Reasonable suspicion that an employee used or is using a controlled substance or alcohol in an unlawful or abusive manner may be based upon but not limited to:
 - a. Observable phenomena, such as direct observation of use, possession, or distribution of alcohol, a controlled substance, or marijuana, or of the physical symptoms of being under the influence of alcohol, a controlled substance, or marijuana, such as but not limited to slurred speech; dilated pupils; odor of alcohol, a controlled substance, or marijuana; changes in affect; or dynamic mood swings;
 - b. A pattern of abnormal conduct, erratic or aberrant behavior, or deteriorating work performance such as frequent absenteeism, excessive tardiness, or recurrent accidents, which appears to be related to the use of alcohol, a controlled substance, or marijuana and does not appear to be attributable to other factors;
 - c. Arrest or conviction for a drug- or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation into unauthorized possession, use, or trafficking of a controlled substance or marijuana;
 - d. Information regarding use of alcohol, a controlled substance, or marijuana provided by reliable and credible sources or independently corroborated;

- e. Repeated or flagrant violations of the safety or work rules of the Employer, that are determined by the employee's supervisor to pose a substantial risk of physical injury or property damage and that appear to be related to the use of alcohol, a controlled substance, or marijuana and that do not appear attributable to other factors; and
 - f. Facts or circumstances developed in the course of an authorized investigation of an accident or unsafe working practice.
2. In the case where the Employer or designee has reasonable suspicion to believe that the employee has violated the alcohol or controlled substances prohibitions stated in this policy, the following procedure will be followed:
- a. A supervisor, trained by a qualified trainer, or by a person who is supervised by a qualified trainer or a law enforcement officer, shall be required to observe and document the employee's conduct leading to or disproving reasonable suspicion. If possible, witnesses shall also complete a signed statement documenting the employee's conduct. The written record detailing the observations leading to a reasonable suspicion test shall be completed as soon as possible.
 - b. Reasonable suspicion tests must be performed within eight (8) hours of the observation.
 - c. Any employee who has been ordered to undergo a drug and alcohol test shall be accompanied to the testing site by their Appointing Authority or designee.
 - d. A refusal to comply with the drug and alcohol testing will constitute insubordination and a presumption of impairment and shall result in termination.
3. Testing Protocol and Procedure. The testing procedure shall be as designated by the laboratory, medical facility, or collection site conducting the test.
- a. Positive Result. The initial and confirmatory cutoff levels are set forth in the subsection below titled Drug Testing Technology.
 - b. Specimen Collection and Testing Procedure. Testing will be conducted by trained collection personnel who meet quality assurance and chain-of-custody requirements for urine collection and breath-alcohol testing. Confidentiality is required from all labs. Any individual subject to testing under this policy shall be permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel so as to avoid any alteration or substitution of the specimen. Collection personnel may use such procedures as deemed necessary to ensure the proper collection of

samples to be tested, including but not limited to specimen temperature measurement, urine adulteration testing, and, if deemed necessary, observed urine specimen collection by a same-sex observer. Collected specimens will be sealed in appropriate containers following chain-of-custody requirements.

- c. Drug Testing Technology. The initial screening cutoff levels have been identified to safeguard against a false positive test. Urine will initially be screened for the presence of drugs using an enzyme multiplied immunoassay technique (EMIT) test. Should the initial test demonstrate the presence of any drugs at or above the screening cutoff levels, then a confirmatory test will be performed. Should the confirmatory test affirm the presence at or above the confirmation levels, the laboratory will report a positive result to the Medical Review Officer.
- d. Alcohol Testing. Alcohol testing will be performed using a breath test conducted by a trained officer or breath-alcohol technician.

If the initial test demonstrates a blood alcohol concentration of .04 or higher, then a confirmatory test will be performed following a 15 minute waiting period. If the confirmatory test shows a blood alcohol concentration of .04 or higher, the result will be immediately reported to the Appointing Authority.

- e. Test Review Results. Drug test results will be reported by the testing laboratory to a medical review officer (MRO). The MRO will contact the employee to determine whether there are any valid reasons for the presence of the substances for which the employee has tested positive. The MRO will notify the authorized Employer representative of any result they determine is positive for the improper use of controlled substances.
4. The Appointing Authority shall inform the employee that they are immediately relieved of duty with pay, pending the results of the drug and alcohol test. The Appointing Authority or designee shall contact a family member or friend to accompany the employee home.
 5. The Appointing Authority is required to notify the employee if the controlled substance test results were positive and which substances actually tested positive.

If the test results are positive, the employee may request, at the employee's expense, that a confirming test be conducted according to the laboratory's established procedures.

6. A positive test shall result in termination.

- C. Reasonable Suspicion Searches. Huron County equipment, such as desks, filing cabinets, files, and other property, remain the property of the Employer. If the Employer has reason to believe that the Employer's property is being used for alcohol or illegal drug use, sale, distribution, possession, or manufacture, such property may be subject to Employer-initiated searches at any time and without notice. See Section 6.17, No Employee Expectation of Privacy, of this manual.

If the Employer has reason to believe that an employee is involved in the use, sale, distribution, possession, or manufacture of alcohol or illegal drugs or if the employee was involved in an on-the-job accident or injury, the Employer may contact the Sheriff's Office and request a search of the employee and their possessions, including the employee's vehicle, as appropriate.

- D. Post-Accident Testing. As soon as practicable following:

1. An accident in which a fatality has occurred; or
2. When the Employer has reasonable suspicion to believe that the employee has violated the alcohol or controlled substances prohibitions stated in this policy.

The Employer shall cease attempts to collect a sample from the employee for the test after eight (8) hours following the accident for alcohol and after thirty-two (32) hours for controlled substances.

- E. Duty to Undergo Tests. Whenever ordered to do so, an employee must report for testing in the manner and at the time and place designated by the Employer. Failure to do so will result in immediate termination.

At the testing facility, the employee must cooperate fully with those conducting the test. Failure to do so will result in immediate termination.

If, after one (1) hour, an employee fails to produce a testable specimen, the employee will be regarded as having failed to cooperate, which may result in termination of their employment.

- F. Return to Work Following Voluntary Counseling/Rehabilitation. Employees who self-identify a non-illegal substance abuse problem, and who are, by virtue of that problem, returning to work following rehabilitation, must undergo a drug and/or alcohol test and present a negative test result prior to resuming work duties.

- G. Reporting and Recordkeeping. The Employer will be responsible for maintaining all records and reports concerning the Employer's substance-abuse testing program. The Employer will also be responsible for statistical recordkeeping and report, both internally and externally, as the Bureau of Workers' Compensation or other regulating agencies may require.

All records, test results, communications, and reports regarding the Employer's Drug-Free Workplace policy shall be forwarded to the Employer or to ensure confidentiality of recordkeeping. No manager, department head, or employee will provide any employee-specific information concerning this program to any unauthorized third party.

H. Alcohol and Drug Rehabilitation Policy.

1. Referral to a rehabilitation program is designed primarily for those employees who appear to have a treatable condition, not to protect those who manufacture, distribute, or dispense drugs in the workplace.
2. Any employee who is referred to a drug rehabilitation program and fails to satisfactorily participate in the program will be terminated from employment.
3. There are additional rules regarding substance abuse, including those that apply specifically to Commercial Driver's License holders. (See Section 7.07 of this manual, CDL Alcohol and Drug Testing Policy).

CDL ALCOHOL AND DRUG TESTING POLICY

SECTION 7.07

- A. General Statement. The intent of this policy is to establish an alcohol- and drug-testing policy in compliance with Federal Highway Administration Regulations. The adoption of this policy supplements but does not replace or amend the Employer's existing policies concerning alcohol and controlled substances.
- B. Subject Employees. All employees who are required by the Appointing Authority to have a Commercial Driver's License (CDL) to operate a commercial motor vehicle (CMV) are subject to this policy and must participate in a program that is in compliance with the law. This includes but is not limited to:
1. Full-time, regularly employed drivers; casual, intermittent, or occasional drivers; and leased drivers and independent owner-operators who are either directly employed by or under lease to the Employer or who operate a CMV at the direction of or with the consent of the Employer.
 2. For the purposes of pre-employment/pre-duty testing only, the term driver includes a person applying to drive a CMV for the department.
 3. Employees promoted or transferred into a position requiring the operation of a CMV are treated as new hires for the purposes of this policy and pre-employment testing.

- C. Conduct Prohibited. Drivers covered by this policy are prohibited from engaging in the following:
1. Possessing alcohol while on duty or operating a county vehicle;
 2. Using alcohol or controlled substances, including medical marijuana (whether prescribed or not), while on duty;
 3. Reporting for duty, remaining on duty, or while performing a safety-sensitive function while having an alcohol concentration of 0.02 or greater;
 4. Reporting to duty, remaining on duty, or performing a safety-sensitive function while using a controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV;
 5. Testing positive for controlled substances including medical marijuana;
 6. Performing safety-sensitive functions within four (4) hours after using alcohol. Employees are responsible for informing their immediate supervisor when the employee is unable to perform safety-sensitive functions due to alcohol consumption;
 7. Using alcohol for eight (8) hours following an accident in which the driver is required to take a post-accident alcohol test or until the driver undergoes a post-accident alcohol test, whichever occurs first; and
 8. Refusing to submit to a post-accident, random, reasonable suspicion or follow-up alcohol or controlled substance test.
- D. Safety-Sensitive Functions. For the purposes of this policy, safety-sensitive functions include:
1. All time waiting to be dispatched, unless the driver has been relieved from duty by the immediate supervisor or the Appointing Authority;
 2. All time inspecting equipment or servicing or conditioning any CMV;
 3. All time spent at the driving controls of a CMV in operation;
 4. All time, other than driving time, in or on any CMV;
 5. All time spent loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;

6. All time spent performing functions related to CMV accidents; and
 7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled CMV.
- E. If a driver/employee violates any of the prohibitions listed in Section C of this policy, the following consequences will result:
1. The driver shall be immediately removed (taken out of service) from the safety-sensitive position. Such removal is in accordance with Federal regulations, and therefore not subject to any complaint procedure. The removed employee can request an unpaid leave of absence (e.g., disability leave; or other unpaid leave of absence).
 2. The driver shall be provided with information regarding the services available for alcohol and substance abuse.
 3. The driver shall be evaluated by a substance abuse professional (SAP) and may not perform safety-sensitive functions until all recommended counseling and treatment is completed. These actions are in accordance with Federal regulations, and therefore not subject to any complaint procedure.

Failure to complete or participate in a prescribed counseling, treatment, or rehabilitation program shall result in the employee's termination of employment. Any costs associated with the prescribed counseling, treatment, or rehabilitation program are the responsibility of the employee, unless otherwise covered by the Employer-sponsored medical benefit plan to which the employee belongs.
 4. The driver may be disciplined up to and including termination of employment. However, any discipline, at the discretion of the Appointing Authority or their designee, may be mitigated by the willingness of the employee to complete the recommended counseling, treatment, or rehabilitation program. At the Appointing Authority's discretion, an employee may be permitted only one (1) chance at counseling, treatment, or rehabilitation.

If the driver is not removed but is referred to a rehabilitation program as provided herein, the driver may be required to apply for accumulated vacation, compensatory time, and/or Family and Medical Leave, if applicable, to cover any period of absence for counseling, treatment, or rehabilitation. If the driver does not have sufficient paid leave to cover the period of absence for counseling, treatment, or rehabilitation, the driver must request unpaid leave in accordance with policy.
 5. The driver will be subject to re-evaluation, return-to-duty testing, and unannounced follow-up testing. These actions are in accordance with Federal regulations, and therefore not subject to any complaint procedure.

F. A driver will be required to submit to testing for alcohol and/or controlled substances under the following circumstances:

1. Pre-Employment Testing. Prior to employment, the driver will be tested for controlled substances other than alcohol. The driver will not be permitted to perform safety-sensitive functions unless the controlled substance test results are negative. As a condition of employment, the employee shall provide the Employer with written authorization for all previous employers in the past two (2) years to release such alcohol and drug testing records as required by Federal regulations (Waiver and Consent to Release Previous Employers' Drug Testing Results).

The Appointing Authority shall arrange the time and location for the pre-employment test. The applicant is responsible for reporting to the collection site for the test. The department will be responsible for only the cost of the test itself. All other costs incurred by the applicant concerning a pre-employment test are the applicant's responsibility. These same requirements shall apply when an existing employee moves from a non-driver position into a position requiring a CDL.

2. Post-Accident Testing. As soon as practicable following: (a) an accident in which a fatality occurs, (b) an accident in which an injury is treated away from the scene and the driver/employee receives a citation for a moving violation arising from the accident, or (c) an accident in which a vehicle is required to be towed from the scene and the driver/employee receives a citation for a moving violation arising from the accident, the driver shall be tested for alcohol and other controlled substances. The Employer shall attempt to administer a test for alcohol within two (2) hours following an accident and shall cease attempts to administer a test for alcohol eight (8) hours following an accident. The Employer shall cease attempts to administer a test for controlled substances thirty-two (32) hours following an accident. However, the Employer shall prepare and maintain on file a record stating the reasons why a test was not promptly administered.

The driver shall be transported to the collection site by a representative of the Appointing Authority. Following the test, the employee shall be transported home and the employee will not be permitted to perform safety-sensitive functions until a negative controlled-substance test result is reported.

Following a breath-alcohol test which shows no detectable amount of alcohol, the driver will be permitted to apply for accumulated vacation, compensatory time, or unpaid leave to cover the period of absence until the controlled substance test results are available. If the breath-alcohol and controlled substance test results are both negative, the employee will be credited for the used paid leave or compensated for the period of leave without pay at the employee's regular hourly rate of pay, unless other work rule violation(s) have occurred.

Following a breath-alcohol test which shows a detectable level of alcohol of 0.02 to 0.039, the driver will be taken home and permitted to apply for unpaid leave. The driver may not perform safety-sensitive functions for a minimum of twenty-four (24) hours. An employee with a breath-alcohol test of less than 0.04 shall also be subject to appropriate disciplinary measures in accordance with departmental policies.

Following a breath-alcohol test result indicating a concentration of 0.04 or greater, or following a positive controlled substance test result, the consequences listed in Section E above will result.

In the event an employee is so seriously injured that the employee cannot provide a urine, breath, or saliva specimen at the time of the accident, the employee must provide necessary authorization for the Appointing Authority to obtain hospital records or other documents that would indicate whether there were controlled substances or alcohol in the employee's system at the time of the accident.

3. Random Testing. A minimum number of tests (currently 10% of the number of drivers for alcohol and 50% of the number of drivers for controlled substances) annually will be conducted. Drivers will be randomly selected using a scientifically valid method in which each driver will have an equal chance of being tested each time selections are made. The dates for testing shall be unannounced and spread throughout the calendar year. When a driver is selected for testing, the driver shall cease doing any safety-sensitive functions and proceed to the test site immediately. If a driver is randomly selected for an alcohol test but the driver is not currently performing, just about to perform, or just finished performing a safety sensitive function, the driver's selection may be kept confidential until the next time such driver performs a safety sensitive function.

Following a breath-alcohol test which shows a detectable level of alcohol of 0.02 to 0.039, the driver will be taken home and permitted to apply for unpaid leave. The driver may not perform safety-sensitive functions for a minimum of twenty-four (24) hours. An employee with a breath-alcohol test of less than 0.04 shall also be subject to appropriate disciplinary measures in accordance with departmental policies.

Following a breath-alcohol test result indicating a concentration of 0.04 or greater, or following a positive controlled substance test result, the consequences listed in Section E above will result.

4. Reasonable-Suspicion Testing. A supervisor or official may require a driver to undergo testing for alcohol or controlled substances based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the driver. If a driver is required to undergo testing under this section, the driver must immediately cease to perform the safety-sensitive function and will be transported to the collection site by a representative of the

Appointing Authority. If a driver is required to undergo reasonable-suspicion, controlled-substance testing, such employee shall not be permitted to perform safety-sensitive functions until a negative controlled-substance test result is reported. Following a reasonable-suspicion, controlled-substance test, the driver will be permitted to apply for accumulated vacation, compensatory time, or unpaid leave until the test results are available. If the controlled-substance test results are negative and no other work rule violation(s) has occurred, the employee shall be returned to the employee's position and credited for the used paid leave or compensated for the period of leave without pay at the employee's regular hourly rate of pay.

Following a breath-alcohol test which shows a detectable level of alcohol of 0.02 to 0.039, the driver will be taken home and permitted to apply for unpaid leave. The driver may not perform safety-sensitive functions for a minimum of twenty-four (24) hours. An employee with a breath-alcohol test of less than 0.04 shall also be subject to appropriate disciplinary measures in accordance with departmental policies.

Following a breath-alcohol test result indicating a concentration of 0.04 or greater or following a positive controlled-substance test result, the consequences listed in Section E above will result.

The Employer will cease attempts to administer a test for alcohol eight (8) hours after the observation was made.

5. Return-to-Duty Testing. Before a driver who has been found to be in violation of this policy may return to duty in a position requiring the performance of safety-sensitive functions, the driver must undergo testing for alcohol and/or controlled substances. The results of the alcohol test must show less than 0.02 concentration if the offense involved alcohol and the controlled substance test must be negative if the offense involved controlled substances. Any costs associated with this test will be the responsibility of the employee.
 6. Follow-Up Testing. When a driver has been found to be in violation of this policy and the substance abuse professional has determined that the driver needs assistance in resolving an alcohol- and/or substance-abuse problem, the driver will be subject to a minimum of six (6) unannounced follow-up tests within the first twelve (12) months as directed by the substance-abuse professional. Any costs associated with these tests will be the responsibility of the employee.
- G. Drug testing will be performed through urinalysis. Urinalysis will test for the presence of drugs and/or metabolites of the following controlled substances: (1) marijuana, (2) cocaine, (3) opiates, (4) amphetamines, (5) phencyclidine (PCP).

The urinalysis procedure starts with the collection of a urine specimen. Specimens will be submitted to a certified laboratory for testing. As part of the collection process, the specimen provided will be split into two vials: a primary vial and a secondary vial. The laboratory will perform initial screening on all primary vials. In the event the primary specimen tests positive, a confirmation test of that specimen will be performed before being reported by the Medical Review Officer (MRO) as a positive result.

All laboratory results will be reported by the laboratory to a MRO designated by the Appointing Authority. Negative test results shall be reported by the MRO to the Appointing Authority. Before reporting a positive test result to the Appointing Authority, the MRO will attempt to contact the employee to discuss the test result. If the MRO is unable to contact the employee directly, the MRO will contact the official confidant designated in advance by the Appointing Authority, who shall in turn contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee shall contact the MRO immediately or, if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day. At the MRO's sole discretion, a determination will be made as to whether a result is positive or negative.

Pursuant to DOT regulations, individual test results for employee/applicants and employees will be released to the Appointing Authority and will be kept strictly confidential unless consent for the release of the test results has been obtained. Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon written request.

An individual testing positive may make a request of the MRO to have the secondary vial tested. The employee may request that the secondary vial be tested by a different certified laboratory. The individual making the request for a test of the second specimen must pay all costs associated with the test. The request for testing of a second specimen is considered timely if it is made to the MRO within seventy-two (72) hours of the individual being notified of a positive test result.

- H. All alcohol-breath tests shall be administered by a trained breath-alcohol technician (BAT) or a law enforcement officer certified to conduct such tests. Only evidential breath testing (EBT) devices shall be used along with the prescribed breath-alcohol testing form. The Employer and the testing facility shall follow the procedures in 49 CFR Part 40.
- I. Refusal to submit to any of the alcohol or controlled-substance tests required by this policy will result in termination of employment. Actions constituting a refusal to submit to a test include:
 - 1. Failing to provide adequate breath for alcohol testing without a valid medical explanation;
 - 2. Failing to provide adequate urine for controlled-substance testing without a valid medical explanation;

3. Engaging in conduct that clearly obstructs the testing procedure; and
4. Failing to remain readily available for a post-accident test.

At the Appointing Authority's discretion, an employee who tests positive for alcohol or controlled substances may be referred to a counseling program and be subject to return-to-duty and follow-up testing.

- J. Employees are encouraged to voluntarily admit problems with drugs and alcohol prior to violating departmental policies. If an employee voluntarily enters into counseling or rehabilitation, the employee will be permitted to apply for an unpaid leave of absence. The employee may also be permitted or required to use all available sick leave, vacation, compensatory time, and Family and Medical Leave, if applicable. Any costs associated with a voluntary counseling or rehabilitation program are the responsibility of the employee, unless otherwise covered by the Employer-sponsored medical benefit plan to which the employee belongs.
- K. The Appointing Authority will maintain records of the alcohol and controlled substances program in a secure location with controlled access. The Appointing Authority will not release information to unauthorized parties and will only release such as is required by law or if authorized or required by DOT regulations. Upon written request from the driver, the Employer will promptly provide copies of any records pertaining to the driver's use of alcohol or controlled substances including the results of any tests. The Employer may charge a reasonable fee for copies. However, access to this information will not be contingent upon payment for records other than those specifically requested.
- L. All employees subject to this policy remain subject to all other policies, procedures, rules and regulations established by the Appointing Authority which are not inconsistent with the requirements herein. All employees also remain subject to all other applicable Federal, State, and local laws and regulations.
- M. The Appointing Authority shall ensure supervisors designated to determine whether reasonable cause exists to require an employee to undergo testing as outlined herein receive at least sixty (60) minutes of training on alcohol misuse and receive at least an additional sixty (60) minutes of training on controlled substance use. The training shall cover the physical, behavior, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

GARNISHMENTS**SECTION 7.08**

- A. A court-ordered legal claim by a creditor against the wages of an employee for non-payment of a debt and served by the constituted legal authority is a garnishment and must be recognized and executed by the County Auditor and the Employer's payroll officer. Repeated and/or multiple garnishments on the wages of an employee may result in disciplinary action.
- B. When a garnishment is received for an employee, the following procedures will apply:
1. The County Auditor's Office will determine whether or not the employee has had previous garnishments of wages;
 2. The Auditor's Office will notify the Appointing Authority of the garnishment; and
 3. The Appointing Authority or designee will schedule a conference with the employee and the employee's supervisor to discuss the garnishment.
- C. If the garnishment is the employee's first one, the following procedure will apply:
1. A meeting will be arranged between the employee and the Appointing Authority or designee. The employee will be advised of the consequences of further garnishments; and
 2. Every reasonable effort to counsel the employee will be made by the Appointing Authority or designee in order to assist the employee in working out the employee's financial difficulties. A reasonable effort is referring the employee to the appropriate agency that can assist the employees.
- D. While repeated or multiple garnishments may be cause for disciplinary action, an employee's demonstrated willingness and good-faith effort to resolve their financial problems, such as having sought assistance from a credit counseling service or similar agency, will be taken into account in determining what, if any, disciplinary action is appropriate. However, no employee will be removed solely because of the successful garnishment of the employee's personal earnings by only one (1) judgment creditor in any twelve (12) month period.

POLITICAL ACTIVITY**SECTION 7.09**

- A. Certain specific political activities are legally permitted or prohibited to all classified employees, including classified employees on authorized leave of absence from their positions. Unclassified employees are substantially less restricted, except those unclassified employees subject to Federal Merit Standards. Employees who are subject to Federal Merit Standards are generally those paid with Federal funds distributed directly or by the State of Ohio.

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

- B. Activities Prohibited to All Employees (Including Unclassified Employees Not Subject to Federal Merit Standards):
1. Use official authority or influence for the purpose of interfering with an election or nomination to office, or affecting the results thereof;
 2. Soliciting a contribution from any person while the soliciting employee is performing his or her official duties;
 3. Soliciting a contribution while the soliciting employee is in those areas of a public building where official business is transacted or conducted;
 4. Soliciting a contribution from a public employee while that employee is performing his or her official duties;
 5. Soliciting a contribution from a public employee while that employee is in those areas of a public building where public business is transacted;
 6. Directly or indirectly coercing, intimidating, or causing harm to another person or threatening to do so because that person makes or does not make a contribution to a candidate, campaign committee, political party, legislative campaign fund, or political action committee;
 7. Knowingly soliciting a contribution at the direction of or with the authorization of a County elected officer or his or her campaign committee from:
 - a. an employee whose Appointing Authority is the County elected officer;
 - b. County employee whose Appointing Authority is authorized or required by law to be appointed by the County elected officer; or

- c. a County employee who functions in or is employed in or by the same public agency, department, division, or office as the County elected officer; and
 - 8. Knowingly soliciting a contribution at the direction of or with authorization of a candidate for County elected office or his or her campaign committee from:
 - a. a County employee whose Appointing Authority will be the candidate, if elected;
 - b. a County employee whose Appointing Authority will be appointed by the candidate, if elected; or
 - c. a County employee who will function in or be employed in or by the same public agency, department, division, or office as the candidate, if elected.
- C. Activities Permitted to Classified Employees and Unclassified Employees Subject to Federal Merit Standards:
 - 1. Registering and voting;
 - 2. Expressing opinions, either orally or in writing, but not political campaigning;
 - 3. Voluntarily financially contributing to political candidates or organizations;
 - 4. Circulating non-partisan petitions or petitions stating views on legislation;
 - 5. Attending political rallies. Employees may attend political rallies that are open to the general public;
 - 6. Signing nominating petitions in support of individuals;
 - 7. Displaying political pictures in the employee's home or on the employee's property;
 - 8. Wearing political badges or buttons or displaying political stickers on private vehicles; and
 - 9. Serving as a precinct election official under Section 3501.22 of the Ohio Revised Code.

D. Activities Prohibited to Classified Employees and Unclassified Employees Subject to Federal Merit Standards:

1. Participating as a candidate for public office in a partisan election, or 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;
2. Filing petitions meeting statutory requirements for partisan candidacy to elective office;
3. Circulating official nominating petitions for any candidate participating in a partisan election;
4. Holding an elected or appointed office in any partisan political organization;
5. Accepting party-sponsored appointment to any office normally filled by partisan election;
6. Campaigning by writing for publications, by distributing political material or by making speeches on behalf of a candidate for partisan elective office;
7. Soliciting, either directly or indirectly, any assessment, contribution, or subscription, either monetary or in-kind, for any political party or political candidate;
8. Soliciting the sale of or selling political party tickets, materials, or other political manner;
9. Engaging in partisan activities at the election, such as soliciting votes, assisting voters to mark ballots, or transporting or helping get out the voters on election day;
10. Acting as recorder, checker, watcher, challenger, judge, or Appointing Authority of election poll worker for any party or partisan committee. RC 124.57 allows an employee to work as a precinct election official, but Federal Merit Standards may not;
11. Engaging in political caucuses of a partisan nature; and
12. Participating in a political action committee which supports partisan activity.

E. Any employee desiring to seek or accept any public position or office should inform the Appointing Authority, who may request an opinion in advance from the Huron County Prosecuting Attorney.

TOBACCO FREE**SECTION 7.10**

- A. In light of the Surgeon General’s and Environmental Protection Agency’s determinations that the inhaling of secondary smoke may be hazardous to one’s health and in compliance with ORC 3791.031, and for the safety of the Employer’s premises, the use of any tobacco products is hereby prohibited in all buildings, facilities, grounds and vehicles owned, leased, or under the control of the Huron County Appointing Authority including, but not limited to, all office space, auditoriums, classrooms, stairwells, conference rooms, elevators, libraries, medical care facilities, lobbies, hallways, public waiting rooms, restrooms, mechanical areas, parking lots, storage areas, any and all eating and kitchen areas, and at any outside worksite.
- B. Smoking is also prohibited in all Employer-owned vehicles and at or near any location where there exists a danger of fire or explosion.
- C. Tobacco use is prohibited in any area immediately adjacent to locations of ingress or egress to the Huron County Appointing Authority’s buildings, or in any area at which smoke may enter the buildings through entrances, windows, ventilation systems, or other means.
- D. Smoking is prohibited in any area, regardless of its nature, which has been designated by the Appointing Authority as a no smoking area.
- E. Any activity, which will lead to violation of the terms and provisions of Section 3794.01 through 3794.09 of the Ohio Revised Code, any successor of or amendment to the same, or any regulations properly adopted pursuant thereto, is prohibited.
- F. Employees who choose to smoke during working hours shall do so in a manner consistent with this policy, and they shall not be entitled to any additional breaks or to take their breaks at different intervals in order to smoke.
- G. Where the word, “smoking,” is used, it is intended to include the use of e-cigarettes, “vaping,” and other forms of inhalation of nicotine resulting in the expulsion of smoke, water vapor, etc. The Appointing Authority retains ultimate discretion as to what constitutes, “smoking”.
- H. Violation of this policy will subject employees to disciplinary action.

CHAIN OF AUTHORITY**SECTION 7.11**

- A. All employees are required to follow the established chain of authority in processing concerns or complaints. Employees should first attempt to resolve such matters with their immediate supervisor prior to approaching any higher level or authority. If the immediate supervisor is unwilling or unable to resolve the employee’s concern, the employee should contact the next person in the chain of command.

- B. Employees shall follow any legal order or directive issued by their Supervisor, Department Head, or Appointing Authority. Failure to follow such orders or directives shall constitute insubordination and shall subject the employee to appropriate disciplinary action.
- C. An employee disagreeing with an order or directive issued by a Supervisor, Department Head, or Appointing Authority may explain their objections to the individual but may not refuse to obey any legal order or directive.
- D. Upon the completion of the assigned task, the employee may file a written complaint explaining the nature of their objection.
- E. In the absence of the Supervisor, Department Head, or Appointing Authority, the authority to make administrative decisions, apply disciplinary actions, authorize assistance and all other responsibilities of the Supervisor, Department Head, or Appointing Authority shall be delegated to the designee selected by the Supervisor, Department Head, or Appointing Authority and who will be in charge of the office while the Supervisor, Department Head, or Appointing Authority is absent.
- F. Complaints about a supervisor, department head, or appointing authority can be made to County Human Resources in writing who will investigate when appropriate.

WORKPLACE VIOLENCE**SECTION 7.12**

- A. The safety and security of employees, clients, contractors, and the general public are of vital importance to the Huron County. Therefore, threats, threatening behavior, or acts of violence made by an employee or anyone else against another person's life, health, well-being, family, or property will not be tolerated. Employees found guilty of violence shall be terminated from employment.
- B. The purpose of this policy is to provide guidance to employees should they encounter a situation they believe is or could result in an act of violence.
- C. The word "violence" in this policy shall mean an act or behavior that:
 - 1. Is physically assaultive;
 - 2. A reasonable person would perceive as obsessive (e.g., intensely focused on a grudge, grievance, or romantic interest in another person and likely to result in harm or threats of harm to persons or property);
 - 3. Consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of another;
 - 4. Would be interpreted by a reasonable person as carrying a potential for physical harm to the person;

5. A reasonable person would perceive as intimidating or menacing;
 6. Involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or
 7. Consists of a communicated or reasonably perceived threat to destroy property.
- D. The Appointing Authority 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, including, but not limited to, intimidation, harassment, or coercion;
 3. Any act or threat of violence which endangers the safety of employees, clients, contractors, or the general public.
 4. Any act or threat of violence made directly or indirectly by words, gestures, or symbols; and
 5. Use or possession of a weapon on the Employer's premises, on a department-controlled site, or an area that is associated with employment except by law enforcement officers in their line of duty or as specifically exempted in the Carry and Concealment of Weapons policy, Section 7.14 of this manual.
- E. The most common situations where workplace violence is likely to occur are as follows:
1. Dealing with the Public: Violent situations could occur in employee contact with the public. While the Appointing Authority has a strong commitment to public service, the Appointing Authority does not intend for employees to be subjected to verbal or physical abuse by members of the general public.
 2. On-the-Job: Situations could occur where relationships between employees or between an employee and a supervisor result in strong negative feelings by the individuals involved.
 3. Off-the-Job: An employee could become involved in a personal non-criminal dispute with a coworker, family member, or neighbor during the employee's non-working hours. The Appointing Authority prohibits any act of violence by an employee towards any other employee while off duty. If the situation escalates, individuals sometimes secure restraining orders from the courts. If an employee requests such a restraining order, the employee should include the work location as well as the employee's place of residence in the order.

- F. The possession or use of dangerous weapons is prohibited on Employer property, in Employer vehicles, or in any personal vehicle which is used for Employer business or is parked on Employer property, except as hereinafter provided.
1. A dangerous weapon is defined as:
 - a. A loaded or unloaded firearm; or
 - b. A weapon, device, electronic stun weapon, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
 2. Exceptions: A law enforcement officer may possess a firearm on Employer property while engaged in law enforcement activities. Employees who possess a valid permit to carry a firearm, if a firearm is brought on Employer property, must keep the firearm unloaded and in the employee's personal vehicle, which shall be locked.
- G. Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on the Employer's property shall be removed from the premises as quickly as safety permits and shall remain off the premises pending the outcome of an investigation. The Appointing Authority will initiate an appropriate response which may include requesting criminal prosecution of the person(s) involved.
- H. It is a requirement that all employees report, in accordance with this policy, any behavior that compromises the Appointing Authority'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 an Employer-controlled site or is associated with employment with the Appointing Authority.
- I. All incidences of suspected or potential violence shall be reported to the employee's immediate supervisor. Employees should not take the position that the incident is too minor to report or that it does not appear to be a "real problem". Employees should not wait until it is too late to be proactive.
- J. Supervisor Responsibilities. Supervisors are responsible for assessing situations, making recommendations regarding the appropriate response, and investigating reports of or knowledge of violent activities that have occurred in the workplace or that involve an employee.
- K. When any actual, potential, or suspected incident of violence is brought to the attention of a supervisor, the supervisor shall evaluate the severity of the situation immediately and have the individual reporting the incident fill out a Workplace Violence Incident Report Form. If it is concluded an actual act of violence has occurred or if there is a likelihood

violence could result, the supervisor or designee shall immediately notify the Appointing Authority, who shall:

1. Discuss the situation with the employee(s) and attempt to find out what caused the situation; and
 2. Determine what action is to be taken to prevent the situation from occurring again. Such actions may include but not be limited to:
 - a. Assigning a different employee to the area or job;
 - b. Talking with the disgruntled citizen, vendor, or employee(s);
 - c. Discussing the incident and ordering appropriate actions;
 - d. Referring the affected employee(s) to professional help or counseling; and/or
 - e. Terminating from employment an employee found guilty of violence.
- L. All employees who apply for, obtain, or are the subject of a restraining order which lists department locations as being protected areas, must provide to the Appointing Authority 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.

CARRY AND CONCEALMENT OF WEAPONS**SECTION 7.13**

- A. The safety and security of employees, visitors, contractors, and the general public are of vital importance to Huron County. Therefore, the carrying of concealed handguns or firearms by an employee or anyone else on the property of the Appointing Authority is strictly prohibited unless required as a condition of employment or as specifically exempted in subsection D2. Employees found guilty of violating this policy will be terminated and face possible criminal charges.
- B. The purpose of this policy is to provide guidance to employees of Huron County should they encounter a situation in which they believe a person possesses a handgun and/or firearm as defined in ORC 2923.11.
- C. The Appointing Authority prohibits the following, unless required as a condition of employment or as specifically exempted in subsection D2:
1. The carrying of weapons (specifically a handgun) while on or off duty (whether or not licensed to do so) in or on any property or vehicle owned or controlled by the Appointing Authority, or in any employment-related area;

2. The carrying of weapons and/or handguns on or off duty while occupying any parking area owned, leased, or controlled by the Appointing Authority, whether or not contained in a vehicle;
 3. The use or possession of a weapon or handgun on or off duty on the Employer's premises or controlled site, or in an area that is associated with employment;
 4. The display of a weapon or handgun on or off duty, whether on the Employer's premises, on a site controlled by the Appointing Authority, or in any area, including parking lots, associated with employment, will be interpreted as a threat and prosecuted by the Employer;
 5. Employees displaying an empty handgun and/or weapon holster whether on the Employer's premises, Employer-controlled site, or in any employment-related area, including parking lots, while on or off duty;
 6. Employees displaying weapons and/or handguns while on or off duty and participating in a strike and/or picket will be terminated; and
 7. Employees using and/or possessing a weapon or handgun while in the employment and/or duty of the Appointing Authority will not be defended or indemnified by the Employer.
- D. The possession or use of dangerous weapons is prohibited on Employer property, in Employer vehicles, or in any personal vehicle which is used for Employer business or is parked on Employer property, except as hereinafter provided.
1. A dangerous weapon is defined as:
 - a. A loaded or unloaded firearm; or
 - b. A weapon, device, electronic stun weapon, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
 2. Exceptions
 - a. Law Enforcement. Individuals may possess a firearm on Employer property if the individual is employed in the capacity of a law enforcement officer and is engaged in law enforcement activities.
 - b. Storage of a Handgun in the Privately Owned Motor Vehicle of a Person Issued a Concealed Handgun License. An employee or other individual who has been issued a valid concealed handgun license may transport or

store a firearm or ammunition within the person's privately owned motor vehicle only when both of the following conditions are met:

- (1) Each firearm and all of the ammunition remains inside the person's privately owned motor vehicle while the person is physically present inside the motor vehicle, or each firearm and all of the ammunition is locked within the trunk, glove box, or other enclosed compartment or container within or on the person's privately owned motor vehicle; and
- (2) The vehicle is in a location where it is otherwise permitted to be.

A firearm that is authorized to be stored or transported as specified in this subsection D2 b must be the type of firearm covered and permitted for storage and transport under ORC 2923.12. Any individual, whether or not issued a valid concealed handgun license, is not permitted to store any other type of weapon other than the firearm authorized for storage and transport by ORC 2923.12 in that individual's personal vehicle or carry such weapons anywhere on Employer property.

- E. Any employee observing a person displaying or showing a strong indication that they may pose the threat of carrying a weapon, handgun, or holster shall immediately notify the County Sheriff's Office and/or local police department. The person who displays a weapon, handgun, or holster on the Employer's property, except as specifically exempted in subsection D2, shall be removed from the premises by the law enforcement agency as quickly as safety permits and shall remain off the premises, pending the outcome of an investigation. The Employer will initiate an appropriate response requesting criminal prosecution of the person(s) involved.
- F. It is a requirement that all employees report, in accordance with this policy, any behavior that compromises the Employer's ability to maintain a safe work environment. All reports will be immediately investigated by the police 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 a possible concealment of a weapon, in violation of this policy, when that display is job related or might be carried out on a site controlled by or associated with employment by the Appointing Authority.
- G. All incidences of suspected or potential concealment should be reported to the Sheriff's Office. Employees should not take the position that the incident is too minor to report or that it does not appear to be a "real problem". Employees should not wait until it is too late to be proactive.
- H. Supervisor Responsibilities. Supervisors are responsible for following up with the appropriate law enforcement agency (i.e., Sheriff's Office) in assessing situations, making decisions on the appropriate response, and responding to reports of concealed weapons that have occurred in the workplace or that involve an employee of the Employer.

- I. When any actual, potential, or suspected concealment is brought to the attention of a supervisor or the department head, the department head or designee shall evaluate the severity of the situation immediately. If it is concluded that an actual act of carry and concealment has occurred or if there is a likelihood that violence could result, the department head or designee shall:
1. Discuss the situation with the appropriate law enforcement agency and employee(s) who witnessed the concealment; and
 2. Determine what action is to be taken to prevent the situation from occurring again. Such actions may include, but not be limited to:
 - a. Assigning a different employee to the area or job;
 - b. Talking with the disgruntled visitor and/or employee(s);
 - c. Discussing the incident with the Appointing Authority and offering suggestions for appropriate actions;
 - d. Referring the affected employee(s) to professional help or counseling; and/or
 - e. Terminating the employee(s) from employment.
- J. The Employer shall post in obvious locations signage that contains the following:
- “Pursuant to the Ohio Revised Code, no person shall knowingly possess, have under the person’s control, convey, or attempt to convey a deadly weapon or dangerous ordnance or holster onto these premises.”
- K. These areas shall include any Huron County-owned property, including but not limited to the following:
1. All Huron County buildings and facilities; and
 2. All Huron County parking areas.

WHISTLEBLOWER/FRAUD REPORTING

SECTION 7.14

- A. In accordance with RC 124.341, if an employee in the classified or unclassified civil service becomes aware, in the course of employment, of a violation of State or Federal statutes or the misuse of public resources, and the Appointing Authority has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the Appointing Authority. In addition to or instead of filing a report with the Appointing Authority, the employee may file a written report with the Office of Budgeting and Management's Office of Internal Audit or file a complaint with the Ohio Auditor of State's fraud-reporting system created under RC 117.03.

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

If the employee reasonably believes that the violation or misuse of public resources is a criminal offense, the employee, in addition to or instead of filing a written report with the Appointing Authority or the Office of Internal Auditing, may report it to the Huron County Prosecutor. External complaints may be made in three (3) ways:

1. File a written complaint at:

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

or

OBM Office of Internal Audit
30 East Broad Street, 34th Floor
Columbus, Ohio 43215-3457

2. Call the Fraud Hotline, 1-866-FRAUD OH (1-866-372-8364)
 3. Online: <http://ohioauditor.gov/fraud/default.html>
- B. Except as otherwise provided in Section C of this policy, the Appointing Authority shall not take any disciplinary action against an employee in the classified or unclassified civil service for making any report authorized by Section A of this policy.
- C. An employee in the classified or unclassified civil service shall make a reasonable effort to determine the accuracy of any information reported under Section A of this policy. The employee is subject to disciplinary action, including suspension or removal, as determined

by the Appointing Authority, for purposely, knowingly, or recklessly reporting false information under Section A of this policy.

D. For the purposes of this policy:

1. An employee acts *purposely* when it is their specific intention to cause a certain result, or when the gist of the offense is a prohibition against conduct of a certain nature, regardless of what the offender intends to accomplish thereby, it is their specific intention to engage in conduct of that nature.
2. An employee acts *knowingly*, regardless of their purpose, when they are aware that their conduct will probably cause a certain result or will probably be of a certain nature. A person has knowledge of circumstances when they are aware that such circumstances probably exist.
3. An employee acts *recklessly* when, with heedless indifference to the consequences, they perversely disregard a known risk that their conduct is likely to cause a certain result or is likely to be of a certain nature. A person is reckless with respect to circumstances when, with heedless indifference to the consequences, they perversely disregard a known risk that such circumstances are likely to exist.

E. Employees shall sign acknowledgement of this policy by signing the acknowledgment form within thirty (30) days of appointment.

LACTATION BREAKS

SECTION 7.15

- A. Huron County subscribes to the following worksite support policy. This policy shall be communicated to all current employees and included in new employee orientation training.
- B. Employer's Responsibilities: Breastfeeding employees who choose to continue providing their milk for their infants after returning to work shall receive:
1. Milk Expression Breaks - Breastfeeding employees are allowed to breastfeed or express milk during work hours using their normal breaks and mealtimes. For time that may be needed beyond the usual break times, employees may use personal leave or may make up the time as approved by their supervisors.
 2. Express Milk - A private room (not a toilet stall or restroom) shall be available for employees to breastfeed or express milk. The room will be private and sanitary, located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical outlet. If employees prefer, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the employee's supervisor. Expressed milk can be stored in Employer's refrigerators if available or other location/in employee's personal cooler.

3. Staff Support - Supervisors are responsible for alerting pregnant and breastfeeding employees about the company's worksite lactation support policy, and for developing policies and practices that will help facilitate each employee's infant feeding goals. It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding employees.

C. Employee Responsibilities:

1. Communication with Supervisors - Employees who wish to express milk during the work period shall keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the company.
2. Maintenance of Milk Expression Areas - Breastfeeding employees are responsible for keeping milk expression areas clean. Employees are also responsible for keeping the general lactation room clean for the next user. This responsibility extends to both designated milk expression areas, as well as other areas where expressing milk will occur.
3. Milk Storage - Employees should label all milk expressed with their name and date collected so it is not inadvertently confused with another employee's milk. Each employee is responsible for proper storage of her milk using [company provided refrigerator/personal storage coolers].
4. Use of Break Times to Express Milk - When more than one breastfeeding employee needs to use the designated lactation room, employees can discuss with their supervisor the desire to discuss milk expression times that are most convenient or best meet their needs.

DISCIPLINARY PRINCIPLES – CLASSIFIED EMPLOYEES**SECTION 8.01**

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. Furthermore, the Appointing Authority believes that the basic guidelines, set forth below, must consistently be applied in order to effectively and fairly correct unsatisfactory job behavior.

- A. Employees will generally be advised of expected job behavior, the types of conduct that the Employer has determined to be unacceptable, and the normal penalties for such unacceptable behavior. Some infractions will warrant discipline or discharge even without a specific rule.
- B. Immediate attention shall be given to policy infractions unless special circumstances warrant further investigation or delay.
- C. Discipline should usually be progressive but depending on the severity of the offense, may proceed immediately to termination.
- D. An employee's immediate supervisor and all supervisors up to and including the Appointing Authority shall be responsible for administering discipline. However, the Appointing Authority shall have final say on approval of discipline.
- E. Discipline should be applied uniformly and consistently, and any deviations from this standard procedure should be justified and documented.

PROGRESSIVE DISCIPLINE – CLASSIFIED EMPLOYEES**SECTION 8.02**

- A. The Appointing Authority has adopted this discipline policy as a guide for the uniform administration of discipline. It is not, however, to be construed as a delegation of, or a limitation upon, the Appointing Authority's right to impose a different level of discipline when the circumstances warrant, or when the infractions involve an unclassified employee.
- B. This manual provides general guidelines for specific offenses. However, the examples of specific offenses given in any grouping are not all inclusive and serve merely as a non-binding guide.
- C. The general guidelines provided in this policy do not preclude the application of a more-or-less-severe penalty for a given infraction.
- D. Records of verbal warnings and written warnings shall cease to have force and effect for progressive discipline of an employee after twenty-four (24) months of active pay status, provided there is no intervening disciplinary action during the twenty-four (24) month period. Such warnings may be used, however, to show notice to an employee that certain conduct is unacceptable.

- E. Records of suspension, demotions, or reductions shall cease to have force and effect for progressive discipline of an employee after twenty-four (24) months of active pay status, provided there is no intervening disciplinary action during the twenty-four (24) month period. Again, however, such records may be used to show notice.
- F. All records of discipline shall be maintained in the employee's personnel file.
- G. The purpose of disciplinary action is to encourage corrected performance or behavior, except where the employee is removed. To that end, an employee may request, and the Appointing Authority may agree, to remove disciplinary action from an employee's general personnel file after two (2) years, where there has been no intervening discipline in the two (2) year period. The record of discipline will be kept in a separate "dead" file for at least seven (7) years. The Appointing Authority is required to maintain such records by the Ohio Civil Rights Commission.
- H. Supervisors may issue verbal and written warnings. These forms should, in each case of discipline, be completed and signed by the supervisor responsible for administering discipline, written approval by the Appointing Authority, delivered to the employee, and signed by the employee. The completed form shall be forwarded to the Appointing Authority for placement in the employee's personnel file.
- I. Only the Appointing Authority has the authority to reduce in classification or pay, suspend, or terminate an employee. Prior to such discipline, a pre-disciplinary conference must be held if the situation involves a classified employee.
- J. Suspensions of more than twenty-four (24) hours, reductions, or terminations of classified employees must be filed with SPBR on an Order of Removal, Suspension, or Reduction in accordance with RC Section 124.34.
- K. Reduction in classification or pay, suspension, fine, or removal of an unclassified employee does not require an ADM 4055 form and may be executed at the discretion of the Appointing Authority. A written notice shall be provided to the employee. While a pre-disciplinary conference is not legally required for unclassified employees, it is recommended that the Appointing Authority meet with the employee to provide the employee with an opportunity to respond regarding the alleged infraction prior to reducing, suspending, or removing the employee from public service.
- L. The Appointing Authority 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 granted. For example, in a disciplinary situation such leave might extend until the Appointing Authority completes the pre-disciplinary process, investigates the alleged infraction, and takes action or decides not to do so. Compensation for administrative leave shall be equal to the employee's base rate of pay.

DISCIPLINARY CONFERENCE – CLASSIFIED EMPLOYEES

SECTION 8.03

- A. Whenever the Employer or designee determines that an employee may be disciplined for cause (including all suspensions, reductions, or termination), the employee will be notified of the allegations and supporting evidence and a disciplinary conference will be scheduled to give the employee an opportunity to offer an explanation of the alleged conduct. A disciplinary conference is primarily an informal fact-finding session, not a legal proceeding. The objective of the conference is to obtain information through testimony, documentation, and/or questioning of witnesses to determine whether the alleged misconduct occurred.
- B. Disciplinary conferences will be conducted by a hearing officer. The hearing officer may be the Appointing Authority's designee, or an objective party from inside or outside the jurisdiction of the Appointing Authority. The hearing officer will ask the employee to respond to allegations of misconduct. Failure to respond truthfully will result in termination of employment.
- C. Not less than twenty-four (24) hours prior to the scheduled starting time of the conference, the Employer will provide the employee with a written detailed outline of the charges which may be the basis for disciplinary action. In response, the employee must:
1. appear at the conference to present an oral or written statement in the employee's defense; or
 2. elect in writing to waive the disciplinary conference.
- D. In the notice or at any time in the process, the Appointing Authority may assure the employee that their statement will not be used in any criminal proceeding, nor will evidence found as a result of those statements. The Appointing Authority shall confer with the Prosecutor before offering such assurance and before questioning any classified employee about conduct of the employee that may have been criminal.
- E. The supervisor and employee will be notified by the Appointing Authority or the designee of the time, location, and person who will conduct the conference. The person conducting the conference will recite the allegations, summarize the evidence that is the basis of the allegations, and ask the employee to respond.
- F. An employee who elects to attend the conference and present evidence, or who is called to testify, must answer all questions truthfully. If it is later proven that the employee's answers were not truthful, the employee will be terminated.
- G. At the conference the employee may present any testimony, witnesses, or documents that explain whether or not the alleged misconduct occurred. The employee shall provide a list of witnesses to the hearing officer as far in advance as possible, but not later than four (4) hours prior to the disciplinary conference. It is the employee's responsibility to notify witnesses that their attendance is desired.

- H. Upon a reasonable request from the employee, the Employer may delay the disciplinary conference to enable an employee's representative to attend. Generally, the Employer should permit only one (1) such delay.
- I. At the discretion of the hearing officer, the pre-disciplinary conference may be recorded. The Appointing Authority is not legally required to permit recording of a pre-disciplinary conference by the employee.
- J. Hearing Officer's Report
1. The hearing officer shall determine when the conference is concluded and will adjourn the meeting. They may also independently investigate facts alleged by the responding employee or the employee's witnesses, may limit the number of witnesses, and may reconvene the conference if necessary to get additional information or to allow the employee opportunity to respond further or to respond to new matters. For example, if the employee provides an explanation that involves facts unknown to the supervisor, the person conducting the hearing may continue the hearing to investigate. As another example, if the employee or a witness provides information that indicates that the employee committed additional infractions, the person conducting the conference may continue the conference to investigate, or to allow the Employer to issue a revised notice before concluding the disciplinary conference. This is proper procedure if no discipline has yet been issued.
 2. The hearing officer shall objectively hear the case and shall prepare a written report setting forth findings of fact and concluding whether or not the alleged misconduct occurred. The hearing officer shall not recommend discipline. A copy of the hearing officer's report will be provided to the employee and the Appointing Authority within five (5) working days following preparation. The Appointing Authority will decide what discipline, if any, is appropriate, and may agree or disagree with the hearing officer's conclusions.
- K. Within a reasonable time following receipt of the report, the Appointing Authority shall determine what discipline, if any, is warranted based upon the facts found by the hearing officer.
- L. If discipline is warranted, the Appointing Authority shall follow the Agency disciplinary policy and procedures.

GUIDELINES FOR DISCIPLINARY ACTION AND PENALTIES

SECTION 8.04

- A. RC Section 124.34 sets out the forms of misconduct which are the legal basis for reduction, suspension, or removal of a classified employee. Those forms of misconduct are:
1. Neglect of duty;
 2. Incompetency;
 3. Inefficiency;
 4. Unsatisfactory performance;
 5. Dishonesty;
 6. Drunkenness;
 7. Immoral conduct;
 8. Insubordination;
 9. Discourteous treatment of the public;
 10. Any other failure of good behavior;
 11. Any other acts of misfeasance, malfeasance, and nonfeasance;
 12. Any violation of the Employer's policy or work rules; and
 13. Conviction of a felony.
- B. The offenses set forth in Groups I, II, and III below are non-inclusive examples of the above forms of misconduct which the State Personnel Board of Review (SPBR) has historically judged to warrant the penalties established for each group.
- C. In general, Group I Offenses may be defined as those infractions which are of a relatively minor nature and which, in turn, cause only a minimal disruption to productivity, efficiency and/or morale. Group I Offenses, if left undisciplined by proper authority, will usually cause only a temporary impact against the organization unless such acts are compounded over time.
- D. Group II Offenses may be defined as those infractions which are of a more serious nature than the Group I Offenses and which, in turn, cause a more serious and longer lasting disruption to the organization in terms of decreased organizational productivity, efficiency

and/or morale. Group II Offenses, if left undisciplined by proper authority, can cause a serious and longer lasting impact against the organization than the Group I Offenses.

- E. Group III Offenses may be defined as those infractions which are of a very serious or possibly a criminal nature and/or which cause a critical disruption to the organization in terms of decreased productivity, efficiency and/or morale. Group III Offenses, if left undisciplined by proper authority, may have a long lasting and serious adverse impact on the organization.
- F. **THIS DISCIPLINE POLICY IS A GENERAL GUIDELINE ONLY. THE FOLLOWING EXAMPLES OF SPECIFIC OFFENSES ARE NOT ALL INCLUSIVE AND ARE NOT INTENDED TO BE BINDING ON THE EMPLOYER.**

GROUP I OFFENSES

| | |
|-----------------------|--|
| FIRST OFFENSE | Verbal warning |
| SECOND OFFENSE | Written warning |
| THIRD OFFENSE | One (1) day suspension (up to and including twenty-four [24] hours) without pay |
| FOURTH OFFENSE | Five (5) to fifteen (15) day suspension without pay |
| FIFTH OFFENSE | Termination of employment |

Following are examples of Group I Offenses. Following each offense in parentheses are the applicable RC Section 124.34 misconduct types.

1. Failure to properly and completely clock/sign in or out (inefficiency, neglect of duty, or failure of good behavior).
2. Failure to properly “report off” work for any absence or failure to timely notify the proper party of absence (neglect of duty, failure of good behavior, or nonfeasance).
3. Leaving a post of continuous operations prior to being relieved by an employee of the incoming shift (neglect of duty or failure of good behavior).
4. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping (inefficiency, neglect of duty, or failure of good behavior).
5. Failure to observe official safety rules or common safety practices (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
6. Failure to report accidents, injuries, or equipment damage (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).

7. Discourteous treatment of the public (discourteous treatment of public or failure of good behavior).
8. Inattention to the needs of the public (discourteous treatment of public or failure of good behavior).
9. Distracting the attention of others, unnecessary shouting, use of profane or other inappropriate language, misuse of two-way radios, or otherwise causing disruptions on the job (inefficiency, neglect of duty, or failure of good behavior).
10. Malicious mischief, horseplay, wrestling, or other undesirable or potentially harmful conduct (inefficiency, immoral conduct, discourteous treatment of public, or failure of good behavior).
11. Interfering with the work performance of subordinates/other employees or causing other disruptions of the workplace (inefficiency, neglect of duty, or failure of good behavior).
12. Failure to cooperate with other employees (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
13. Neglect of or careless failure to observe Employer rules, regulations, policies, and procedures (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
14. Excessive garnishments (failure of good behavior or nonfeasance).
15. Use or possession of another employee's working equipment or property without approval (dishonesty or failure of good behavior).
16. Unauthorized use of the Employer's telephone for other than business purposes (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
17. Obligating the Employer for any minor expense, service, or performance without prior authorization (dishonesty, neglect of duty, failure of good behavior, or misfeasance).
18. Neglect of or careless failure to care for Employer property or equipment (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
19. Disregarding job duties by neglect of work (e.g., reading for pleasure, playing cards, viewing T.V., etc.) during work hours (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
20. Inefficiency (e.g., lack of application or effort on the job, unsatisfactory performance, failure to maintain required performance standards, etc.) (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).

6. Neglect or careless failure to observe official safety rules, or common safety practices inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
7. Threatening, intimidating, or coercing subordinates, other employees, or general public (inefficiency, neglect of duty, or failure of good behavior).
8. Use of abusive or offensive language or gestures toward subordinates, other employees, residents or the general public (immoral conduct, insubordination, failure of good behavior, or malfeasance).
9. The making or publishing of false, vicious, or malicious statements concerning other employees, residents, the Employer, or its operations (dishonesty, failure of good behavior, or malfeasance).
10. Solicitation or distribution on Employer property in violation of the solicitation and distribution policy (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
11. Willful disregard of the Employer's rules, regulations, policies, and procedures (inefficiency, neglect of duty, failure of good behavior, misfeasance, malfeasance, or nonfeasance).
12. Negligent failure to obey a reasonable order of a supervisor or failure to carry out work assignments, including verbal instructions (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
13. Neglect or carelessness in the use of Employer property or equipment (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
14. Obliging the Employer for a major expense, service, or performance without prior authorization (dishonesty, neglect of duty, failure of good behavior, or misfeasance).
15. Unauthorized use of Employer property or equipment, including the unauthorized reproduction of this manual (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
16. Negligent failure to report accidents, injuries, or equipment damage (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
17. A traffic violation or accident while driving an Employer vehicle which evidences recklessness by the employee (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
18. Refusing to provide testimony in court, during a public hearing (SPBR, SERB, etc.) or any other official hearing, investigation, or proceeding involving the Employer (insubordination, failure of good behavior, or nonfeasance).

19. Refusing to provide testimony or information concerning any investigation (insubordination, failure of good behavior, or nonfeasance).
20. Possession or storage of alcoholic beverages on the Employer's premises (neglect of duty, drunkenness, failure of good behavior, or malfeasance).
21. Unauthorized presence on the Employer's property (failure of good behavior or misfeasance).
22. Habitual neglect of timely completion of required reports or documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
23. Willful failure to timely complete required reports and documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
24. Unauthorized posting or removal of notices or documents on or from bulletin boards (failure of good behavior, misfeasance).
25. Leaving the job or work area during regular working hours without authorization or leaving work prior to the end of the work shift.
26. Violation of any policy or work rule contained in this manual or otherwise.

GROUP III OFFENSES

FIRST OFFENSE**Termination of employment**

Following are examples of Group III Offenses. Following each offense in parentheses are the applicable RC Section 124.34 misconduct types.

1. Wanton or willful neglect in the performance of assigned duties (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
2. Instigating, leading, or participating in any walkout, strike, sit-down, stand-in, sympathy strike, call-in, slow-down, refusal to return to work at the scheduled time for a scheduled shift, or other concerted curtailment, restriction, or interference with work in or about the Employer's premises in violation of RC Chapter 4117 (neglect of duty, failure of good behavior, or misfeasance).
3. Refusal without legitimate reason to work during emergency situations or conditions (insubordination, neglect of duty, failure of good behavior, or nonfeasance).
4. Signing/clocking or altering other employees' timecards or records; altering one's own timecard or record or having one's time card or record signed/clocked or altered by another without authorization (dishonesty, failure of good behavior, or malfeasance).

5. Knowingly concealing a communicable disease (i.e., T.B., etc.) which may endanger others (neglect of duty, failure of good behavior, misfeasance, or malfeasance).
6. Carrying or possessing firearms, explosives, or weapons in the work area (failure of good behavior or malfeasance).
7. Willfully withholding information which threatens the safety and security of the Employer, its operations, or employees (dishonesty, failure of good behavior, misfeasance, or malfeasance).
8. Willfully demeaning, verbally abusing, and/or humiliating a resident, employee, or other person (discourteous treatment of the public, neglect of duty, failure of good behavior, or malfeasance).
9. Threatening, intimidating, or physically abusing a resident, employee, or other person (malfeasance or failure of good behavior).
10. Committing an act of discrimination, sexual harassment, or engaging in conduct giving insult or offense on the basis of race, color, sex, age, religion, national origin, or disability (immoral conduct, neglect of duty, failure of good behavior, or malfeasance).
11. Fighting with or attempting to injure a resident, employee, or other person (discourteous treatment of the public, neglect of duty, failure of good behavior, or malfeasance).
12. Insubordination by refusing to perform assigned work or to comply with the written or verbal instructions of a supervisor (insubordination, neglect of duty, failure of good behavior, or nonfeasance).
13. Providing false testimony, statements, or information in any official Employer, court, or administrative investigation, hearing, or proceeding (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
14. Providing false information, making a false statement, committing a fraudulent act, or withholding pertinent information in the employment application process (dishonesty, failure of good behavior, misfeasance, or malfeasance).
15. Gambling during work hours (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
16. Stealing or similar conduct, including destroying, damaging, concealing, or converting any property of the Employer or of other employees (dishonesty, failure of good behavior, or malfeasance).
17. Dishonesty or dishonest action. Examples of “dishonesty” or “dishonest actions” are: theft, pilfering, making false statements to secure an excused absence, or

justify an absence or tardiness. These are examples only and do not limit the terms dishonesty and dishonest action (dishonesty or malfeasance).

18. Engaging in unauthorized political activity as provided in the Political Activity Section of this manual (failure of good behavior, malfeasance).
19. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance which takes place in whole or in part in the workplace (drunkenness, immoral conduct, neglect of duty, failure of good behavior, or malfeasance).
20. Driving a motor vehicle on duty or Employer business without a valid, applicable operator's license (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
21. Failure to obtain, maintain, and/or report the loss of required licenses, certifications, or other qualifications of an employee's position (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
22. Conviction of any violation of law which may adversely affect the public's trust in the employee's ability to perform the duties of the employee's position (dishonesty, failure of good behavior, or malfeasance).
23. Intentional misuse of Employer or other public funds (dishonesty, neglect of duty, failure of good behavior, or malfeasance).
24. Willful neglect or intentional misuse, abuse, or destruction of the property, equipment or tools of the Employer or another employee (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
25. Soliciting or accepting a gift, gratuity, bribe, or reward for the private use of the employee, or otherwise using one's position, identification, name, photograph, or title for personal gain, or otherwise violating the Employer's Code of Conduct or Ohio's ethics laws for public employees (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
26. Engaging in off-duty employment activities which the Employer has determined to be an interest or time conflict (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
27. Making false claims or misrepresentations in an attempt to obtain any benefit (dishonesty, failure of good behavior, neglect of duty, or malfeasance).
28. Misusing, removing, or revealing documents or information of a confidential nature or revealing such information without prior and appropriate authorization (dishonesty, neglect of duty, failure of good behavior, or malfeasance).

29. Misuse, removal, or destruction of Employer records without prior authorization (dishonesty, neglect of duty, failure of good behavior, or malfeasance).
 30. Committing violations of official safety rules or common safety practices (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
 31. Engaging in unauthorized political activity.
 32. Conviction of certain felonies as provided by RC 124.34.
 33. Failure to report an act of discrimination, sexual harassment, or engaging in conduct giving insult or offense on the basis of race, color, sex, age, religion, national origin, genetic information, military or veteran's status, or disability (immoral conduct, neglect of duty, failure of good behavior, or malfeasance).
 34. Committing violations of the Employer's workplace violence policy (discourteous treatment of the public, neglect of duty, failure of good behavior, or nonfeasance).
 35. Violation of any policy or work rule contained in this manual or otherwise.
- G. Multiple policy violations should be dealt with by following the progressive discipline procedure set forth below:
1. Multiple minor offenses which are unrelated are progressively disciplined in the groups in which the offenses are outlined in these guidelines.
 2. Multiple offenses which are related are progressively disciplined regardless of the groups in which the offenses are classified and regardless of the order in which the offenses are listed and regardless of the order in which the offenses occurred.
 3. Multiple offenses which are closely related in time, even if unrelated or in different groups, may be combined to result in discipline which exceeds the severity of the total sum of the separate offenses.

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| APPEALS OF PERSONNEL ACTIONS – CLASSIFIED EMPLOYEES | SECTION 8.05 |
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- A. Classified employees may appeal suspensions of more than twenty-four (24) hours, reductions in pay or classification, layoffs, job abolishment, or terminations either through the internal grievance procedure contained in this manual or to the State Personnel Board of Review (SPBR).
- B. Appeals to the SPBR by classified employees must be filed within ten (10) days after receipt of the order by the employee to the SPBR. However, appeals from layoffs or a displacement must be filed or postmarked no later than ten (10) days after receipt of the notice of layoff or after the date the employee is displaced.

- C. The SPBR has authority to decide whether an appeal warrants a hearing. When an appeal is heard, the SPBR may affirm, disaffirm, or modify the disciplinary action.
- D. Interim, temporary, intermittent, and other employees serving in the unclassified service have no appeal rights to the SPBR. Probationary employees likewise may not appeal to the SPBR.
- E. Disciplinary action based on conviction of a “felony” within the meaning of RC 124.34 may not be appealed to the SPBR.

COMPLAINT PROCEDURE – CLASSIFIED EMPLOYEES**SECTION 8.06**

- A. Classified employees may appeal suspensions of more than twenty-four (24) hours, reductions in pay or classification, layoffs, job abolishment, or terminations. For discipline twenty-four (24) hours or less, the employee may file a written objection to the finding and/or discipline.
- B. Classified employees have the right to file such an appeal without prejudice. No employee shall be disciplined, harassed, retaliated against, or dealt with unfairly as a result of filing an appeal or testifying in a hearing unless said testimony revealed additional facts.
- C. Complaints filed by an employee regarding illegal discrimination should be filed and resolved pursuant to the complaint procedure contained in the Discrimination Complaint Procedure section of this manual and not this complaint procedure.
- D. The Appointing Authority shall have set forth in writing the chain of command within the office, detailing Supervisor, Department Head, and Appointing authority for purpose of following this procedure.
- E. Step One: Immediate Supervisor
 - 1. Any employee with a complaint shall first discuss the matter with the employee’s immediate supervisor, if applicable, within five (5) working days of the action giving rise to the complaint. The supervisor shall make every reasonable effort to resolve the complaint at this time.
 - 2. If the employee is not satisfied with the response, the employee may elect to proceed to Step Two, if applicable, or if not applicable, to Step Three.
- F. Step Two: Department Head
 - 1. The employee shall reduce the complaint to writing and deliver same to the Department Head within five (5) working days of receipt of the response in Step One. The Department Head shall schedule a hearing within five (5) working days of receipt and issue a decision within five (5) working days following the hearing.

2. If the employee is not satisfied with the response, the employee may elect to proceed to Step Three.

G. Step Three: Appointing Authority

1. The employee shall reduce the complaint to writing and deliver same to the Appointing Authority or designee within seven (7) working days of receipt of the response in Step Two. The Appointing Authority shall schedule a hearing within ten (10) working days of receipt. The Appointing Authority shall issue a decision within fifteen (15) working days following the hearing. The decision of the Appointing Authority shall be final and binding on all parties.

H. Employees may elect to file their complaint with Huron County Human Resources at any time in the complaint process or if the complaint involves an individual in the employee's immediate chain of command.

I. Any complaint not filed or processed to the next step of the chain of command shall be considered resolved based on the Employer's last answer.

J. General Procedures for Hearings

1. Complaints citing issues of law shall be forwarded by the Appointing Authority to the Prosecuting Attorney's Office for an opinion before proceeding, and all-time limits shall be held in abeyance until such opinion is received by the Appointing Authority.
2. The Appointing Authority may extend time limits where necessary.
3. A complainant may have witnesses present at any hearing. Employees, and employee witnesses shall not lose pay or benefits for time spent in hearings if held during the employee's normal working hours. Prior notice of any employee participating in any complaint hearing shall be provided to the Appointing Authority to allow the employee to be relieved of duty.
4. Hearings shall be informal. The rules of evidence shall not apply.

**HURON COUNTY
PERSONNEL POLICY MANUAL ACKNOWLEDGEMENT**

I hereby acknowledge that I have received a copy of the Huron County Personnel Policy Manual (HC PPM) that was adopted on November 28, 2023, which establishes my obligation as an employee of the county. By my signature below, I hereby acknowledge that I have read and understand the HC PPM including the specific enumerated policies below and agree to comply with all terms and conditions therein. I further understand that if I breach these policies, I could be subject to discipline including termination of my employment.

| | <u>Date</u> | <u>Signature</u> |
|---|-------------|------------------|
| Personnel Policy and Procedures Manual | _____ | _____ |
| Discriminatory Harassment (Section 2.03) | _____ | _____ |
| Use of Information Systems (Section 6.13) | _____ | _____ |
| No Expectation of Privacy (Section 6.17) | _____ | _____ |
| Ethics of Public Employment (Section 7.01) | _____ | _____ |
| Drug Free Workplace Policy (Section 7.06) | _____ | _____ |
| Workplace Violence Policy (Section 7.12) | _____ | _____ |

Note: New employees should complete this acknowledgment within fourteen (14) days following their hire. A copy should be sent to Huron County Human Resources.