

Tuscarawas County Health Department Personnel Manual



Public Health
Prevent. Promote. Protect.

Tuscarawas County Health Department

Updated and Approved by Board of Health October 18, 2023
Previous versions approved on: February 15, 2023; October 19, 2022; July 20, 2022;
November 17, 2021; March 13, 2019; April 11, 2018; February 14, 2018; March 21, 2017;
June 1, 2017; November 8, 2017

This document is not a contract.

Table of Contents

CHAPTER 1 GENERAL POLICIES

- 1.1 Introduction
- 1.2 Scope of Coverage
- 1.3 Management Rights and Responsibilities
- 1.4 Availability of Manual
- 1.5 Amendments

CHAPTER 2 GENERAL EMPLOYMENT MATTERS

- 2.1 Equal Employment Opportunity
- 2.2 Limited English Proficiency Communication Policy
- 2.3 Americans with Disabilities Act
- 2.4 Prohibited Discrimination/Harassment/Inappropriate Conduct
- 2.5 Human Trafficking Policy
- 2.6 Classified and Unclassified Employment
- 2.7 Vacancies: Identification, Announcement, and Applicants
- 2.8 Evaluation of Applicants
- 2.9 Salary Scale/Pay Raises
- 2.10 Employment of Relatives
- 2.11 Immigration Reform and Control Act
- 2.12 Medical Examinations
- 2.13 Inspection and Release of Employment Records
- 2.14 New Employee Orientation
- 2.15 Licensure, Registration, and Certifications
- 2.16 Communicable Diseases
- 2.17 Vaccines
- 2.18 Reporting Violations of State, Local, or Federal Laws, and Whistleblower Claims
- 2.19 Auditor of State Fraud Reporting System
- 2.20 Drug Free Workplace Policy
- 2.21 Ethics of Public Employment and Public Health

CHAPTER 3 PERFORMANCE AND DEVELOPMENT RELATED MATTERS

- 3.1 Probation
- 3.2 Performance Evaluation
- 3.3 Training

CHAPTER 4 COMPENSATION RELATED MATTERS

- 4.1 Pay Periods and Paycheck Distribution
- 4.2 Hours of Work and Scheduling
- 4.3 Overtime and Compensatory Time
- 4.4 Payroll Deductions
- 4.5 Expense Reimbursement
- 4.6 Workers' Compensation
- 4.7 Health Care Benefits
- 4.8 Benefits to Reemployed Retirees

CHAPTER 5 LEAVES

- 5.1 Holidays
- 5.2 Prior Service
- 5.3 Vacation
- 5.4 Sick Leave
- 5.5 Sick Leave Conversion
- 5.6 Personal Leave
- 5.7 Funeral Leave
- 5.8 Military Leave
- 5.9 Civil Leave
- 5.10 Pre- Approved Leave of Absence without Pay
- 5.11 AWOL (Absent without Leave Time)
- 5.12 Disability Separation
- 5.13 Administrative Leave
- 5.14 Employee Disability
- 5.15 Family Medical Leave
- 5.16 Precinct Election Official Leave

CHAPTER 6 STANDARDS OF CONDUCT

- 6.1 General Standards of Conduct
- 6.2 Attendance

6.3	Tardiness
6.4	Notification of Absence
6.5	Weather Related Closing
6.6	Safety, Security, Health, and Injury
6.7	Lunch
6.8	Lactation Break
6.9	Tools, Supplies, Equipment, Cell and Telephones, and Mail
6.10	Use of County Vehicles
6.11	Outside Employment or Activities
6.12	No Solicitation/No Distribution
6.13	Ethics
6.14	Discriminatory Harassment
6.15	Drug and Alcohol Testing
6.16	Drug and Alcohol Testing of Commercial Drivers' License Operators
6.17	Political Activity
6.18	Dress and Hygiene
6.19	Bulletin Boards
6.20	Tobacco Use
6.21	Employee Use of Public Records; Recording Meetings
6.22	Computer and Technology Use, Email, Cell Phones, Social Media Information Technology Policy
6.23	No Privacy Expectation
6.24	Communications
6.25	Concealed Weapons
6.26	Workplace Violence
6.27	Conviction of a Felony
6.28	Credit Card Use Policy

CHAPTER 7 CORRECTIVE ACTION

7.1	Discipline
7.2	Guidelines for Discipline
7.3	Predisciplinary Process and Conference
7.4	Appeals
7.5	Employee Problem Solving / Complaint Procedure

CHAPTER 8 SEPARATION RELATED MATTERS, LAYOFFS

- 8.1 Resignation
- 8.2 Layoffs and Abolishment

CHAPTER 1 GENERAL POLICIES

- 1.1 Introduction
- 1.2 Scope of Coverage
- 1.3 Management Rights and Responsibilities
- 1.4 Availability of Manual
- 1.5 Amendments

SECTION 1.1 INTRODUCTION

This manual uses the terms “County” and “Health Department” and “Employer” interchangeably. “Employer” includes departments under the Tuscarawas County Board of Health.

The term “Appointing Authority” means the Tuscarawas County Board of Health or position given the authority to appoint, discipline, or take other actions regarding employees. In most instances in this manual the appointing authority is also the Employer. The placement and context of each of these terms, “County”, “Employer” and “Appointing Authority” must be considered as these terms are used in the manual.

This manual is not an employment contract. Nothing contained in this manual should be construed as a contractual obligation to continued employment or benefits.

The policies and procedures set forth and adopted within this manual, and the communications interpreting and enforcing them, supersede all previous written and unwritten personnel policies and procedures and communications of the Employer.

These policies and procedures are structured to comply with applicable laws, rules, regulations, and general County policy. If there is a conflict between this manual, and any applicable law, rule, regulation, or labor agreement, the applicable law, rule, regulation, or labor agreement shall prevail.

Whenever the pronouns **he** or **she** or variances thereof or other gender references are used in this manual, it is only for the purpose of efficiency and should not be construed as discriminatory in nature but should be interpreted as referring to both sexes.

Tuscarawas County Health Department may review its employment policies, procedures, benefits, and expectations and change them to reflect current business needs. For this reason, the policies, procedures, benefits, and expectations listed in this handbook might change in the future. Tuscarawas County Health Department reserves the right to modify, amend, delete, supplement, rescind or revise any or all provisions in this manual at any time if Tuscarawas County Health Department believes that the change is necessary. It is your responsibility to read and understand any such changes.

SECTION 1.2 SCOPE OF COVERAGE

The personnel policies contained in this manual apply to all classified and unclassified employees under the authority of the Board of Health.

SECTION 1.3 MANAGEMENT RIGHTS AND RESPONSIBILITIES

This provision is intended to set forth a clear understanding of the responsibilities and prerogatives of management. Management includes the appointing authority, the Employer, or designees, and may include supervisory staff. Many of the rights listed below have been incorporated into the policies contained in this manual. The examples listed are not all inclusive.

- A. The Employer and designated individuals maintain the ultimate right to administer the business of the Employer. In addition to other functions and responsibilities covered by law, the Employer has and will retain the full right and responsibility to direct operations, to promulgate rules and regulations, and to otherwise exercise the prerogatives of management, including, but not limited to, the following:
1. to manage and direct its employees, including the right to select, hire, promote, transfer, assign, evaluate, layoff and recall, reprimand, suspend, discharge, or otherwise discipline and/or correct behavior;
 2. to promulgate and enforce employment rules and regulations;
 3. to manage and determine the location, type, and number of physical facilities, equipment, programs, and the work to be performed;
 4. to determine the Employer's goals, objectives, programs, and services, and to utilize both internal and external personnel in a manner designed to effectively meet these purposes;
 5. to determine the size, composition, and duties of the work force, the number of shifts required, to establish work schedules and hours of work, to establish, modify, consolidate, or abolish jobs (or classifications), and to determine staffing patterns, which includes but is not limited to the assignment of employees, duties to be performed, qualifications required, and areas worked;
 6. to relieve employees from duty due to the lack of work, lack of funds, or for reasons of economy and efficiency;
 7. to determine when a job vacancy exists, the standards of quality and performance to be maintained;

8. to determine the necessity to schedule overtime and the amount required thereof;
 9. to maintain the security of records and other pertinent information;
 10. to determine the overall budget and uses thereof;
 11. to maintain and improve the efficiency and effectiveness of the Employer's operation;
 12. to determine and implement necessary actions in emergency and other situations; and
 13. to exercise complete control and discretion over department and County organization and the necessity for technology.
- B. All functions, rights, powers and responsibilities of the Employer and its agents, in regard to the operation of its business and workforce, which it has not specifically abridged, deleted, or modified by the express written provisions herein, shall remain exclusively those of the Employer.

SECTION 1.4 AVAILABILITY OF MANUAL

All employees should be notified of and have access to this personnel manual.

Employees having questions regarding any provision of this manual should immediately contact their supervisor for clarification.

SECTION 1.5 AMENDMENTS

The policies and procedures set forth in this Manual supersede all previous written and unwritten Tuscarawas County Health Department (TCHD) personnel policies. This Manual does not constitute a contract of employment, expressed or implied, and should not be considered as such. Furthermore, this Manual is not a limitation on the TCHD's right to direct its workforce. Unless restricted by law, the TCHD reserves all rights to manage its workforce.

The policies and procedures contained in this Manual do not reflect or represent every conceivable factual situation, but those most often encountered. Situations may differ and will be handled as warranted by the circumstances and at the discretion of the TCHD. The policies and procedures in this Manual are intended to be guidelines to employees and managers.

CHAPTER 2 GENERAL EMPLOYMENT MATTERS

- 2.1 Equal Employment Opportunity
- 2.2 Limited English Proficiency Communication Policy
- 2.3 Americans with Disabilities Act
- 2.4 Human Trafficking Policy
- 2.5 Prohibited Discrimination/Harassment/Inappropriate Conduct
- 2.6 Classified and Unclassified Employment
- 2.7 Vacancies: Identification, Announcement, and Applicants
- 2.8 Evaluation of Applicants
- 2.9 Salary Scale/Pay Raises
- 2.10 Employment of Relatives
- 2.11 Immigration Reform and Control Act
- 2.12 Medical Examinations
- 2.13 Inspection and Release of Employment Records
- 2.14 New Employee Orientation
- 2.15 Licensure, Registration, and Certifications
- 2.16 Communicable Diseases
- 2.17 Vaccines
- 2.18 Reporting Violations of State, Local, or Federal Laws, and Whistleblower Claims
- 2.19 Auditor of State Fraud Reporting System
- 2.20 Drug Free Workplace Policy
- 2.21 Ethics of Public Employment and Public Health

SECTION 2.1 EQUAL EMPLOYMENT OPPORTUNITY

Tuscarawas County Health Department is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, age, national origin, ancestry, disability, military status, genetic testing, or any other unlawful basis. All personnel decisions and practices, including, but not limited to hiring, suspensions, terminations, layoffs, demotions, promotions, transfers, and evaluations, shall be made without regard to the above-listed categories. The Employer intends for all its policies to comply with federal and state equal employment opportunity principles and other related laws.

The Health Department will not tolerate conduct that intimidates, harasses, or otherwise discriminates against any employee or applicant for employment on the grounds listed above. Anyone who feels that his rights have been violated under this policy should submit a written complaint of discrimination to his immediate supervisor, or Employer/designee. Employees may use the report form provided on the employee portal.

Any employee, supervisor, or manager who is found to have engaged in discriminatory conduct will be subject to disciplinary action, up to and including termination.

SECTION 2.2 LEP POLICY

The Tuscarawas County Health Department will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits. Our policy is to ensure meaningful communication with LEP patients/clients and their authorized representatives involving their medical conditions and treatment. The policy also provides for communication of information contained in vital documents, including but not limited to, waivers of rights, consent to treatment forms, financial and insurance benefit forms, etc. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and patients/clients and their families will be informed of the availability of such assistance free of charge.

Language assistance will be provided through the use of contracts with organizations providing interpretation or translation services, or technology and telephonic interpretation services. All staff will be provided with notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in the use of an interpreter and TTY/TDD services.

Identifying LEP persons and their language needs: the Health Department will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or “I speak cards,” available online at www.lep.gov) or posters to determine the language. In addition, when records are kept of past interactions with patients (clients/residents) or family members, the language used to communicate with the LEP person will be included as part of the record.

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

Children, under the age of 18, and other clients/patients/residents will not be used to interpret, to ensure confidentiality of information and accurate communication.

Providing Written Translations: When translation of vital documents is needed, The Health Department will:

- Submit documents for translation to the staff translator. Original documents being submitted for translation will be in final, approved form with updated and accurate legal and medical information.
- Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.

Providing notice to LEP persons: The Health Department will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, notices and signs will be posted and provided in intake areas and other points of entry, including but not limited to the emergency room, outpatient areas, etc.

Monitoring language needs and implementation: On an ongoing basis, the Health Department will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, the Health Department will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery

of language assistance, complaints filed by LEP persons, feedback from patients and community organizations.

The Health Department will take appropriate steps to ensure that persons with disabilities, including persons who are deaf, hard of hearing, or blind, or who have other sensory or manual impairments, have an equal opportunity to participate in our services, activities, programs, and other benefits. The procedures outlined below are intended to ensure effective communication with patients/clients involving their medical conditions, treatment, services, and benefits. All necessary auxiliary aids and services shall be provided without cost to the person being served.

Identification and assessment of need: the Health Department provides notice of the availability of and procedure for requesting auxiliary aids and services through posted notices. When an individual self-identifies as a person with a disability that affects the ability to communicate or to access or manipulate written materials or requests an auxiliary aid or service, Health Department staff will consult with the individual to determine what aids or services are necessary to provide effective communication in particular situations.

Provision of Auxiliary Aids and Services: The Health Department shall provide the following services or aids to achieve effective communication with persons with disabilities:

For Persons Who Are Deaf or Hard of Hearing:

- For persons who are deaf/hard of hearing and who use sign language as their primary means of communication, the staff is responsible for providing effective interpretation or arranging for a qualified interpreter when needed.
- Some persons who are deaf or hard of hearing may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the person will not be used as interpreters unless specifically requested by that individual and after an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided.

For Persons Who are Blind or Who Have Low Vision:

- Staff will communicate information contained in written materials concerning treatment, benefits, services, waivers of rights, and consent to treatment forms by reading out loud and explaining these forms to persons who are blind or who have low vision.
- Qualified readers; reformatting into large print; taping or recording of print materials not available in alternate format; or other effective methods that help make visually delivered materials available to individuals who are blind or who have low vision. In addition, staff are available to assist persons who are blind or who have low vision in filling out forms and in otherwise providing information in a written format.

Each Bureau may use different translation services, based on programmatic requirements. Bureau directors will keep all contact information for their Bureau's translation services accessible to staff.

SECTION 2.3 AMERICANS WITH DISABILITIES ACT

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

The Employer will provide reasonable accommodation to a qualified applicant or employee with a disability unless the accommodation would pose an undue hardship on or direct threat to the facility. Decisions as to whether an accommodation is necessary and/or reasonable shall be made on a case-by-case basis. An employee who wishes to request an accommodation shall direct such request to his immediate supervisor, Employer/designee. Requests for accommodation should be in writing to avoid confusion; however, verbal requests will be considered. The Employer and employee will meet and discuss whether an accommodation is appropriate and, if applicable, the type of accommodation to be given.

Any employee who feels that his rights have been violated under this policy should submit a written complaint as set forth in the policy regarding unlawful discrimination and harassment.

SECTION 2.4 HUMAN TRAFFICKING POLICY

The Tuscarawas County Health Department has a zero-tolerance policy regarding human-trafficking related activities. Federal Law defines trafficking in persons as sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act had not attained 18 years of age; or the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. Ohio Law states that no person shall knowingly recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain another person knowing that the person will be subjected to involuntary servitude or be compelled to engage in sexual activity. Tuscarawas County Health employees, subcontractors, contractors, agents, or other shall not violate any portion of this policy or related federal, state, or local statutes and regulations.

Disciplinary Action: Any violation of this Policy may result in disciplinary action up to and including termination.

Reporting

- a. Credible information regarding a potential violation of the state or federal laws of this Policy shall be immediately reported to the employee's Supervisor and/or the Health Commissioner.
- b. Violations may also be reported to local law enforcement and/or the National Human Trafficking Hotline Resource Center at 1-888-373-7888. Other options include texting "HELP" or "INFO" to BeFree (233733) or email help@befree.org.

SECTION 25 PROHIBITED DISCRIMINATION HARASSMENT/INAPPROPRIATE CONDUCT

The Employer is committed to providing a facility that is safe and free from unlawful discrimination and harassment. Unlawful discrimination or harassment is behavior directed toward an employee because of his membership in a protected class, such as race, color, religion, sex, age, national origin, ancestry, disability, genetic information, or military status. Unlawful discrimination and harassment is inappropriate and illegal and will not be tolerated. All forms of unlawful discrimination and harassment are governed by this policy and must be reported and addressed in accordance with this policy.

Unlawful discrimination occurs when individuals are treated less favorably in their employment because of their membership in a protected classification. An Employer may not discriminate against an individual with respect to the terms and conditions of

employment, such as hiring, promotions, raises, and other job opportunities, based upon the individual's membership in that protected class.

Harassment is a form of discrimination. Harassment may generally be defined as unwelcome conduct based upon a protected classification. Harassment becomes unlawful when:

1. Enduring the offensive conduct becomes a condition of continued employment; or
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

By way of example, sexual harassment is one type of unlawful harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is made either explicitly or implicitly as a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Harassment on the basis of an employee's membership in any protected classification (as set forth above) is unlawful, will not be tolerated, and must be reported.

Unlawful discrimination and harassment does not generally encompass conduct of a socially acceptable nature. However, some conduct that is appropriate in a social setting may be inappropriate in the workplace. A victim's perceived acquiescence in the behavior does not negate the existence of unlawful discrimination or harassment. Inappropriate conduct an employee perceives as being "welcome" by another employee may form the basis of a legitimate complaint.

Off Duty Conduct

Unlawful discrimination or harassment that affects an individual's employment may extend beyond the confines of the workplace. Conduct that occurs off duty and off premises may also be subject to this policy.

Workplace Romances

To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform their immediate supervisor, Director or Employer if they currently are, or if they intend to become, romantically involved with a co-worker. Such relationships are not necessarily prohibited but must be appropriately addressed. Should the Employer determine 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 of the parties may be separated from employment. Supervisors should refrain from engaging in romantic or sexual relationships with any employee they directly, or indirectly supervise.

Complaint Procedure

Employees who feel that they have been subjected to unlawful discrimination or harassment by a fellow employee, supervisor, or other individual otherwise affiliated with the Employer or members of the public, including vendors, shall immediately report the conduct, preferably in writing, to their immediate supervisor or Equal Employment Act Officer ("EEO"), their Department Head, Appointing Authority, Employer or Office Holder. If the alleged harasser is the Appointing Authority (e.g. Board Member) or the elected Officer Holder, the employee may report the conduct to the Prosecutor. Each of these persons will have the authority to investigate and take appropriate action concerning the complaint. Similarly, employees who have knowledge of discrimination or harassment, or who have questions or concerns regarding discrimination or harassment, shall immediately contact their immediate supervisor or Employer/designee. Late reporting of complaints and verbal reporting of complaints will not preclude the Employer/designee from taking action. However, employees are encouraged to submit complaints in writing and in an expedient manner following the harassing or offensive incident so that a thorough and accurate investigation may be conducted. All supervisors are required to follow up on all claims or concerns, whether written or verbal, regarding unlawful discrimination and harassment. Discriminatory/Harassment Complaint form can be found on the Employee Portal of the TCHD website.

When the Employer is notified of the alleged harassment, it will promptly investigate the complaint. The investigation will include a review of the circumstances and facts under which the alleged harassment occurred. The investigation may include interviews of the employee allegedly harassed, the employee committing the alleged harassment and any and all witnesses. Information will be kept as confidential as practicable, although confidentiality cannot be guaranteed, pursuant to applicable public records laws. An investigative file may be maintained, which may include statements of the complainant, person(s) committing the alleged harassment, and witnesses as well as any other related documentation. This file is a public record under Ohio Revised Code Section 149.43, except to the extent it contains records which are specifically exempt from disclosure. All employees are required to cooperate in any investigation. Determinations of harassment shall be made on a case-by-case basis. If the investigation reveals that the complaint is valid, prompt attention and corrective or disciplinary action designed to stop the harassment and prevent its recurrence will be taken.

Retaliation

Anti-discrimination laws prohibit retaliatory conduct against individuals who file a discrimination charge, testify, or participate in any way in an investigation, proceeding, or lawsuit under these laws, or who oppose employment practices that they reasonably believe discriminate against protected individuals, in violation of these laws. The law also prevents retaliatory conduct against individuals who are close personal friends or family members with an individual who engaged in protected conduct. The Employer and its supervisors and employees shall not in any way retaliate against an individual for filing a complaint, reporting harassment, participating in an investigation, or engaging in any other protected activity. Any employee who feels that they have been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of his relationship with someone who took action under this policy, shall report the conduct to his immediate supervisor, or to the Employer/designee immediately.

False Complaints

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.

Corrective Action

If the Employer determines unlawful discrimination, harassment, or retaliation has taken place, appropriate corrective action will be taken, up to and including termination. The corrective action will be designed to stop the unlawful conduct and prevent its

reoccurrence. If appropriate, law enforcement agencies or other licensing bodies will be notified. Any individual exhibiting retaliatory or harassing behavior towards an employee who exercised a right under this policy, or a person who is a close personal friend or family member of someone who exercised a right under this policy, will be subject to discipline, as will any employee who has knowledge of unlawful conduct and allows that conduct to go unaddressed.

This policy covers all employees, supervisors, and the Employer. Additionally, this policy covers all suppliers, subcontractors, visitors, clients, volunteers and any other individual who enters County property, conducts business on County property, or who is served by County personnel.

SECTION 2.6 CLASSIFIED AND UNCLASSIFIED EMPLOYMENT

Pursuant to the Ohio Revised Code (“Revised Code”), TCHD employees are divided into either unclassified service or classified service.

Unclassified Service

The unclassified service is comprised of the specific positions listed in the Revised Code, which includes but is not limited to Department Directors, student interns, and temporary employees. All offices and positions in the unclassified service are exempt from civil service examination and have no tenure under the law. Unclassified employees serve at the pleasure of the Board of Health.

Classified Service

All other employees are deemed to be classified employees and their employment is subject to the provisions of the Ohio Revised Code and the Ohio Administrative Code.

Probationary Employees

Probationary employees may be removed or reduced during their probationary period without a showing of just cause.

SECTION 2.7 VACANCIES: IDENTIFICATION, ANNOUNCEMENT, AND APPLICANTS

The Employer determines when vacancies in positions exist. When employees leave positions, a vacancy does not automatically occur. Continued need and funding for the position will be considered. The Employer may eliminate the position, restructure, or redistribute the job duties.

When the Employer determines that a vacancy exists and decides to fill the vacant position, the Employer may post and/or advertise the position. The selection will be made by the Employer.

The Employer may post or publish notice of vacancies by electronic and other means for posting or publishing notices of vacancies. This is to offer current employees the opportunity to show interest in a position which could be a transfer, unit change, reduction, or promotion. The Employer reserves the authority to decide whether this step of soliciting interest is in the best interest of the Employer and is not obligated to post or publish all vacancies.

When job vacancies occur, employees should be given an opportunity to apply for such vacancies. The term promotion means an act of placing an individual in a classification that has a higher salary range than that previously held but does not include reassignments or reclassification into higher pay ranges.

All persons applying for original appointment to a position under the TCHD shall complete and file with Human Resources an "Employment Application Form".

No applicant shall be required to disclose their religious or political affiliation or racial or ethnic origin, except as necessary to gather equal employment opportunity or other statistics that, when collected, will not identify any specific individual.

Evaluation of Applicants

Appointments to vacant positions shall be made solely on the applicant's knowledge, skills and abilities, and other job-related qualifications, as ascertained through fair and practical selection methods.

Factors to consider for promotion include an employee's completion of any required probationary period, required training courses, prior performance, skills and abilities, the employee's annual performance evaluation ratings, and other job-related measurements.

The Employer may solicit for applicants outside of the agency. This will occur by announcing the accepting of applications through various means, which may include publishing on Health Department website, job sites, other electronic means or other means of public notice. The notice shall contain similar instructions as noted above.

SECTION 2.8 EVALUATION OF APPLICANTS

All persons or employees wishing to be considered for vacant positions should submit a completed application and an updated resume. All applicants should submit any additional information they wish to be considered. Such information may include documentation of education, certifications, licenses, special training, references, prior job performance, and other information relevant to the position. It is the applicant's responsibility to provide the information to be submitted.

Applicant Drug Testing

All applicants tentatively offered a position under the TCHD will be required to submit to urinalysis to test for illegal drug use prior to final appointment. An applicant with a positive test may not be offered employment for a period of one (1) year from the date of the positive test.

Applicants shall have an opportunity to submit medical documentation of legally prescribed medications which may explain a positive test result.

Criminal Background Check

All outside applicants offered a position with TCHD will be required to submit to fingerprinting for a criminal background check. A criminal background check may also be required for current employees who are applying for certain types of positions under the TCHD (e.g., positions working with children or seniors). The TCHD in its discretion may also periodically conduct criminal background checks of current employees.

In addition to the performance of a criminal background check, all applicants for employment are required to disclose whether they have been convicted of any of the following crimes:

- Felonies (or under arrest for crime punishable as a felony);
- Crimes involving dishonesty, fraud, or theft (e.g., forgery, burglary, robbery, credit card fraud, perjury, bribery, tax evasion);
- Crimes of moral turpitude (e.g., sex offenses, pandering, prostitution, importuning, public indecency);

Conviction of a crime or a history of criminal convictions may prevent an applicant from being offered employment. Determination of such action will be based on an analysis of the responsibilities of the position and the nature and time frame of the conviction.

Nicotine Free Hiring Policy

Tuscarawas County Health Department is committed to providing a healthy and safe environment for all employees, patients, clients and visitors thus TCHD no longer hire individuals who use or test positive for tobacco or nicotine products.

1. TCHD will not hire tobacco or nicotine product users.
2. Job applicants will be informed of the policy when applying for a job and be reminded of the policy upon their first interview. Applicants will also be informed that a CO breath test and/or cotinine test may be included as part of their pre-employment screening.
4. Applicants who test positive for cotinine will not be offered employment but will be eligible to reapply after 90 days.
5. All candidates for employment will be required to sign an acknowledgement form indicating that they do not presently use and will not use nicotine or tobacco products during the term of their employment.

SECTION 2.9 SALARY SCALE/ PAY RAISES

The Board of Health shall establish and maintain a salary scale which shall be used to set compensation for employees. The salary scale shall be based on current competitive salaries required to attract and retain qualified employees. New employees may be placed in the pay scale at the level appropriate to their education, experience, and skills. The Board of Health, based on budget constraints and economic trends will determine raises. Annual pay raises are not guaranteed and may not apply to all employees equally.

SECTION 2.10 EMPLOYMENT OF RELATIVES

The Employer will receive employment applications from relatives of current employees. However, the following 4 situations may preclude the Employer from hiring a relative of a current employee:

1. if one relative would have supervisory (direct or indirect) or disciplinary authority over another;
2. if one relative would audit the work of another;
3. if a conflict of interest exists between the relative and the employee or the relative and Employer; or

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

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

The provisions of ethics laws found in Ohio Revised Code Sections 102.03 and 2921.42 render it unlawful for public officials to use their influence to obtain a benefit, including a job for a relative. Any violation of these statutes may result in criminal prosecution and/or disciplinary action, up to and including termination.

For purposes of this policy, the term "relative" shall include a spouse, child, grandchild, parent, grandparent, sibling, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father-in-law, mother-in-law, step-parent, step-child, step-sibling, and a legal guardian or other person who stands in the place of a parent to the employee.

SECTION 2.11 IMMIGRATION REFORM AND CONTROL ACT

The Employer complies with the provisions of the Immigration Reform and Control Act of 1986, as amended by the Immigration Act of 1990.

SECTION 2.12 MEDICAL EXAMINATIONS

The Employer, with sufficient justification, may require that a current employee submit to a medical examination in order to determine that the employee remains able to perform the essential functions of his position, with or without reasonable accommodation. Such examination will be conducted by a licensed practitioner selected by the Employer. The cost of the examination will be paid by the Employer.

Whenever the Employer sends an applicant or employee for a medical or psychological examination, the Employer should send a job description and any other relevant information about the position to the licensed, qualified practitioner conducting the examination, and request that the practitioner indicate in writing whether the applicant can perform the essential functions of the job identified on the job description; and if not, what accommodation, if any, the applicant or employee would require in order to do the job.

SECTION 2.13 INSPECTION AND RELEASE OF EMPLOYMENT RECORDS

This policy is to establish rules on the inspection and release of employment/payroll records in order to provide access to public employment/payroll records and to guard against a possible unwarranted invasion of an employee's privacy.

This policy is consistent with Chapter 149 of the Ohio Revised Code as it pertains to the maintaining of public records, specifically personnel files. The Health Department shall maintain official personnel files on all of its employees. Such files shall include, but not be limited to individual employment data, application forms, records pertaining to hiring, promotion, demotion and discipline, transfer, lay off, termination, compensation, hours, etc.

Employee records are the property of the Employer. Personnel records are public records and should be promptly prepared and made available for inspection to any member of the general public upon request during regular business hours. Upon request, the Employer or designee shall make copies available at the actual cost. Certain records are not subject to public disclosure. The list of records that are not public records can be found in Section 149.43 of the Revised Code.

When the Health Commissioner is contacted for employee references, only the date of hire, department and employment status is given. The Employer does not complete and return questionnaires of other employers conducting reference checks.

Procedure for Employee Access to Personnel Files

Any employee requesting to inspect his file shall contact his Employer and request a mutual date and time to meet.

An employee who wishes to inspect his personnel file should, but is not required to, make his request in writing. The request will then be entered into the personnel file.

Employees may not release any public records, including information in personnel files, unless the employee is authorized to do so.

SECTION 2.14 NEW EMPLOYEE ORIENTATION

Each newly hired employee should be required to attend an orientation session conducted by the Employer.

The employee should sign an acknowledgment that he has been provided or made aware of these and other relevant matters.

All times that the employee is required to be in attendance in orientation should be calculated as hours worked. New employees shall normally be given time to review all documents during normal work hours.

It is the responsibility of the employee's department head or Employer to continue the orientation process during the probationary period by providing on-the-job training. The length of the training depends upon the education and experience of the employee as well as the department with which the employee is assigned to work.

Following the orientation by the department, a report of the orientation should be submitted to the Employer and the business office or human resources office for inclusion in the employee's personnel file. All signed forms are to be placed in the employee's personnel file.

SECTION 2.15 LICENSURE, REGISTRATIONS, AND CERTIFICATIONS

All employees of the Employer who are required to be professionally licensed, registered, or certified should submit such license, registration and/or license renewals to their department head or the Employer for verification. A copy of the license and/or certification shall be maintained in each employee's file.

Employees are responsible for monitoring and maintaining their licenses and certifications and maintaining their validity. An employee who fails to provide such licenses, registrations, or license renewals should not be permitted to work in his employment category or classification and may be discharged from his position if licensure, registration, or certification expires and/or is not renewed or continued.

SECTION 2.16 COMMUNICABLE DISEASES

An infected or contagious employee may be excluded from work when:

- he poses a significant risk in his job, i.e., a high probability of substantial harm to himself;
- he would pose a risk to coworkers or the public susceptible to infection, through the presence of a secondary infection; or

- leaving the employee on the job would represent an undue hardship on the Employer.

This policy will not require, or result in, any special regulations, privileges, or exemptions from the standard administrative practices applicable to job performance requirements.

All medical records are confidential and are not available for public inspection. Such records are only available to management who must investigate whether the employee poses a threat of contagion.

The Employer discourages employees from discussing, providing information, or provoking the discussion of any employee's disease. Such a matter is private and should not be discussed in the workplace, except for official management responsibilities. An employee's refusal to work with an infected coworker may be subject to disciplinary action. Such a decision will be reviewed on a case-by-case basis.

Employees are required to report any exposure to a contagious disease which might pose a direct threat to health and safety in the workplace.

Employees who are at risk of exposure to blood-borne or contagious diseases are to follow a system of "universal precautions" to limit the spread of infection in the workplace. Supervisors will instruct employees about any special precautions necessary in individual work areas.

Any employee concerned about being infected with a contagious disease while in the workplace should convey this concern to his supervisor. Any employee who refuses to work with or perform services for a person known to or suspected to have a contagious disease may be subject to discipline, up to and including termination.

SECTION 2.17 VACCINES

The Tuscarawas County Health Department follows the Advisory Committee on Immunization Practices (ACIP) and the Centers for Disease Control and Prevention recommendations for vaccination programs.

Vaccines are covered by the health insurance plans offered by the Tuscarawas County Health Department to its employees. Employees may obtain their vaccines at TCHD or from another provider.

Employees (including support staff and volunteers) whose responsibilities include activities related to providing health care are required to show evidence of immunization or disease for hepatitis B, measles, mumps and rubella, and varicella.

If not immune or adequately immunized, employees may receive the vaccine from TCHD.

Employees will need to show proof of vaccination or immunity within 3 weeks of hire or upon request. Costs for laboratory documentation of disease immunity will be the responsibility of the employee.

Employees who decline vaccine may be asked to sign a declination statement.

Employees who may be considered at risk for rabies exposure due to job responsibilities (e.g., contact to saliva, ocular or central nervous system tissue of a potentially infected animal) should receive pre-exposure rabies vaccination. The identified staff who would need this vaccine. The vaccine will be provided by TCHD.

All Health Department employees are strongly encouraged to remain up to date on COVID-19 vaccines and annual influenza vaccines.

Reasonable Accommodations

Employees who need an exemption from vaccinations due to a medical reason/disability, or because of a sincerely held religious belief, must submit a completed Request for Accommodation form to the Health Commissioner to initiate the interactive accommodation process as soon as possible. Accommodations will be reviewed on a case-by-case basis. Accommodations will not be granted if they would cause the Tuscarawas County Health Department undue hardship or pose a direct threat to the health and safety of others.

SECTION 2.18 REPORTING VIOLATIONS OF LAWS, AND WHISTLEBLOWER CLAIMS

If in the course of his employment, an employee becomes aware of a violation of any state or federal statute, and/or local law, and the employee reasonably believes that the violation either is a criminal offense that is likely to cause an imminent risk of physical harm to persons, or a hazard to public health or safety, or is a felony, the employee shall notify his supervisor or another designated by the Employer of the violation. Subsequently, the employee should be instructed to immediately, with his supervisor,

Employer or designee, prepare a written report that provides sufficient detail to identify and describe the violation. The report must specify the date and time of its preparation.

The Employer shall be responsible for investigating and correcting such violation if one exists.

The employee may file a written report that provides sufficient detail to identify and describe the violation with the County Prosecuting Attorney's office, or any other appropriate public official or agency that has regulatory authority over the Employer and the services it provides.

If an employee becomes aware during the course of his employment of a violation by a fellow employee of any state or federal statute, any ordinance, regulation of the County, City or Township, or any work rule or department policy, and the employee reasonably believes that the violation either is a criminal offense that is likely to cause an imminent or physical harm to persons, or a hazard to public health or safety, or is a felony, the employee should be instructed to report such.

Whenever an employee becomes aware of a violation of federal, state, and/or local law that the Employer has the authority to correct, and the employee reasonably believes that the violation is a criminal offense and/or that it is likely to cause an imminent risk of physical harm to persons, or a hazard to public health or safety, or is a felony, the employee shall verbally notify his supervisor regarding the violation.

An employee shall make a reasonable and good-faith effort to determine the accuracy of any information reported. Reasonable and good faith effort may include proof of researching the pertinent law, ordinance, or regulation violated, records of conversations with or documents from knowledgeable authorities, date(s), time(s), and places(s) that the alleged violation occurred, and person(s) involved, etc.

If an employee makes a falsely based report under this section, he may be subject to disciplinary action, including suspension or removal, for reporting information without a reasonable basis to do so under those parts.

The Employer shall not take disciplinary or retaliatory action against the employee for making a legitimate report or as a result of the employee having made any inquiry or taken any action to ensure the accuracy of any information reported.

SECTION 2.19 AUDITOR OF STATE FRAUD REPORTING SYSTEM

The Ohio Auditor of State's Office maintains a system for reporting fraud, including the misuse and misappropriation of public money by any official or office (Ohio Revised Code 117.103(B)(1)). The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through the United States mail, a toll-free number, or the Auditor of State's website. Contact information is as follows:

1. By U.S. Mail:

The Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
Columbus, Ohio 43215

2. By phone:

The SIU Fraud Hotline 1-866-FRAUD OH (1-866-372-8364)

3. Online:

www.Ohioauditor.gov (Report Fraud Link)

Employees are responsible for reporting any incident or conduct they believe is inappropriate and/or in violation of County policies and procedures. This duty includes incidents actually observed, reported by residents, reported by staff, or suspected due to other facts.

SECTION 2.20 DRUG FREE WORKPLACE

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

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

Current Distribution of Drug Free Workplace Policy

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

The Drug Free Workplace Policy

Employee means any person (i.e., management, supervisory or non-supervisory) who is paid in whole or in part by the Employer.

Controlled Substance means any controlled substance contained in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812 or as defined in Ohio Revised Code 3719.01) as well as medically prescribed marijuana.

Conviction means any finding of guilt, including a plea of no contest or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

Criminal drug statute means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

For purposes of this policy, all definitions will be consistent with Ohio Revised Code 3719.01.

Each employee should be made aware of:

- Information concerning the dangers of drug abuse in the workplace;
- A current copy of the Employer's posted/ published statement;
- A current copy of the Employer's Drug Free Workplace policy;
- Information concerning any available drug counseling, rehabilitation, and employee assistance programs;
- Information concerning the penalties that will be imposed for the breach of the Employer's Drug Free Workplace policy; and
- Notice to the employee that any job-related conviction of any federal or state criminal drug statute must be reported in writing to the Employer within 5 calendar days after such conviction.

The information package may also be accompanied by on-site training programs.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee that takes place in whole or in part in the Employer's

workplace is strictly prohibited and will result in criminal prosecution and employee discipline, which may include termination from employment.

Any employee convicted of any federal or state criminal drug statute for a workplace-related drug offense must notify the Employer of that fact within 5 calendar days of the conviction.

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

- Terminated from employment;
- Forever barred from future employment; and
- Held civilly liable for any loss of federal funds resulting from the failure to report the conviction.

The elected officials of Tuscarawas County support the Drug Free Workplace Act of 1988 (PL-100-690). Consequently, any unlawful manufacture, distribution, dispensation, possession, or use of controlled substances on these premises by employees is strictly prohibited, and violators will be subject to discipline and criminal prosecution.

SECTION 2. 21 ETHICS OF PUBLIC EMPLOYMENT

The proper operation of government requires that actions of public officials and employees be impartial; that government decision and policies be made within the proper channels of government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. State law establishes, through the Ethics Commission, standards for public officials and employees, including Ohio Revised Code Sections 102.03 and 2921.42. The Employer recognizes the State standards and the goals of responsible government. Recognition of these goals led to the establishment of the following Code of Ethics for all officials and employees.

No employee shall use his official position for personal gain, engage in any business or transaction, or have financial or other interests, direct or indirect, which are in conflict with the proper performance of his official duties.

No employee shall, without proper legal authorization, release confidential information concerning the property or government affairs of the Employer; nor shall employees use such information to advance the financial or other private interest of himself or others. No employee shall accept any valuable gift, 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 Employer; nor shall employees accept any gift, favor or item of value that may tend to influence any decisions of the employee or his supervisor.

Any employee offered a gift or favor who is not sure whether its acceptance would be a violation of the Code of Ethics should inform his supervisor.

No employee shall accept any gifts, material, or service for the private use of the employee from any contractor or supplier doing business with the Employer.

No employee shall represent private interests in any action or proceedings against the interest of the Employer or in any matter in which the Employer is a party.

State law prohibits employees and officials from having financial interests in companies which do business with public agencies, with minor exceptions. Employees who have any doubt concerning possible violations of these statutes are advised to consult their own attorney.

No employee shall engage in or accept private employment or render services for private interests when such employment or service is in conflict with the proper performance of his official duties or would tend to impair his independent judgment or action in the performance of his official duties. Any employee having doubt as to the applicability of a provision of the Ohio Revised Code to a particular situation should consult the Employer, Prosecuting Attorney, or the Ohio Ethics Commission.

Principles for the Ethical Practice of Public Health

1. Public health should address principally the fundamental causes of disease and requirements for health, aiming to prevent adverse health outcomes.
2. Public health should achieve community health in a way that respects the rights of individuals in the community.
3. Public health policies, programs, and priorities should be developed and evaluated through processes that ensure an opportunity for input from community members.
4. Public health should advocate and work for the empowerment of disenfranchised community members, aiming to ensure that the basic resources and conditions necessary for health are accessible to all.
5. Public health should seek the information needed to implement effective policies and programs that protect and promote health.

6. Public health institutions should provide communities with the information they have that is needed for decisions on policies or programs and should obtain the community's consent for their implementation.
7. Public health institutions should act in a timely manner on the information they have within the resources and the mandate given to them by the public.
8. Public health programs and policies should incorporate a variety of approaches that anticipate and respect diverse values, beliefs, and cultures in the community.
9. Public health programs and policies should be implemented in a manner that most enhances the physical and social environment.
10. Public health institutions should protect the confidentiality of information that can bring harm to an individual or community if made public. Exceptions must be justified on the basis of the high likelihood of significant harm to the individual or others.
11. Public health institutions should ensure the professional competence of their employees.
12. Public health institutions and their employees should engage in collaborations and affiliations in ways that build the public's trust and the institution's effectiveness.

CHAPTER 3 PERFORMANCE AND DEVELOPMENT RELATED MATTERS

- 3.1 Probation
- 3.2 Performance Evaluation
- 3.3 Training

SECTION 3.1 PROBATIONARY PERIOD

All newly appointed employees to full or part-time classified positions shall be required to successfully complete a probationary period of no less than one hundred eighty (180) calendar days, with its effective date beginning the date of appointment. No appointment is final until the employee has satisfactorily served the probationary period. A probationary employee may be removed or reduced at any time during the probationary period when, in the sole judgment of the TCHD, the employee's fitness and/or work performance are not such as to merit continuation in the position. A probationary employee has no right to appeal for the removal or reduction under the Revised Code.

A longer probationary period, not more than one (1) year, may be established for specific job classifications. The Director of Administrative Services or Health Commissioner may extend an employee's probationary period to allow additional time to review the employee's performance. No extension may be granted, however, if the extension would cause the total probationary period to exceed one (1) year.

Probationary employees will be evaluated with respect to performance efficiency twice during their probationary period. The first performance evaluation will be completed within 90 days of hire. The second evaluation will be completed within thirty days prior to the completion of the probationary period. The final probationary evaluation shall state whether the employee is to be retained, removed, or reduced.

The following time shall not be counted as part of the probationary period:

- Days spent on any unpaid leave of absence; or
- Days spent on a paid leave of absence for more than five (5) consecutive working days.

The employee's probationary period shall be extended by a number of days equal to the number of days that are not counted as part of the probationary period. For example, an employee who misses 10 consecutive working days on paid sick leave will have their probationary period automatically extended for 10 working days.

Accrual of Benefits

All benefits available to the employee will begin to accrue immediately, except medical and life insurance, which will begin on the 1st of the month following the date of hire of full-time employment.

SECTION 3.2 PERFORMANCE EVALUATION

Performance evaluations are an opportunity for management to assess the work performance of employees and to provide them with instructive feedback. Classified employees will be evaluated with respect to performance efficiency on a schedule determined by the Health Commissioner. Each evaluation shall measure the employee's performance for the year immediately preceding the evaluation date.

Each employee will be evaluated by their immediate supervisor. Upon completion of their evaluation, the evaluator shall prepare a Performance Evaluation Form and review it with the employee. The employee shall sign the evaluation to indicate that he or she has received a copy of the completed form. The employee's signature on the form does not indicate agreement with its contents; it merely acknowledges receipt of the form. Refusal of the employee to sign the form shall constitute insubordination and the employee may be subject to discipline.

SECTION 3.3 TRAINING

The Employer should periodically examine current and proposed training programs in order to ensure the program's relevance to both individual employees and organizational training needs.

On-the-job training prepares an employee to effectively perform the responsibilities required of his position. It allows the employee to learn his job duties, correct procedures, and identify expected performance levels, under the immediate direction of an experienced worker. It is the responsibility of supervisors under the direction of the administration to conduct such training.

Attendance at lectures, meetings, training programs and similar activities may not be counted as working time if all of the following criteria are met:

- Attendance is outside of the employee's regular working hours;
- Attendance is voluntary;
- The course, lecture, or meeting is not directly related to the employee's job; and
- The employee does not perform any productive work during such attendance.

For purposes of this policy, training that prepares an employee for the next level of a position or for a promotion is not directly related to the employee's job.

If the Employer does not hold the training program and the employee attends the training program on his own initiative, the time should not be included in hours worked even if the courses are directly related to his job. For example, if an employee on his own decides to attend a school, college, or trade school course after his work hours, that time should not be included in hours worked even if the courses are related to his work for the Employer.

Workforce Development

The Tuscarawas County Health Department will make every effort to identify training and education needs for core competencies to ensure our mission. A trained and competent workforce is essential to be adequately prepared to deal with both public health emergencies as well as daily public health practices.

Administration will make every effort to support attendance at continuing education events that build on employee competencies.

1. Conferences and continuing education flyers will be reviewed by the health commissioner and department directors. Information about relevant learning opportunities will be forwarded to employees. Employees may also seek out their own learning opportunities.
2. Employees who are interested in attending a conference will make a request to the health commissioner, after having it approved by the department director utilizing the staff meeting/conference request form. It is recommended that requests be made as far in advance as possible.
3. If the learning opportunity is relevant and there are adequate resources, the commissioner will approve attendance.
4. The employee will need to give all registration materials to the human resource coordinator.

CHAPTER 4 COMPENSATION RELATED MATTERS

- 4.1 Pay Periods and Paycheck Distribution
- 4.2 Hours of Work and Scheduling
- 4.3 Overtime and Compensatory Time
- 4.4 Payroll Deductions
- 4.5 Expense Reimbursement
- 4.6 Workers' Compensation
- 4.7 Health Care Benefits
- 4.8 Benefits to Reemployed Retirees

SECTION 4.1 PAY PERIODS AND PAYCHECK DISTRIBUTION

There are normally 26 pay periods per year. All County employees are paid every other Thursday for work performed in a 2-week period ending the Sunday prior to the payday. The date for issuance of paychecks may be modified as well as the withholding period. Pay periods begin at 7:01 a.m. on Monday and end at 7:00 a.m. 2 weeks later.

If a holiday occurs on a Thursday on which a payday falls, paychecks will be issued on the preceding Wednesday. Supervisors are to receive any questions regarding an employee's pay and are responsible for making the necessary explanations or inquiries to resolve the matter.

For purposes of minimizing difficulties, misunderstandings and maintaining secure operations, a written statement signed by the employee must be given to the Employer, or designee, prior to the Employer releasing a paycheck to any person other than the employee. Such statements must explicitly identify the specific person authorized to pick up the employee's check in lieu of the employee. The authorized person receiving the paycheck must sign an authorization acknowledging that he is who he claims to be and that he has received the employee's paycheck.

SECTION 4.2 HOURS OF WORK AND SCHEDULING

Time an employee is scheduled and required to be on duty and actually works, and at a prescribed workplace, and all time during which the employee is suffered or permitted to work for the Employer, is work time and is compensable in accordance with this policy and the Fair Labor Standards Act.

The workweek for full-time employees shall be determined by the Employer and will normally include 7-hour shifts, 5 days per week. The workweek shall normally be 35 hours.

The Employer shall establish, and may adjust, the work schedule for employees, including days worked and hours of work. The Employer shall also establish, and may adjust, the times for breaks.

Employees are expected to arrive just prior to their designated starting time in order to commence duties promptly as scheduled and clock into the Kronos system.

All scheduling shall be done by the Employer. If there is a change in the schedule, employees will be notified prior to the effective date of the change.

Employees may be required to adjust or flex their schedule during the 7-day work period to accommodate department programs scheduled outside normal business hours or fluctuating needs of the Employer. No adjustments may carry over to the following work week.

SECTION 4.3 OVERTIME AND COMPENSATORY TIME

Overtime work may be required of employees, which may include arriving early, remaining after work, or working on days off or holidays. Employees may not decline or refuse overtime work. Employees may not work overtime without permission or authorization to work overtime. Employees who fail to work overtime as requested or instructed or work overtime without permission or authorization may be disciplined.

Persons designated as professional, administrative, or executive by the Employer, and in accordance with the Federal Fair Labor Standards Act, are exempt from the payment of overtime at the discretion of the Employer. Such designations should be acknowledged by an employee and put in his personnel file. The Auditor should be forwarded a copy of such exempt notice.

Non-exempt employees shall be entitled to overtime compensation at 1.5 times their regular rate of pay for time actually worked in excess of 40 hours per week.

The lunch period shall not be considered as time worked for overtime computation unless the employee performs work during such period. Time spent traveling to and from work and non-work time spent overnight on County business shall not be considered time worked for purposes of calculating overtime.

Any employee required to work on one of the recognized holidays will receive compensation at his regular base rate of pay, in addition to receiving his regular holiday pay. Time worked, however, on one of the recognized holidays and for which the employee is compensated (i.e., holiday pay) shall not be considered for the purposes of calculating overtime (i.e., pyramiding of overtime is not permitted).

To accommodate issues that employees may face, the Employer may allow or require an individual to "flex"/adjust his scheduled work week in the event that he is required to work more than his normal work hours/week. Such adjustment must be completed in the same work week or period for exempt employees in which the additional hours occurred.

Compensatory Time

All compensatory time worked must be approved in advance by the department director. Only in exceptional circumstances (e.g. a meeting with a client that runs late, a pressing deadline, etc.) can this request be made at the last minute. The director will evaluate last-minute requests on a case-by-case basis. An employee who works overtime/compensatory time without prior supervisory approval may be subject to corrective action.

Whenever feasible, efforts should be made to avoid accruing compensatory time by adjusting the employees' work hours within the same work week. Employees should make arrangements with their director to leave early or arrive late in order not to exceed 35 hours worked in the same work week. If compensatory time is accrued, the departmental policy is:

1. There is a maximum comp time accrual of 35 hours and any comp time exceeding this limit will be paid or not gained prior approval from the director.
2. TCHD will limit the amount of compensatory time that can be accrued each week to 5 hours. Hours will be accrued on an hour for hour basis. Each full-time employee, whether exempt or non-exempt works only 40 hours each week. Therefore, both non-exempt and exempt employees will continue to earn compensatory time at a straight per hour rate until the maximum of 5 hours each week is accrued. The remainder of time must be flexed within that work week.

Requests to use accrued comp time are handled in the same manner as leave requests and must be requested in advance.

Exempt employees include department directors and executive director/commissioner or other employees who have supervisory responsibilities. Typically, exempt employees are not eligible for compensatory time, but special circumstances may be granted with prior approval from the commissioner.

SECTION 4.4 PAYROLL DEDUCTIONS

Certain deductions are made from an employee's paycheck as required by law, for employee benefit plans, or as requested by the employee. These deductions are itemized on the employee's pay statement, which accompanies his payroll check.

OPERS:

Membership in the Ohio Public Employee Retirement System ("OPERS") is required upon being employed by the County.

Employees of the County are required by law to participate in OPERS. This system is entirely independent of the Federal Social Security System.

Public Employees Retirement System. Ten per cent (10.0%) employee's withholding rate, 14.00% employer's contribution rate; effective January 1, 2008.

(PERS "pick-up" plan provides for the 10.0% employee deduction to be made before Federal and State income tax is calculated, resulting in increased take home pay.)

Any employee interested in obtaining information regarding retirement options or other benefits is urged to contact OPERS at:

Ohio Public Employee Retirement System
277 East Town Street
Columbus, Ohio 43215
1-800-222-7377
www.opers.org

It is each employee's responsibility to notify OPERS of any personal changes, i.e., dependents, beneficiary, name, address, etc.

Income Taxes

The federal, state, and city governments require that taxes be withheld from each salary payment. Employees are required to complete withholding tax certificates upon initial employment and to inform the Employer of any dependency change whenever such change occurs.

Medicare Deductions

Employees hired on or after April 1, 1986, are required to contribute to the federal Medicare system. The Medicare payroll tax constitutes .45% employee's withholding rate and 1.45% employer's contribution rate: applicable for employees starting after April 1, 1986.

Garnishment/Child Support Deductions

A court-ordered legal claim against the wages of employees, by a creditor, for nonpayment of a debt, and/or court-ordered payroll deductions for child support served by the constituted legal authority, are garnishments and must be recognized and executed by the Employer and the County Auditor.

Miscellaneous

Deductions, such as deferred compensation, credit union, other insurances, etc., may be refused if they are not required by law, are below certain prescribed minimum amounts, are at irregular intervals, or for other reasons that the Employer deems not in the best interest of the County.

SECTION 4.5 EXPENSE REIMBURSEMENT

Employees or authorized individuals are eligible for expense reimbursement only when travel has been authorized in writing by the Employer, subject to final approval by the Board of Health, when travel is out of State. Any and all reimbursements will be based on the per diem rates for the location of the training/conference/etc. Per diem rates can be found at <https://www.gsa.gov/travel/plan-book/per-diem-rates>. Per diem breakdown example:

Meal Reimbursement rates for Orland, FL (2023; EXAMPLE ONLY)

Breakfast	Lunch	Dinner	Incidentals	Total Max
\$16	\$17	\$31	\$5	\$69
Travel Days	75%			
Breakfast	Lunch	Dinner	Incidentals	Total Max
\$12	\$12.75	\$23.25	\$3.75	\$51.75

Mode of Travel

The use of vehicle, air, train, or bus transportation shall be selected on the basis of the most reasonable and appropriate method, taking into account distance, time and total costs. The appointing authority or designee shall, within the provisions of this policy, determine the appropriate mode or modes of transportation to be utilized by a County employee for travel.

County-Owned Vehicle

County-owned vehicles shall be used in place of private vehicles whenever practical. Employees are encouraged to carpool with other County or government employees to the same function. Travel by County-owned vehicle:

- a. Employees having access to County vehicles must possess and show proof of a valid State of Ohio driver's license;
- b. Is authorized only for County employees and for other parties who are properly designated by the Board of Commissioners, or the appointing authority, and
 - a. endorsed onto insurance coverage through the Board of Commissioners;

- b. Reimbursement is authorized for incurred service expenses when necessary for the efficient and safe operation of a County-owned vehicle;
- c. Non-County employees are not permitted as passengers or drivers in County vehicles used for travel, except for;
 - a. Bona-fide reasons related to official County business; or
 - b. Employees of other government entities to assist in cost sharing.

Privately-Owned Vehicle

1. Employees operating their own private vehicle while on County business must possess a valid State of Ohio driver's license;
2. Employees operating their own private vehicle while on County business must be insured, personally and for the vehicle, under a policy of liability insurance that complies with the requirements of Section 4509.51 in the ORC;
3. Reimbursement of mileage expenses incurred on County business will be paid based upon the Board approved mileage reimbursement rate;
4. Reimbursement shall be made for actual miles driven;
5. Reimbursement shall be made to only one of two or more County employees traveling in the same privately owned automobile;
6. The costs and expenses to operate a privately owned vehicle including, but not limited to gasoline, damages, necessary service, or repairs are the sole responsibility of the County employee, as those costs are included in the per mile cost reimbursement.
7. During business hours, mileage reimbursement for travel within Tuscarawas County is calculated for miles between the Department and the destination, unless the mileage is less from an employee's home;
8. Outside of business hours, mileage will be calculated from the employee's home;
9. Mileage for in-County travel may only be submitted once per month and must be submitted by the 10th of the following month in which the mileage was incurred. (example: all in-county mileage forms for January may be submitted beginning February 1st but no later than February 10th)

County and Privately-Owned Vehicles

1. The County is not responsible for any costs incurred because of an employee's illegal actions, including vehicular violations, even if the employee is conducting Department business.
2. Traffic Violations: Traffic violations and/or tickets given to an employee, while on duty, are to be reported to the Health Commissioner, appointing authority or designee.

Safety Belt Usage

The TCHD recognizes that safety belts are an important item of personal protective equipment and that safety belts save lives and reduce the severity of injuries to those who wear them. It is the TCHD's commitment to do everything reasonable to prevent injuries to employees and damage to property and to protect the TCHD, its employees and the general public from the results of vehicle accidents.

This policy applies to all TCHD employees and to all occupants of vehicles driven by employees on TCHD business. Occupants shall use safety belts in all vehicles driven on TCHD business (whether TCHD owned or privately owned vehicles). It is especially important that all employees demonstrate their commitment to and support of this policy by their strict adherence to it.

Any employee who is cited by a law enforcement agency for not wearing a safety belt will be responsible for any fines or other actions that may result as part of the citation. Employees who violate this policy may be subject to disciplinary action, up to and including removal.

Airline Travel

In any instance where airfare is less expensive than using a private or County owned vehicle or other modes of travel, then air flight by common carrier shall be used. To maximize discount fare possibilities, air travel arrangements should be reserved as far in advance of the travel date as possible. Restricted fares provide opportunities for saving funds, but the traveler should weigh the savings potential against the risk of change or cancellation. To be a cost-effective traveler, one should plan early.

Conference or Training Registration

1. Conferences or seminar registration fees may be reimbursed to the Department employee, or conference registration fees may be paid directly by the Department in advance of the conference;
2. If the conference or seminar registration fee includes any meals, the Department employee shall not be reimbursed for those same meals;
3. All requests for registration should be supported by invoice or notice;
4. Proof of Attendance—Employees must attend all portions of the conference or seminar that is paid for or reimbursed by the Department. Employees shall make reasonable effort to sign in if applicable, and/or bring back certificates of attendance.

Meals

Expenses incurred for meals while in the performance of Health Department business or when authorized to represent the Health Department, and when such business occurs outside of the County, will be reimbursed at actual cost. However, such reimbursement shall not exceed the per diem rate for the State of Ohio. Further, expenses for meal reimbursement are only authorized when overnight lodging for travel is required. Original itemized receipts must be submitted with the expense report.

Original receipts for all meal expenses must be submitted and may include a meal gratuity, not to exceed 20% per meal. Alcohol and entertainment expenses are non-reimbursable. Whenever a meal(s) is provided/included in the registration fee for an authorized conference, training session, or other official county business, additional meals will not be reimbursed. Expenses must be submitted to the Administration for payment within 30 days of travel. Itemized receipts for meals must be provided.

Per diem rates for meals are intended to offset the additional cost of travel, not pay for the employee's entire meal. Meal reimbursement is for the employee only and should not include family meals or meals for other individuals.

The Department depends on its employees to exercise prudence in selecting restaurants. The Department will not reimburse meal costs deemed lavish or otherwise extravagant. The Health Commissioner has authority to deny reimbursement for meals that are excessive in nature.

Overnight Expenses

Expenses covering the actual cost of a hotel room (single room rate) will be reimbursed, at per diem rates, when an employee travels out of the County, but within the state, on official Health Department business, if such travel requires an overnight stay. Further, overnight stays will only be authorized when such stays occur on the night before the official business/meeting takes place and are at least 75 miles from the Health Department and the meeting begins before 9:00am or ends after 6:00pm.

Overnight stays while on Health Department business that occur outside the state may be authorized by the Board of Health; however, such authorization shall take into consideration the mode of travel authorized and/or travel time involved. Hotel expenses will be reimbursed only with prior authorization of the Employer, excluding emergency situations, as determined by the Board. Receipts for such expenses are required.

When considering an employee's request for job-related travel, the Employer will consider the special needs of employees with a disability that substantially affects the employee's ability to drive, see, hear, etc.

Overnight stays charged to State or Federal grants may not exceed the lodging per diem rate of the destination. Expenses must be submitted to the Administration for payment within 30 days of travel.

SECTION 4.6 WORKERS' COMPENSATION

State law provides that a County employee may be eligible, pursuant to the Workers' Compensation regulations, for Workers' Compensation benefits as defined in Ohio Revised Code Section 4123.01(A). The Ohio Workers' Compensation Program is not based on fault. Its purpose is to protect both the Employer and the employee from catastrophic losses due to a work-related injury. This policy is intended to explain the basic components of Workers' Compensation and eligibility, but it is not intended to interpret or supersede the governing law, but to give an overview and assist by being used as a guide for filing claims. It establishes procedures that employees and administrative staff must follow to process and check claims.

Compensable events fall into 2 broad categories: injuries and occupational diseases. Injuries include any injury whether caused by external accidental means or accidental by character and result, received in the course of and arising out of the injured employee's employment. Injury does not include: (1) psychiatric conditions where the conditions have arisen from an injury or occupational disease; (2) injury or disability caused primarily by the natural deterioration of tissue, organ or other part of the body; (3) injury or disability incurred in voluntary participation in an Employer-sponsored activity. For purposes of this section, the Employer, or designee, shall require employees engaging in such activity to sign a waiver of their right to compensation or benefits under Ohio Revised Code Chapter 4123 prior to engaging in the recreation or fitness activity. Injuries are not compensable if self-inflicted.

Occupational diseases are diseases contracted in the course of employment, which by their causes and the characteristics of their manifestation, or the condition of the employment, result in a hazard that distinguishes the employment in character from general employment. Employment must also create a risk of contracting the disease in a greater degree and in a different manner than the public in general.

Should an employee be injured during employment with the County, the supervisor shall notify the Employer, and the employee shall complete an incident report. This report

shall be completed, regardless of whether medical attention is required. Such report shall be forwarded to the Employer, or designee, no later than 24 hours or the next business day after the accident.

In the event of serious injury, the injured employee's supervisor shall notify the Employer immediately so that, if necessary, an investigation may be initiated.

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 the Employer with their expected date of return.

Any documents received from the injured employee, his physician, hospital, or the state, regarding Workers' Compensation claims, must be immediately forwarded to the Employer. All forms should be copied and forwarded to the Board of Health and Auditor's offices.

Employees who incur a work-related injury who must leave work before completing their work period may be paid at their regular rate for the balance of time in their scheduled workday.

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

Employees who have follow-up doctor's appointments or treatments shall use their paid leaves, which may include sick leave, vacation leave, or other paid leave as approved by the Employer.

The Employer may offer or require an employee injured on the job to work in a light duty position. The Employer may, at its discretion, discontinue the light duty position.

The Employer reserves the right to investigate and challenge any claims to compensation or benefits. The Employer maintains an absolute right to access and receive reports from a claimant's treating physician. If the Employer has reason to suspect that an employee's claim is not legitimate, the Employer may contact the Bureau of Workers' Compensation ("Bureau") to explain its position and to ask the Bureau to investigate the matter, or the Employer may require the claimant to submit to an examination on each issue asserted by the employee or his physician.

Rebuttable Presumption

Ohio Revised Code Section 4123.54 requires the Employer to provide employees with notice of rebuttable presumption. Rebuttable presumption means that an employee may dispute or prove untrue the presumption (or belief) that alcohol or a controlled substance not prescribed by the employee's physician is the proximate cause (main reason) of the work-related injury. Employees may be drug/alcohol tested in the event the employee is involved in a reportable accident or injury. The burden of proof is on the employee to prove that the presence of alcohol or a controlled substance was not the proximate cause of the work-related injury. An employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Workers' Compensation Act.

SECTION 4.7 HEALTH CARE BENEFITS

The Employer may provide health insurance and related benefits through a plan authorized by the Board of Health.

Employees eligible to enroll shall be supplied with the necessary information and/or enrollment cards at the time of employment by their Employer.

The details of the coverage provided shall be supplied to each eligible employee in writing by his Employer, including the methods set forth in the plan for filing such benefits.

Employees shall notify their Employer of a change in status, including marital, dependent, and other requirements under the health insurance policy.

Tuscarawas County Health Department full-time employees, who work more than 30 hours per week, are eligible to opt into TCHD group health insurance. Employee contribution for health insurance premium is 12% of the policy premium for employees and 15% of the policy premium for all spousal and/or dependent coverage. In the event that TCHD is able to offer dental insurance that policy will be voluntary, and the premium will be paid 100% by the employee.

Effective 2024, if an employee's spouse is eligible for group health insurance through his or her employer, then he or she is still eligible to obtain coverage under the Health Department's plan. However, 100% of the spousal premium will be the responsibility of the employee.

The Employer's obligation to pay its portion of the monthly premiums shall cease upon the following conditions:

1. on the effective date of an employee's termination of employment;
2. the beginning of the month following the employee's exhaustion of paid sick leave or other paid leave; or
3. the beginning of the month following the effective date of an approved unpaid leave of absence.

Exceptions to this section will be in accordance with the County's policy under the Family and Medical Leave Act.

COBRA Coverage

In the event that an employee's insurance coverage is terminated, an employee may elect to pay the total premium themselves. The employee shall submit a written statement indicating his desire to continue such coverage no later than 14 calendar days following the termination date of such coverage. The employee will then be notified of the proper procedure to continue coverage.

Any full-time employee who is enrolled in the County's health care plan and is injured and unable to work as a result of an injury received in the course of, and arising out of, his employment with the County shall be provided hospitalization coverage under the following conditions:

- The injured employee has filed a claim for and is receiving benefits pursuant to the Ohio Workers' Compensation Act and its amendments; and
- The injured employee continues to submit his portion of the monthly premium to the County Auditor no later than the 15th day of each month of eligibility.

Coverage under this section shall be for a period not to exceed 6 months following the date of injury. In the event that the injured employee is unable to return to his full duties and responsibilities after the 6-month period, the employee may be placed on an unpaid leave of absence, or the Employer may place the employee on disability separation.

SECTION 4.8 BENEFITS AVAILABLE TO REEMPLOYED RETIREES

If a retiree who is receiving benefits from one of Ohio's retirement systems is reemployed by the County, his retirement benefits may be affected. Any employee who is considering reemployment with the County after retirement should contact the appropriate retirement system for clarification on how reemployment will affect his retirement benefits.

A reemployed retiree of any retirement plan offered by the State shall be permitted to earn sick leave and vacation leave, in accordance with County policies, as if he is a new employee with no previous service time. A retiree must be reemployed for 1 year before he will be eligible to take vacation time.

A reemployed retiree of any retirement plan offered by the State shall be eligible to receive other County-provided benefits in accordance with the terms and conditions of the policies, which control such benefits.

A reemployed retiree of any retirement plan offered by the State who later terminates employment will not be eligible for any sick leave conversion as described in this policy manual.

CHAPTER 5 LEAVES

5.1	Holidays
5.2	Prior Service
5.3	Vacation
5.4	Sick Leave
5.5	Sick Leave Conversion
5.6	Personal Leave
5.7	Funeral Leave
5.8	Military Leave
5.9	Civil Leave
5.10	Pre- Approved Leave of Absence without Pay
5.11	AWOL (Absent without Leave Time)
5.12	Disability Separation
5.13	Administrative Leave
5.14	Employee Disability
5.15	Family Medical Leave
5.16	Precinct Election Official Leave

SECTION 5.1 HOLIDAYS

The Employer shall observe the 11 holidays designated by federal/state law, plus 1 additional full day. All full-time employees of the Employer have designated the following paid holidays:

1. The first day of January, known as New Year's Day
2. The third Monday in January, known as Martin Luther King Day
3. The third Monday in February, known as Presidents' Day
4. Memorial Day, as designated by state law
5. Juneteenth, as designated by state law
6. The fourth day of July, known as Independence Day
7. The first Monday in September, known as Labor Day
8. The second Monday in October, known as Columbus Day
9. The eleventh day of November, known as Veterans' Day
10. The fourth Thursday in November, known as Thanksgiving Day
11. The Friday after Thanksgiving
12. The twenty-fifth day of December, known as Christmas Day

In addition, the Board of Health reserves the right to designate any other day as a holiday without precedent.

A part-time employee whose normal workday falls on a recognized holiday shall receive holiday pay for his normal work hours scheduled on that day. A full-time employee, for purposes of this policy, shall be defined as an employee whose regular hours of service for the Employer total 35 hours per workweek or other full-time standard as established by the Employer. Full-time employees shall receive holiday pay for the hours they are normally scheduled to work, prorated for half day, up to 7 hours pay, at their regular base rate of pay for full day holidays, and up to 4 hours pay at their regular base rate of pay for 1/2-day holidays. To be eligible for holiday pay, an employee must work the scheduled workday immediately preceding and the scheduled workday after the holiday, unless on an approved paid leave. An employee scheduled to work a holiday who reports off sick will not receive holiday pay.

If a holiday falls on a Sunday, it will be observed on the following Monday, and if it falls on a Saturday, it will be observed on the preceding Friday, except for Christmas Eve.

Due to continual operations of certain departments within the Health Department, if an employee's work schedule is other than Monday through Friday, he is entitled to holiday

pay for holidays observed on his day off regardless of the day of the week on which it is observed.

If a holiday occurs while a full-time employee is on an approved vacation, such vacation day shall not be charged against his vacation leave.

A full-time employee required to work on a recognized holiday shall receive compensation at his regular rate of pay for all hours actually worked, in addition to receiving his regular holiday pay.

SECTION 5.2 PRIOR SERVICE

Employees who have prior service with the County or another political subdivision of the State of Ohio may be eligible for a higher vacation accrual rate or credit for unused accumulated sick leave.

Employees must provide Human Resources with a letter from their former employer(s), on their letterhead, with qualifying start and end dates of employment and with verification of any unused accumulated sick leave. A form may be obtained from TCHD Human Resources which can be certified by a former employer in lieu of a letter. This documentation must be submitted within 30 days of the employee's start date with TCHD.

Vacation accrual rates and available sick leave balances shall be adjusted and be effective upon receipt of documentation deemed acceptable by the County.

SECTION 5.3 VACATION

Full-time employees are eligible for paid vacation leave according to the following eligibility guidelines and as defined below. Permanent Part-time employees are eligible pursuant to the same guidelines, except accrual shall be on a prorated basis.

An employee who has retired in accordance with the provisions of OPERS or any retirement plan offered by the State, and who is subsequently hired by the Employer shall not have his prior service with the County, state, or any political subdivision thereof counted for purposes of computing vacation leave.

Vacation accrual for such employee shall be based only upon the service that he is currently accruing with the Employer. Any person removed for conviction of a felony within the meaning of Ohio Revised Code 124.34 and who is subsequently reemployed

by the County shall only be qualified to accrue vacation as if he is a new employee and will receive no credit for prior service.

Accrual

Employees eligible for paid vacation leave shall accrue according to the following schedule. The rate of accrual is the maximum per pay period based on a 70 hour pay period.

<u>Years Of Service</u>	<u>Employee Earns</u>	<u>70 Hour Rate Of Accrual</u>
After 1 Year	2 weeks vacation	2.72 hrs. per pay period
After 6 years	3 weeks vacation	4.03 hrs. per pay period
After 11 years	4 weeks vacation	5.43 hrs. per pay period
After 16 yrs.	5 weeks vacation	6.74 hrs. per pay period

Full-time employees who are in active pay status for fewer than 70 hours in a pay period and part-time employees shall earn vacation leave on a prorated basis, rounded to one one-hundred of an hour.

Additional vacation leave is not accrued through the accumulation of paid overtime.

Vacation leave is not earned while an employee is in no-pay status (leave of absence, disciplinary suspension, etc.). Vacation leave is not available for use until it appears on the employee's Kronos account. Vacation leave will appear in the employee's Kronos account on the first full pay **AFTER** the employee's successful completion of their probationary period. Amount typically accrued during a 180-day probationary period for a full-time employee is approximately 35 hours or 1 week. For purposes of determining vacation accrual, "years of service" will be determined in accordance with the standard specified in section 9.44 of the Ohio Revised Code regarding receiving credit for prior service with the state or a political subdivision of the state. If an employee leaves state service, he/she will be compensated for any earned but unused vacation leave. **No payment will be made to employees who have not completed their probationary period with the Health Department.**

Charging of Vacation Against Balance

Only vacation leave accrued may be used. Vacation leave may not be advanced. If a holiday occurs while a full-time employee is on an approved vacation, such vacation day shall not be charged against his vacation leave balance.

Request and Scheduling

Vacations shall be scheduled in accordance with the workload requirements of the Employer. The Employer reserves the right to deny, cancel or change vacation requests/approvals. Vacations shall be scheduled on a "first come, first serve" basis and at a time mutually agreeable to the employee and Employer.

Vacation leave must be requested via the Kronos system. An employee requesting a vacation leave of greater than 2 days must request such leave at least 2 weeks in advance of the desired starting date. Requests of 2 days or less must be submitted no later than the close of business hours the working day prior to the desired starting date. The Employer may waive any portion of the request provision.

Use Period, Carry Over, and Separation

An employee is permitted to carry over accumulated vacation leave to the maximum levels below. Any balance over this amount that is not requested as a "pay-out" per policy, is deemed forfeited by the employee.

After

1 year - 140 hours

6 years – 240 hours

Any employees with balances greater than the above allotment should plan to "cash out" vacation time prior to December 31, 2023. Due to the reduced carryover allotment in 2023, the established rules for cashing out of leave do not apply for this circumstance.

At the time of separation in good standing, employees shall receive conversion at their current rate of pay for their accumulated, unused vacation leave up to the maximum allowed accumulation plus vacation leave accumulated in the current year.

In the case of the death of an employee, the unused vacation leave credit of such employee shall be paid to the deceased employee's spouse or the estate if there is no surviving spouse.

Cashing Out Vacation Leave

Employees may elect to cash out up to 75% of their vacation accruals as of November 15 of each calendar year. The request must be made in writing to the Health Commissioner on or before November 15th of each year.

SECTION 5.4 SICK LEAVE

Sick leave is a benefit for employees. Sick leave use must be approved by the Employer.

An employee may request sick leave for absences resulting from illness as described below, provided that he follows the proper notification procedures outlined in this section. Sick leave may be requested for the following reasons:

1. illness or injury of the employee or a member of his immediate family (where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member);
2. exposure of employee to a contagious disease which would have the potential of jeopardizing the health of the employee or the health of others;
3. death of a member of the employee's immediate family for a reasonably necessary time, not to exceed 5 days;
4. medical, psychological, dental, or optical examinations or treatment of the employee or a member of his immediate family (where the employee's presence is reasonably necessary); or
5. pregnancy, childbirth, and/or related medical conditions of the employee, or an immediate family member (where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member).

For purposes of this policy, the "immediate family" is defined as only: mother, father, brother, sister, child, spouse, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, stepparent, stepchild, stepbrother, stepsister, legal guardian or other person who stands in the place of a parent.

Sick Leave Accrual

For each completed 70 hours in active pay status, an employee earns 4.032 hours of sick leave. For pay periods that are different than 70 hours, the rate of accumulation shall be .0576 times the hours of active pay status. Active pay status may be defined as hours worked, hours on vacation, hours on holiday leave, and hours on paid sick leave. The amount of sick leave time an employee may accrue is unlimited.

Previously Accumulated Sick Leave

An employee who transfers from another public agency to the Health Department, or who has prior service with a public agency in Ohio, shall receive credit for any unused, unconverted sick leave. No credit shall be received for sick leave earned and converted with a previous employer.

The previously accumulated sick leave of an employee who has been separated from public service shall be placed on his credit upon his reemployment with the Employer provided such reemployment takes place within 10 years of the date on which the employee was last terminated from public service. However, any person removed for conviction of a felony, within the meaning of Ohio Revised Code 124.34, who is subsequently reemployed by the County will only be qualified to accrue sick leave as if he were a new employee and will receive no sick leave credit for prior service. For the purpose of this policy, "public agency" shall mean state agencies, counties, municipalities, civil service townships, and boards of education.

Charging of Sick Leave

An employee shall be charged for sick leave only for days which he was scheduled to work. Approved sick leave payment shall be at the employee's regular hourly rate. Advance use of sick leave will not be permitted.

Exhausted Sick Leave Credit

Accumulated but unused leave time must be used for sick leave purposes after sick leave is exhausted. Employees who have exhausted all sick leave and other leave credits may be granted a personal leave of absence without pay for a period not to exceed 6 months, upon approval from the Board of Health. All paid leave time must be exhausted prior to any unpaid leave of absence approval. Pursuant to the Family Medical Leave Act ("FMLA") policy, employees may be eligible for FMLA leave. Employees experiencing illnesses exceeding 6 months may be considered for Disability Separation.

Evidence Required for Sick Leave Approval and Return to Work

Upon return to work, an employee shall request sick leave via the Kronos system to justify the use of sick leave. When an employee misuses or abuses sick leave as determined by the Employer, a certificate from a licensed physician, dentist, or other licensed practitioner must accompany the sick leave application. A practitioner's statement must include the nature of the condition. In order to receive pay for sick leave usage, an employee must comply with all departmental rules and regulations governing application and use. Falsification of an application for sick leave or a practitioner's statement shall be grounds for disciplinary action, up to and including removal.

Employees may be required to provide a medical release prior to returning to work.

Notification by Employee

When an employee is unable to report to work, he shall notify his immediate supervisor, or other designated person, before or at the time designated as the report off time by the Employer. This procedure shall be followed on the first day of absence and each day thereafter, unless extraordinary circumstances make it impossible, or unless the employee has made other reporting arrangements with his supervisor. He shall inform the supervisor of the fact that he is requesting sick leave and the reason for such a request. Failure to follow this procedure will result in denial of sick leave for the period of absence.

Notification for Extended Sick Leave

In the case of a condition exceeding 3 or more consecutive workdays, a physician's statement specifying the employee's inability to report to work, and the probable date of recovery may be required.

Misuse or Abuse of Sick Leave

Employees failing to comply with sick leave rules and regulations shall not be paid and may be disciplined. Application for sick leave with intent to defraud will result in dismissal and refund of salary or wage paid, if any. This section shall not be construed as a limitation on the definition of the terms misuse or abuse.

Patterned or excessive absences, as determined by the Employer, or the misuse or abuse of sick leave will be carefully reviewed, and as circumstances warrant, sick leave may be denied. The Employees shall be counseled as to any inappropriate use of sick leave benefits and may be subject to disciplinary action for misuse or abuse of sick leave as well as denied payment for sick leave. In the event sick leave is approved and it is later learned that the sick leave was misused or falsified, or if the use establishes a pattern, the grant of the sick leave does not prevent discipline.

Nothing in this policy shall be construed to mean that paid sick leave shall automatically be granted to an employee upon request. Paid sick leave shall be granted only if the employee follows the procedures set forth in this policy. It is within the discretion of the Employer to disapprove as well as approve requests for paid sick leave.

Furthermore, the Employer reserves the right to investigate sick leave to ensure its appropriate use and may require an employee to submit to examinations, inquiries or visits as the Employer deems necessary.

SECTION 5.5 SICK LEAVE CONVERSION

A County employee, at the time of retirement under a State pension system (e.g. OPERS) from active service with the Health Department, shall be paid based on the below tables:

Sick leave conversion for employees hired on or before July 27, 2022:

Years of Service	Percentage of Unused Sick Leave	Hours Maximum
30	100%	840
25	75%	630
20	50%	420
15	37.5%	315
10	25%	210

Sick leave conversion for employees hired after July 27, 2022:

Years of Service	Percentage of Unused Sick Leave	Hours Maximum
30	50%	480
25	40%	384
20	35%	336
15	30%	288
10	25%	210

To qualify for such payment, the employee shall have had, prior to the date of retirement, 10 or more years of service with the County, the state, or any of its political subdivisions, and retire under a State pension system. The sick leave conversion is only available to those employees who retire from the Health Department and have not retired from any other public employer.

Sick leave conversion upon retirement shall be made only once and shall eliminate all sick leave credit accrued by the employee.

Employees who die shall be considered to have terminated their employment as of the date of their death and shall be eligible for such sick leave for which they would have otherwise qualified. Such payment shall be made in accordance with Section 2113.04 of the Ohio Revised Code or paid to the employee's estate.

An employee whose immediate cause of death is an injury sustained during the performance of his duties within the scope of his employment shall be paid 100% of the value of his earned but unused sick leave. The maximum of such payment shall be 1,000 hours.

SECTION 5.6 PERSONAL LEAVE

Full-time employees will be credited with 14 hours of personal leave at the beginning of the first full pay period in January of each year. An employee who begins work after the first full period in January will be credited with .54 of an hour for each pay period remaining in the calendar year. Personal leave is to be used for attending to personal business which cannot be conducted during working hours.

An employee must give his supervisor at least 48 hours' notice of his intention to take personal leave. In emergency situations the Employer may grant an employee permission to take personal leave over telephone. The day the employee returns to work he request personal leave via the Kronos system.

SECTION 5.7 FUNERAL LEAVE

An employee who has a death in his immediate family as defined below shall be granted the use of up to 5 working days (maximum 35 hours) of sick leave approval. The employee will be given the option to use accrued leave time or take a leave of absence without pay, not to exceed 5 working days (maximum 35 hours).

An employee who has a death in his extended family as defined below shall be granted the use of up to 2 working days (maximum 14 hours) of sick leave time. The employee will be given the option to use accrued leave time or take a leave of absence without pay, not to exceed 2 working days (maximum 14 hours).

For purposes of this policy, the "immediate family" is defined as only: mother, father, brother, sister, child, spouse, domestic partner, grandparent, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, sister-in-law, brother-in-law, stepparent, stepchild, stepbrother, stepsister, and legal guardian or another person who stands in place of the employee's parents.

For the purposes of this policy, the "extended family" is defined as only: aunt, uncle, cousin, niece, nephew, grandparent-in-law, aunt-in-law, uncle-in-law, cousin-in-law.

Employees must request leave via the Kronos system. A request for leave of absence without pay for the purpose of funeral leave must be made in writing to the employee's Bureau Director and approved by the Health Commissioner.

SECTION 5.8 MILITARY LEAVE

Military leave is governed by several sections of law including Ohio Revised Code Section 124.29, Ohio Revised Code Chapter 5903 and Ohio Revised Code 5923.05. Generally, the state provisions mirror the federal laws, except Ohio Revised Code 5923.05 grants a limited amount of compensation to public employees.

Permanent public employees who are members of the Ohio organized militia, National Guard or members of other reserve components of the Armed Forces of the United States shall be authorized up to 1 month (meaning 22 working days or 176 hours for 35 hours per week employees) of leave with pay per calendar year for the performance of service in the uniformed services. For the purposes of this policy, "permanent employee" means an employee who holds a position with the County that requires him to work a regular schedule of 26 consecutive biweekly pay periods, and such is not limited to a specific season or duration. This definition does not include student help, intermittent, seasonal, or external interim employees, or individuals covered by personal services contracts.

Any employee called to military duty for a period in excess of 22 working days because of an Executive Order issued by the President of the United States or an Act of Congress, or because of an Order issued by the Governor, may receive, during this period, the lesser of the following:

1. the difference between the employee's gross monthly wage or salary from the County and his gross uniformed service pay and allowances received in a particular month; or
2. \$500.00.

Along with requests for such leave, employees are required to submit the published order authorizing the military duty or a written statement from the appropriate military commander authorizing such duty.

A permanent public employee is entitled, upon giving notice to the Employer, to a leave of absence to serve in the uniformed service. Such leave is without pay and is considered as a leave of absence from service with reinstatement rights. No leave, or combination of

uniformed service leaves of absence, may exceed 5 years or a single, longer period required to complete an initial period of obligated service.

Reinstatement Rights: An employee returning from uniformed service leave without pay must apply for reinstatement. The application must be made to the Employer within the period set forth below:

- leave of fewer than 30 days — immediately upon release from uniformed service, but Employer must allow for travel time and 8 hours of rest;
- leave of 31 to 180 days — within 14 days of completing uniformed service requirement; or
- leave of more than 180 days — within 90 days of completing uniformed service requirement.

If the leave of absence is for more than 90 days, the Employer may require, with the application, evidence showing that the application is timely, that the duration of all such leaves of absence does not exceed 5 years, or the time to complete the initial period of obligated service, and that the employee's entitlement to reemployment has not terminated pursuant to the Federal Uniformed Services Employment and Reemployment Rights Act.

Upon return from a period of duty in the uniformed service lasting 90 calendar days or less, the employee is to be returned to the same or similar position within his former classification. If the period of duty lasts more than 90 days, the employee may be placed in any position of equivalent status, seniority, and pay. Regardless of the duration of duty, if the Employer demonstrates that reinstatement is impossible or would impose undue hardship, the employee may be assigned to another position with like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances of the case.

If the employee is unable to perform the duties of his former position due to a permanent injury or illness incurred or aggravated during uniformed service, the Employer will make reasonable efforts to accommodate the employee's disability.

If an employee who is entitled to reinstatement is unable to report for or perform the duties of his position at the date of his application for reinstatement because of a temporary injury or illness incurred or aggravated during uniformed service, he shall

have up to 2 years to recover from such illness or injury before being required to report or reapply.

A reinstated employee is entitled to receive all rights and benefits generally available to employees in a comparable leave of absence without pay, including the following:

- all sick leave and vacation leave which had been accumulated at the time of entering service;
- all seniority which would have accrued had the employee been on the job;
- automatic salary adjustments associated with the position and due the employee had the employee been on the job;
- any change in classification or pay range which would be due the employee had the employee been on the job; and
- reinstated health insurance and related insurance benefits with no waiting periods or preexisting condition exclusions, other than waiting periods or exclusions that would have applied even if there had been no absence for uniformed service. (Please note that this rule does not apply to the coverage of any illness or injury determined by the Secretary of Veterans' Affairs to have been incurred in, or aggravated during, performance of service in the uniformed service.)

SECTION 5.9 CIVIL LEAVE

If an employee is called for court jury duty or subpoenaed to testify in a court of law, during any portion of the employee's regular scheduled working day, that employee may choose to be compensated for such time in one of the manners set forth below.

The employee may choose to receive his regular salary or wage in full for such time from the Employer. In such a case, all monies received as compensation for court service shall be submitted to the County Treasurer and, if permitted by the Employer, waived in favor of the Common Pleas Court Jury Administration Fund.

The employee may choose to retain all monies received as compensation for court service and waive his regular salary or wage in full for such time from the Employer.

If the employee elects to receive his regular salary or wage, he will report for work

following jury duty, testifying as a witness, or being released by the Court.

If an employee is called for court jury duty or subpoenaed to testify in a court of law, outside of his regularly scheduled working hours, all monies received as compensation for such court service may be retained by the employee, unless the employee appears in court as part of his work duties.

Employees called for court jury duty or to testify in a court of law shall submit a copy of their subpoena to Human Resources.

Employees shall not be entitled to paid court leave when appearing in court for criminal or civil cases when the case is being heard in connection with the employee's personal matters or if it involves a family member. Such absences shall be considered leave without pay or vacation/personal leave at the employee's option, and as scheduled in advance by the Employer.

Time served by an employee for court jury duty or court service shall not be considered hours worked for purposes of calculating overtime, unless such court service is directly related to or is an integral part of the employee's work duties.

After being released from court duty, the employee is required to return to work if 1 or more hours remain of their scheduled work time.

SECTION 5.10 PRE-APPROVED LEAVE OF ABSENCE WITHOUT PAY

The Employer may grant a leave of absence without pay to either an unclassified or classified employee. Unless provided differently, all leave is at the discretion of the Employer. All requests for Leave of Absence should be made in writing to the Board of Health. A request for leave of absence should be made a minimum of 30 days before the leave begins, except in emergency circumstances.

Personal Leave

A personal leave of absence involves a temporary separation from active pay status, authorized by the TCHD. Such leave must be for a minimum of ten (10) working days but may not exceed a maximum period of six (6) months, with no extension or renewal allowed.

A personal leave of absence may only be granted when all appropriate accumulated leave (vacation leave and compensatory/exchange time leave) has been exhausted.

A personal leave of absence must be requested by the employee in writing and must be approved by the Board of Health. The request shall state reasons for taking the leave and the dates for which such leave is being requested and shall be accompanied by any necessary supporting documentation. Every request for leave will be given fair consideration in accordance with the following policies and procedures and the staffing needs of the departmental unit.

Development Leave

Leave may be granted for a maximum period of 2 years for purposes of education, training, or a specialized experience, which would be of benefit to the County service by improved performance at any level, or for voluntary service in any governmentally sponsored program of public betterment.

Authorization and Request

The authorization of a leave of absence without pay is a matter of administrative discretion. The Employer decides in each individual case if a leave of absence is to be granted.

The granting of any leave of absence is subject to approval by the Employer. Except for emergencies, employees will advise the Employer 60 days prior to commencement of the requested leave.

Return from Leave

Upon completion of a leave of absence, the employee is to be returned to the same or similar position formerly occupied. Any replacement in the position while an employee is on leave may be terminated or reassigned upon the reinstatement of the employee from leave. The terminated employee will be considered for other vacancies if such exists. An employee may return to work before the scheduled expiration of leave if requested by the employee and agreed to by the Employer. If an employee fails to return to work within 3 working days of an expiration of an approved leave of absence, without providing acceptable explanation to the Employer, such employee will be deemed to have voluntarily resigned and may be removed from his position.

Medical Leave, Unpaid

An employee who is unable to perform any of the essential functions of his or her position due to disabling illness, injury or condition, and the disability continues after the employee has exhausted his or her accumulated sick leave benefits, may be granted a leave of absence without pay for a period of up to six (6) months upon presentation of evidence as to the probable date for return to active work status.

The following additional criteria must be met to be granted leave under this section:

- The employee's absence will be at least five (5) consecutive workdays
- The employee must demonstrate that the probable length of absence will not exceed six (6) months; and
- The employee must present to Human Resources, at the time the request is made, a licensed physician's report stating diagnosis, prognosis, and probable period for which the employee will be unable to perform the essential job duties of their position.

The request must be submitted and approved by the Board of Health.

FMLA leave for eligible employees shall run concurrently with leave taken under this Section if the reason for leave qualifies under the FMLA.

If the employee is unable to return to work after expiration of the six-month period, the employee may be given a disability separation in accordance with this Manual or may apply for OPERS disability retirement; if qualified.

SECTION 5.11 MISUSE OF LEAVE

At any time during any paid or unpaid leave, if it is learned or discovered that the employee is engaged in activities inconsistent with the leave requested, the employee may be disciplined, including discharge, and/or the leave may be terminated.

Employees failing to comply with sick leave rules and regulations may not be paid or may be required to utilize other forms of accrued leave at the discretion of the Employer and may be disciplined. Application for sick leave with intent to defraud will result in dismissal and refund of salary or wage paid, if any. This section shall not be construed as a limitation on the definition of the misuse or abuse of the terms. Misuse of leave may also constitute forms of leave other than sick, if used in place of sick leave due to depleted accruals.

Patterned or excessive absences, as determined by the Employer, or the misuse or abuse of sick leave will be carefully reviewed, and as circumstances warrant, sick leave may be denied, as determined by the Employer on a case-by-case basis. The employee shall be counseled as to any inappropriate use of sick leave benefits and may be subject to disciplinary action for misuse or abuse of sick leave as well as denied payment for sick leave. In the event sick leave is approved and it is later learned that the sick leave was

misused or falsified, or if the use establishes a pattern, the employee will be subject to disciplinary action. The approval of sick leave does not prevent discipline.

For the purposes of this policy, patterned or excessive absences may include:

- A) Before and/or after holidays;
- B) Before and/or after weekends or regular days off;
- C) After pay days;
- D) Any one specific day of the week;
- E) Absences following overtime worked;
- F) Partial days;
- G) Use of more sick leave than earned -excessive absenteeism;
- H) Calling off sick on days when vacation or comp time were previously denied;
- I) Use of sick leave pattern which results in consistent low balance;
- J) Excessive tardiness/multiple tardies.

As a reminder, regular, predictable attendance is an essential function of all positions within the health department. Discipline for infractions will follow the Attendance Control Plan in section 6.2 of this manual.

Nothing in this policy shall be construed to mean that paid sick leave shall automatically be granted to an employee upon request. Paid sick leave shall be granted only if the employee follows the procedures set forth in this policy. It is within the discretion of the Employer to disapprove as well as approve requests for paid sick leave.

Furthermore, the Employer reserves the right to investigate sick leave to ensure its appropriate use and may require an employee to submit to examinations, inquiries or visits as the Employer deems necessary.

SECTION 5.12 DISABILITY SEPERATION

Voluntary Reduction

When an employee becomes unable to perform the duties or essential functions of his position but is still able to perform the duties of a vacant, lower-level position, he may request a voluntary reduction to the vacant lower level position. Such request shall be in writing, stating the reason for the request. The Employer may, at its discretion, grant the request for voluntary reduction.

Voluntary Disability Separation

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

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

Involuntary Disability Separation

When an Employer has reason to believe that an employee is unable to perform the essential functions of the employee's position due to a disabling illness, injury, or condition, the Employer may require the employee to submit to a medical or psychological examination conducted by one or more licensed practitioners selected by the Employer. It is not, however, necessary for the Employer to require the employee to submit to an examination prior to involuntary disability separation if the Employer has sufficient documentation to demonstrate that the employee is unable to perform the essential functions of the position.

When the Employer has received the results of a medical or psychological examination and initially determines that the employee is incapable of performing the essential functions of the employee's position due to a disabling illness, injury, or condition, the Employer will institute pre-separation proceedings. A conference will be scheduled and advance written notice will be provided to the employee. At the conference, the employee will have a right to examine the Employer's evidence of disability, to rebut the evidence, and to present testimony and evidence on the employee's own behalf. The employee is also health permitted to waive his right to a conference.

If the Employer determines, after considering the information presented and the evidence admitted at the pre-separation conference, that the employee is unable to perform the essential functions of his position, the Employer will issue an involuntary disability separation order.

The effective date of separation, for the purpose of reinstatement, will be based on the date the employee was no longer in active work status due to the disabling illness, injury, or condition.

A classified employee who is involuntarily placed on disability separation will have the right to appeal in writing to the State Personnel Board of Review within 10 days following the date the order is served on the employee.

Reinstatement Procedures

An employee placed on voluntary disability separation after a disability leave without pay for the same disabling injury or illness will retain reinstatement rights for 2 years from the time the employee began the disability leave without pay. An employee may submit to the Employer a written request for reinstatement from a voluntary disability separation.

The employee may apply to OPERS for disability retirement.

An employee who fails to apply for reinstatement, formally resign, or take disability retirement, shall be separated at the end of the 2-year period.

SECTION 5.13 ADMINISTRATIVE LEAVE

The Employer may place an employee who is subject to possible disciplinary action on an administrative leave with pay. The Employer shall place an employee on administrative leave when, in the opinion of the Employer, continued performance of required job duties by the employee would impair the operation of the Health Department, its morale, and/or delivery of its services due.

An employee may be placed on administrative leave up to the time when the Employer either takes appropriate disciplinary action or determines that disciplinary action is not warranted.

An employee placed on administrative leave shall, during the duration of the leave, receive full pay and benefits to which he is otherwise entitled and shall make himself available to the Employer during such leave. The employee may be required during his normal working hours to remain at his residence and be available for and respond to phone calls, emails, or other communications.

An employee who has been charged with a felony may be placed on an unpaid leave of absence. In the event that the employee does not plead guilty or is not found guilty of a felony, the unpaid leave must be paid, with interest.

SECTION 5.14 EMPLOYEE DISABILITY

If an employee is disabled and requests an accommodation for that disability, the Employer will determine whether the employee could perform the essential functions of the job with some reasonable accommodation. If so, the Employer will make an appropriate accommodation. If the Employer cannot accommodate a disabled employee in his current position, the Employer may place the employee in an available vacant position for which the employee is qualified; absent such, the Employer may place the employee on disability leave or separation under the procedure for those benefits.

If an employee claims a disability and requests an accommodation, the Employer should: (1) review the job description, essential functions, or other relevant documentation with the employee; and (2) ask the employee whether he can still do the essential functions of the job with some accommodation. If the employee answers in the affirmative, the Employer should ask the employee what accommodation he wants and whether any other accommodation would also allow the employee to perform the essential job functions. The Employer may also consider accommodations that are not suggested by the employee. Any accommodation made must remain confidential and will be treated as such under the Employer's other policies and procedures on confidential information.

If the employee says he cannot do the job with an accommodation, the Employer may concur with the employee, or may suggest an alternative course of action. The Employer may determine that some accommodation will allow the employee to do the job to the Employer's satisfaction, and the Employer may evaluate the employee using current performance standards. The Employer may consult a medical advisor or other appropriate licensed practitioner for verification.

When deciding whether an accommodation is reasonable, the Employer may consider among other things:

1. allowing use of leave entitlement for treatment;
2. allowing flexible hours;
3. providing transportation;
4. providing reserved parking spaces;
5. providing assistance from other employees;
6. allowing the employee to use his own equipment or aids; and

7. reassigning of job functions, though the Employer need not reassign essential functions.

SECTION 5.15 FAMILY AND MEDICAL LEAVE

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.

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 12 weeks of unpaid leave per year under particular circumstances. Such leave may be taken only for the following qualifying events:
 - a. Upon the birth of an employee’s child and in order to care for the child.
 - b. Upon the placement of a child with an employee for adoption or foster care.
 - c. When an employee is needed to care for a family member who has a serious health condition.
 - d. When an employee is unable to perform the functions of his position because of the employee’s own serious health condition.
 - e. Service member leave.
2. Service Member Leave: The spouse, parent or child of a member of the U.S. military service is entitled to 12 weeks of FMLA leave due to qualifying exigencies of the service member being on “covered active duty” or being notified of an impending call or order to covered active duty in the Armed Forces. In addition, a spouse, child, parent or next of kin (nearest blood relative) of a service member is entitled to up to 26 weeks of leave within a “single 12-month period” to care for a service member with a “serious injury or illness” sustained or aggravated while in the line of duty on active duty. The “single 12-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established for other types of FMLA leave.
3. “Per year”: A rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave,

the employer will compute the amount of leave the employee has taken under this policy and subtract it from the 12 weeks of available leave. The balance remaining is the amount the employee is entitled to take at the time of the request. For example, if an employee used 4 weeks of FMLA leave beginning February 4, 2009, 4 weeks beginning June 1, 2009, and 4 weeks beginning December 1, 2009, the employee would not be entitled to any additional leave until February 4, 2010.

4. "Serious health condition": Any illness, injury, impairment, or physical or mental condition that involves:
 - a. Inpatient care.
 - b. Any period of incapacity of more than 3 consecutive calendar days that also involves:
 - i. 2 or more treatments by a health care provider, the first of which must occur within 7 days of the first day of incapacity and both visits must be completed within 30 days; or
 - ii. Treatment by a health care provider on one occasion that results in a regimen of continuing treatment under the supervision of a health care provider.
 - c. Any period of incapacity due to pregnancy or for prenatal care.
 - d. A chronic serious health condition which requires at least 2 "periodic" visits for treatment to a health care provider per year and continues over an extended period. The condition may be periodic rather than continuing.
 - e. Any period of incapacity that is permanent or long term and for which treatment may not be effective (i.e. terminal stages of a disease, Alzheimer's disease, etc.).
 - f. Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than 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 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 veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a National Guard or Reserves Member, at any time during the 5 years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy.
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. "Serious Injury or Illness" (For purposes of the 26 week military caregiver leave) means: for active service members, an injury or illness incurred in the line of duty or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty and that may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating. For purposes of a veteran, a qualifying injury or illness that was incurred in the line of duty or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty and manifested itself before or after the member became a veteran.
11. "Covered Active Duty": (For purposes of the 12-week qualifying exigency leave) is defined as either duty during the deployment of a regular member with the Armed Forces to a foreign country; or duty during the deployment of a reserve member with the Armed Forces to a foreign country under a call to order to active duty under a provision of law referred to in § 101(a)(13)(B) of Title X, of the United States Code.
12. "Qualifying Exigency": (For purposes of the 12-week qualifying exigency leave) includes any of the following:

- a. Up to 7 days of leave to deal with issues arising from a covered military member's short notice deployment, which is a deployment on 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 5 days to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment.
- g. Attending certain post-deployment activities within 90 days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member.
- h. Any qualifying exigency which arose out of the covered military member's active duty or call to active-duty status.

Leave Entitlement

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

1. Worked for the agency for at least 12 non-consecutive months, or 52 weeks;
2. Actually worked at least 1,250 hours during the 12 month period immediately prior to the date when the FMLA leave is scheduled to begin; and
3. Work at a location where the Employer employs 50 or more employees within a 75-mile radius.

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

Spouses who are both employed by the agency are jointly entitled to a combined leave total of 12 weeks (rather than 12 weeks each) for the birth of a child, upon 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.

Use of Leave

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

- Employers are mandated by law to grant up to twelve (12) weeks of unpaid leave to eligible employees under the FMLA. If an employee qualifies for FMLA leave, any paid leave accrued by the employee shall be applied concurrently to the FMLA leave.

FMLA and Disability/Workers' Compensation

An employee who is eligible for FMLA leave because of his own serious health condition may also be eligible for workers' compensation if the condition is the result of a 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 12-week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, as these may be compensated absences, if the employee participates in the workers' compensation program, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the Employer require him to do so, while the employee is receiving compensation from such a program.

Procedures For Requesting FMLA Leave

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

The Employer will determine whether the leave qualifies as FMLA leave, designate any leave that counts against the employee's 12-week entitlement, and notify the employee that the leave has been so designated.

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

Certification of Need for FMLA Leave

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

The Employer, at its discretion, may require the employee to sign a release of information so that a representative other than the employee's immediate supervisor can contact the medical provider. If the medical certification is incomplete or insufficient, the employee will be notified of the deficiency and will have 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 15 days.

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 Employer. Requests for intermittent or reduced schedule FMLA leave must be submitted in writing at least 30 days prior to taking leave or as soon as practicable.

To be entitled to 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 Employer 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.

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, dental, and/or disability

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 that he would have been required to pay had he not taken the leave, regardless of whether the employee is using paid or unpaid FMLA leave. Employee contributions are subject to any change in rates that occurs while the employee is on leave.

The Employer will not continue to pay the Employer portion of premiums for any life, medical, and dental insurance benefits if, while the employee is on FMLA leave, the employee fails to pay the employee's portion of such premiums or if the employee's payment for his portion of the premium is late by more than 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 that are based on length of service. However, specific leave times (i.e. sick, vacation, and personal leave and holidays) will not accrue during any period of unpaid FMLA leave.

Reinstatement

An employee on FMLA leave must give the Employer at least two business days' notice of his intent to return to work, regardless of the employee's anticipated date of return. Employees who take leave under this policy will be reinstated to the same or a similar position upon return from leave except that if the position that the employee occupied prior to taking FMLA leave is not available, the employee will be placed in a position that 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 because of exercising his right to FMLA leave. However, the Employer will not reinstate an employee who has taken FMLA leave if, as a result of a layoff within the agency, the employee would not otherwise be employed at the time reinstatement is requested. An employee on FMLA leave has no greater or lesser right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during his FMLA leave.

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

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.

SECTION 5.16 PRECINCT ELECTION OFFICIAL LEAVE

Any employee who has been appointed to serve as a precinct election official pursuant to Ohio Revised Code 3501.22 may use accrued paid leave time, excluding sick leave, or may take unpaid leave to serve as a judge of elections on the day of an election.

In order to ensure that the employee is able to take accrued paid leave time, the employee shall notify his Employer in writing at least 2 weeks in advance that he will be serving as a judge of elections on the day of an election. At this time, he should also notify the Employer of his decision to take the day off as a paid or unpaid leave day. If the employee chooses to take the day as a paid leave day, he must inform the Employer of the type of paid leave, excluding sick leave that he wishes to use to cover the absence.

Failure by the employee to provide at least 2 weeks advance notice, as referenced above, may result in ineligibility to take paid leave time to cover the absence.

CHAPTER 6 STANDARDS OF CONDUCT

- 6.1 General Standards of Conduct
- 6.2 Attendance
- 6.3 Tardiness
- 6.4 Notification of Absence
- 6.5 Weather Related Closing
- 6.6 Safety, Security, Health, and Injury
- 6.7 Lunch
- 6.8 Lactation Break
- 6.9 Tools, Supplies, Equipment, Cell and Telephones, and Mail
- 6.10 Use of County Vehicles
- 6.11 Outside Employment or Activities
- 6.12 No Solicitation/No Distribution
- 6.13 Ethics
- 6.14 Discriminatory Harassment
- 6.15 Drug and Alcohol Testing
- 6.16 Drug and Alcohol Testing of Commercial Drivers' License Operators
- 6.17 Political Activity
- 6.18 Dress and Hygiene
- 6.19 Bulletin Boards
- 6.20 Tobacco Use
- 6.21 Employee Use of Public Records; Recording Meetings
- 6.22 Computer and Technology Use, Email, Cell Phones, Social Media Information Technology Policy
- 6.23 No Privacy Expectation
- 6.24 Communications
- 6.25 Concealed Weapons
- 6.26 Workplace Violence
- 6.27 Conviction of a Felony
- 6.28 Credit Card Use Policy

SECTION 6.1 GENERAL STANDARDS OF CONDUCT

In order for the Employer to effectively and efficiently operate, it is important that actions that have or may have the potential to cause a disruption of the organization could have an adverse impact on the Health Department, or could create a negative image for the Health Department, be kept to a minimum. The Employer, to identify what it believes are standards of conduct, which if violated, may upset the organization and its goals, has set forth those standards and categorized them by degrees of importance. These standards are how employees should conduct themselves. These standards are not meant to be all inclusive nor concrete in the categories listed. Employees shall make every effort to conduct themselves professionally, treating everyone with respect, and with attention to **common courtesy and common sense**. Employees are expected to serve efficiently and with good behavior.

Individual or cumulative violations of these standards may result in discipline, based on the nature, severity, and consequences of acts.

Standards of Conduct

1. Employees shall show every courtesy and respect to the public they serve as well as to employees and supervisors.
2. Employees shall fully perform the duties of their position.
3. Employees shall commence duties at the beginning of assigned work periods and shall continue working until the end of the assigned work period.
4. Employees shall not leave the job or work area during regular working hours, unless necessary for the performance of duties or with authorization.
5. Employees shall refrain from preparing to leave or quit work without specific prior authorization before the lunch period, a break time, or scheduled quitting time.
6. Employees shall consistently and timely report for work
7. Employees shall refrain from distracting the attention of others, unnecessary shouting, or other behavior that causes a demonstration or disruption on the job.
8. Employees shall refrain from mischief, horseplay, wrestling, or other undesirable childish, or unsafe conduct, including using profane or abusive language.

9. Employees shall not intimidate, coerce, or interfere with subordinates, clients, coworkers, supervisors, or the general public.
10. Employees shall cooperate with all other employees.
11. Employees shall exercise reasonable care in the use of Health Department property and equipment.
12. Employees shall avoid using or possessing another employee's equipment without authorization.
13. Employees shall observe official safety rules and common safety practices and maintain neat, clean, sanitary and safe facilities.
14. Employees shall observe all department, unit, and job performance rules and regulations.
15. Employees may not obligate the Health Department for any expense, service, or performance, unless authorized.
16. Employees shall immediately report all accidents, injuries, and/or equipment damage.
17. Employees shall consistently, expeditiously, and accurately perform all job duties and responsibilities.
18. Employees shall attempt to perform the highest quality work in a timely fashion.
19. Employees shall not use the Employer's telephone, computers, cell phones, radios, etc., for anything other than business purposes unless authorized.
20. Employees shall not change or amend work schedules without prior consent.
21. Employees shall not sleep during working hours.
22. Employees shall always report to work fit for duty.

23. Employees shall refrain from possessing, using or being under the influence of drugs, including misuse or abuse of prescription drugs, or alcoholic beverages during working hours.
24. Employees shall conduct themselves in a moral manner and demonstrate common decency.
25. Employees shall not use department property or equipment without authorization.
26. Employees shall not perform private work or personal business on department time or with any Health Department equipment, supplies, etc.
27. Employees shall report for overtime work as instructed by supervisors.
28. Employees shall not make or publish false, vicious, or malicious statements concerning employees, supervisors, the Health Department, or its operations.
29. Employees shall give factual and honest testimony during conduct investigations, predisciplinary hearings, and complaint or grievance investigations or hearings and accident investigations.
30. Employees shall not post, remove, or change notices or signs on bulletin boards unless authorized.
31. Employees shall not distribute or post any written or printed material of any description on the Employer's premises unless first receiving authorization.
32. Employees shall not be present in work areas on the Employer's premises unless authorized.
33. Employees shall not disregard policies, procedures, rules, or regulations.
34. Employees shall follow the political activity policies of the Health Department policy and the Ohio Revised Code.
35. Unless specifically authorized, Employees shall not disclose or distribute any County records or reveal confidential information regarding clients' personal information.

36. Employees shall comply with the Public Records policy and shall release records only if authorized to do so.
37. Employees shall report off work for any absence each scheduled workday, unless otherwise authorized.
38. Employees shall not be negligent in the performance of assigned duties or in the care, use, or custody of Health Department property or equipment, nor abusive, intentionally, negligently or deliberately be destructive in any manner of Employer property, tools, equipment, or the property of employees.
39. Employees shall always be honest when questioned concerning accidents, when being investigated, and when handling Employer records, including performance and application records.
40. Employees shall not make false claims or misrepresentations in an attempt to obtain Employer provided benefits.
41. Employees shall not gamble during business hours.
42. Employees shall not steal or act in a similar manner including destroying, damaging, or concealing others' property or Health Department property.
43. Employees shall not use narcotics or alcohol or other illegal or controlled substances, nor sell such on the premises.
44. Employees shall not fight or instigate a fight or altercation nor attempt to cause injury to other employees, supervisors, or persons.
45. Employees shall not carry or possess firearms, explosives, or weapons on County property at any time without authorization.
46. Employees shall not conceal a communicable contagious disease.
47. Employees shall not misuse or remove Employer records or information without prior authorization.
48. Employees shall not instigate, lead, or participate in any walkout, strike, sit-down, stand-in, or other curtailment of work.

49. Employees shall be honest and shall not commit any dishonest action. Some examples of what is meant by "dishonesty" or "dishonest action" are: theft, pilfering, opening desks assigned to other employees without authorization, making false statements to secure an excused absence or to justify an absence or tardiness from work.
50. Employees shall always follow written or oral, assigned work and/or instructions, from supervisors.
51. Employees shall not engage in unlawful harassment, including sexual harassment, or create a hostile work environment.
52. Employees shall not be convicted of a felony within the meaning of Ohio Revised Code 124.34 and shall not be convicted of any violation which may adversely affect the public's trust in the employees' abilities to perform the duties of the positions.
53. Employees shall maintain and/or report loss of required licenses, certifications and other qualifications required to perform assigned duties.
54. No TCHD employee shall solicit or accept anything of substantial value from anyone presently or potentially doing business with the Health Department. Substantial value means anything more than nominal (e.g. \$10) monetary value, including gifts, tickets, food or beverages, special services or privileges, etc.
55. Employees shall comply with all Ethics laws and standards.

SECTION 6.2 ATTENDANCE

Regular, and punctual attendance is an essential function of every job.

The Employer shall establish daily, weekly, and monthly schedules and shall maintain employee attendance records. Attendance under this policy includes not only a regular appearance at work but means following rules pertaining to lunches, meetings, etc.

Employees are expected to make all possible necessary arrangements outside of work hours which limit them from meeting this required commitment. This includes scheduling medical and dental appointments, as well as other personal business appointments, whenever possible, outside of scheduled working hours.

Employees are required to consistently maintain a phone number(s) on file with the Employer, including cell phone number(s) on file with the Employer, where the employee can be reached. Employees are expected to respond to calls or contacts from their supervisors.

Violation of Policy

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

Employees may be disciplined for tardiness or absenteeism. The circumstances of tardiness or absences will be subject to the individual employee or department. Patterned use, abuse, or misuse of sick leave may also be the grounds for disciplinary action. Approval of sick leave will not preclude discipline if it is learned that there has been abuse or misuse.

When an employee's absences begin to affect the workload of other employees or the ability of the Health Department to provide services, the employee's supervisor will meet with the employee and discuss this concern. This meeting will be documented in the employee's personnel file as a verbal instructing and cautioning.

An employee who has received verbal instruction and cautioning for absence will be required to submit a doctor's note or other appropriate documentation for the reason for each absence for the next 2-month period.

During the period following a verbal instruction for absence, if the employee's absence continues to affect the Health Department, the supervisor will proceed through the progressive discipline process.

Supervisory Responsibilities

Each supervisor of the Health Department should exemplify good attendance. It is the supervisor's responsibility to investigate employee attendance violations and to report such to the Employer.

Attendance Control Plan

Attendance is recorded in the Kronos system. It is the responsibility of the Bureau Director, Director of Administrative Services, and the Human Resources Coordinator to monitor for frequent absences, improper use of time off, tardiness, unexcused absences,

and leave of absence without pay. Infractions of the attendance policy will be disciplined according to the Attendance Control Plan. Reference sections 5.3,5.4,5.6,5.7,5.11,6.3,6.4 and 6.7 for possible but not an all-inclusive list of attendance infractions.

The mere procurement of a physician's statement will not prevent disciplinary action unless the absence is covered by approved leave.

The Attendance Control Plan shall be administered as follows:

Stage 1

If the employee accumulates (4) four attendance infractions in a 6-month period, the employee shall be subject to a **Verbal Warning**.

Stage 2

If the employee accumulates (6) six attendance infractions in a the same 6-month period, the employee shall be subject to a **Written Reprimand**.

Stage 3

If the employee accumulates (8) eight attendance infractions in the same 6-month period, the employee shall be subject to a **Two-day Unpaid Suspension**.

Stage 4

If the employee accumulates (10) ten attendance infractions in the same 6-month period, the employee shall be subject to **Removal**.

SECTION 6.3 TARDINESS

Tardiness is inexcusable and shall not be tolerated. Tardiness is defined as any situation where an employee reports to work after his scheduled starting time. Tardiness includes being late to return from lunch or breaks. Whenever an employee is tardy, that employee's compensation may be reduced corresponding to the amount of time he was late.

In addition, if an employee is tardy, that employee may be subject to appropriate disciplinary action. If the employee provides justification for late arrival, as determined by the Employer, the Employer may permit the employee to cover the period of absence with vacation time, or it may be authorized as unpaid leave time. Even if allowed to cover the time the employee was tardy, the employee may be subject to counseling and/or discipline.

For the purpose of the Attendance Control Plan, two (2) tardies are equal to one (1) infraction.

Management staff should regularly monitor for late arrival. Instruction and cautioning on this and the disciplinary policy are critical. In addition, supervisors should not dismiss tardiness, even when the excuse is appropriate, without first reviewing the employee's existing disciplinary record.

SECTION 6.4 NOTIFICATION OF ABSENCE

All nonscheduled absences from work must be reported to the employee's immediate supervisor or department head, prior to the employee's scheduled start time, each day of the employee's illness or injury, unless other arrangements arranged between the employee and his immediate supervisor or Employer. Only absences logged by the Employer/designee, or immediate supervisor will be considered for approval.

When an employee returns to work following an unauthorized absence, such employee must immediately report to his immediate supervisor. The employee shall complete a leave request via Kronos which allows the employee to explain the reasons for his absence. Any written documents which substantiate the employee's reasons shall be submitted at this time. The Kronos submission, and other written documentation, will be reviewed by the Employer/designee to determine whether the absence will be approved.

If a leave request is approved and later determined to contain inaccurate or false information, the employee may be disciplined for submitting an inaccurate or false leave request.

SECTION 6.5 WEATHER RELATED ABSENCES AND CLOSINGS

Inclement weather at times requires closing the health department offices. Because the delivery of public health services is vitally important to the residents of Tuscarawas County, each employee must make an effort to provide the required service, despite adverse weather conditions.

If a weather emergency is declared by the Governor, County Commissioners, Board of Health and/or the Sheriff, employees will be compensated for the time they were scheduled to work during the emergency period.

When the Health Department is officially closed due to weather conditions, the Health Commissioner will contact management staff, who will then contact their employees.

When a health department employee is unable to report to work due to adverse weather conditions, he must notify his director by the scheduled shift start time.

An employee who arrives late or who is absent during a period of inclement weather when the health department is open must charge this time to available vacation or personal leave. Inclement weather is not an approved use of sick leave.

Building Closure Policy

Closing for the Full Day

In the event that it appears necessary to close the TCHD Buildings for a complete day, either the evening before or prior to 6:30 a.m. on the day of the proposed closing, the Health Commissioner or designee will authorize the initiation of the 24/7 call down list.

Early Closings / Abbreviated Work Day

Employees will be notified by their respective Department's management should it be necessary to close buildings early because of weather or other emergency. Employees will be instructed by management as to the actual closing time of the building and the proper procedure for completing their timesheet for that day.

SECTION 6.6 SAFETY, SECURITY, HEALTH, AND INJURY

Health and safety shall be a prime concern and responsibility of the Employer and employees. The Employer accepts the responsibility to make a reasonable effort to provide safe working conditions and working methods for its employees and to maintain Employer equipment in good working order, and work areas and non-work areas in a safe and healthful condition. Employees are responsible for maintaining and operate all of the Employer's equipment, tools, and work areas in a safe and proper manner and accept the responsibility to follow all safety rules and safe working methods of the Employer.

All working conditions or equipment believed to be unsafe must be reported to the employee's supervisor in charge as soon as the unsafe working conditions, areas, or equipment are known. The supervisor will investigate all reports of unsafe working conditions, areas, or equipment in a timely manner and will make every reasonable effort to correct any which are found and see that the safety rules and safe working methods are followed by all employees.

Protective devices and other equipment, as determined by the Employer to be necessary to protect employees while in performance of their duties, shall be provided by the Employer, and such equipment shall be used by employees.

Complaints involving alleged unsafe working conditions or equipment must be reported by the employee to his immediate supervisor or the appropriate member of supervision.

Adequate first aid kits shall be made available at Employer facilities to all employees during working hours.

Any employee found to be negligent in equipment operation, or intentional abuse or misuse of equipment may be disciplined, whether or not resulting in damage to the equipment or an accident.

Any employee found to be negligent in equipment operation, resulting in either damage to the equipment or an accident, shall be subject to termination.

Any accident or injury occurring during working hours, or while using County equipment or vehicle shall be immediately reported by the employee to his immediate supervisor. Upon notification, the employee, or when necessary, the supervisor, shall complete an Illness, Incident, Accident, Exposure Report Form and forward it to the Employer no later than 24 hours after the accident. The form shall be completed even if no medical treatment is required.

In case of fire or tornado, established evacuation/protective procedures shall be followed. Fire exits shall not be obstructed in any manner.

SECTION 6.7 LUNCH

TCHD employees will receive either a thirty-minute or a one-hour unpaid lunch period, based on each bureau's hours of operation. All lunch periods are to be scheduled by the employee's immediate supervisor based on the operational needs of their unit and in accordance with the following provisions:

- Lunch periods cannot be used to make up tardiness or quitting early, unless specific approval is given by Supervisor.
- An employee who is scheduled to end his or her day at 4:30 may not leave for the day at 3:30 p.m. and take his or her lunch from 3:30 to 4:30 p.m. unless prior approval is given.

SECTION 6.8 LACTATION BREAK

Upon request, employees will be provided with a reasonable amount of break time for purposes of expressing breast milk for up to one year after the birth of a child. The

employee will be provided with an appropriate space (such as an office or private area, but not a bathroom) that is shielded from view and free from intrusion from coworkers and members of the public. Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the employee. To the extent additional time is needed, such additional time shall be unpaid. Employees should make arrangements with the Employer.

SECTION 6.9 TOOLS, SUPPLIES, EQUIPMENT, CELL AND TELEPHONES AND MAIL

It is the employee's responsibility to use tools, supplies and equipment in a safe manner.

Misuse, neglect, theft, and abuse of tools, supplies, equipment, computers or other electronic equipment or telephones and accidents involving misuse of tools or equipment will be cause for disciplinary action. Loss of tools may require payment by the employee for those items lost, at the discretion of the Employer. Use of telephones, computers, tools, supplies and equipment for other than department business purposes, without prior supervisory approval, shall result in disciplinary action.

Employees shall only use tools, supplies, and equipment necessary to perform their job, as approved or assigned by the Employer.

Incoming mail marked "Personal" and/or "Confidential" may be opened and distributed based on department protocol. Employees have no expectation of privacy in receiving personal mail at work.

An employee shall return all department equipment, including keys, credit cards upon termination of employment.

Employees are prohibited from conducting personal business of any nature while on Health Department time.

Employees may not use any Health Department property, supplies or equipment, including computers, phones, or vehicles, to conduct personal business.

Employees should inform those individuals who may potentially attempt to conduct personal business with them that they should avoid contacting them during working time. Violation of this policy is considered as a restriction on or interference with work. Employees violating this policy may be subject to discipline.

Employees must report lost, broken, or damaged equipment to their Employer within 24 hours.

SECTION 6.10 USE OF COUNTY VEHICLES

Health Department vehicles shall be restricted for business purposes only.

Employees who operate Health Department vehicles or their private vehicles for department business must be insurable under the department insurance plan. If an employee's position requires that the employee be able to operate vehicles and the employee becomes uninsurable under the department insurance plan, the employee may be separated from employment.

Employees operating a Health Department motor vehicle are required to have a proper and valid motor vehicle operator's license and shall either provide or authorize the Employer to obtain a copy of their annual Motor Vehicle Report. Further, employees shall notify their immediate supervisor of any traffic violation immediately of such violation that occurred while in a County vehicle or occurring in a private vehicle while on Company time.

Employees are required to use privately owned vehicles for the purposes of getting to and from work and for any other personal travel. Health Department vehicles are not to be used for this purpose unless explicitly authorized, in writing, by the employees' Appointing Authority.

Any employee who operates a Health Department vehicle shall exercise caution and responsibility and shall adhere to all safety regulations. Reckless, negligent, or destructive operation of vehicles is grounds for disciplinary action.

Any Health Department employee, who operates a department vehicle, or a privately owned motor vehicle on department business, shall utilize the front seat occupant restraint system and require like use by any passengers in the vehicle.

Employees shall not use or permit the use of a Health Department vehicle for any purpose other than department business.

The need for routine repair or vehicle maintenance of Health Department vehicles shall be reported to the employee's immediate supervisor within 24 hours of identification. Employees who fail to properly report maintenance problems of assigned department owned vehicles may be subject to disciplinary action.

Employees, as official representatives of the Health Department and the County, are expected to show every motor vehicle courtesy possible, and the Health Department requires that they drive and conduct themselves in a manner that will enhance the reputation of the Health Department and County.

Traffic fines and arrests for illegal or improper use of vehicles in the scope of an employee's job are the sole responsibility of the employee and may subject the employee to disciplinary action.

Hitchhikers or other passengers not on official department business are not permitted in Health Department owned vehicles. Passengers not employed by the Health Department are not permitted to be transported by County vehicles or in personal vehicles while on Company time.

No unauthorized drivers are permitted to operate a Health Department vehicle at any time.

In the event of an accident, the employee should:

1. call an ambulance, if necessary;
2. call the appropriate law enforcement agency;
3. write down facts:
 - a. other driver's name, address, telephone number, and name of his insurance company;
 - b. names of injured persons, address, telephone number; and names of witnesses, addresses, telephone numbers;
4. not admit liability, but should give the other party his name, address, driver's license number, and vehicle license number;
5. notify his supervisor or department head or Employer immediately thereafter.

The Employee who utilizes a County vehicle is responsible for keeping the vehicle as clean and orderly as the job conditions permit. Regular cleaning of the company vehicle should be periodically reserved into the Employee's schedule.

Request for use of Employer Owned Vehicle

At the request of the Health Commissioner, Board of Health, bureau directors, or TCHD staff, employer owned vehicles may be used for employee travel only.

Vehicle Request Procedure:

1. A vehicle request must be made in writing to (email is acceptable) and approved by the bureau director and the Director of Environmental Health Services (EHS) or the Director of Administrative Services.
2. Requests should be made no later than two (2) business days from the date the vehicle will be used.
3. Vehicle use will be assigned by the director of EHS or Administrative Services.
4. Vehicle use will be tracked via the TCHD Vehicle Tracking Log, which will be kept in the office of the director of EHS.
5. Vehicle Tracking Log must be filled out in its entirety by the vehicle requestor. Failure to do so may prevent the employee from using an employer owned vehicle in the future.
6. For after-hours vehicle returns, the employee will place the keys in the glove compartment and ensure vehicle is secured in the TCHD garage. Employees will complete the Vehicle Tracking Log upon their return to work.
7. Any employee driving a company vehicle will comply with the same rules for vehicle maintenance, cleanliness, and gas usage as the vehicle's normal user.
8. Requestors must still submit a mileage reimbursement request form and make sure that a Purchase Order is open for them prior to the event in case a vehicle is not available.

SECTION 6.11 OUTSIDE EMPLOYMENT OR ACTIVITIES

Under no circumstances shall an employee have other employment that conflicts with the policies, objectives, and operations of the Employer. In addition, an employee shall not become indebted to a second Employer whose interests conflict with those of the Employer.

Employment "conflicts" exist when a second job impairs the employee's ability to perform the duties of his position.

Full-time employment by the Employer shall be considered the employee's primary occupation, taking precedence over all other occupations.

"Outside" employment, or "moonlighting," shall be a concern to the Employer if it adversely affects the job performance of or conflicts with the duties assigned to the employee's Health Department job.

Employment conflicts may vary. Two such common types that may arise are:

1. Time Conflict: Defined as when the working hours required of a "secondary job" directly conflict with the scheduled working hours of an employee's job with the Health Department or when the demands of a "secondary job" prohibit adequate rest, thereby adversely affecting the quality standard of the employee's job performance with the Health Department.
2. Interest Conflict: Defined as when an employee engages in "outside employment" that tends or has the potential to compromise his judgment, actions, and/or job performance with the Health Department.

If the Employer feels that an employee's outside employment is adversely affecting the employee's job performance, or conflicts with the employee's job or position, the Employer may recommend that the employee refrain from such activity. However, any conflict, policy infraction, or other specific offense that is the direct result of an employee's participation in outside employment shall be disciplined consistent with the policies in this manual.

Any outside employment is also subject to applicable ethics policies.

Employees shall not engage in off-duty activities or conduct that will discredit the Health Department or the employee or adversely affect the Health Department or the employee's ability to perform his duties.

SECTION 6.12 NO SOLICITATION / NO DISTRIBUTION

To maintain a productive, appropriate, and safe working environment, the Employer reserves the right to govern solicitation and distribution by employees and non-employees.

Employee Solicitation Rule

Solicitation by an employee of another employee on the Employer's premises, while either employee is on his work time, is prohibited. Solicitation is permitted during non-work time in work areas and during non-work time in non-work areas. Solicitation may

not occur in areas accessible to the public at any time. Solicitation is subject to Employer approval.

Employee Distribution Rule

Distribution of any type of literature, brochures, goods, etc., during work or non-work time in work areas is prohibited. Employees may distribute goods and written materials during non-work time in non-work areas, e.g., lunchroom, break rooms.

Unless disruptive, employees may solicit employees to distribute goods, etc. for community organizations for fundraisers subject to approval of the Employer.

Violations

Any violation of this policy shall be reported to the Employer immediately. Any employee violating this policy shall be subject to disciplinary action.

SECTION 6.13 ETHICS

All Health Department 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 policies, procedures, rules, and regulations, as may be set forth by the Employer. Ohio Ethics laws may be found in Ohio Revised Code Chapter 102 and Section 2921.42. This manual is not all inclusive with regards to such policies, rules, and regulations. Conduct that interferes with normal office operations, brings discredit to the Employer, is illegal, or is offensive to the public or fellow employees, will not be tolerated. Such conduct includes, but is not limited to:

1. engaging in any transaction, business, or other interest which is in conflict with the proper discharge of official Health Department duties;
2. using or disclosing confidential or proprietary information regarding the property, governance or affairs of the Health Department, including client matters, without proper authorization;
3. using confidential information or influence of an official Health Department position to advance personal, financial, or other private interests;
4. accepting gifts in the form of service, material, loan, or promise from any person, firm, or organization, which may influence a Health Department employee in the proper discharge of official department duties or accepting

gifts from any person, firm, or organization that maintains an interest in any business dealings with the Health Department;

5. soliciting or accepting anything of value, whether in the form of service, loan, item, or promise from any person, firm, or corporation interested directly or indirectly in conducting business dealings with the Health Department;
6. engaging in or accepting private employment or rendering services for private interests when such employment or service is not compatible with the proper performance of the employee's official duties, or would tend to impair independent judgment or action in the performance of the employee's official duties;
7. representing another person before a public agency, while an employee or for 1 year thereafter, on any matter in which the employee personally participated as an employee through decision, approval, disapproval, etc.;
8. receiving or agreeing to receive outside compensation for services rendered in a matter before any office or Health Department except as provided in Ohio Revised Code Section 102.04;
9. having a personal interest in a contract with the Health Department or using his 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;
10. using his position or authority to secure approval of the employment of a member of the employee's family or a business associate, or to obtain a pay increase, fringe benefit improvement, or promotion of such individual(s);
11. engaging in any other matter that represents a conflict of interest with the Health Department or undermines the integrity of County government.

Each case possibly involving an ethics/confidential information violation will be treated on a separate basis.

SECTION 6.14 DISCRIMINATORY HARASSMENT

It is the policy of the Employer to maintain an environment 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, co-workers, or members of the public, is strictly prohibited.

Discriminatory harassment is any type of harassing conduct that is based upon an employee's race, color, sex, national origin, age, religion, disability, or other protected class or protected activity.

Sexual harassment, which is a form of sex discrimination, includes but is not limited to the following:

1. repeated unwanted and/or offensive sexual flirtations, advances, or propositions;
2. repeated verbal abuse of a sexual nature;
3. graphic or degrading verbal or written comments about an individual, or the individual's appearance;
4. the display of sexually suggestive objects, pictures, or the display of same through other media;
5. the implication or threat that an employee's or applicant's employment, assignment, compensation, advancement, career development, or other condition of employment will depend on the employee or the applicant's submission to sexual harassment in any form; and
6. any offensive, abusive, or unwanted physical contact.

All employees are expected to aid the Employer in maintaining a work environment free from discrimination, including sexual harassment. Each employee shall immediately report any instances of discriminatory harassment to the proper authority. Any employee who observes any conduct that may constitute discriminatory harassment of a coworker, but fails to report it, may be subject to disciplinary action. Any employee, including a supervisor or manager, who receives a complaint alleging conduct that may constitute discriminatory harassment of any County employee, but fails to report it, may be subject to disciplinary action.

The Employer shall ensure that all of its employees are aware of the policy against discriminatory harassment, are aware of the complaint and reporting procedures, and are aware of the consequences of engaging in discriminatory harassment.

The Employer shall maintain an environment free from discriminatory harassment. The Employer shall train its supervisors to recognize discriminatory harassment, the complaint and reporting procedures, the proper methods of investigating complaints of discriminatory harassment, and the disciplinary procedure regarding discriminatory harassment.

Once a complaint of discriminatory harassment has been received or reported, management will immediately investigate the matter.

1. Any employee who believes that he has been the subject of discriminatory harassment, and/or any employee who has witnessed an incident or incidents of discriminatory harassment, shall immediately report the matter(s) to his immediate supervisor.
2. If the immediate supervisor is the subject of the complaint, the employee should report the harassment to the next highest-ranking person in the table of organization or to the Employer, or to Human Resources of the Employer (if applicable).
3. If the subject of the complaint is both the Employer and the immediate supervisor, the employee should report the matter to the Prosecuting Attorney. If the Prosecuting Attorney is the subject of the complaint, the employee should report the matter to the Tuscarawas County Sheriff.
4. The employee alleging discriminatory harassment shall report the conduct and may use the form provided for that purpose (see form at the end of this policy manual). The employee should provide:
 - a. the employee's name;
 - b. the name of the subject of the complaint;
 - c. the act(s) complained of;
 - d. the date(s) of the act(s);
 - e. any witnesses to the alleged acts; and
 - f. the remedy that the employee is seeking.

5. If the employee alleging discriminatory harassment is unwilling to complete the complaint form, it should be completed by the person to whom the verbal complaint was made.
6. The complaint will promptly be investigated by the immediate supervisor or other appropriate management level personnel.
7. If, after investigation, it is determined that discriminatory harassment has occurred, the employee who has been found to have committed discriminatory harassment may be disciplined in accordance with the disciplinary procedure for discriminatory harassment and/or other remedial action may be taken. The complaining and/or reporting employee(s) will be informed of the results. If the investigation reveals that the complaint is valid, prompt action will be taken to end the harassment.
8. If, after investigating, it is determined that no discriminatory harassment occurred, or that there is insufficient evidence to determine whether or not discriminatory harassment has occurred, the complaining employee and/or reporting employee will be informed.
9. Any employee who is found, after investigation, to have engaged in discriminatory harassment of another employee or a member of the public shall be subject to disciplinary action, up to and including termination, training or other remedial action.

Cultural Diversity

Tuscarawas County Health Department staff will engage in behavior that is respectful of all employees, clients and/or patients of the health department. This includes creating a work environment free of the following:

Discriminatory Behavior

Discrimination refers to treating people differently, negatively, or adversely because of one or more of the following prohibited grounds of discrimination: race, color, ancestry, place of origin, political belief, religion, age, sex, sexual orientation, marital status, family status, physical or mental disability, or pardoned criminal conviction.

Personal Harassment

Personal harassment includes objectionable conduct, comment, or display made on either a one-time or continuous basis that demeans, belittles, or causes personal humiliation or

embarrassment on the part of the recipient. It may or may not be linked to discriminatory behavior.

Poisoned Work Environment

A poisoned work environment is characterized by an activity or behavior, not necessarily directed at anyone in particular, that creates a hostile or offensive workplace. Examples of a poisoned work environment include but are not limited to: graffiti, sexual, racial or religious insults or jokes.

Any employee in violation of this policy will be subject to discipline at the tier three level which includes a punishment of up to termination.

SECTION 6.15 DRUG AND ALCOHOL TESTING

In order to maintain a safe and healthful work environment, the Employer reserves the right to require drug or alcohol testing of an employee on the basis of "reasonable suspicion." This policy includes all employees, including those who are also subject to random testing such as CDL operators, nurses, or other employees who are in safety sensitive positions.

Reasonable suspicion that an employee is under the influence of or has used or is using a controlled substance, marijuana regardless of prescription status, or alcohol in an unlawful or abusive manner may be based upon, but is not limited to, any of the following:

1. observable behavior, such as the direct observation of drug or alcohol use or possession, and/or the physical symptoms of being under the influence of a drug or alcohol;
2. a pattern of abnormal conduct or erratic behavior, including abnormal leave patterns;
3. arrest or conviction for a drug or alcohol related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug or alcohol possession, use, or trafficking;
4. information provided either by reliable and credible sources or independently corroborated;
5. evidence that an employee tampered with a previous drug or alcohol test; and

6. facts or circumstances developed in the course of an authorized investigation of an accident or unsafe working practice.

Drug or alcohol testing of an employee, under this policy, will be conducted for administrative purposes, and the results will not be used to criminally prosecute the employee.

If the Employer has reasonable suspicion that an employee is using an illegal drug or substance or a controlled substance (excluding alcohol), the employee will be transported to the testing facility used by the Employer. A urine or other appropriate specimen will be collected and tested in accordance with the facility's established chain of custody. If the initial test is positive, a confirmation test will be conducted to verify the results of the initial test. A test for a controlled substance will be considered positive when it meets or exceeds the positive threshold established for the substance by the U.S. Department of Health and Human Services. The employee will provide the testing facility with a signed release for disclosure of the testing results to the Employer. Failure to sign a release will be considered insubordination, and the employee will be subject to discipline, up to and including termination.

The results of the drug testing will be provided to the Employer and to the employee tested.

An alcohol test will be conducted in accordance with the standards established by the state of Ohio for detecting drivers who operate motor vehicles while under the influence of alcohol. A test for alcohol will be considered positive when an employee has any detectible amount of alcohol present via the employee's blood alcohol concentration.

If the initial and confirmation drug tests produce a positive result, or if the alcohol test determines that the employee is under the influence of alcohol, the employee may, in lieu of disciplinary action, be permitted to participate in a rehabilitation or detoxification program. Any discipline called for as a result of the test conclusions will be deferred pending successful rehabilitation of the employee.

An employee who participates in a rehabilitation or detoxification program will be placed on leave without pay for the period of the rehabilitation or detoxification program. Prior to being placed on leave without pay, the employee may use accrued sick or vacation leave.

Upon satisfactory completion of the program, as verified in writing by the treatment facility, the employee will be returned to his former or a similar job classification. Such employee may be subject to random periodic retesting upon his return to work for a period of 1 year from the date of his return.

Refusal by an employee to submit to an alcohol or drug test, or refusal to sign a release for disclosure of testing results to the Employer, will constitute insubordination and will result in disciplinary action, up to and including termination.

The cost of drug and alcohol testing shall be borne by the Employer, except that any test initiated at the request of the employee will be at the employee's expense.

All employees are responsible for reporting suspected drug or alcohol use by other employees that would violate this policy.

The results of any drug or alcohol test will constitute medical information and will remain confidential except for its use in official safety investigations or any action necessary to defend the discharge or other discipline of the employee.

SECTION 6.16 DRUG AND ALCOHOL TESTING OF COMMERCIAL DRIVERS' LICENSE OPERATORS

An employee in a position that requires the employee to obtain and maintain a commercial driver's license shall be subject to the policies and procedures for drug and alcohol testing, including random as well as reasonable suspicion testing.

Employees shall fully comply with the testing requirements. Failure to cooperate or the refusal to submit to testing will be considered insubordination, and the employee will be subject to discipline.

All federal and state laws and regulations for CDL holders will apply. Employees will be responsible for understanding and complying with these laws and regulations. Questions should be directed to the department head or the Employer.

SECTION 6.17 POLITICAL ACTIVITY

Employees in the classified service are prohibited by Ohio Revised Code 124.57 from engaging in political activity.

"Classified Service" is defined as any person in active pay status employed in the classified service.

"Political activity" and/or "politics" shall be defined as partisan activities and will refer to campaigns and elections involving primaries, partisan ballots at primary, special, or general election, and/or partisan candidates.

Activities permitted for employees in the classified service are as follows:

1. registration and voting;
2. expression of opinions, either oral or written;
3. voluntary financial contributions to political candidates or organizations;
4. circulation of nonpartisan petitions or petitions stating views on legislation;
5. attendance at political rallies;
6. signing nominating petitions in support of individuals;
7. display of political materials in the employee's home or on the employee's property;
8. wearing political badges or buttons, or the display of political stickers on private vehicles; and
9. serving as a precinct election official under Ohio Revised Code 3501.22.

Activities prohibited for employees in the classified service are as follows:

1. candidacy for public office in a partisan election;
2. candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;
3. filing of petitions meeting statutory requirements for partisan candidacy to elective office;
4. circulation of official nominating petitions for any candidate participating in a partisan election;
5. service in an elected or appointed office in any partisan political organization;
6. acceptance of a party-sponsored appointment to any office normally filled by partisan election;
7. campaigning by writing for publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
8. solicitation, either directly or indirectly, or any assessment, contribution, or subscription, either monetary or in-kind, for any political party or political candidate;
9. solicitation of the sale, or actual sale, of political party tickets e.g. fundraising;
10. partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
11. service as a witness or challenger for any party or partisan committee;
12. participation in political caucuses of a partisan nature; and

13. participation in a political action committee that supports partisan activity.

An employee in the classified service who engages in any of the prohibited activities listed above is subject to removal from his position in the classified service in accordance with Ohio Revised Code 124.34.

SECTION 6.18 DRESS AND HYGIENE

TCHD employees are required to dress in a manner appropriate for their position. Unless otherwise required by their position, employees are generally required to dress in a manner that is “business appropriate.”

Although it is not possible to compile a complete list of acceptable and unacceptable attire, employees should always strive to dress in a way that maintains a business appearance and promotes a positive image and level of professionalism.

Employees should be aware that their respective Departments may have additional rules and regulations or more specific guidelines regarding employee dress/appearance. In determining the appropriate dress standards for individual units, Department management should consider the following factors:

- The nature of the work performed by the unit;
- The likelihood of interaction with the public; and
- Consistency amongst similarly situated units.

Department management has the right to take corrective action when an employee is improperly dressed. An employee who is dressed inappropriately may be sent home to change his or her clothes and may be subject to further discipline under this Section. An employee who is sent home shall be required to use his or her own accumulated vacation, compensatory or personal leave to cover the time that he or she is away from the worksite to change clothes. In the event the employee has no vacation, compensatory or exchange time, the time the employee is away from the worksite will be considered an unexcused absence and may face disciplinary action.

Nothing in this policy is intended to abridge an employee’s rights relating to non-discrimination or to hinder the advancement of diversity at the TCHD. The TCHD will reasonably accommodate those employees whose bona fide religious belief or disability requires special attire.

Dress code elements:

Casual and dress pants may be worn. Pants should be neat and clean in appearance, without holes, and not tight fitting. Leggings, spandex, etc. may be worn under an appropriate length skirt or dress.

Dress shorts/walking shorts are reserved for staff working in settings without air-conditioning. They must adhere to the guidelines for hemlines. No lightweight knit, denim, or gauze/see-through fabrics are allowed.

Shirts/blouses/dresses:

Shirts can be buttoned down, polo type, or dress knit. T-shirts provided by health department programs may be worn for events when approved by the supervisor and must be neat and clean.

Tank tops, halters and backless shirts or dresses are not permitted. Sheer or see-through blouses and shirts should not be worn without proper undergarments. Necklines should not be revealing. Midriffs must be covered and must not be revealed when reaching.

Shirts and blouses should be worn in a neat fashion and not sloppy in appearance.

Sweat suits and jogging suits are not permitted. If program activities dictate the wearing of such apparel, permission is required by the supervisor. During special occasions, sweaters and sweatshirts with special motifs are permitted.

Hemlines for dresses, skirts and shorts should be no more than three inches above the top of the knee when standing. Hemlines should not meet or exceed mid-thigh when sitting.

Clothing should be properly fitting and should not be overly loose or baggy resulting in an unkept appearance.

Shoes:

Shoes should be clean and in good repair and appropriate for an office setting. Flip flops and open backed shoes that are not supported by a heel strap are prohibited. Close-toed shoes must be worn if the employee is conducting field work, working in a direct care setting, or conducting building maintenance. Weather-related shoes (rain boots, snow boots, etc.) must be changed prior to the start of your shift unless conducting field work.

Uniforms:

Specific Bureaus will be in department assigned uniforms; position specific exclusions may be granted. Staff must always wear the approved uniform attire. Contracted employees, providers and directors may opt to wear business casual attire. No street clothes (hooded sweatshirts, fleece, jackets) may be worn over your uniform. Short/long sleeve shirts may be worn under scrub tops. Recommended colors include white, cream, black, gray. Uniforms are required to be laundered routinely. TCHD will purchase 2 sets of uniforms per employee upon hire. Failure to complete at least one year of employment will result in the employee being charged the uniform cost. Employees may purchase additional, approved uniforms on their own. Every 2 years an additional uniform will be purchased for the employee by TCHD.

TCHD may purchase apparel that is expected to be worn at certain events. These items should be kept clean and in good repair. TCHD purchased apparel may be worn during work time as well as at the request of your director during special Health Department events.

TCHD provided uniforms and TCHD purchased apparel are to be worn only while at work. Uniforms and other TCHD purchased apparel should not be worn at locations other than worksites. Employees must change into other clothing if stopping at non-TCHD worksite locations before or after work or cover the apparel with another non-TCHD garment.

Theme Dress Days:

Theme dress days will be permitted on a reasonable basis with approval from the Health Commissioner. Exclusions from the dress code for community events may be approved by the Health Commissioner.

General Hygiene:

Hair should be cleaned, combed and professional in appearance. Hair dyed in non-traditional, vibrant colors is not appropriate for the workplace. In patient contact situations, long hair must be controlled to prevent contact with patient, equipment, or supplies.

Beards and mustaches: must be kept neat and trimmed. Any person who is fit tested must be clean shaven at all times as required by the respiratory protection plan.

Cologne, perfume, makeup, and jewelry must be worn sparingly.

Visible piercings should be limited to ear and nose piercings. A single nose piercing is permitted. Earrings should be appropriate for position and tasks. Nose piercings must be limited to a single, small, plain stud or hoop only. Other jewelry worn in pierced body parts (e.g., tongue, lip, gauged ears, eyebrows, multiple nose piercings, chains, etc.) may not be visible or detectable.

Tattoos that consist of nudity, profanity, racial in nature or offensive are not permitted and therefore should be covered so they are not visible or exposed. Administration has the authority to ask employees to cover tattoos, as needed.

Neat and clean dress demonstrates pride in the job and a courtesy to those around you. Attention to the principles of hygiene while working is necessary. Each employee is responsible for maintaining personal hygiene needs and cleanliness. Proper hand washing techniques are important for safety and control of infection. Nails should be neatly trimmed and clean.

New employees will receive an identification badge from the TCHD at no cost. Employees are required to wear their identification badges at all times while on TCHD property or TCHD business. It is the responsibility of the employee to contact their supervisor immediately if an identification badge is lost, stolen or damaged. Employees are required to request a new badge within five (5) working days. Employees may be charged a replacement fee to obtain a new badge. Non-compliance with this Section could subject the employee to disciplinary action.

SECTION 6.19 BULLETIN BOARDS

Employer bulletin boards shall be used for official Health Department business only.

Employees wishing to have Health Department business or information posted on a department bulletin board shall submit the material to be posted to the Employer or his designee for prior approval. The material to be posted shall be signed by the person making the request. The Employer, upon approval, shall initial the material to be posted.

Information to be posted shall not contain:

- A. personal attacks upon any employee or public official;
- B. scandalous or derogatory attacks upon any employee, public official, or government unit/agency; and
- C. attacks on and/or unfavorable comments regarding a candidate for public office.

All agency, federal, and state required notices, and other legally required notices shall be posted by the Employer or his designee. Employees are encouraged to review bulletin boards on a daily basis.

Any material posted in violation of this policy should be removed from the Employer's bulletin boards.

SECTION 6.20 NICOTINE/TOBACCO USE

Use of tobacco in any form, including electronic cigarettes (e-cigs) or vape devices by employees, medical staff, volunteers, and visitors is prohibited on the campus of the Tuscarawas County Health Department or in any Tuscarawas County Health Department vehicle.

SECTION 6.21 EMPLOYEE USE OF PUBLIC RECORDS; RECORDING MEETINGS

No employee may release, copy, or remove any records, even those regarded as "public" under Ohio Revised Code 149.43, unless authorized by the Employer. Employees will be required to pay the same amount per page as a citizen who requests a copy of a public record. Employees may request documents or records by submitting a public records request.

No employee may copy or use any County public record in any grievance, administrative appeal, or legal action unless authorized by the Employer. This provision does not apply to matters obtained through formal "discovery" under the Rules of Civil Procedure.

Except for official departmental business, no employee may possess any County public records, unless obtained through the public records policy.

Any employee who is discovered to have violated any of the above provisions may be disciplined.

Any questions regarding public records policy should be directed to the Employer or the Prosecuting Attorney.

Recording of Conversations

The TCHD has established the following guidelines for the recording of telephone conversations, office meetings and office conversations concerning TCHD business. Any violation of this Section could result in disciplinary action, up to and including removal.

TCHD employees shall not record any internal office meetings, conversations, and/or any oral communication involving the discussion of matters pertaining to TCHD business unless at least one of the following applies:

- a. All parties first consent either verbally or
- b. in writing

An internal office meeting is defined as an assembly of two or more TCHD employees for the purpose of discussing matters relating to the conduct of TCHD business.

NOTE: This policy shall not apply to public meetings or any other meeting or forum involving the discussion of TCHD business that is open to members of the general public, including, but not limited to, public hearings.

SECTION 6.22 COMPUTER AND TECHNOLOGY USE, EMAIL, CELL PHONES, SOCIAL MEDIA INFORMATION TECHNOLOGY POLICY

Employees are provided with Internet access and electronic communications services (which may include, but are not limited to, computers, e-mail, cell phones, iPhones, iPads, PDAs, and personal computers, etc.) as required for the performance and fulfillment of job responsibilities. All employees are obligated to make effective, safe and responsible use of this technology. This policy applies to all employees, including regular full-time, permanent part-time, temporary, and seasonal employees who are provided access to the technology systems.

The Health Department offers access to technology for the purpose of increasing productivity and not for non-work related activities. Technology is meant to enhance operations by enabling users to, among other things: locate and retrieve information; communicate more effectively with other departments, employees, and organizations; and more easily publish information of interest to the community and the general public. Users must understand that any connection to the Internet offers an opportunity for non-authorized users to view or access information stored in the system. Therefore, it is important that all connections be secured, controlled, and monitored.

Electronic equipment and communications systems provided are Health Department property to be used for valid business purposes only. All communications and/or information created, stored, received, sent or otherwise transmitted on or through provided technology, including without limitation the Internet, intranet, email, servers, personal computers, iPads, associated hardware and software, online services and other electronic communications services, are considered Health Department property.

There shall be no expected right of privacy for any matter related to using equipment provided, including no personal privacy right in any matter passing through, viewed, downloaded, printed, created, stored, received, sent or otherwise transmitted from Health Department provided technology and equipment. All employees should understand that the Health Department reserves and intends to exercise the right to monitor, review, intercept, access and disclose all Internet usage, email communications sent or received, and all cell phone, iPhone, iPad and PDA usage, if necessary, to ensure that the system is being used for business purposes in compliance with this policy, to ensure that all other policies (including for instance those related to harassment and discrimination) are being followed, and to be able to access information in an employee's email or other electronic communications system. Audits of Internet activity and other electronic communications by employees may be implemented to identify and properly address unauthorized activity.

Internet Access, Email, Public Records

All users' access may be restricted to certain unapproved Internet sites and capabilities, for example YouTube and instant messenger capabilities.

Emails may be public records under State Law and may be subject to public records requests. Emails must be maintained and may be deleted only according to the public records policy.

Examples of improper websites include but are not limited to those relating to the following topics:

- Violence/Hate/Racism
- Nudism
- Pornography
- Weapons
- Gambling
- Dating
- Advertisements
- Malware

Permitted Use

The Internet and electronic communications, including cell phones and other services are intended for the purposes of conducting Health Department business. Valid business purposes include, but are not limited to:

- Locating, retrieving, collecting and/or disseminating information in connection with business;
- Communicating with other departments and employees, as well as with outside contractors, businesses, individuals or organizations currently or potentially doing business with or assisting with the business of the County;
- Conducting research to obtain information and material related to Health Department issues; and
- Use of the Kronos time keeping system
- Limited personal use that does not result in the disruption of network operation or interfere with productivity at work. Personal use of Health Department technology and electronic devices must be kept to the minimum amount of time needed to address a situation. Excessive use will be determined on a case-by-case basis.

Prohibited Use

Internet and electronic communications services should not be used for any prohibited purpose.

Prohibited usage may result in the cancellation or loss of privileges, and the employee may be subject to discipline. Any non-work related use is defined as prohibited usage. Prohibited usage includes, but is not limited to:

- Conducting personal business activities or seeking personal financial gain.
- Playing games, surfing, etc.
- Bringing actual or potential embarrassment or harm to the County.

- Conducting illegal activities or otherwise violating federal, state, or local laws.
- Receiving, transmitting, downloading, viewing, or printing offensive materials of any kind, including any obscene or pornographic materials.
- Receiving, transmitting, downloading, viewing, or printing any materials of a derogatory, inflammatory, discriminatory, harassing, sexually explicit, obscene, offensive, defamatory, violent or threatening in nature, or other material which is inappropriate, including any content regarding an individual's or group's race, national origin, gender, age, marital status, sexual orientation, religion or disability, or other protected class.
- Downloading and/or installing software, games or any files or programs that could potentially change system configuration without the consent of authorized Information Technology personnel.
- Removing and/or copying software, shared files or programs without the consent of authorized Information Technology personnel.
- Any personal email, social media or messaging services use that is unrelated to an employee's duties and responsibilities.
- "Friending" individuals who are clients, or others with potential conflicts of interest with the employee.
- Use of any streaming or websites that impair system operations.
- Downloading, distributing or printing copyrighted materials, which include articles, software or intellectual property, in violation of the copyright laws.
- Copying programs from Health Department owned systems for personal use or non-Health Department use.
- Spamming email accounts or forwarding chain letters.
- Disclosing confidential information or otherwise violating the privacy rights of the Health Department or its employees, citizens or business associates.
- Using the Internet or electronic communications systems of another employee without authorization.

- Vandalizing data of another user, including uploading or creating of computer viruses.
- Purchasing goods, materials, or services via the Internet using a Health Department credit card or other credit means without having proper authorization.
- Violating any state or federal law.
- Other uses as determined by the Health Department.

User, Employee Responsibilities

Each employee has the following responsibilities:

- Ensuring the security of his accounts and related passwords. Passwords should never be shared between users or be in plain sight. If the integrity of a password has been compromised, it should be changed and/or the Information Technology personnel should be notified;
- Abiding by existing federal, state and local telecommunications and networking laws and regulations;
- Minimizing unnecessary network traffic that may interfere with the ability of others to make effective use of Health Department network resources and to conduct normal business activities;
- Avoiding the overload of networks with excessive data, or wasting other Health Department technical resources;
- Exercising good judgment and generally accepted rules of network etiquette when using the Internet or other electronic communications services to avoid offense to others;
- Maintaining the integrity and confidentiality of all Health Department information;
- Exercising good judgment when providing information to other individuals and using all reasonable safeguards to avoid the mistaken distribution of another's information. The transmission of confidential, sensitive or personal information must follow current procedures and regulations. Employees should only disclose such information or messages

from the electronic communications system to authorized individuals with a need to know; and

- All dissemination of public records must follow the rules in this handbook and all public records policies and laws.

Violations

If it is determined that a user has violated any of the above policy guidelines, the user will be considered to have misused Health Department property and will be subject to disciplinary action, up to and including termination, as well as the loss of electronic communications privileges. If necessary, the Health Department will advise appropriate legal authorities of any illegal activities.

Email Use Policy

This policy provides employees with effective, consistent standards in regard to the use of the electronic mail systems (email). This policy applies to all employees. Violations of any guidelines listed above may result in disciplinary action up to and including termination. If necessary, appropriate legal officials will be advised of any illegal activities.

All Employees are required to check their email and make appropriate responses, at minimum, once per scheduled shift.

All electronic communications and stored information transmitted, received, or archived in the Health Department's information system are the property of the Health Department. The Health Department reserves the right to access and disclose all messages sent by email. Employees have no expectation of privacy with respect to any email coming into or going out of Health Department resources, particularly those that come into, or go out of, a TCHD email account. Email accounts are provided in order to carry out communications for Health Department-related business only.

Social Media

Public employees have responsibilities, higher standards of conduct, and a public image to follow and maintain.

There are many tools available today that enable people to publish and share content on the public Internet. These include social media and networking sites such as Facebook, Twitter, Yelp, YouTube, foursquare, and subscription services, as well as blogs, blog comments, forum posts, wikis, and other similar sites.

Employees may participate in any of these forms of communication using personal equipment during their personal non-work time. The Health Department respects the right of its employees to use social media sites and other parts of the public Internet as a medium of self-expression, communication, and public conversation. The Health Department does not discriminate against employees who use these media for personal interests and affiliations or for other lawful purposes.

However, employees should keep in mind that their postings can affect how the general public perceives the County and/or the Health Department. The Health Department has the right to make sure that nobody has made unauthorized use of or discloses confidential information (e.g., personal and protected information about employees and/or citizens). Employees are cautioned that they should have no expectation of privacy while using the public Internet, even on their own personal time, and even when using their own personal equipment. Employees' public postings on social media and other Internet sites can be viewed by anyone.

The workforce enjoys no ironclad expectation of privacy regarding information posted into cyberspace, such as Social Media Outlets, even when posted off duty and/or posted to personal accounts. Although information may be posted to a "private" webpage, the workforce should be aware that this information can still be accessed by the public and by other sources in a number of ways. Moreover, it can be very difficult, if not impossible, to control or delete information once it has been released into cyberspace. Persons who have seen or have access to a workforce member's private postings may report inappropriate posts to TCHD. Because of this, workforce members need to use "common-sense" when posting comments, photos, opinions, or any other information related to his or her employment or that may have a negative effect on the reputation of TCHD. This policy is not meant to infringe upon an individual's First Amendment rights.

The following guidelines apply to all use of social media or the public Internet by employees, even when on their own personal time and on their own personal equipment:

- Employees are free to identify themselves as an employee if they wish. However, they should state that their views are their own, and do not reflect those of the Employer.
- Only employees who are specifically authorized are permitted to prepare and modify content for the Health Department's website, any official Health Department blogs, and any of the Health Department's official social sites. If an employee is uncertain about whether or not he is

permitted to post certain content, he must discuss the proposed content with his supervisor prior to posting.

- If an employee sees a posting on the Internet from a member of the public that speaks adversely about any County or Health Department operation or service, he should forward the post to his supervisor instead of responding directly to the poster.
- Employees may not claim to speak on behalf of the County or Health Department in an official capacity on the public Internet or in any social networking service unless they have been specifically authorized to do so.
- Employees may not discuss or disclose on the public Internet or in any social networking service any confidential information that they obtained through their employment.
- Employees may not post any threats of violence or any unlawfully harassing or discriminatory content about any of their coworkers, or any person.

Prohibited Conduct on Personal Social Media Platforms

- Posting one's photograph while wearing the TCHD uniform/insignia (or other similar attire, which could be misidentified as the official uniform). However, sharing photos of self or other employees while in TCHD uniform/insignia posted by TCHD's official social media page(s) is encouraged.
- Posting or otherwise communicating confidential or sensitive information in the possession or control of TCHD.
- Posting or otherwise disseminating comments, documents, videos, recordings, or other information in cyberspace which would not be permitted by TCHD policies in real space.
- Posting pictures, videos, recordings or comments that constitute or could be construed as unlawful behavior.
- Knowingly or recklessly posting false or misleading information about the Board, Health Commissioner, supervisors, coworkers, public officials, or those who have a relationship with TCHD. This also includes disparagement of a fictitious character or computer-generated likeness that resembles the

above.

- Posting, transmitting, or disseminating any pictures or videos of discussions, official trainings, activities, or work-related assignments without the express permission of a supervisor.
- Posting pictures, videos, or comments that are sexually suggestive, violent, offensive, harassing, or pornographic in nature along with any reference, express or implied, to TCHD, coworkers, community partners or patients/clients.
- Disclosing any work-related confidential or proprietary information on any social networking website, blog, or other Internet forum of communication. This can include information that could eventually be obtained through a valid public records request.

Any employee found to be violating this Policy is subject to immediate disciplinary action, up to and including termination.

Cellular Phones, Electronic Devices

This policy outlines the use of personal cell phones/electronic devices at work, the personal use of Health Department or personal cell phones/electronic devices and the safe use of cell phones/electronic devices by employees while driving.

While at work, employees are expected to exercise the same discretion in using personal cellular phones/electronic devices as is expected for the use of Health Department phones. Excessive personal calls/electronic device use during the work day, regardless of the phone/device used, interfere with employee productivity and distract others. Employees must limit personal calls and electronic device use to non-working time (i.e., authorized breaks and lunch periods) and ensure that friends and family members are aware of the Health Department's policy. Flexibility will be provided in circumstances demanding immediate attention or for emergencies.

If an employee's duties require immediate access to other employees, the Health Department may provide cellular phone or a hand-held radio (i.e., a "walkie-talkie") for work-related communications.

Permitted and prohibited uses are outlined in the previous provisions of this policy. Employees in possession of any Health Department equipment are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of employment, or any time upon request, the employee may be asked to produce the

equipment for return or inspection. Employees unable to present the equipment in good working condition may be expected to bear the cost of a replacement.

Safety Issues for Cellular Phone/Electronic Device Use

Certain employees may be provided cellular telephones to communicate as needed to perform job duties and responsibilities on behalf of the Health Department. Employees who are issued cellular telephones by the Health Department shall be selected at the sole discretion of the Employer, in consideration of business need, and to enhance the efficiency and economy of department services. The Employer is responsible for ensuring that only those employees whose job demands require use of mobile telecommunications be issued a cellular telephone.

When personal telephone calls on Health Department cellular phones are necessary, they are to be brief in duration, and limited in number, in order to avoid tying up the cellular telephone on non-business-related matters.

Access to Health Department Devices and Employee Responsible for Costs

Health Department issued cell phones are the property of the department and, as such may, be accessed and inspected at any time by the Health Department. There are absolutely no rights or expectations of privacy for any contents on Health Department owned phones.

Lost, stolen, or broken Health Department cell phones shall be reported to the Employer immediately.

Each employee who makes personal telephone calls on his department issued cellular telephone, shall be required to reimburse the Health Department in full, for any costs associated with personal calls.

When using a Health Department issued cellular telephone in a department or personal vehicle, the employee is required to first pull over and stop the vehicle at a safe location, before placing the call or texting. When receiving a cellular telephone call while driving, the employee is required to pull over, as soon as it is safe and practicable to do so. If needed to remain safe, the employee receiving a cell phone call should place the caller on hold, or advise that the employee will return the call, when the employee can safely park the vehicle. For the safety of the employee and other drivers, the employee is required to remain parked during the entire telephone conversation. No texting while driving will be permitted.

Upon termination of employment, any employee who has been issued a department cell phone shall return the phone to the Employer.

SECTION 6.23 NO PRIVACY EXPECTATION

All employees must understand that they have no expectation of privacy regarding the use of desks, lockers, computers, vehicles, department issued cell phones, or electronic devices and other such Health Department property, even if keys are issued to lock a desk, locker, etc.

The Employer, or its designees, reserves the right to open/access and examine any contents contained in Health Department owned equipment, cell phones, computers, County-issued electronic devices or department property, facilities or locations.

SECTION 6.24 COMMUNICATIONS

Communication is vitally important to the mission and vision of The Tuscarawas County Health Department.

Media and Public Relations

In order to provide accurate and timely information, only the Health Commissioner, Director of Promotions and Community Relations and Board of Health are authorized to speak to media representatives on behalf of the organization unless otherwise authorized. The Board of Health and/or Health Commissioner or Director of Promotion and Community Relations may appoint a spokesperson on specific issues. Staff or volunteers will not speak to the media on behalf of the organization without prior authorization from one of the above parties.

Communication with the public in general will take place at all levels within TCHD. Individuals who communicate to the public in general on behalf of TCHD will make every effort to ensure that the information they are providing is accurate and, in instances of uncertainty, will refer the query to the Health Commissioner or Director of Promotion and Community Relations. At all times communication with the public, either verbally, written, electronically or in the form of promotional materials, will comply with the Communications Policy.

Under no circumstances will the home phone number or email address of any staff, volunteer or board member be given to the public without specific authorization from the individual.

Internal Communications

Internal communication within TCHD includes but is not limited to communication between the TCHD staff, the Board of Health, and TCHD administration. Internal communication will be respectful, open and collaborative, while taking into account the confidential nature of specific matters. The responsibility to ensure that effective internal communication is a part of TCHD day-to-day operations lies with all individuals who initiate or participate in communication on behalf of TCHD. TCHD's focus will be on the use of plain language to provide messages that are clear, consistent, objective, and easy to understand. In addition, communication will encourage two-way, participatory involvement that emphasizes inclusion and considers a range of thoughts and ideas. Internal communications never stops. It is a continuous interactive process. When information is important we should always say it more than once.

Electronic Communication

Electronic communication through vehicles such as e-mail, the Internet, websites and social media provide opportunities for interactive, two-way communication and greatly increase the response time for distribution of information and for receiving feedback. It is important that employees who utilize these forms of communication do so in a responsible and respectful manner to promote and maintain professionalism at the TCHD.

SECTION 6.25 CONCEALED WEAPONS

While on duty or on County premises, County employees excluding law enforcement personnel, are not permitted to carry weapons.

Any employee who carries, uses, brandishes, or displays a firearm while on duty or while on County property will not be defended or indemnified.

Accordingly, the Employer specifically prohibits the following activities:

1. carrying a weapon or firearm while on duty, whether or not licensed to do so;
2. possessing a weapon or firearm in any parking area owned, leased, or controlled by the County;
3. displaying a weapon, firearm, or empty handgun holster while on duty.

Any violation of this policy may result in discipline, up to and including termination, and the employee could be subject to criminal prosecution.

SECTION 6.26 WORKPLACE VIOLENCE

The safety and security of employees, citizens, contractors, and the general public are of vital importance to the Health Department. 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 to have violated this policy may be subject to disciplinary action up to and including termination of employment.

Employees experiencing violence issues or possibly subject to violence issues off duty may consult with their supervisor department head or Employer so that precautions may be taken in the workplace. Employees may provide copies of civil or criminal protection orders, ("CPO"), to their supervisor, department head or Employer.

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.

The Employer prohibits the following:

1. any act or threat of violence by an employee against another person's life, health, well-being, or property;
2. any act or threat of violence, including, but not limited to, intimidation, harassment, or coercion;
3. any act or threat of violence which endangers the safety of employees, citizens, 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 County property, on an Employer controlled site, or an area that is associated with County employment. (This provision does not apply to law enforcement officers.)

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on County property as described herein shall be removed from the premises as quickly as safety permits and shall remain off the premises pending the outcome of an investigation.

In accordance with this policy, all employees must report any behavior that compromises the Employer's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. Even without an actual threat, personnel should also report any behavior that 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 County employment.

All incidences of suspected or potential violence should be reported to the employee's immediate supervisor or Employer. Do not take the position that the incident is too minor to report or that it does not appear to be a "real problem." Do not wait until it is too late to be proactive.

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

SECTION 6.27 CONVICTION OF A FELONY

Conviction of a felony is a separate basis for reduction in pay or position, suspending, or removing an employee, even if the employee has already been reduced in pay or position, suspended, or removed for the same conduct that is the basis of the felony. An employee may not appeal to the State Personnel Board of Review any disciplinary action taken by the Employer as a result of the employee's conviction of a felony. If an employee is removed for any other reason listed in Ohio Revised Code Section 124.34 and is reinstated as a result of an appeal of the removal, any conviction of a felony that occurs during the pendency of the appeal is a basis for further disciplinary action.

Any employee convicted of a felony immediately forfeits his status as a classified employee in any public employment on and after the date of conviction for the felony. If an employee is removed under this section as a result of being convicted of a felony or is subsequently convicted of a felony that involves the same conduct that was the basis for the removal, the employee is barred from receiving any compensation after the removal notwithstanding any modification or disaffirmance of the removal, unless the conviction for the felony is subsequently reversed or annulled.

As used in this policy, “felony” means any of the following:

1. a felony that is an offense of violence as defined in Ohio Revised Code Section 2901.01;
2. a felony that is a felony drug abuse offense as defined in Ohio Revised Code Section 2925.01;
3. a felony under the laws of this or any other state or the United States that is a crime of moral turpitude;
4. a felony involving dishonesty, fraud, or theft; or
5. a felony that is a violation of Ohio Revised Code Sections 2921.05, 2921.32, or 2921.42.

SECTION 6.28 CREDIT CARD USE POLICY

As credit cards are at times necessary to transact certain types of purchases or services, they should **not** replace the normal process of making health department expenditures. However, when the method of payment for the purchase requires a credit card, the individual user(s) of the card should ensure the following prior to use:

Procedure:

1. The Authorized User who is requesting to use the credit card will first make sure a Purchase Order (PO) Request has been submitted and a PO has been opened before the use of the credit card, properly following the Purchasing SOG.
2. The Authorized User will fill out a Credit Card Use Request form, following the procedure for a PO and receiving notice of an approved PO and take the form to the accounting coordinator. If the accounting coordinator is not in the building, the Authorized User will take the form to the HR coordinator. If the accounting coordinator is not available and the Health Commissioner requires the use of the credit card, a Bureau Director, or the Human Resources Coordinator could be responsible for signing off on the Credit Card Use

Request form and vice versa if the Health Commissioner is not available when the accounting coordinator requires to use the card.

3. The accounting coordinator or designee will review the request. If the request is deemed to be a valid expenditure on the credit card, the accounting coordinator or designee will authorize the Authorized User to use the card.
4. The accounting coordinator or designee will write on the Credit Card Use Request form the time the card was taken out. The accounting coordinator or designee will keep the form.
5. The credit card will be locked up in the accounting coordinator's office. The accounting coordinator or designee will retrieve the card and give it to the Authorized User.
6. The Authorized User will only use the card for the reason described on the Credit Card Use Request form.
7. The credit card **is not** to be kept overnight by the Authorized User. The credit card will be returned to the accounting coordinator or designee no later than 4:00pm on the same day the credit card was taken out by the Authorized User.
8. Once the credit card is returned, the Authorized User will complete Section 2 of the Credit Card Use Request form.
9. The Authorized User will provide the credit card receipt and any related documentation to the accounting coordinator or designee.
10. The accounting coordinator or designee will write on the Credit Card Use Request form the time the card was returned and sign and date the form.
11. The accounting coordinator or designee will attach the receipts to the form and file the form.
12. When paying with credit card for purchases, the accounting coordinator will follow the county's normal procedure for paying invoices.

Authorized Users:

Below is a list of Authorized Users for the use of the credit card:

1. Health Commissioner
2. Accounting Coordinator
3. Human Resources Coordinator
4. Maintenance Coordinator
5. Bureau Directors

No other employees will have access and use of the health department's credit card.

Expenditures:

1. The requested good or service being purchased must fall within the guidelines of "proper public purpose" or "proper use of public funds" as defined by county procurement rules, O.R.C. and OAC. Any uncertainty should be vetted with either the fiscal officer, Health Commissioner, or Auditor's office prior to use.
2. The authorized type of expenditure being made on the credit card should fall within line of the normal type of expenditures that would be expected to be made by the health department. Expenditures that would not be normal could possibly be considered unauthorized and constitute a misuse of the card. Examples of prohibited expenditure categories are below. This is not an all-inclusive list.
 - a. Entertainment
 - b. Any personal goods or services (e.g., televisions, car fuel, utility bills, on-line shopping etc.)
 - c. Cash advances
 - d. Meals that include any type of alcohol
3. Credit card purchases should be for health department purchases only and any personal use is strictly prohibited and would constitute an unauthorized purchase and a misuse of the credit card. Misuse of a county credit card can result in disciplinary actions, as well as requiring repayment by the individual(s) responsible. Repayment of county funds will require reimbursement for that expenditure by the individual via a payment to the county or taken directly out of employee wages if necessary.

Note: Those holding county-issued credit cards are responsible for safeguarding the county-issued card and should secure the card at all times. from the potential of theft or fraud perpetrated by others. In the event of discovering the loss or theft of the card, the employee should immediately notify the accounting coordinator and the accounting coordinator will have the card deactivated as soon as possible. Failure to report or timely report a stolen credit card could result in disciplinary

actions and a prohibition from holding/using a card in the future.

4. The credit card expenditures are within the allowable budgeted amounts per transaction line item and within spending limits as set.

Cash Withdrawals:

Under no circumstances should cash be withdrawn against credit card balances. Cash withdrawals may be considered a "Misuse of a Credit Card" under ORC Section 2913.21.

Controls:

1. Requests for credit card issuance/re-issuance must be made in writing via a completed purchase order. All requests must be approved by the Health Commissioner prior to issuance. Credit cards for gas usage must be approved by the Health Commissioner and assigned by the bureau director.
2. Issuance/re-issuance of any credit card must be approved by both the accounting coordinator and the Health Commissioner. The accounting coordinator will keep a tracking log for each credit card. Included in this log will be:
 - i. Name of credit card
 - ii. Name of card user
 - iii. Date card given
 - iv. Date card returned
3. Only the Board of Health and Health Commissioner hold the right to cancel any credit card held in the name of the board of health or the health department. The health commissioner also holds the right to revoke credit card privileges from any card user.
4. Lost or stolen credit cards must be immediately reported to the health commissioner and accounting coordinator. An investigation will be immediately conducted.
5. Credit card amounts maximum limits will be set by the Health Commissioner or Board of Health and based on department budgets and needs.

6. The Health Commissioner and the board of health, at least quarterly, shall review the number of cards and accounts issued, the number of active cards and accounts issued, the cards' and accounts' expiration dates, and the cards' and accounts' credit limits.
7. If the accounting coordinator retains general possession and control of the credit card account and presentation instruments related to the account including cards and checks, and the board of health authorizes an officer or employee to use a credit card, the accounting coordinator may use a system to sign out credit cards to authorized users. The officer or employee is liable in person and upon any official bond the officer or employee has given to the board of health to reimburse the health fund of the city or general health district the amount for which the member or employee does not provide itemized receipts in accordance with the policy described in the CREDIT CARD AUDIT EVIDENCE section of this policy.

Audits

1. Credit card expenditures will be reconciled by the accounting coordinator. All original documentation (itemized receipts, register tapes, sales slips, invoices etc. and any other documentation as deemed necessary for audit evidence by the Auditor's office) will be reviewed by the accounting coordinator for existence, completeness and accuracy of all information related to the credit card expenditure. These items should be included and submitted with the monthly invoice batch that is sent to the Auditor's office for payment of credit card balances due. Items included in the invoice batch for payment should be reconciled up to the card statement cut-off date. The department must consider timely submission of information to the Auditor's office for credit card statement payments to avoid any penalties or late charges due to not meeting payment due dates.
2. A credit card statement does not substitute for any of the original documents as listed above. A credit card statement does not include enough detailed information of the expenditure to satisfy audit evidence as required. Missing documentation could result in an employee being responsible for payment of a portion of the account balance or could potentially be considered a misuse of the credit card. In the event of lost or missing receipt, the card user should attempt to obtain a copy of the receipt from the vendor.

Misuse of Credit Cards

Credit card misuse may be considered malfeasance, misfeasance, or nonfeasance. This would include theft, unauthorized purchases, omission of items purchased, and omission of original receipts or documentation. Failure to comply with the terms as set out within this policy and all purchasing rules and laws as established by and applicable to the county, Ohio Revised Code and Ohio Administrative Code Sections may result in disciplinary actions which could include termination of employment per Chapter 7 of the Tuscarawas County Health Department Personnel Manual.

The use of a credit card account for expenses beyond those authorized by the board of health constitutes misuse of a credit card account. An officer or employee or a public servant as defined under section [2921.01](#) of the Revised Code who knowingly misuses a credit card account held by the board of health violates section [2913.21](#) of the Revised Code.

CHAPTER 7 CORRECTIVE ACTION

- 7.1 Discipline
- 7.2 Guidelines for Discipline
- 7.3 Predisciplinary Process and Conference
- 7.4 Appeals
- 7.5 Employee Problem Solving / Complaint Procedure

SECTION 7.1 DISCIPLINE

Conduct/Performance Improvement Measures

The utilization of the measures described below can oftentimes help an employee improve his or her performance or conduct without having to initiate formal disciplinary procedures. Their purpose is to establish an understanding of the issues, exchange information, and establish job expectations. If the employee's performance or conduct does not improve, however, the supervisor shall initiate disciplinary proceedings in accordance with this Manual.

Management is strongly encouraged to consult with Human Resources prior to making use of the following measures:

Verbal Counseling

Verbal counseling involves a private meeting between supervisor and employee, whereby the employee is informed in detail of his or her conduct that the supervisor has deemed inappropriate and of any action that may be necessary to correct said conduct. The supervisor shall create a document detailing the reasons for and outcomes of the counseling. The supervisor and the employee shall sign the document. The supervisor shall submit the original to Human Resources to be placed in the employee's personnel file and the employee shall receive a copy of the document. The employee's signature is an acknowledgement of receipt of the form, not agreement with its contents.

Performance Improvement Plan ("PIP")

A performance improvement plan is a formal process used by supervisors to help employees improve performance or modify behavior. The performance improvement plan, or PIP, as it is often called, identifies performance and/or behavioral issues that need to be corrected and creates a written plan of action to guide the improvement and/or corrective action. A PIP may be used in conjunction with a verbal counseling, a disciplinary action or a poor performance review.

Fundamentally, a PIP is a structured communication tool designed to facilitate constructive discussion between the employee and the supervisor. An effective PIP will:

- Consider the employee's input;
- Specifically identify the performance to be improved or behavior to be corrected;
- Provide reasonable and clear expectations about the work to be performed or behavior that must change;

- Identify the support and resources available to help the employee make the required improvements;
- Establish a plan for reviewing the employee's progress and providing feedback to the employee for the duration of the PIP; and
- Specify consequences if performance standards as identified in the PIP are not met.

Training

In an effort to further the professional development of its employees, the County will frequently offer a wide variety of training opportunities for its employees. Examples of the types of training that may be offered includes:

- Computer skills;
- Management/leadership training;
- Professionalism and business etiquette;
- Conflict management/resolution;
- Problem solving;
- Effective communication; and
- Project management.

Attendance at training sessions can be mandated by TCHD management. An employee that fails to attend a mandated training session will be subject to disciplinary action, up to and including termination of employment.

Progressive Discipline

Progressive discipline will normally be followed when correcting job behavior. It is the discretion of the Employer to determine to what extent, if any, progressive discipline will apply in the discipline of classified and unclassified employees.

Disciplinary Principles

The standards for discipline result from the standards of conduct expected of employees. Discipline will be considered in conjunction with the standards of conduct expected of employees. These standards of conduct are outlined throughout this manual. Common sense and expectations of employees will also be considered.

The following guidelines apply to the standards of discipline and progressive discipline:

- A. Employees should be aware of and are responsible for expected job behavior and performance, the types of conduct that the Health

Department has determined to be unacceptable, and the penalties for such unacceptable behavior.

- B. Discipline should be applied uniformly and consistently.
- C. Each offense should be addressed objectively, taking into account the nature of the violation, the employee's record of discipline and the employee's record of performance and conduct.
- D. Discipline should be progressive but, depending on the severity of the offense, may proceed immediately to removal.

This discipline policy provides examples of progressive corrective/disciplinary action.

Corrective/disciplinary action should take into account the following: 1) the nature of the violation, 2) the employee's record of discipline/corrective action, and 3) the employee's record of performance and conduct.

The examples of corrective/disciplinary action provided in this policy do not preclude the application of a more or less severe action for a given infraction when circumstances warrant. Instructions on Cautioning are not considered discipline.

Generally, progressive corrective/disciplinary action should include the following forms:

1. Verbal Warning
2. Written Warning
3. Suspension, including working suspension
4. Termination

SECTION 7.2 GUIDELINES FOR DISCIPLINE

This discipline policy provides guidelines and suggested penalties for specific offenses; however, the examples of specific offenses given in any grouping are not all inclusive, but **serve merely as a guide**. The standards for discipline established in civil service law found in Ohio Revised Code Section 124.34 apply to the discipline of employees, and the guidelines below are only intended to provide guidance and examples of violations and suggested discipline.

These discipline guidelines do not preclude the application of a more or less severe penalty for a given infraction when specific circumstances warrant more severe discipline.

Ohio Revised Code Section 124.34 sets forth the types of misconduct that are the legal basis for discipline of classified employees. These include:

- a. Incompetency;
- b. Inefficiency;
- c. Dishonesty;
- d. Drunkenness;
- e. Immoral conduct;
- f. Insubordination;
- g. Discourteous treatment of the public;
- h. Neglect of duty;
- i. Violation of any Employer policy, including the Health Department Personnel Manual or work rule;
- j. Any violation of County, Department or Employer rules;
- k. Any other failure of good behavior;
- l. Any other acts of misfeasance, malfeasance, nonfeasance; or
- m. Conviction of a felony.

The examples of offenses set forth below are examples of the above types of misconduct and guidelines for determining the appropriate level of discipline for classified employees.

Unclassified employees are also subject to discipline. However, unclassified employees shall not be governed by any particular grouping of the offenses or the progressive discipline procedures.

Multiple infractions from a group or from more than 1 group may result in more severe discipline. Infractions of standards of conduct not included in the groupings are to be compared to other similar infractions.

The examples in the groupings are not exhaustive. Violations of the standards of conduct or of the policies and rules in this manual or established separately may also form the basis for discipline of employees.

In general, Group I Offenses are those infractions that violate a standard of conduct that would or could cause minimal disruption to the organization in terms of a decrease in organizational productivity, efficiency and/or morale. Group I Offenses, if left undisciplined by proper authority, will usually have only a temporary or minor impact on the organization unless such acts are compounded over time.

Group II Offenses include those infractions that violate a standard of conduct that would or could, 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 have a serious and longer lasting impact on the organization than Group I Offenses.

Group III Offenses include those infractions that violate a standard of conduct of serious or repeated acts of misconduct, negligence or that would or could cause or result in 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 impact on the organization.

GROUP I OFFENSES

First Offense	Verbal Warning
Second Offense	Written Warning
Third Offense	Up to 24 hour or 3 day suspension
Fourth Offense	Up to 15 day suspension
Fifth Offense	Up to Termination

1. Discourteous or disrespectful treatment of the public, coworkers, supervisor, or other County employees.
2. Failure to commence duties at the beginning of the work period, or leaving work prior to the end of the work period.
3. Leaving the job or work area during regular working hours without authorization.
4. Making preparations to leave work without specific prior authorization before the lunch period, or for any official break time, or before the specified quitting time.
5. Neglect or carelessness in clocking or signing in or out or recording time worked.
6. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping.
7. Distracting the attention of others, unnecessary shouting, demonstration, or otherwise causing disruption on the job.

8. Mischief, horseplay, wrestling, or other undesirable conduct, including use of abusive language.
9. Intimidating, coercing, or interfering with subordinates, supervisors, or other employees.
10. Failure to cooperate with other employees and supervisors.
11. Failure to exercise reasonable care in the use of Health Department property or equipment.
12. Use or possession of another employee's working equipment without authorization.
13. Neglect or carelessness in observance of official safety rules, or disregard of common safety practices.
14. Failure to observe department, unit and job performance rules, standards of performance and regulations.
15. Obligating the Health Department for any minor expense, service, or performance without authorization.
16. Failure to report accidents, injury, or equipment damage.
17. Disregarding job duties by neglect of work.
18. Unsatisfactory work or failure to maintain required standards of performance.
19. Inefficiency (e.g., lack of application or effort on the job, unsatisfactory performance, failure to maintain required performance standards, etc.)
20. A pattern of use of sick leave or other misuse or abuse of sick leave.
21. Unauthorized use of communications equipment for other than business purposes. This includes, but is not limited to, computers, telephones, fax machines, etc.
22. Smoking in non-designated areas or during non-designated times.
23. Changing work schedule without prior consent.

24. Failure to adhere to rules regarding personal grooming, appearance, dress codes, hygiene, etc.
25. Failure to attend a mandatory meeting.
26. Violation of any policy and/or work rule.

GROUP II OFFENSES

First Offense Up to 3 days or 24 hour suspension

Second Offense Up to 15 day suspension

Third Offense Up to Termination

1. Sleeping, disregarding job duties or neglecting work during working hours.
2. Reporting for work or working while unfit for duty (may be a Group III offense for CDL holders).
3. Being in possession of, being under the influence of, or drinking alcoholic beverages or using illegal drugs during working time (may be a Group III offense; for CDL holders see separate policy).
4. Unauthorized use or neglect or carelessness in the use of department property or equipment.
5. Performing private work on Health Department time or with department equipment or with department supplies.
6. Willful failure to clock in or out as required.
7. Willful failure to make required reports.
8. Failure to obey an order of a supervisor or failure to carry out work assignments, including verbal instructions.
9. Failure to report for overtime work without good reason after being scheduled to work.

10. Solicitation on department premises without authorization.
11. The making or publishing of false, vicious, defamatory or malicious statements concerning employees, supervisors, the County, members of the public, the department or its operations.
12. Refusing to give testimony or submit statements when accidents are being investigated.
13. Giving false testimony or refusing to provide testimony or statements during a complaint, grievance, investigation or hearing.
14. Unauthorized posting, removal, or changing notices or signs from bulletin boards.
15. Distributing or posting written or printed matter of any description on Employer premises unless authorized.
16. Unauthorized presence on Employer property.
17. Willful disregard of department rules/policies.
18. Use of abusive or threatening language toward supervisors, coworkers, or the general public.
19. The unauthorized release of records.
20. Failure to "report off" work for any absence.
21. Unauthorized absence from work for 1 or 2 consecutive work days.
22. Disregard of health and safety rules and regulations.
23. Engaging in off-duty employment activities that the Employer has determined to be an interest conflict or time conflict.
24. Violation of any work rule and/or policy.

GROUP III OFFENSES

First Offense Up to and including termination

1. Neglect or failure in the performance of assigned duties or in the care, use, or custody of any Health Department property or equipment. Abuse or deliberate destruction in any manner of Employer property, tools, equipment, or the property of employees.
2. Altering other employees' Kronos entries, or unauthorized altering of own Kronos account.
3. Falsifying testimony when accidents are being investigated, falsifying or assisting in falsifying or destroying any Employer records, including work performance reports, or giving false information or withholding pertinent information called for in making application for employment.
4. Making false claims or misrepresentation in an attempt to obtain any benefit from the Employer.
5. Revealing confidential information.
6. Illegal gambling during business hours.
7. Stealing or similar conduct, including destroying, damaging, or concealment of any property of the Employer or of other employees.
8. The illegal use of drugs or the use of alcohol during working hours, or the sale of narcotics on the premises or during working hours.
9. Fighting or attempting to cause injury to other employees, supervisors, or persons.
10. Carrying or possession of firearms, explosives, or weapons on County property at any time without proper authorization.
11. Knowingly concealing a communicable disease (such as TB) that may endanger other employees.
12. Misuse or removal of Employer records or information without prior authorization or in violation of the public records policy.

13. Instigating, leading, or participating in any illegal walkout, strike, sit down, stand-in, refusal to return to work at the scheduled time for the scheduled shift, or other concerted curtailment, restriction, or interference with work in or about the department's work stations.
14. Dishonesty or any dishonest action. Some examples of what is meant by "dishonesty" or "dishonest action" are: falsification of records; theft; pilfering; opening desks assigned to other employees without authorization; theft and pilfering through lunch boxes; tool kits; or other property of the Health Department or other employees without authorization; making false statements to secure an excused absence or to justify an absence or tardiness; making or causing to be made inaccurate or false reports concerning any absence from work.
15. Insubordination by refusing to perform assigned work or to comply with written or verbal instruction of supervisors.
16. Failure to obtain, maintain, and/or report the loss of required licenses, certifications, or other qualifications of an employee's position.
17. Physical or verbal abuse, demeaning, verbally abusing and/or humiliating an employee, supervisor or other person.
18. Engaging in discriminatory harassment, including 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, disability, or other protected class.
19. Being convicted of a felony within the meaning of Ohio Revised Code Section 124.34, even if prior discipline has been issued for the underlying conduct or 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.
20. Unauthorized absence from work for 3 or more consecutive workdays without calling off or reporting to work as scheduled.
21. Engaging in prohibited political activity.
22. Violation of ethics standards for public employees.

23. Violation of any work rule and/or policy.

Multiple Infractions

Discipline levels are determined by various factors. Discipline will be based on those factors and the infractions by an employee. All multiple policy infractions will generally be addressed by following the system of progressive discipline set forth below:

1. multiple offenses that are unrelated are progressively disciplined in the groups in which the offenses are classified; and
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 occur.
3. multiple offenses that are closely related in time, even if unrelated or in different groups, hereunder, may be combined to result in discipline that exceeds the severity of the total sum of the separate offenses.

Discipline for multiple offenses should be consistently and uniformly applied. Examples clarifying the application of the progressive discipline policy include:

- A. If an employee, as a first offense, is found to have violated Group I Offense #11, failure to exercise reasonable care in the use of Health Department property or equipment, unless there are special circumstances, he would receive an instruction and cautioning. If that employee commits no other related offense during the next 24 months, the record of such verbal warning will cease to have force and effect. Then, if the employee subsequently commits the same offense, absent special circumstances, he would still just receive the verbal warning.
- B. If an employee is found to have committed a Group I Offense where there are not any special circumstances, he would receive verbal warning. If, 2 months later, the employee is found to have committed another unrelated Group I Offense, he would, absent special circumstances, receive a written warning. If, 3 months later, the employee is found to have committed still another unrelated Group I Offense, barring special circumstances, he would receive up to a 3 day (24 hour) suspension.
- C. If an employee is found to have committed a Group I Offense for which he receives verbal warning and then commits an unrelated Group II Offense, his discipline,

absent special circumstances, would be verbal warning and a 2 day (16 hour) or 3 day (24 hour) suspension.

- D. If an employee, as a first offense, is found to have violated the Group I Offense #8, use of abusive language, he would receive, absent special circumstances, verbal warning.

If, however, the same employee subsequently is found to have violated the Group II Offense #18, use of abusive or threatening language toward supervisors—a related Group II Offense—he, absent special circumstances, would receive up to a 15 day suspension.

- E. If an employee is found to have committed a Group II Offense, (i.e. Offense #7, willful failure to sign in when required) which results in his receiving a 24 hour suspension and then is found to have committed a related group I Offense (i.e., Offense #5, neglect or carelessness in signing in), absent special circumstances, he would receive up to a 15 day suspension.
- F. If an employee is found to have committed a Group II Offense for which he receives verbal warning and a 24 hour suspension and then is found to have committed an **unrelated** Group I Offense, absent special circumstances, he would receive verbal warning.

SECTION 7.3 PREDISCIPLINARY PROCESS AND CONFERENCE

Whenever the Employer or designee determines that a classified employee may have committed an offense which could result in a suspension, fine, reduction, or removal, the employee will be notified of the allegations and a pre-disciplinary conference will be scheduled to give the employee an opportunity to respond to the charges and offer an explanation of the alleged misconduct. A pre-disciplinary conference is primarily an informal fact-finding session, not a legal proceeding. The objective of the conference is to obtain information through discussion, testimony, documentation, and/or questioning of the employee and witnesses to determine whether the alleged misconduct occurred.

Notice of Predisciplinary Conference

Whenever the Employer has cause to believe an employee should receive a suspension, fine, disciplinary reduction in pay or position, or removal from public service, the Employer should reduce such charges or allegations in writing. The written statement should indicate or outline the behavior or conduct that is the basis for the Employer's belief that discipline is necessary.

The written allegations should be delivered to the employee in the form of a Notice of Pre-disciplinary Conference. The employee may waive the pre-disciplinary conference.

The employee will be notified of the time, location, and person who will conduct the conference. In response, the employee must sign an acknowledgement of the notice and may:

- appear at the conference to present an oral or written statement in response to the charges and answer questions regarding the alleged misconduct; or
- elect to waive the pre-disciplinary conference.

Administrative Leave: The Employer may place the employee on administrative leave while the charges are being investigated and until the pre-disciplinary conference procedures are completed.

Delay of Pre-disciplinary Conference: Upon a reasonable request from the employee, the Employer may temporarily delay the pre-disciplinary conference. Generally, the Employer should permit only 1 such delay, not to exceed 24 hours.

Representation: If the employee requests, he should be permitted to be accompanied, represented, and advised by an attorney, or person of his choice.

Witnesses: At the conference, the employee may present any testimony, documents, or witnesses that explain whether or not the alleged misconduct occurred. The employee shall provide a list of witnesses to the Employer and the hearing officer prior to the conference. It is the employee's responsibility to notify witnesses that their attendance is desired. The hearing officer shall determine if and which witnesses may speak.

Hearing Officer: Pre-disciplinary conferences will be conducted by a hearing officer. The hearing officer may be the Employer, or any person the Employer selects to serve in such capacity.

Recording of Proceedings: At the discretion of the hearing officer, the pre-disciplinary conference may be recorded. The employee may also record the proceedings in a similar manner if the hearing officer authorizes recording of the proceedings.

Pre-disciplinary Conference: The hearing officer conducting the conference will review the allegations, allow the Employer representative to summarize the evidence that is the

basis of the allegations, and ask the employee to respond. 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, such dishonesty may result in disciplinary action.

The hearing officer shall determine when the conference is concluded and will adjourn the meeting. The hearing officer 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 an opportunity to respond further or to respond to new matters.

For example, if the employee provides an explanation that involves alleged facts unknown to the Employer's representative, the hearing officer may continue the conference to allow time to investigate the newly submitted information. As another example, if the employee or a witness provides information that indicates that the employee committed additional infractions, the hearing officer may continue the conference to allow time to investigate the new allegations and/or to allow the Employer to issue a revised notice before concluding the pre-disciplinary conference.

Hearing Officer Report: If a written report is prepared, the employee shall be provided a copy.

The hearing officer shall consider the charges submitted and prepare a written report concluding whether or not the alleged misconduct occurred. The hearing officer shall not recommend discipline. The report of a hearing officer is not binding on the employee and is meant to provide the employee with an opportunity to respond to charges.

Determination of Corrective Action: Within a reasonable time following the receipt of the report, the Employer shall determine what discipline or corrective action, if any, is to be issued. The Employer shall determine the severity using the discipline policies and standards of conduct violated as guidelines.

SECTION 7.4 APPEALS

A classified employee may appeal either through the internal grievance procedure contained in this manual or to the State Personnel Board of Review "SPBR" in any of the following cases:

- a reduction (in pay or classification);

- a suspension of either 35 or more work hours in the case of an employee exempt from the payment of overtime compensation, or a suspension of 24 work hours or more in the case of an employee required to be paid overtime compensation;
- fine of either forty or more hours' pay in the case of an employee exempt from the payment of overtime compensation, or a fine of 24 or more hours' pay in the case of an employee required to be paid overtime compensation; or
- a removal, except for the reduction or removal of a probationary employee and a removal of an employee for a conviction of a felony.

Appeals to the SPBR by classified employees must be filed with the SPBR within 10 calendar days of the date the employee is served with the order. An appeal from a layoff or a displacement must be filed no later than 10 calendar days after receipt of the notice of layoff or displacement. The SPBR maintains authority to decide whether an appeal warrants a hearing. When an appeal is heard, the SPBR may affirm, disaffirm, or modify personnel actions implemented by the Employer. However, in an appeal of a removal order based upon a violation of a last chance agreement, SPBR may only determine if the employee violated the agreement, and thus affirm or disaffirm the judgment of the Employer.

Employees may file an internal grievance with the Employer in the following cases:

- classified employees who receive a suspension or fines not appealable to the SPBR as described above;
- Unclassified employees (including External Interim, Temporary, and Intermittent); or
- Probationary employees.

Appeals through the internal complaint procedure shall be submitted within 7 calendar days of the occurrence of the incident giving rise to the complaint.

SECTION 7.5 EMPLOYEE PROBLEM SOLVING / COMPLAINT PROCEDURE

The problem-solving system or complaint procedure is a procedure designed to assist all employees in obtaining a response to any complaint they may have about their job, working conditions, management action, Employer personnel policy, or benefit programs. This procedure is not intended to be utilized to grieve any matter that is related to a labor agreement.

The employee shall be responsible for presenting problems and complaints through the problem-solving procedure. Employers are encouraged to use the problem-solving form.

The supervisor, department head, all members of management, and the Employer shall be responsible for hearing any problems or complaints presented by employees.

Step One

A complaint is any disagreement with a policy or resulting management action in an employee's department or work unit. The complaint may be resolved by the employee and department head discussing their opinions, feelings, and concerns about any work-related or interpersonal issues.

The employee shall first discuss the complaint with the immediate supervisor who shall investigate the situation and provide a response to the employee, generally within 7 calendar days after receipt of the complaint.

If the employee does not receive a satisfactory answer from the immediate supervisor, the employee shall complete a written statement of the complaint, outlining the problem and presenting a specific request for resolution to the health commissioner.

Step Two

The health commissioner will meet with the employee on the complaint and provide a written decision to the employee within 7 calendar days.

If the complaint is not resolved to the employee's satisfaction in Step 2, the employee may, submit the complaint to the personnel committee of the Board of Health, within 7 calendar days after receiving the Employer's decision.

Step Three

The Board of Health personnel committee will meet with the employee and review the complaint and the response from the lower step. The Board of Health personnel committee may interview personnel involved and shall review the documentation pertinent to the complaint.

The Board of Health personnel committee shall make a recommendation on action to the Board of Health within 14 calendar days after receiving the employee's complaint at Step 3. The Board of Health will then decide on the appropriate action. This decision will be final.

Until a complaint or problem has been properly resolved through the complaint procedure, it should not be discussed with coworkers.

CHAPTER 8 SEPARATION RELATED MATTERS, LAYOFFS

- 8.1 Resignation
- 8.2 Layoffs and Abolishment

SECTION 8.1 RESIGNATION

Employees who plan to voluntarily resign or retire should notify the Employer at least 2 weeks in advance of the effective date of resignation or retirement.

A formal letter of resignation or retirement should be required by the Employer and should include:

1. a statement indicating the employee's intention to resign from Health Department service;
2. the date the notice was given;
3. the effective date of the resignation/retirement;
4. the reason for the resignation/retirement (optional); and
5. the employee's signature.

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

The Employer shall notify the Auditor's Office of the pending resignation/retirement so that payroll records may be updated and appropriate documents processed.

A person who resigns in good standing may be reinstated, at the discretion of the Employer, in his former classification within 1 year following resignation, provided the person remains qualified to perform the duties of the classification and such reinstatement would be in the best interests of the Agency. After 1 year, any return to the office by the employee will be handled as a rehire for purposes of continuous service.

SECTION 8.2 LAYOFFS AND ABOLISHMENT

The Employer maintains the legal right to layoff from its workforce whenever a reduction is necessary due to:

1. lack of work or projected lack of work;
2. lack of funds or projected lack of funds; and
3. job abolishment.

Layoffs shall substantially comply with the requirements specified in Ohio Revised Code Sections 124.321 through Ohio Administrative Code 124.328 and Ohio Administrative Code Chapter 123:1-41. Each Employer or Office is an autonomous layoff jurisdiction,

and layoff, displacement, and reinstatement rights and procedures shall apply only within the jurisdiction affected by the layoff.

Whenever a reduction in the work force is necessary, the Employer shall determine the classification(s) in which the layoff(s) will occur, and the number of employees to be laid off within each classification. The Employer shall follow the procedure outlined in Ohio Administrative Code Chapter 123:1-41 to determine the order of layoff. The procedures include consideration of each employee's classification, appointment type, status, and date of continuous service.

An employee subject to layoff shall be notified, in writing or person, of the layoff or displacement at least 14 days prior to its effective date. An employee shall be notified at least 17 days prior to the effective date in cases where the layoff notice is sent by certified mail.

An employee who is laid off or whose job has been abolished may, at his option, exercise his rights to displace another employee or fill an available vacancy in the same or lower related classification, as provided in Ohio Administrative Code Chapter 123:1-41. An employee exercising his displacement rights shall be paid according to the rate of pay or range assigned to the classification into which the employee displaces/bumps.

A person who was laid off may be reinstated at any time within 1 year of the effective date of layoff, provided the person remains qualified to perform the duties of the position. Reinstatement of laid off employees shall comply with the provisions outlined in Ohio Administrative Code Chapter 123:1-41. Each employee eligible to be recalled from layoff shall be notified of the offer of reinstatement by certified letter.

A laid off employee shall be responsible for keeping a current address on file with the Employer. Failure to do so may result in the inability to notify the laid off employee of his eligibility for reinstatement. Each recalled employee shall be allowed 10 calendar days from the date of receipt of the certified letter to return to work, except in the event of approved extenuating circumstances.

Any employee accepting or declining reinstatement to the same classification from which the layoff or displacement initially occurred shall be removed from eligibility for further recall.