

# PERSONNEL POLICY MANUAL

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For the Employees  
of  
COSHOCOTON COUNTY

Effective January 2013

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***ACKNOWLEDGEMENT OF PERSONNEL POLICY MANUAL REVIEW  
OPPORTUNITY***

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I acknowledge that I have had the opportunity to review the Coshocton County Personnel Policy Manual and agree to abide by its terms. I understand that a copy of the Manual is available in each supervisors' and department heads' office and that I can review the Manual at any time. I understand that it is my responsibility to ask my supervisor for clarification of any policy that is unclear.

I understand that this Personnel Policy Manual is not intended and shall not be construed as any type of employment guarantee or employment contract. Coshocton County reserves the right to add, amend or delete the benefits, policies and procedures outlined in this Manual.

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

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

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**CHAPTER 1**  
***INTRODUCTION AND GENERAL EMPLOYMENT CONDITIONS***

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Section 1.1	Introduction and Purpose of Policies
Section 1.2	Definitions
Section 1.3	Objectives
Section 1.4	Management Rights
Section 1.5	Scope of Coverage
Section 1.6	Policy Changes, Dissemination and Suggestions
Section 1.7	Fair Employment Practices
Section 1.8	Classified and Unclassified Employment

This Personnel Policy and Procedure Manual ("Manual") contains policies for the employees of Coshocton County. The Manual is adopted and interpreted exclusively by each Appointing Authority. All employees charged with the responsibility of administering policy must be familiar with its contents. This Manual is a guide to be used by the Appointing Authority and other managerial employees to ensure uniform and nondiscriminatory applications of the conditions of employment. It is essential that these policies be administered in a systematic, fair and impartial manner.

There will be situations that require administrative interpretation of these policies. Every effort will be made to ensure that such decisions are made objectively with the general intent of the policy in mind.

There may be occasions when the Appointing Authority must add, delete or revise specific policies or give current rules a different interpretation from those interpretations previously made. The Appointing Authority has the right to change practices and policies, both written and unwritten, as business requires. Updated policies will be issued to all Manual holders and communicated to all affected employees according to Section 1.05 - Policy Changes, Dissemination and Suggestions.

The policies contained in this Manual are subject to, and in accordance with, the laws of the State of Ohio. If a policy contained in the Manual conflicts with the terms or conditions of a collective bargaining agreement affecting a group of employees, the terms of the negotiated agreement will be followed. In the event there is a conflict between this Manual and the civil service rules or any other applicable Federal or State law or legal document, the civil service rules, applicable Federal or State law or legal document will prevail. In the event that future legislation invalidates or changes any of the provisions contained herein, the balance will remain in effect. The Board of County Commissioners reserves the right to establish a lawful alternative to any invalid policy.

Nothing in this Manual nor any interpretive or enforcement communication should be construed to grant a guaranteed right to continued employment or benefits. This Manual is not an employment contract. Employment with the Appointing Authority is not for a fixed term or definite period and may be terminated at any time by either the employee or the Appointing Authority according to law.

The policies stated and adopted within this Manual and the communications interpreting and enforcing them supersede all previous policies and communications.

Active Pay Status - conditions under which an employee is eligible to receive pay including, but not limited to, approved vacation leave, approved sick leave and paid holidays.

Appointing Authority - the officer, commission, board or body having the authority to appoint or remove employees from positions in any office, department or board.

Classification - the official title assigned to a position or to the employee performing the duties of the position, as designated by the Ohio Department of Administrative Services.

Classification Series - those classifications which are similar in duties and functions and are described by identical terms except that they are distinguished as to their level by a numerical or supervisory designation. (Determined by the Ohio Department of Administrative Services numbering system - if the first four (4) digits of the five (5) digit number are the same, the classifications are in the same series).

County - the County of Coshocton, State of Ohio.

Employer - the Appointing Authority.

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

Misfeasance - the improper performance of some act which a person may lawfully do.

Neglect - to omit or fail to do something that can be or that is required to be done. An absence of care or attention in the doing. An omission of a given act. A failure, refusal or unwillingness to perform one's duty.

Nonfeasance - nonperformance of some act which ought to be performed, omission to perform a required duty at all or total neglect of duty.

Pay Range - the minimum and maximum wage or salary within the compensation schedule that an employee can earn in his/her position.

Position - the group of job duties that an individual employee is expected to perform.

Supervisor - any individual who has authority, in the interest of the public employer, to oversee and direct the work of lower level employees on a daily basis.

Suspension - relieving an employee from duty, with or without pay, usually for a limited period, as a disciplinary measure or for medical or psychological evaluation.

Verbal Warning - the discussion a supervisor holds with an employee in which the supervisor advises the employee of the need for improvement in his/her conduct. He/she further warns the

employee that not to improve will subject the employee to a progression of disciplinary measures ending with possible termination. A notation of the date, time and reason for the verbal warning must to kept in the employee's personnel file in the event the conduct of the employee does not improve and subsequent disciplinary action is required.

Written Warning - normally the second step of the progressive discipline process, depending on the degree and type of offense. Written warnings are more severe than verbal warnings and a record of the written warning will be placed in the employee's personnel file.

- A. It is the Appointing Authority's philosophy that providing personnel policies that aid in recruiting and retaining competent, dependable employees is vital to the success of Coshocton County.
  
- B. The policies and procedures stated in this Manual are designed to:
  - 1. Promote high morale and foster good working relationships among employees by providing uniform personnel policies and consideration of employee needs;
  - 2. Provide fair and equal opportunity for qualified employees to enter and progress in service based upon merit and fitness as determined through objective and practical personnel management methods;
  - 3. Enhance the attractiveness of a career with Coshocton County and encourage each of its employees to give his/her best effort to the County and the public;
  - 4. Encourage courteous and dependable service to the public;
  - 5. Ensure that all activities are conducted in an ethical and legal manner to promote the Appointing Authority's reputation as an efficient, progressive body in the community and the State.
  
- C. It is the Appointing Authority's intent that these policies, procedures and methods will hereafter govern the working relationship between the employee and the Appointing Authority. Each Appointing Authority may supplement the provisions of this Manual with policies and procedures to address matters unique to the Office and which are not covered by this Manual.

The Appointing Authority maintains the ultimate authority to establish, interpret and administer policies and direct the operations of the department's under his/her jurisdiction. These rights include, but are not limited to, the following.

The right to:

- A. Determine the department's goals, objectives, programs and services and to utilize employees in the manner designed to effectively and efficiently meet these purposes;
- B. Exercise complete control and discretion over the budget, organizational structure and method of performing the work required;
- C. Manage and determine the location, type and number of physical facilities, equipment and programs and work to be performed;
- D. Determine the adequacy, size, composition and qualification of the work forces, staffing patterns and organizational structure;
- E. Set standards of service and determine the procedures and standards of selection for employment;
- F. Determine the hours of work and work schedules; establish the work rules, policies and procedures for all employees;
- G. Manage and direct employees, including the right to select, hire, promote, transfer, assign, evaluate, supervise, layoff, recall, reprimand, suspend, discharge and discipline for just cause and to maintain order among employees;
- H. Determine when a job vacancy exists, the duties to be included in each job classification and the standards of quality, productivity and performance to be maintained;
- I. Take necessary action to abolish and create classifications;
- J. Determine the necessity to schedule overtime and the amount required thereof;
- K. Determine and implement necessary actions in emergency situations;
- L. Maintain the security of records and other pertinent information; and
- M. Implement and enforce rules on workplace safety.

These policies apply to all employees of Coshocton County whose Appointing Authorities have adopted these policies, except as may be specifically exempted by law. Positions exempted by law include those reporting to independent boards or commissions, unless those boards or commissions have adopted the Coshocton County Manual.

Employees of agencies that have duly adopted individual Personnel Policy Manuals are subject to the provisions of those manuals.

- A. Each Appointing Authority, department head and supervisor will keep a copy of the complete Manual available for review by employees at any time.
- B. Any question about a provision of this Manual or items not covered in the Manual such as rules, either written or unwritten, implied or expressed, should be directed to the employee's supervisor.
- C. Employees are encouraged to make suggestions for improvements in policies and procedures. Suggestion should be shared with the Appointing Authority, for matters specific to that Office, or the Board of Commissioners, for matters of county-wide policy.
- D. Periodically the entire Manual will be reviewed and revised to address changes in the law and current practice. All changes are subject to the approval of the Appointing Authority.
- E. As conditions warrant, these policies may be amended or deleted by act of the Appointing Authority. Such amendments or deletions will be posted or distributed to employees prior to their effective date.

- A. Coshocton County is an Equal Opportunity Employer. No employee or applicant for employment will be discriminated against for employment or any term or condition of employment because of race, color, religion, creed, age, sex, national origin or ancestry, military status, genetic information, political affiliation or qualifying disability that can be reasonably accommodated.
- B. No employee may aid, abet, compel, coerce or conspire to discharge, harass or cause another to resign because of race, color, religion, creed, age, sex, national origin or ancestry, military status, genetic information, political affiliation or qualifying disability.
- C. The Risk Manager serves as the Equal Employment Opportunity (EEO) Officer for Coshocton County. All allegations of violation of this policy are to be reported to the EEO Officer and the Appointing Authority.
- D. All references to employees in this Manual designate both sexes. Where the male gender is used, to shall be construed to include both male and female employees.

- A. Employees of Coshocton County are divided into the classified service and the unclassified service. Employees are unclassified under the following conditions:
1. By appointment or designation to an unclassified position by an elected official in his/her first ninety (90) days of a term of office, or thereafter;
  2. Appointment as a department head;
  3. Appointment to an administrative or clerical support position designated as unclassified;
- For 1, 2 and 3 above, the Appointing Authority should notify the employee when the employee is appointed to an unclassified position and provide the employee with written information regarding unclassified employment and a written job description within 30 days.
4. By performing fiduciary duties;
  5. By appointment to a position specifically unclassified under the Ohio Revised Code section 124.11 or other section of the Revised Code.
- B. After completion of the established probationary period, a classified employee may be discharged only for cause or removed according to the procedures established by law. Classified employees have the right to appeal certain employment actions to the State Personnel Board of Review. (See Section 11.3 APPEALS).
- C. An employee who is exempted from classified service (unclassified) serves at the pleasure of the Appointing Authority and may be discharged for any or no reason. Unclassified employees do not have the right to appeal employment actions to the State Personnel Board of Review.
- D. Interim, temporary and intermittent employees are exempted from classified service (unclassified).
- E. A classified employee who is convicted of a felony forfeits his/her status as a classified employee and may become unclassified or be terminated at the discretion of the Appointing Authority.

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**CHAPTER 2**  
**RECRUITMENT, SELECTION AND APPOINTMENT**

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Section 2.1	Recruitment
Section 2.2	Selection
Section 2.3	Application Records
Section 2.4	Employment Eligibility <ul style="list-style-type: none"><li>Immigration / Citizenship Status</li><li>Driving Record Check</li><li>Post-Offer Medical Exam</li><li>Felony Convictions</li><li>Professional Verification</li></ul>
Section 2.5	Appointment <ul style="list-style-type: none"><li>Probationary Period - Classified Employees<ul style="list-style-type: none"><li>Duration</li></ul></li><li>Assignment<ul style="list-style-type: none"><li>Classification Placement</li><li>Assignment of Relatives</li><li>Promotion</li><li>Transfer</li><li>Voluntary Demotion</li><li>Reinstatement</li></ul></li></ul>

- A. When the Appointing Authority approves a new position or determines that a vacancy will be filled, the position description, qualifications, pay rate, department and application deadline will be posted for a period of no less than five (5) working days on the County bulletin board. Unclassified positions or entry-level positions will be posted only at the discretion of the Appointing Authority.
- B. Positions may be advertised in major area newspapers. Professional positions may be advertised in newspapers with national circulation, professional journals and/or newsletters.
- C. School placement services, colleges and universities with appropriate training programs and the County Department of Jobs and Family Services will be contacted, when appropriate. Programs providing training for individuals with disabilities will be contacted whenever similar programs for the able are contacted.
- D. All advertisements and postings will include an Equal Employment Opportunity statement.

- A. To be considered for a position or vacancy, an external candidate must complete an approved "Application for Employment" form (see Appendix A FORMS) and submit a complete resume. An internal applicant must furnish a complete resume and letter requesting consideration for the posted and/or advertised position. Applications and/or resumes must be submitted by the application deadline to be considered.
- B. An applicant for a position that requires a license must present the license for verification during the application process. If an individual with a qualifying disability requests a reasonable accommodation during the application and selection process, it will be provided.
- C. The Appointing Authority will review applications and interview selected candidates. Not all applicants will be selected for an interview. The Appointing Authority reserves the right not to fill or to re-post a vacancy if he/she determines that no applicant possesses the desired qualifications.
- D. Qualifications, not length of service, will be used to determine internal transfers or promotions. The Appointing Authority maintains the sole right to determine the qualifications desired for a particular vacancy.
- E. Fully-qualified, internal candidates will be given first consideration for transfer or promotion to a vacant position. Structured interviews, assessment centers and qualification review may be used in the selection process. In all cases, the Appointing Authority will determine the best qualified candidate to fill a vacancy.
- F. If two (2) or more external candidates' qualifications and skills are equal, Coshocton County residents will be given employment preference over non-Coshocton County residents.
- G. Reference checks, background checks and job-related testing procedures may be conducted during the selection process.
- H. Any job-related employment tests will be administered in an objective manner. If an individual has a disability, the applicant may request a reasonable accommodation that will enable him/her to participate in the selection process. Only job-related skills will be evaluated.
- I. An applicant will be eliminated from consideration if he/she:
  - 1. Does not possess the knowledge, skills and/or abilities necessary to effectively perform the duties of the vacant position (with or without reasonable accommodation for an individual with a qualifying disability);
  - 2. Has a qualifying disability and is unable to perform the essential functions of the job, (with or without reasonable accommodation);

3. Has made a false statement of material fact on the application form, resumes or any supplements to these documents;
4. Has committed or attempted to commit a fraudulent act at any stage of the selection process; or
5. Has an unsatisfactory record of previous employment.

An applicant may be eliminated from consideration upon other reasonable and legal grounds relating to job requirements.

- J. If an applicant is hired and it is subsequently discovered that any of the above disqualifying criteria apply, the employee is subject to discharge.

- A. An "Equal Employment Opportunity" form will be given along with the "Application for Employment" form to each external applicant. The form "Equal Employment Opportunity" form will be removed and kept separate from the application. These forms will be used only for preparing legally required summary reports.
- B. "Equal Employment Opportunity" forms will be kept for two (2) years. Applications that do not result in employment will be kept for one (1) year.

Successful applicants (as defined by the qualifications for the position) are appointed subject to the following constraints. An offer of employment to an otherwise qualified applicant may be withdrawn or a current employee may be discharged if he/she fails to satisfy the following employment requirements.

**A. IMMIGRATION / CITIZENSHIP STATUS**

1. The Appointing Authority will not discriminate in recruitment, hiring or discharge on the basis of a person's national origin or citizenship status. However, he/she will not knowingly employ any person who is or becomes an unauthorized alien.
2. A newly hired employee must provide suitable documentation and complete INS form I-9 to verify identity and employment eligibility.
3. A newly hired employee refusing to provide suitable documentation within three (3) business days of start date or providing false documentation will be subject to discharge.

**B. DRIVING RECORD CHECK**

1. A Driver Abstract Report will be requested for each successful applicant who must operate a motor vehicle, County-owned or personal, as a regular function of the job.
2. A current employee who drives as a regular function of the job may be periodically screened through the County's liability insurance carrier. Ability to be maintained on the County's insurance policy is considered a minimum qualification of jobs that require regular driving on County business. Should the carrier deem an employee as an "unacceptable driver" by the standards determined by the carrier, the Appointing Authority will review the employee's driving record and determine if the employee can continue in his/her current position. If driving is a regular function of the job, the employee can be transferred or discharged at the discretion of the Appointing Authority.
3. Classification as an "unacceptable driver" is also grounds for disqualification of an applicant, if driving is an essential function of the position applied for.
4. An employee who must drive his/her personal vehicle as a regular function of the job must show proof of liability uninsured motorist insurance as required by the County's liability insurance carrier. Failure to provide proof of or maintain such insurance may be grounds for discharge of a current employee or disqualification of an applicant, if driving is an essential function of the job.

C. POST-OFFER MEDICAL EXAM

The Appointing Authority may require a post-offer medical examination where such examination is required for all candidates for the position. (See Section 3.3 MEDICAL EXAM).

D. FELONY CONVICTIONS

Newly hired employees will be screened for prior felony convictions. An employee may be ineligible for employment if he/she has a felony conviction during the previous ten (10) years. Appointing Authorities will evaluate whether the felony conviction is job related and consistent with business necessity.

E. PROFESSIONAL VERIFICATION

1. An employee in a position requiring an educational degree or license will have his/her qualifications verified at the time of employment.
2. Failure to maintain a current required license may result in disciplinary action up to and including discharge.
3. Payment of any license, registration or examination fee is the responsibility of the employee, unless otherwise agreed to by the Appointing Authority.

**A. PROBATIONARY PERIOD - CLASSIFIED EMPLOYEES****1. DURATION**

- a. A newly appointed full-time employee will serve a probationary period of at least six (6) months. All full-time employees will be notified of the length of the probation period at the time of hire.
- b. A newly appointed part-time employee working a portion of each workday will serve a probationary period of six (6) months.
- c. A newly appointed part-time employee who works an irregular schedule or fewer than the standard number of days each week will serve a probationary period of seven hundred (700) hours worked.
- d. Time spent on inactive pay status or non-paid leave of absence will not be counted toward the completion of the probationary period.

2. An employee in his/her probationary period may be discharged at any time during the probationary period. The Appointing Authority need not give a reason for discharge.

3. An employee who resigns during a probationary period is not eligible for re-employment.

B. Unclassified employees always serve at the pleasure of the Appointing Authority. Therefore, probationary periods do not apply to unclassified employees.

**C. ASSIGNMENT****1. CLASSIFICATION PLACEMENT**

- a. Jobs are grouped into classifications on the basis of similar duties and qualifications. Compensation is determined, in part, by the job classification.
- b. The duties and responsibilities of each job will be periodically reviewed and adjusted. When the job duties have changed significantly, the employee or his/her supervisor may request that the position be audited for placement in a different classification.
- c. Classified positions may be audited by the Appointing Authority, or an employee may request an audit by the Department of Administrative Services. A job audit may not be requested for a period of one (1) year from

the date of the results of the last audit, unless the job duties are substantially altered.

- d. An employee who is in an unclassified position or who is a member of a collective bargaining unit may not request an audit by the Department of Administrative Services. Bargaining unit members may appeal an audit through the established grievance procedure if the collective bargaining agreement allows.

## 2. ASSIGNMENT OF RELATIVES

- a. The Appointing Authority generally will not employ members of the same family in the same work unit.
- b. Members of the same family will not be placed in a direct supervisory line with one another. For this policy, "family" is defined as parent, parent-in-law, spouse, child, son-in-law, daughter-in-law, grandchild, sister, brother, sister-in-law or brother-in-law; or others related by blood or marriage who reside in the same household.
- c. If two employees marry, or become related as defined above, neither must resign or transfer unless the positions they occupy are in a direct supervisor/subordinate relationship. If the two employees are employed in a direct supervisor/subordinate relationship, they will decide between themselves who will resign or transfer. Transfers will only be permitted if there is a current vacancy and the employee is qualified to perform the job.

## 3. PROMOTION

- a. An employee who has successfully completed a probationary period in his/her current position may be considered for a promotion to a higher classification.
- b. A current employee will be considered for promotion to a vacancy only when he/she is determined by the Appointing Authority to be fully qualified for the position.
- c. An employee who has been promoted to a higher classification will serve a probationary period as described in Section 2.5 (A).
- d. An employee serving a probationary period after a promotion may be returned to his/her former position (or one that is substantially similar) and rate of pay at any time during the probationary period if work performance, behavior and/or attitude is not satisfactory.

4. TRANSFER

- a. An employee is considered to have been transferred when he/she is given a different position within the same classification.
- b. An employee who has successfully completed the probationary period in his/her current position may request a transfer to a vacancy within the same classification.
- c. Transfers will be made at the discretion of the Appointing Authority.
- d. A department head can initiate a transfer if the transfer would be in the best interest of the County.
- e. The needs of the County take precedent over the wishes of an employee.

5. VOLUNTARY DEMOTION

- a. When an employee with a qualifying disability becomes unable to perform the essential functions of his/her position, even with a reasonable accommodation, he/she may request in writing a reduction to a vacancy in a lower position if he/she qualifies for the lower position. The employee will be reasonably accommodated in the lower position if a vacancy exists.
- b. An employee may, for any reason, request a demotion to a lower position by submitting a written request.
- c. Approval of a voluntary demotion is at the discretion of the Appointing Authority.
- d. A demoted employee will have his/her pay reduced to a level within the pay range of the lower classification.

6. REINSTATEMENT

- a. Within one (1) year of resignation, a classified employee who resigns in good standing may request reinstatement to his/her former position or a vacancy in a similar position.
- b. To be considered for reinstatement, the employee must remain qualified to perform the duties of the position and reinstatement must be in the best interest of the County. Reinstatement is at the sole discretion of the Appointing Authority.
- c. Reinstated employees receive credit for sick leave, vacation credit and service during prior employment.

- d. After the expiration of one (1) year, a former employee may only be "rehired" at the discretion of the Appointing Authority and may not be "reinstated" with prior service credit.

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**CHAPTER 3**  
**CONDITIONS OF EMPLOYMENT**

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Section 3.1	Employment Status Seniority
Section 3.2	Employment Records Personnel Files Medical Records Reference Checks
Section 3.3	Medical Exam Purpose of Medical Exam
Section 3.4	Hours of Work Regular Hours Lunch Breaks Work Breaks On-Call Duties Voluntary Firefighter Call-Out
Section 3.5	Disability Accommodation

- A. Appointments are defined as regular, temporary, seasonal or intermittent.
1. Regular employees are employees appointed to positions that have regular hours of work throughout the year on an ongoing basis. Probationary employees are those who have received appointment to a regular position, but have not completed the established probationary period. Full regular status is achieved after successful completion of the probationary period or six months, whichever is longer. Regular classified employees are subject to discharge only for cause. Regular unclassified employees may be discharged from service at any time.
  2. Seasonal employees work only during a specific portion of each year performing some work or activity limited to that specific season or period.
  3. Temporary, intermittent and interim appointments are not considered permanent. These categories of appointment are used to fill a short-term need without incurring a permanent employment obligation.
    - a. Temporary appointment is for a limited period fixed by the Appointing Authority not to exceed six (6) months. If the temporary appointment is to fill a vacancy due to sickness or disability, the appointment is considered an interim appointment and is limited to the period of sickness or disability.
    - b. Intermittent appointment is for an irregular work schedule, generally less than one thousand (1,000) hours a year.
- B. An employee may be assigned a full-time or part-time schedule of work in any appointment category.
1. A full-time employee is regularly scheduled to work thirty (30) or more hours per week.
  2. A part-time employee is regularly scheduled to work fewer than thirty (30) hours per week and whose hours of service total at least five hundred twenty (520) annually.
- C. SENIORITY
1. Seniority for the purposes of layoff is defined as the uninterrupted length of continuous service with a county office. Service time may be transferred without loss of seniority provided there is no break in service of more than thirty (30) days. If an employee is terminated from employment for any reason other than layoff, a break in service of seniority occurs. However, if the employee is reinstated within one (1) year of his/her termination, continuous service is not deemed to be broken and seniority credit is given for prior service. An employee who is reinstated within one (1) year of the date of a layoff retains previously accumulated seniority but

receives no seniority credit for time spent while on layoff. (See Section 12.2 INVOLUNTARY TERMINATION).

2. Seniority for the purpose of vacation accrual is defined in Section 5.2 VACATION. Seniority for all other purposes is defined as the uninterrupted length of continuous service with the County. An authorized paid leave of absence does not constitute a break in service and seniority will continue to accumulate. An authorized unpaid leave of absence, for any reason other than military leave, does not constitute a break in service, however, seniority does not accrue during the leave period.

**A. PERSONNEL FILES**

1. Each employee is responsible for maintaining the following current information on file by notifying his/her supervisor of changes in: name, address, telephone number, emergency contact, marital status, tax exemptions, affiliation with any branch of the armed services, licensure (if relevant to the employee's job) and current information on dependents and beneficiaries of health or life insurance policies.

**B. MEDICAL RECORDS**

1. Employee medical records are maintained in a file separate from his/her personnel file.
2. Records that pertain to an employee's medical history, diagnosis, prognosis or medical condition and that are generated and maintained in the process of medical treatment are confidential and may not be disclosed under the Public Records Act. Medical records may be released only in the following circumstances:
  - a. Supervisors and department heads may be informed of restrictions and accommodations that are a part of an agreed upon plan of reasonable accommodation.
  - b. First aid and safety personnel may be informed if an employee may require emergency treatment.
  - c. Government officials investigating compliance with the law may be provided with relevant information.
  - d. Employers may give information to state workers' compensation offices, state second injury funds or in compliance with any other workers' compensation law requirements.
  - e. Employers may use the information for insurance purposes.

**C. REFERENCE CHECKS**

1. Only the Appointing Authority or his/her designee may provide information on a current or former employee. Other employees or supervisors are prohibited from discussing the employment record of a current or former employee with anyone, including law enforcement officials.
2. The Appointing Authority may verify the following information: employment dates, position held, final salary, official reason for leaving, and objective, factual information on file.

3. The personnel file of current and former employees ~~is~~**are** public records and ~~is~~**are** available for inspection by members of the public according to the procedure outlined in in this section.

**A. PURPOSE OF MEDICAL EXAM**

1. The Appointing Authority may require a post-offer applicant to submit to an examination to determine if he/she can perform the essential job duties of the position, with or without reasonable accommodation. This examination may be required when it is required for all post-offer applicants for the position. The examination will be conducted by a licensed practitioner approved by the Appointing Authority
  2. The Appointing Authority may require a current employee to submit to an examination to determine if he/she can perform the essential job duties of the position, with or without reasonable accommodation. The examination will be conducted by a licensed physician or psychologist approved by the Appointing Authority. Such an examination is required before a classified employee can be placed on an involuntary disability separation, unless the employee is hospitalized at the time of separation, the employee has exhausted his or her disability leave benefits or substantial credible medical evidence already exists that documents the employee's inability to perform the essential job duties.
  3. An employee requesting leave for a serious medical condition under the family/medical leave policy will be required to provide certification from a health care provider to verify the employee has a qualifying condition. The County may request that the employee be examined by a health care provider of the County's choosing at the County's expense. If the County's and the employee's health care providers disagree as to the necessity of the leave, the employee and the County will mutually select a third health care provider to examine the employee at the County's expense. The third health care provider's opinion will be final and binding on both the employee and the County. (See Section 5.7(A) FAMILY OR MEDICAL LEAVE).
- B. Reasonable accommodation will be made for a current employee or post-offer applicant with a qualifying disability. (See Section 3.5 DISABILITY ACCOMMODATION).
- C. If a current employee is found to be incapable of performing the duties of the job, he/she may be placed on sick leave, family/medical leave, an unpaid medical leave of absence or disability separation. (See Section 5.7 LEAVES OF ABSENCE).
- D. The cost of any examination required by the employer will be paid by the employer, except as specified in another policy.

**A. REGULAR HOURS**

1. The hours of work including the work day, work week and work shift for employees shall be determined by the Appointing Authority.
2. An Appointing Authority may permit or request that an employee work "flex time" to promote efficiency or better accommodate the needs of the department and/or the public. The use of "flex time" does not increase or decrease the total number of hours an employee is scheduled to work in a work week. Flex time merely results in the employee beginning or ending his/her work day at times that are earlier or later than his/her regular shift.

**B. LUNCH BREAKS**

1. Each employee scheduled for a minimum of an eight (8) hour day is entitled to an unpaid lunch break. The length of the lunch break and time the break may be taken will be set by the employee's supervisor.
2. An employee may not work through a lunch break in exchange for arriving at work late or leaving early, unless expressly authorized by the supervisor.
3. An employee will be relieved of all duties and may not stay in his/her work area during any unpaid meal break.

**C. WORK BREAKS**

1. Generally, there are no formal work breaks during the course of the day. An employee who must take an unscheduled break from his/her duties must ensure that there is adequate coverage in the department prior to leaving his/her work area and must keep the time away from his/her duties to a minimum. Unscheduled breaks should not occur on a frequent or regular basis.
2. Certain departments may have formal work breaks. In such cases, the Appointing Authority will establish the length of the work break and the time that the break may be taken. Formal work breaks may not be taken at the beginning or end of the shift or be used to extend a lunch break. Formal breaks may not be accumulated and used at a later time.

**D. ON-CALL DUTIES**

1. The Appointing Authority may assign an employee to on-call status for specified periods. When in on-call status, the employee may be furnished with an activated beeper/pager.

2. An on-call employee is free to engage in personal activities, but must remain available, without delay, to perform on-call duties as necessary.
3. An on-call employee called to duty for time which does not abut his/her regular work time will be compensated for all time actually worked, including travel time. Such time is considered "time worked" for purposes of calculating overtime. Call-out time which abuts the regularly scheduled work time will be compensated only for actual on-the-job time.

E. VOLUNTEER FIREFIGHTER CALL-OUT

1. Employees who are volunteer firefighters and who are called away from their county job for emergency duty receive approved time off without pay for such call-out. Vacation or compensatory time may be applied to this time, or the employee may take the time without pay.

- A. A disability is defined as a physical or mental impairment that substantially limits one or more of the major life activities of an individual, a record of such impairment or the state of being regarded as having such an impairment.
- B. The Appointing Authorities of Coshocton County do not discriminate against an employee or applicant who has a qualifying disability. The employee or applicant will be treated in the same manner as other employees. If the condition affects the employee's ability to perform the essential functions of the job, reasonable accommodation will be made by the employer so the employee can perform the essential functions of the job. An accommodation is considered reasonable so long as such accommodation does not cause undue hardship on the employer. The employer may implement any reasonable accommodation that enables the employee/applicant to perform the essential functions of the job even if the employee/applicant would prefer a different accommodation.
- C. Undue hardship, for the purposes of this policy, means an action that requires significant difficulty or expense when considered in light of relevant factors or would be extensive, substantial, disruptive or would fundamentally alter the nature or operation of the department or office. Decisions as to whether an accommodation is reasonable or if it would create an undue hardship will be made on a case-by-case basis.
- D. An employee with a qualifying disability may work as long as he/she is physically and mentally able to perform the essential functions of the job without undue risk to himself/herself, other employees or the public. If an employee is incapable of performing the essential functions of the job, with or without reasonable accommodation, he/she may be:
1. Transferred to a vacant position where he/she can perform the essential functions of the job, with or without reasonable accommodation;
  2. Placed in a vacant position in a lower classification where he/she can perform the essential functions of the job, with or without reasonable accommodation; or
  3. Granted a disability separation (See Section 5.7 (C) DISABILITY SEPARATION).
- E. An employee or applicant with a disability is not required to inform the employer of the condition. However, should the individual require accommodation to perform the essential functions of the job or to complete the application and selection process, he/she may discuss any necessary accommodation with the Appointing Authority or his/her designee.
- F. An employee who requires an accommodation must provide the Appointing Authority with any medical records required to make decisions regarding job assignment and accommodation.

- G. The Appointing Authority may require a health care provider's certification of an employee's ability to perform the essential functions of a position. (See Section 3.3 MEDICAL EXAM).
- H. The County supports educational programs that enhance employee awareness and understanding of disabling conditions.
- I. An employee or applicant who feels that his or her rights have been violated under this policy should submit a written complaint as set forth in the Unlawful Discrimination and Harassment Policy in Section 8.9.

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**CHAPTER 4**  
**COMPENSATION**

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Section 4.1	Workweek
Section 4.2	Timesheets
Section 4.3	Record Keeping
Section 4.4	Payday
Section 4.5	Payroll Deductions
	Retirement - Public Employee's Retirement System (PERS)
	Income Taxes
	Medicare Tax
	Voluntary Deductions
	Garnishments
	Deferred Compensation
Section 4.6	Salary Administration
Section 4.7	Overtime Compensation
	Non-Exempt Employees
	Exempt Employees
Section 4.8	Reimbursement of Expenses
	Transportation
	Lodging
	Meals

The workweek begins and ends at 12:01 a.m. on Saturday.

- A. Employee time sheets showing hours worked and employee leave hours will be filled out by each employee and signed by his/her supervisor. All employee hours will be submitted, via the payroll summary sheet, to the Payroll Clerk by the department head.
- B. If time sheets are not properly submitted, pay may be held until the hours can be verified.

The Fair Labor Standards Act (FLSA) requires the employer to keep an accurate, daily record of each non-exempt employee's hours worked. Pay records include:

- A. Employee's name, home address, job assignment, sex and birth date and social security number;
- B. Hour and day workweek begins;
- C. Total hours worked on each workday and in each workweek;
- D. Basis on which employee's wages are paid (ie. \$9.00/hour; \$440/week)
- E. Total daily or weekly straight-time earnings;
- F. Regular hourly pay rate
- G. Total overtime pay for the workweek, if applicable;
- H. All additions to or deductions from the employee's wages;
- I. Total wages paid each pay period;
- J. Date of payment and the pay period covered by the payment; and
- K. Accumulated leave balances and use of leave.

- A. The pay period covers two (2) weeks and ends at 12:01 AM Saturday of the biweekly pay period. Employees are paid every other Friday for the pay period that ended one (1) week previously. If a payday falls on a holiday, the paychecks will be issued the preceding Thursday, except when there are extenuating circumstances.
- B. Questions about paychecks should be directed to the Appointing Authority. The Appointing Authority is responsible for making the necessary inquiries and explanations to resolve the matter.
- C. Pay advances and leave advances are not permitted.
- D. A written authorization signed by the employee must be given to the supervisor before a paycheck will be issued to any person other than the employee. Such statement must authorize a specific person to pick up the employee's paycheck. The authorized person must be able to produce identification at the time he/she arrives to pick up the paycheck.
- E. If an employee is overpaid or underpaid, the adjustment will be made in the next paycheck after the matter is resolved. With the exception of: If the error is on the part of the County, the employee will be given the option of waiting until the next scheduled pay or receiving payment immediately once the matter is resolved( amended 10/29/2018 Jr. 55, Pg. 729).

Payroll deductions are made from an employee's paycheck as required by law, in accordance with employee benefit plans or as requested by the employee. These deductions are itemized on the pay statement that accompanies the biweekly paycheck. Deductions may include:

A. RETIREMENT - PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)

State law requires that all employees contribute to PERS unless they contribute to another public retirement system. At least ten percent (10%) of each part-time or full-time employee's gross pay is deducted as a required contribution to PERS. The employer contributes at least an additional fourteen percent (14%) of the employee's gross pay to the PERS fund. The stated percentages may change at the discretion of the PERS Board of Directors.

B. INCOME TAXES

Federal, state, municipal and school taxes will be withheld as required by law. An employee must complete a tax withholding form (W-4) at the time of initial employment and keep the Payroll Clerk informed of any changes in tax withholding status.

C. MEDICARE TAX

Each employee hired after April 1, 1986 will have Medicare taxes in the amount of 1.45% of the employee's gross earnings deducted from his/her pay. An employee who was employed before April 1, 1986, then quits and is re-employed on or after April 1, 1986 will have Medicare taxes deducted.

D. VOLUNTARY DEDUCTIONS

An employee may authorize payroll deduction for insurance, deferred compensation or other purposes approved by the Board of County Commissioners. The Auditor may refuse to make deductions that are not required by law, are below certain set minimum amounts or that occur at irregular intervals.

E. GARNISHMENTS

Court-ordered garnishments, including child support payments, will be withheld. (See Section 8.12 GARNISHMENTS).

F. DEFERRED COMPENSATION

1. An employee may have a portion of his/her income deposited, through voluntary payroll deduction, into a deferred compensation program approved by the Board of Commissioners.

2. The deferred compensation program exists and serves in addition to any retirement, pension or benefit system established for the benefit of the employees. No deferral of income under deferred compensation programs will effect a reduction of any retirement, pension or other benefit provided by law.
3. No sum deferred under the deferred compensation program will be included for the purpose of computing taxes withheld on behalf of the employee, except municipal income tax.
4. Participation in the deferred compensation program is voluntary. Details can be obtained through the Payroll Clerk.

G. PAYROLL ERRORS/IMPROPER DEDUCTIONS

Every effort is made to assure that employees are being paid accurately. To ensure that employees are paid properly for all time worked and that no improper deductions are made, employees must review each of their paystubs promptly after they are issued. Employees are responsible for bringing mistakes in their pay and improper deductions to the attention of their Department Head or Appointing Authority in a timely manner. Employees must specify in writing the manner in which the employee's pay is inaccurate, so that the Department Head or Appointing Authority can fully investigate the matter and communicate with the County Auditor. The Department Head or Appointing Authority will request that any action necessary to correct the employee's pay, including reimbursement for any improper deduction, be made promptly.

In addition, the County will not allow any form of retaliation against employees who report alleged improper pay practices or that their pay was inaccurate, or who cooperate in an investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge

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- A. The Appointing Authority has statutory authority to establish compensation for all employees in his/her Office. Compensation will be established in a manner compatible with the philosophy, goals, objectives and financial resources of each Office.
- B. Salary is based upon job responsibility, experience, education required, performance and length of service.
- C. Annually, the Appointing Authority determines adjustments to the salary schedule for the next calendar year.
- D. Performance will be a factor used to determine salary increases recommendations for an employee. The Appointing Authority may delay an increase or approve no increase in the salary of an employee who does not have a record of satisfactory performance. Satisfactory performance is determined by the supervisor and/or Appointing Authority. Salary increases may be delayed until performance is determined to be satisfactory.

**A. NON-EXEMPT EMPLOYEES**

Non-exempt employees are those employees who hold positions that are not administrative, professional or executive as defined by the Fair Labor Standards Act (FLSA).

1. In general, County employees will not work more than their regular scheduled hours in a single workweek. "Flex time" scheduling will be used to cover services within regular scheduled hours. Overtime occurs when an employee actually works more than forty (40) hours in a workweek. When overtime work cannot be avoided, non-exempt employees will be compensated for authorized overtime work as provided in the FLSA and the Ohio Revised Code.
2. As a condition of employment, certain job classification within the County require regular mandatory overtime while others may be requested to work occasional overtime based on operational needs. Refusal and/or unavailability may result in disciplinary action if the failure to work overtime is not justified or the overtime has been designated as mandatory.
3. If overtime is required, the prior authorization of the Appointing Authority or the employee's direct supervisor is required. Failure to receive authorization for overtime may result in disciplinary action.
4. In an emergency situation, if the Appointing Authority or the employee's direct supervisor cannot be reached for approval, overtime may be worked without prior authorization. However, the situation must be recognized as an emergency by the employee's supervisor or the Appointing Authority.
5. The Appointing Authority will attempt to distribute any overtime as equally as practicable among qualified employees within those classifications in which overtime is required.
6. Only hours actually worked are used to calculate whether the employee is eligible for overtime compensation.
7. Scheduled overtime that is subsequently canceled and not worked will not entitle the employee to any overtime compensation. Only overtime actually worked is compensable.
8. Overtime compensation may be taken in the form of pay or compensatory time as outlined below:
  - a. Overtime compensation will be based upon the employee's hourly rate of pay, plus any applicable pay supplements and will be calculated as follows:

- 1) Time worked between the employee's regularly scheduled time and forty (40) hours per workweek will be paid at straight time.
  - 2) Time worked over forty (40) hours in a workweek will be paid at one and one-half (1½) times the employee's regular rate of pay.
- b. In lieu of overtime pay, an employee may choose to have compensatory time credit. Compensatory time will be calculated at the same rate as overtime pay (i.e. hour for hour or one and one-half (1½) hours per hour worked). The following regulations apply to those choosing compensatory time:
- 1) An employee must tell the supervisor at the time overtime is worked whether he/she wishes compensation in the form of wages or compensatory time. Failure to request compensatory time will result in overtime compensation in the form of wages.
  - 2) Compensatory time may be accumulated up to a maximum of forty (40) hours. Hours earned in excess of this limit will be paid.
  - 3) The use of compensatory time must be scheduled for a time mutually satisfactory to the employee and the employer.
  - 4) The Appointing Authority may pay off any or all compensatory time to the credit of any employee at any time, and may require employees to reduce compensatory time to their credit by taking paid time off within a reasonable period of time.
- c. An Appointing Authority may require that employees working overtime take compensation in the form of pay or compensatory time off. In such an event, the employee(s) will be so notified prior to the overtime being worked, and will have the opportunity to accept or reject overtime assignment under such circumstances.
9. When attendance at meetings, conferences and training sessions is required by the Appointing Authority, travel time and time actually spent in meeting sessions will be considered time worked for calculating overtime. Meal breaks will be counted as time worked only when the meal is an integral part of a required meeting. Travel or meeting time is not considered time worked if attendance at a meeting or class is not required.
10. A part-time employee will not receive overtime compensation for hours worked more than his/her regularly scheduled hours until the total hours worked in a workweek exceed forty (40) hours.

B. EXEMPT EMPLOYEES

1. Exempt employees are those employee who hold positions that are administrative, professional or executive as defined by the FLSA and are exempt from overtime regulations of federal and state law.
2. Exempt employees earn compensatory time at the rate of one hour for each hour of work in excess of forty (40) hours of work in a work week.
3. Exempt employees must use compensatory time in the calendar year in which it is earned. No compensatory time will be carried over from one calendar year to the next.

**A. TRANSPORTATION**

1. Travel by air, bus or other common carrier must be at the lowest available rate. The employee is responsible for notifying the carrier of any reservation change or cancellation at the earliest possible time.
2. Mileage reimbursement for travel in privately owned vehicles will be at the rate established by the I.R.S. The mileage reimbursement will be deemed to cover all expenses incurred by use of the privately owned vehicle including oil, gasoline, tires, depreciation, insurance and all other expenses of operation. No reimbursement for mileage will be made unless an employee carries automobile/liability insurance on his/her vehicle as required by the County's liability insurance carrier.
3. When two (2) or more employees are traveling to the same destination, they should travel together and only the driver/owner of the vehicle may claim mileage reimbursement.
4. An employee who chooses to use his/her own vehicle for an out-of-state trip will be reimbursed for mileage at the rate indicated above, but the mileage reimbursement may not exceed the cost of air transportation at the lowest available rate.
5. Reimbursement for taxi fares, bridge, highway and tunnel tolls, parking and garage charges may be claimed upon submission of receipts.
6. Prior approval from the Appointing Authority must be obtained for any out of County travel and overnight travel.
7. No reimbursement will be made for travel between the employee's home and the County offices or worksites.

**B. LODGING**

1. Expenses covering the actual cost of a hotel or motel room will be reimbursed in full when an employee travels out of the County on official County business and such travel requires an overnight stay. Prior approval of the Appointing Authority is required for reimbursement of lodging expenses.
2. Only business telephone calls will be reimbursed.
3. No reimbursement will be made for entertainment, in-room movies, restocking in-room snacks, room service, dry cleaning or laundry charges.

C. MEALS

1. An employee authorized to travel on official County business may claim reimbursement with proper documentation for the actual cost of the meals (within limits set by the Board of County Commissioners) plus tips up to twenty (20%) of the meal cost. Reimbursement for meals will be made when travel extends through a normal meal period.
2. Alcoholic beverages and entertainment are not allowable or reimbursable expenses.

D. Requests for reimbursement of travel expenses are to be made on an itemized expense report as soon as possible after the travel. All receipts and a certificate of attendance (if available) must be attached.

E. Generally, cash advances are not allowed. Any cash advance received by an employee is considered the property of the employee and he/she is responsible for any loss. Any amount not accounted for as a proper expense must be repaid.

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**CHAPTER 5**  
**BENEFITS**

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Section 5.1	Insurance
	Health Insurance
	Retirement - Public Employees' Retirement System (PERS)
	Workers' Compensation
Section 5.2	Vacation
Section 5.3	Holidays
Section 5.4	Sick Leave
Section 5.5	Court Leave
Section 5.6	Uniformed Service Leave
	Unpaid Family Military Leave
Section 5.7	Leaves of Absence
	Family or Medical Leave
	Eligibility
	Family Leave
	Medical Leave
	Certification/Re-certification
	Health Insurance
	Return to Work
	Other Leaves of Absence
	Disability Separation
Section 5.8	Leave Donation Program
Section 5.9	Lactation Breaks

**A. HEALTH INSURANCE**

1. The County will make hospitalization and major medical insurance available to eligible County employees. Such insurance plans, coverages, eligibility requirements, continuation benefits, employee contribution rates and costs shall be determined by the Board of Commissioners.
2. Newly hired employees are eligible to enroll in the insurance program on the thirty-first (31<sup>st</sup>) day of employment. An employee who does not elect coverage at the time he/she becomes eligible may only elect participation under the rules of the plan.
3. An employee may select single or family coverage. When a husband and wife are employed in any departments of Coshocton County, the employees shall decide which of them will carry the family coverage. Under no circumstance will the County provide coverage under more than one policy for each employee/dependent.
4. Details of coverage are outlined in the health-care plan booklet.
5. The County will continue to provide coverage for an employee who is not in active pay status, but is on a qualified family/medical leave. An employee for whom the County maintains health care during a family/medical leave and who does not return to work at the end of the leave may be required to repay the County the amount it paid to maintain the coverage. (See Section 5.7(A) FAMILY OR MEDICAL LEAVE).
6. County paid health insurance will not be provided to employees on an unpaid leave of absence for any reason other than family/medical leave. Employees on approved unpaid leave may continue coverage at their own expense for a limited time, in accordance with the terms of the policy. To be eligible for such coverage, the employee is required to pay the applicable premium. The employee is responsible for the premium for any week in which he/she is not in active pay status or has not made an effective return to work. (See Section 5.7(B) OTHER LEAVES OF ABSENCE).
7. The employee is solely responsible for notifying the Appointing Authority of any status changes affecting insurance coverages such as marriage, divorce, dependents, etc.
8. The County will also provide insurance and coverage as required or deemed necessary for liability, life, workers' compensation and unemployment. The Appointing Authority pays the full premium cost for these insurances.

**B. RETIREMENT - PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)**

1. PERS enrollment is mandatory for all full-time, part-time, temporary, intermittent and seasonal employees who do not participate in another public retirement system.

2. An employee's contribution is held in his/her own account. The employer's contribution is held in the general fund of PERS. When an employee leaves public employment, he/she may request a refund of his/her own contribution. Funds contributed by employers are not refundable. An employee may choose to leave his/her contribution in the fund and receive retirement benefits upon qualification.
3. An employee may name a beneficiary for his/her account. If no one is named as beneficiary, the law requires the spouse to be the beneficiary; or, if there is no spouse, the children; or if there is neither spouse nor children, parents; or if no spouse, children or parents, then the estate.
4. Employees having any questions regarding this program, should call or write to:

Public Employees' Retirement System  
277 East Town Street  
Columbus, OH 43215  
(800) 222-7377 or (614) 466-2085

#### C. WORKERS' COMPENSATION

1. Employees are eligible for Workers' Compensation for injuries arising out of or in the course of his/her employment. (See Section 9.3 ON-THE-JOB INJURY).
2. An employee may elect to use accrued sick leave and/or vacation prior to receiving payments from Workers' Compensation for lost wages. However, no employee shall simultaneously receive Workers' Compensation lost wages benefits and use sick/vacation leave.
3. While on Workers' Compensation, no vacation or sick leave hours will accumulate. Hours will remain at their balance when the employee became disabled and resume accumulation upon the employee's return to work. An employee on Workers' Compensation will not receive holiday pay.

- A. All employees accrue vacation benefits as shown on the chart below. Vacation is prorated for part-time employees in proportion to the regularly scheduled hours of work. Vacation accrues while an employee is on active pay status, but not during overtime work.

<u>Years of Service</u>	<u>Vacation Days</u>	<u>Hours Accrued per 80 Hours on Active Pay Status</u>
Less than 1 Year	None	None
1 Year to 8* Years	10 Workdays	3.1
8 Years to 15* Years	15 Workdays	4.6
15 Years to 25* Years	20 Workdays	6.2
25 or More Years	25 Workdays	7.7

*\*On the 8th, 15th and 25th anniversary of employment, an employee is credited with one (1) additional week of vacation. Vacation begins to accrue at the higher rate after the 8th, 15th and 25th anniversary dates.*

- B. After one (1) full year of service with Coshocton County, an employee will be credited with vacation he/she would have earned during the first year of employment (3.1 hours accrued per 80 hours on active pay status). Vacation may be taken only after one (1) full year of employment. If an employee terminates his/her employment before serving one (1) full year with Coshocton County, he/she will receive no vacation pay.
- C. Length of service for the purpose of calculating vacation will include all prior service with the State of Ohio and any political subdivision of the State (i.e., township, municipal, library, school district, health district, etc.) (See Section 3.1 EMPLOYMENT STATUS). Prior service need not be continuous. Prior service credit will not apply to an employee who has retired and is rehired after June 24, 1987. Prior service credit counted for vacation leave accrual purposes will not apply to an employee who has been removed from public service due to a felony conviction.
- D. In no case may an employee take vacation before it is accrued. Vacation may not be used for cash advance.
- E. Vacation leave must be taken by the employee during the year in which it is accrued and before the employee's next anniversary date (i.e., an employee may not have more than two (2) years' accrual). In special and meritorious cases, the Appointing Authority may authorize an employee to carry his/her unused vacation over one (1) or more additional anniversary dates. Under no circumstances will an employee be eligible to accumulate more than the total vacation accrued during the three (3) previous anniversary years.

- F. Upon separation from service, an employee who has served at least one (1) full year with the County will be paid for any accrued, but unused, vacation leave to his/her credit. Payment will be at the employee's current rate of pay.
- G. The Appointing Authority shall establish the minimum increments in which employees may take vacation and the amount of notice required for vacation leave requests. Requests for use of vacation are to be made and approved in advance.
- H. When two (2) or more employees request the same vacation date and all requests cannot be granted, the requests will be granted by seniority in the order received. Once an employee has received approval for vacation leave, he/she may not be displaced by a more senior employee.
- I. Vacation leave may be denied during a specific period, if the workload dictates.
- J. If an employee is disabled due to illness or injury, or experiences a death in the family that would qualify for paid sick leave while he/she is on vacation, he/she may request time off charged to sick leave by showing documented proof of eligibility. If the reason for the leave qualifies under the family and medical leave policy, the leave will be charged against the employee's family/medical leave entitlement from the date of the qualifying event.
- K. An employee on a family/medical leave will be required to exhaust all accrued vacation time prior to being placed on unpaid status.

A. Regular full-time employees receive the following paid holidays:

New Year's Day	First day of January
Martin Luther King, Jr. Day	Third Monday of January
Presidents' Day	Third Monday of February
Memorial Day	Last Monday of May
Independence Day	Fourth day of July
Labor Day	First Monday of September
Columbus Day	Second Monday of October
Veterans' Day	Eleventh day of November
Thanksgiving Day	Fourth Thursday of November
Christmas Day	Twenty-fifth day of December

- B. If a holiday falls on Sunday, it is observed on the following Monday. If a holiday falls on a Saturday, it is observed on the preceding Friday.
- C. Employees on active pay status on the day before and the day after a holiday will receive their regular pay for holidays not worked.
- D. If the holiday occurs when the employee is on paid vacation or sick leave, the employee will receive holiday pay for that day instead of vacation or sick leave.
- E. If a paid holiday falls on a day a full-time employee is not scheduled to work, the employee will nonetheless receive holiday pay. Each part-time or seasonal employee shall be entitled to holiday pay if the holiday falls on a day that the employee would have been scheduled to work. Such part-time and seasonal employees will receive holiday pay for the number of hours that he/she would have been scheduled to work.

- A. All employees accrue sick leave at the rate of four and six-tenths (4.6) hours for each eighty (80) hours of service. Sick leave is earned only when an employee is in active pay status (i.e. for only those days for which the employee is actually paid). Sick leave does not accrue during overtime work (over forty (40) hours in a workweek). The amount of sick leave an employee may accrue is unlimited.
- B. An employee who transfers from another public agency to the County or who is re-appointed or reinstated is credited with the unused balance of his/her accumulated sick leave, provided the time between separation and reappointment does not exceed ten (10) years. "Public agency," as used above, includes the State, counties, municipalities, boards of education, public libraries and townships within the State of Ohio. Documentation of sick leave is the responsibility of the transferring employee, and satisfactory documentation must be submitted to the Appointing Authority before credit is approved.
- C. An employee requesting sick leave must inform his/her supervisor of the fact and the reason no later than one-half ( $\frac{1}{2}$ ) hour after the starting time each day of absence unless other arrangements have been made.
- D. An employee who has a condition that continues for more than three (3) workdays will be required to present a health care provider's note verifying the illness and stating the employee's probable date of return to work. Upon return to work, the employee must furnish a statement from the health care provider certifying his/her ability to perform the job duties.
- E. Sick leave must be requested on the approved "Request for Leave" form as soon as the employee returns to work. (See Appendix A FORMS).
- F. The Appointing Authority has the authority to investigate the reasons for an employee's absence.
- G. If an illness or disability continues beyond the time covered by earned sick leave, an employee must use earned vacation leave and compensatory time or may request an unpaid leave of absence. (See Section 5.7 LEAVES OF ABSENCE). If the illness or disability qualifies under the Family and Medical Leave Act, an employee must use earned vacation leave prior to being placed on unpaid status, and both the paid and unpaid time off from work will be charged against that entitlement.
- H. An employee who fraudulently obtains sick leave or falsifies sick leave records is subject to disciplinary action. (See Section 11.2 PROGRESSIVE DISCIPLINE AND IMPLEMENTATION).
- I. Sick leave may be used for:
  - 1. Illness or injury of the employee or illness or injury of a member of the employee's immediate family, where the presence of the employee is reasonably necessary to care

for the family member. For purposes of leave to care for the family member, "Immediate family" is defined as parent, sibling, child, spouse, step-parent, step-sibling, step-child, grandparent, grandchild, parent-in-law, sibling-in-law, child-in-law or loco parentis (a person who stands in the place of a parent);

2. Exposure of the employee to a contagious disease that 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 family, the leave not to exceed five (5) workdays for Tier 1 family members and not to exceed three (3) days for Tier 2 family members, as determined by the Appointing Authority based upon the circumstances. Leave may be taken only during the time immediately following death. For purposes of leave for the death of a family member, Tier 1 family members include parent, sibling, child, spouse, step-parent, step-sibling, step-child, parent-in-law, sibling-in-law, child-in-law, grandchild, grandparent, and loco parentis (a person who stands in place of a parent). Tier 2 family members include aunt, uncle, first cousin, niece and nephew;
  4. Medical, dental or optical examinations or treatment of the employee or a member of the employee's immediate family, where the presence of the employee is necessary to care for the family member and the appointment cannot be scheduled during non-work time ("Immediate family" as defined in Section (I)(1)); or
  5. Disability due to pregnancy, childbirth or related medical conditions.
- J. Sick leave is charged in minimum units of fifteen (15) minutes.
- K. An employee absent on sick leave is paid at his/her regular hourly or biweekly rate.
- L. An employee who retires from service with the County after completion of ten (10) or more years of service with the state or any political subdivision of the state is entitled to convert a portion of his/her accrued but unused sick leave into a cash payment at the time of separation. (See Section 12. 3(A) SICK LEAVE CONVERSION).

- A. An employee will receive full pay when summoned for jury duty by a court of competent jurisdiction or subpoenaed to appear before any court, commission, board or other legally constituted body authorized by law to compel the attendance of witnesses, providing the employee is not a party to the action and the appearance relates to his/her employment with the County.
- B. An employee who is the appellant in an action before the State Personnel Board of Review and is on active pay status at the time of a hearing before the Board will be granted court leave to attend the hearing.
- C. Any compensation received from the court must be paid to the Treasurer unless all duty is performed outside regular work hours.
- D. An employee who must appear in court on his/her own behalf may use vacation, compensatory time or may request an unpaid leave of absence. Such absences must be scheduled in advance through the Appointing Authority.
- E. An employee released from jury duty at least one (1) hour before the end of his/her scheduled workday must report to work for the remaining hours.

A permanent public employee who, voluntarily or involuntarily, enters any of the Armed Services of the United States or the United States Coast Guard will be granted benefits as set forth in the Ohio Revised Code. Military leave is also governed by Federal law. The County will comply with all Federal and state laws regarding military leave and reinstatement to active employment.

A. Permanent public employees who are members of the Ohio Organized Militia or U.S. Armed Forces reserve components are authorized up to twenty-two (22), eight (8) hour work days or a maximum of one hundred seventy-six (176) hours paid leave per calendar year in which military duty is performed.

1. The employee must submit a copy of appropriate documents evidencing the call to order or other service and complete all required leave forms.
2. The employee shall lose no straight time pay for uniform service reserve duty.
3. Vacation and sick leave will accrue during reserve duty when such duty occurs during the employee's regularly scheduled hours of work.
4. Any military employee required to serve beyond the twenty-two (22) days or one-hundred seventy-six (176) hours is entitled to a leave of absence and to be paid during each monthly pay period of that leave of absence the lesser of either (1) the difference between the employee's gross monthly wage or salary and the sum of the employee's gross uniformed pay and allowances received that month; or (2) \$500. This payment does not apply if the employee's uniformed pay exceeds his/her pay as a public employee.

B. UNPAID FAMILY MILITARY LEAVE

1. Pursuant to Ohio Revised Code Section 5906.02, once per calendar year, an employee may take unpaid military family leave up to ten days or eighty hours, whichever is less, if all of the following conditions are satisfied:
  - a. The employee has been employed for at least twelve consecutive months and for at least one thousand two hundred fifty hours in the twelve months immediately preceding commencement of the leave.
  - b. The employee is the parent, spouse, or a person who has or had legal custody of a person who is a member of the uniformed services and who is called into active duty in the uniformed services for a period longer than thirty days or is injured, wounded, or hospitalized while serving on active duty in the uniformed services.

- c. The employee gives proper notice to the County that the employee intends to take leave pursuant to this policy. Notice of at least fourteen (14) days prior to taking the leave is required if the leave is because of a call to active duty. Notice of at least two (2) days prior to taking the leave is required if the leave is because of an injury, wound, or hospitalization. However, if the employee receives notice from a representative of the uniformed services that the injury, wound, or hospitalization is of a critical or life-threatening nature, the employee may take the leave without providing the two-day notice to County as long as the employee advises the County as soon as possible.
    - d. The dates on which employee takes leave occur no more than two (2) weeks prior to, or one (1) week after, the deployment date of the employee's spouse, child, or ward or former ward.
    - e. The employee does not have any other leave available for the employee's use except sick leave.
  2. Notice. The County will continue to provide employment benefits to the employee during the period of time they are on leave. The employee shall be responsible for the same proportion of the cost of the benefits as the employee regularly pays during periods of time when the employee is not on leave.
  3. Certification. The County may require an employee requesting to use unpaid military family leave to provide certification from the appropriate military authority to verify that the employee satisfies the conditions described in section 1 (b), (c), and (d) of this policy.
  4. Definitions.
    - a. The term "active duty" under this policy for unpaid family military leave means full-time duty in the active military service of the United States or active duty pursuant to an executive order of the president of the United States, an act of the congress of the United States, or a proclamation of the governor. "Active duty" does not include active duty for training, initial active duty for training, or the period of time for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any duty unless such period is contemporaneous with an active duty period.
    - b. The term "uniformed services" means the armed forces, the Ohio organized militia when engaged in full-time national guard duty, the commissioned corps of the public health service, and any other category of persons designated by the President of the United States in time of war or emergency.

**A. FAMILY OR MEDICAL LEAVE****1. ELIGIBILITY**

An employee who has worked twelve hundred fifty (1,250) hours in the previous twelve (12) month period, and has been employed with Coshocton County for a minimum of twelve (12) months, is entitled to a maximum of twelve (12) weeks leave (twenty-six (26) weeks leave during a single twelve (12) month period in the case of a spouse, son, daughter, parent or next of kin of a covered military service member suffering from illness or injury received in the line duty) in any twelve (12) month period for any reason which qualifies under the Family and Medical Leave Act.

**2. FAMILY LEAVE**

- 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. In order to care for a spouse, son, daughter, parent or next of kin who is a covered military service member suffering from a serious illness or injury received in the line of duty; or
- d. For a "qualifying exigency" related to a covered spouse, son, daughter, or parent's call to active duty in the military.

For purposes of family leave, the employee must take the leave within twelve (12) months of the qualifying event. Where a husband and wife are both employed by the County, family leave is limited to twelve (12) weeks (or twenty-six (26) weeks in the case of (c) above) between the two (2) employees.

**3. MEDICAL LEAVE**

- a. Medical leave can be taken to care for spouse, parent, son or daughter with a "serious health condition" or for the employee's own "serious health condition".

"Serious health condition" is defined as an illness, injury or impairment that requires:

- 1) In-patient care in a hospital, hospice or residential facility including any period of incapacity or subsequent treatment in connection with inpatient care; or

- 2) Continuing treatment by a health care provider involving any of the following:
  - a) A period of incapacity of more than three (3) consecutive calendar days that involves:
    - Treatment two (2) or more times by a health care provider within the first thirty (30) days of incapacity unless extenuating circumstances exist, by a health care provider; or
    - One (1) treatment by a health care provider that results in a regimen of continuous treatment under the supervision of the health care provider.
  - b) Any period of incapacity due to pregnancy or pre-natal care;
  - c) Any period of incapacity or treatment for incapacity due to a chronic serious health condition;
  - d) Permanent or long-term conditions for which treatment may not be effective; or
  - e) Any period of incapacity to receive multiple treatments either for restorative surgery after an accident or injury or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment.
- 3) Examinations to determine if a severe health condition exists and evaluations for the condition.
- 4) Short-term conditions such as illnesses lasting only a few days, elective treatments not requiring hospitalization or out-patient treatment requiring only a brief recovery period do not qualify.
4. Use of family/medical leave will be recorded in minimum increments of fifteen (15) minutes.
5. In the case of a medical or medically-related maternity leave, an employee is required to use all accrued sick, vacation and other available paid leave prior to being placed on unpaid status. In the case of family leave, an employee is required to use all accrued vacation, personal days or other qualifying paid leave prior to being placed on unpaid status. All leave, paid and unpaid, will be included in the twelve (12) week or twenty-six (26) week leave period. If an employee is on an absence covered by Workers' Compensation payments, and for a condition that qualifies for family/medical leave, paid leave will only be applied to that portion of the leave not covered by Workers' Compensation.

6. "Spouse," "parent," "son," "daughter," "child" and "next of kin" have the same definitions as outlined in the Family Medical Leave Act.
7. CERTIFICATION / RE-CERTIFICATION
  - a. When an employee is granted a medical leave of absence for illness, injury or any other medical condition, the employee must furnish a written statement from his/her health care provider confirming that he/she is unable to work and the expected date of return to work.
  - b. When an employee is requesting leave to care for a family member, the employee must furnish a statement from the family member's health care provider confirming the condition, the necessity of the employee's care and the expected date of return to work.
  - c. With some exceptions, the employer may require re-certification of disability or necessity of the employee's presence for care during a leave.
  - d. The employee must comply with any request for certification or re-certification as soon as possible, but not more than fifteen (15) days after the request, as a condition of leave approval or continuation of leave. The cost of certification or re-certification will be paid by the employee.
  - e. For initial certifications, the employer may request that the employee be examined by a health care provider of the County's choosing at the County's cost. If the employer's and employee's health care providers disagree as to the necessity of a leave, the employee and employer will mutually select a third health care provider to examine the employee. The third health care provider's opinion will be final and binding on both the employee and the County.
8. When an employee requests family leave or a leave for a planned medical treatment, the employee must give thirty (30) days notice of the date the leave is expected to commence and the anticipated length of the leave. The County requests that an employee give as much notice as is practicable so that operational needs can be met. In the case of planned medical leave, the County requests that the treatment be scheduled so as to cause minimal disruption to services.
9. Leave may be taken intermittently or on a reduced schedule when medically necessary or if the employee is needed to care for a family member with a serious medical condition. Intermittent/reduced schedules are granted at the discretion of the Appointing Authority and are subject to the following conditions:
  - a. The employee must make a reasonable effort to schedule time off so as not to disrupt operations. The employee must provide not less than thirty (30) days notice before the date the leave is to begin, unless the medical condition requires leave to begin in less than thirty (30) days. The employee must provide his/her supervisor with the dates on which medical treatment is expected along

with the expected duration of the treatment or the length of time needed to care for a family member.

- b. The Appointing Authority may require an employee to transfer temporarily to an available alternative position, if the employee is qualified, the position has equivalent pay and benefits and the position better accommodates recurring periods of leave than the employee's regular position.

10. HEALTH INSURANCE

The County will continue to provide health insurance for an employee who is on a family/medical leave on the same basis as if the employee was on duty. The employee is required to pay the premium on any optional insurance by the first of any month in which the employee is not on the active payroll. If an employee does not return to work at the end of the leave, he/she will be required to repay the County the amount paid to retain the employee's health care benefits during the unpaid portion of the leave. (See Section 5.1(A) HEALTH INSURANCE).

11. RETURN TO WORK

- a. An employee who requests and is granted a leave for a specific time and who wishes to return to work prior to the end of the leave may do so only with the approval of the Appointing Authority.
- b. An employee on a medical leave due to a serious health condition will be required to provide a fitness-for-duty certification before he/she is permitted to return to work.
- c. Upon return from a family/medical leave, an employee will be restored to a position held when the leave commenced, or a position with equivalent benefits, pay and other terms and conditions of employment.
- d. All benefits accrued prior to the leave will remain intact; however, the employee will not accrue benefits during any unpaid portion of the leave.

12. If it is discovered that a leave of absence granted for a specific purpose is not being used for that purpose, the Appointing Authority may cancel the leave and direct the employee to report to work, in addition to any potential disciplinary action.

13. An employee who fails to return to work at the expiration or cancellation of an approved unpaid leave of absence, without satisfactory explanation to the Appointing Authority, will be terminated. The employee's termination date will be established as the starting date of the approved leave of absence.

14. Any leave, whether paid or unpaid, taken due to an on-the-job injury that qualifies as a "serious health condition" under the Family and Medical Leave Act, will be counted as part of the twelve (12) week leave entitlement provided under that Act.

## B. OTHER LEAVES OF ABSENCE

1. An employee may request an unpaid leave for reasons other than those listed above for up to six (6) months with the approval of the Appointing Authority. A leave of absence for public service or education may be granted for up to two (2) years. The request for a leave of absence must be submitted in writing for a specific period of time. Approval is at the discretion of the Appointing Authority.

Acceptable reasons for an unpaid leave of absence include:

- a. Voluntary service in any government sponsored program of public betterment;
  - b. Education or training that would benefit the County, but is not required by the County;
  - c. Family reasons that do not fall within the circumstances outlined in the family/medical leave policy;
  - d. Medical or family reasons that fall within the family or medical leave policy after the employee's twelve (12) week entitlement has been exhausted; or
  - e. Other reasons approved by the Appointing Authority.
2. During an extended, incapacitating illness or disability, including a disabling condition related to pregnancy, which extends beyond six (6) months, an employee may request an unpaid leave of absence.
  3. Group health insurance coverage may continue during the leave period if the employee pays the entire premium by the first of any month in which the employee is on a leave of absence. Health insurance will cease at the start of any month in which the employee does not pay the required premium. An employee may extend benefits under COBRA for the time allowed by law. (See Section 12.3 TERMINATION BENEFITS).
  4. Upon return from a leave of absence, the employee will be returned to the same or a similar position within the same classification. If the employee's former classification no longer exists, the employee will be assigned to a similar classification. If no similar classification exists, the employee may be placed on layoff.
  5. If it is discovered that an unpaid leave of absence granted for a specific purpose is not being used for that purpose, the Appointing Authority may cancel the leave and direct the employee to report to work in addition to any potential disciplinary action.
  6. Employees are ineligible for unemployment compensation during any leave period.
  7. Benefits do not accrue during an unpaid leave.
  8. An employee who fails to return to work within three (3) working days of the expiration or cancellation of an approved unpaid leave of absence, without satisfactory

explanation to the Appointing Authority, will be terminated. The employee's termination date will be established as the starting date of the approved leave of absence.

### C. DISABILITY SEPARATION

1. If an employee has exhausted his/her leave of absence benefits and is unable to return to work, he/she may be granted a disability separation up to two (2) years from the date in which the employee was no longer performing in active work status due to the disabling illness, injury or condition.
2. To qualify for voluntary disability separation, an employee must be unable to perform the essential job duties of the position due to a disabling illness, injury or condition.(See Section 3.5 DISABILITY ACCOMMODATION).
3. An appointing authority may also initiate an involuntary disability separation if the appointing authority has substantial credible medical evidence of the employee's disability and determines that the employee is incapable of performing the essential job duties of the employee's assigned position due to the disabling illness, injury or condition. An employee in this situation may be required to be examined by a health care provider chosen by the County. The employee is entitled to a pre-separation proceeding. The Appointing Authority will provide the employee with advance notice of the meeting. The employee has the right at the meeting to examine the Appointing Authority's evidence, rebut the Appointing Authority's evidence and present testimony and evidence in his/her own behalf.
4. Upon written request, an employee will have a right to reinstatement within two (2) years of the original date of a disability leave. Substantial, credible medical evidence must substantiate the employee's ability to perform the essential job duties. The cost of the medical examination to provide this evidence is the responsibility of the employee. A request for reinstatement may be made no more than once every three (3) months following an involuntary disability separation.
5. The Appointing Authority may reinstate the employee requesting reinstatement or require the employee to submit to a medical or psychological exam. (See Section 3.3 MEDICAL EXAM). The Appointing Authority will reinstate the employee if the results of the medical exam indicate that the employee is capable of performing the essential duties of his/her position with or without reasonable accommodation.
6. If the Appointing Authority determines the employee is not eligible for reinstatement, the employee is entitled to a pre-reinstatement proceeding. The Appointing Authority will provide the employee with advance notice. The employee has the right at the meeting to examine the Appointing Authority's evidence of continuing disability, rebut the evidence and present testimony and evidence on his/her own behalf.
7. An employee involuntarily separated or refused reinstatement after a hearing as provided for in this section, has the right to appeal in writing to the State Personnel

Board of Review within ten (10) days of receiving notice of separation and within thirty (30) days of receiving notice of denial of reinstatement from the Appointing Authority.

8. Upon return from a disability separation, an employee will be returned to a position in the classification held at the time of separation; or, if that classification no longer exists, to another similar classification. If no similar classification exists, the employee may be placed on layoff.
9. Abuse of disability separation may render an employee ineligible for reinstatement.
10. An employee who, within two (2) years, fails to apply for or is unable to be reinstated from a disability separation, whether voluntary or involuntary, will be deemed permanently separated as of the date disability separation was originally granted.

- A. The following program may be implemented at the discretion of each appointing authority.
- B. An employee of Coshocton County may donate paid leave to any other eligible employee of the same County office who is eligible to accrue and use paid leave. The intent of this program is to allow employees to voluntarily provide assistance to co-workers who are in critical need of leave due to a serious illness of the employee or a member of the employee's immediate family.
- C. For the purposes of this program, "paid leave" means personal leave, vacation leave or compensatory time.
- D. An employee may receive donated leave, up to the number of hours the employee is scheduled to work each pay period, if the employee who is to receive the leave:
  - 1. Has a serious illness or a member of his/her immediate family has a serious illness;
  - 2. Has no accrued leave including vacation leave, sick leave, compensatory time or personal leave; and;
  - 3. Has applied for any paid leave, workers' compensation or benefits program for which the employee is eligible.
- E. An employee may donate leave if the donating employee:
  - 1. Voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned;
  - 2. Donates a minimum of eight (8) hours of leave; and
  - 3. Retains a combined leave balance of at least eighty (80) hours. Leave shall be donated in the same manner in which it would otherwise be used.
- F. The leave donation program shall be administered on a pay period by pay period basis. An employee using donated leave shall be considered to be in active pay status and shall accrue leave and be entitled to any benefits to which he/she would otherwise be entitled. Leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received.
- G. Donated leave shall not count toward an employee's probationary period. Donated leave shall be considered sick leave, but will never be converted into a cash benefit.
- H. An employee who wishes to donate leave will certify: the name of the employee for whom the donated leave is intended, the type of leave and number of hours to be donated, that the

employee will have a minimum combined leave balance of at least eighty (80) hours, and that the leave is donated voluntarily and that the donated leave will not be returned.

Employees who have recently given birth will be allowed a reasonable break time in order to nurse or express breast milk, for up to one year after the child's birth. The employee will be provided appropriate space, other than a bathroom, that is shielded from view and free from intrusion from workers 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.

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***CHAPTER 6***  
***PERFORMANCE EVALUATIONS***

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Section 6.1	Purpose
Section 6.2	Types of Evaluations
	Annual Evaluation
	Special Evaluation
	Probationary Evaluation
	Evaluation Procedure

The primary purposes of a performance evaluation are to:

- A. Uniformly and objectively rate an employee's job performance;
- B. Provide an opportunity for the employee to recognize and correct specific performance problems and to clarify expectations;
- C. Provide a means of communication between the employee and the Appointing Authority;
- D. Provide data on which to base promotional selection decisions;
- E. Provide a means of determining job efficiency for layoff purposes;
- F. Provide a basis to make pay decisions;
- G. Reveal conditions that contribute to poor morale or low productivity;
- H. Enable the Appointing Authority to detect gaps in his/her own supervisory performance;  
and
- I. Provide a means of establishing mutually agreed goals and objectives for the coming period.

**A. ANNUAL EVALUATION**

Each regular employee will have his/her job performance evaluated at least annually. Evaluations cover the preceding year or in the case of a new employee, the completion of the remainder of the year following the probationary period.

**B. SPECIAL EVALUATION (OPTIONAL)**

Additional evaluations may be performed at the discretion of the Appointing Authority.

**C. PROBATIONARY EVALUATION**

The job performance of a newly hired or promoted classified employee will generally be evaluated twice during the probationary period. The first evaluation will be on or about the employee's completion of sixty (60) calendar days of employment and the second evaluation will be completed within two (2) weeks prior to the end of the probationary period.

**D. EVALUATION PROCEDURE**

1. The Appointing Authority has the primary responsibility for initiating, scheduling and completing performance evaluations.
2. Each employee will be evaluated against the established position description for his/her assignment.
3. The Appointing Authority and/or supervisor will meet with the employee to review concerns, expectations, duties and responsibilities and to set measurable objectives for the next evaluation period. The employee will be given the opportunity to read the evaluation, ask questions and comment in writing on the evaluation document. The employee must sign the document indicating he/she has been given the opportunity to review the evaluation. An employee's written comments are limited to one side of one 8 1/2" x 11" sheet.
4. The completed performance evaluation, including any employee comments, will be placed in the employee's personnel file.

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***CHAPTER 7***  
***EMPLOYEE DEVELOPMENT***

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Section 7.1	Meetings and Conferences
Section 7.2	Approval of Attendance at Meetings and Conferences
	Determination Procedure
	Selection of Participants

- A. Coshocton County supports and encourages the professional growth of its employees through continuing education and training.
- B. Employees in certain positions may be required as a condition of continuing employment to take coursework and training as defined by the licensing authority.
- C. Paid leave may be granted to an employee for bona fide educational conferences, professional organization meetings and training seminars at the discretion of the Appointing Authority. (See Section 4.7 OVERTIME COMPENSATION).
- D. The Appointing Authority will pay the cost of registration for all meetings, training and conferences, when the employee's attendance is required. When the employee's attendance is not required, any reimbursement of registration costs is at the discretion of the Appointing Authority.
- E. An employee may request unpaid leave to attend educational meetings that are not required by the Appointing Authority. Leave may be granted at the discretion of the Appointing Authority.
- F. The Appointing Authority will pay the cost of travel expenses when the employee's attendance is required. (See Section 4.8 EXPENSE REIMBURSEMENT). When attendance is not required, any reimbursement of travel expenses is at the discretion of the Appointing Authority.

A. Participation in employee development activities must have the prior approval of the Appointing Authority.

B. DETERMINATION PROCEDURE

In reviewing requests for class work, training or attendance at meetings, the following criteria will be considered:

1. Nature and purpose of the activity;
2. Benefits to be derived by the employee and the County;
3. Level of responsibility, performance and length of service of the employee;
4. Estimated cost and available funds;
5. Potential lost time away from work; and
6. Ability to adequately staff services during the employee's absence.

C. SELECTION OF PARTICIPANTS

Whenever there are a limited number of openings for an activity or if attendance will be during an employee's regularly scheduled workday, the Appointing Authority will determine which participants may participate.

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**CHAPTER 8**  
**EMPLOYEE CONDUCT**

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Section 8.1	Code of Ethics
Section 8.2	Attendance <ul style="list-style-type: none"><li>Absence Reporting</li><li>Frequency of Absences</li><li>Tardiness / Early Departure</li><li>Excessive Absence / Tardiness Weather-Related and Emergency Closing</li></ul>
Section 8.3	Bulletin Board
Section 8.4	Outside Employment
Section 8.5	Department Equipment
Section 8.6	Computer Policy <ul style="list-style-type: none"><li>Software and Data</li><li>E-Mail / Internet System</li></ul>
Section 8.7	Electronic Communication Policy
Section 8.8	Political Activity
Section 8.9	Discrimination and Harassment <ul style="list-style-type: none"><li>Harassment Investigation Procedure</li></ul>
Section 8.10	Drug-Free Workplace
Section 8.11	Use of Communication Devices
Section 8.12	Speaking Engagements
Section 8.13	Garnishments
Section 8.14	Dress Standards
Section 8.15	Gambling
Section 8.16	Solicitation and Distribution

- A. All employees are expected to maintain the highest possible ethical 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 Appointing Authority. This Manual is not all-inclusive with regard to policies, procedures, rules and regulations. Conduct that interferes with normal office operations, brings discredit to the office, is illegal or is offensive to the public or fellow employees will not be tolerated. Any employee found to be in violation of this section will be subject to disciplinary action, up to and including termination, and possible criminal charges.
- B. Employees should direct any questions regarding the code of ethics to the Appointing Authority for clarification.
- C. Examples of proper employee conduct include, but are not limited to, the following.
1. An employee must always conscientiously perform all assigned job duties.
  2. An employee must be tactful, patient and courteous when conducting County business.
  3. An employee may not grant special consideration to any citizen or group of citizens.
  4. An employee may not engage in any outside employment or have a financial interest that will conflict with his/her duties or be detrimental to the County. (See Appendix B STATE OF OHIO ETHICS LAW).
  5. An employee may not request or permit the use of County vehicles, equipment, materials or property for personal convenience or profit.
  6. An employee may not accept or ask for any gift (except those of little or nominal value) or consideration that is granted as a result of his/her employment with the County.
  7. An employee may not use the County name or tax exempt status for his/her personal advantage on any purchases.
  8. An employee may not discuss or reveal confidential County information to anyone, under any circumstances, except within the scope of his/her job duties.

Employees are expected to be at work, each day, on time, and work their entire scheduled shift.

**A. ABSENCE REPORTING**

1. When an employee is unable to report to work, he/she must notify his/her immediate supervisor, or another designated person, within thirty (30) minutes of the start of his/her scheduled working hours on the first day of absence and each day thereafter, unless emergency conditions make it impossible or prior arrangements have been made with the supervisor.
2. On the day the employee returns to work after an absence, he/she must report to his/her supervisor and complete an employee absence form. The form, and any accompanying documents, will be reviewed by the supervisor to determine if the employee's absence can be approved. In order to be paid for any leave, an absence form must be completed and signed by an employee.
3. An employee who is absent for three (3) consecutive work days without calling in, and without an acceptable excuse for not calling in shall be terminated.

**B. FREQUENCY OF ABSENCES**

1. Regular attendance is expected of all employees.
2. A pattern of absences or absences whose frequency or timing affect the employee's job performance will result in disciplinary action, whether or not he/she has accumulated sick leave available or qualifies for sick leave.
3. An employee who develops a pattern of absences, tardiness or leaving work early will have his/her absences reviewed for possible abuse of sick leave or the attendance policy.

**C. TARDINESS / EARLY DEPARTURE**

1. Employees are expected to arrive at work promptly and remain at work until the end of the scheduled work day.
2. Tardiness/early departure is defined as late arrival at the employee's work location, early departure or overstaying a scheduled meal period. An employee who will be late reporting to work must call the supervisor within thirty (30) minutes of his/her scheduled start time.
3. Any deviation from an employee's work schedule must be authorized by his/her supervisor in advance.

4. Excessive tardiness/early departure is grounds for disciplinary action.

D. EXCESSIVE ABSENCE / TARDINESS

Excessive absence/tardiness will be counseled and disciplined under the Progressive Discipline policy. (See Section 11.2 PROGRESSIVE DISCIPLINE AND IMPLEMENTATION).

E. WEATHER RELATED AND EMERGENCY CLOSING

1. The Appointing Authority has the authority to declare the early release of staff, a delayed start to the work day or full-day closing of his/her office due to emergency conditions.
2. An employee may be required to work even though the office is closed due to an emergency. The employee is entitled to straight-time pay for regular hours worked, unless he/she is on overtime status.
3. An employee not scheduled to work because of scheduled vacation or continuing sick leave will be charged for the leave regardless of the declared emergency.
4. An employee who is absent, tardy or who leaves work early on a day when weather conditions interfere with travel, but when no emergency has been declared, is absent without leave and, therefore, in non-pay status. The employee may, with the approval of the Appointing Authority, account for the time during which he/she was absent by charging it to vacation, compensatory time or leave without pay. Inclement weather is not a valid use of sick leave.

- A. Important notices and items of interest to employees will be posted on County bulletin boards.
- B. Employee should consult the bulletin board regularly for announcements.
- C. Notices posted on the bulletin boards must be approved by the Appointing Authority. Notices without prior approval will be removed.
- D. No employee may remove an item from the bulletin board without permission of the Appointing Authority.

- A. Outside (secondary) employment is permitted under the following circumstances:
1. The interests of the second employer do not conflict with those of the County;
  2. The outside employment does not have a negative effect on the ability of the employee to perform his/her County job (including attendance and overtime availability); and
  3. Employment with the County is the employee's primary job and time conflicts are resolved in favor of the County.
  4. The employee has obtained approval of the Appointing Authority prior to the engaging in secondary employment.
- B. When an employee's supervisor and/or the Appointing Authority has reason to believe the demands of the outside employment are having a negative impact upon the employee's job performance or availability, or upon the interest of the County, the employee will be counseled. If the situation is not resolved, appropriate disciplinary action may result.
- C. Employees are strictly prohibited from engaging in or conducting outside or private business during scheduled working hours.

- A. Each employee is responsible for all keys and other equipment assigned to him/her and must return them upon termination of employment. An employee may be required to pay for lost or non-returned equipment.
- B. Lost keys must be reported immediately to the Appointing Authority.
- C. The use of County equipment for purposes other than County business is strictly prohibited. Employees are prohibited from using, loaning, taking, receiving and/or converting County vehicles, materials, tools, equipment and labor for personal or private use, regardless of the value and whether it was during work or non-work time.
- D. Equipment or supplies removed from County offices or premises must be recorded by the supervisor, noting when it is removed, when it will be returned and the individual responsible for its return.
- E. Each employee is responsible for reporting malfunctioning, damaged or defective equipment to his/her supervisor.

**A. SOFTWARE AND DATA**

1. It is the responsibility of each employee to ensure that software and hardware computer resources owned, leased or licensed to the Appointing Authority are properly secured and controlled.
2. No employee may misuse his/her authority over any such computer resources.
3. No employee may reproduce or make personal use of proprietary software purchased by and licensed to the Appointing Authority.
4. No employee may use the County's computer resources for personal use.
5. No software, data or information may be removed from County premises in the form of tape, diskette, print or other media, unless the removal is related to County business.
6. No employee may add unauthorized software including, games, web browsers, to County computers or computer networks. Personal screen savers which are in no way offensive to any other employee or members of the public may be added only upon approval of the Appointing Authority.
7. Employees should have no expectation of privacy in anything they access, view, create, send or receive on a County computer.
8. All computer software, data and information relating to the conduct and operation of the County are considered proprietary information belonging to the County and cannot be appropriated, altered, sublicensed, copied or used for other than County business.
9. Personal passwords are regarded as confidential and may not be given to others. Any suspected loss or misuse of passwords must be reported immediately to the supervisor. No employee may log in to any system with any identification or password other than that assigned to the employee.
10. No encryption programs may be used without the express authorization of the Appointing Authority. If encryption is used, then the method to decipher the encryption must be made available to the appropriate supervisor prior to its use.
11. Employees may not break into or exceed authority limits when accessing any computer networks. All employees must follow all account authorization processes, log in procedures and password protection feature established.

B. E-MAIL / INTERNET SYSTEM

1. The e-mail/internet system will be used for County business purposes only.
2. Uses that are illegal, interfere with the normal business activities, involve solicitation, are associated with any for-profit business activities or could potentially embarrass the County are strictly forbidden.
3. Employees shall have no expectations of privacy when they use County computer equipment, including, but not limited to, files, e-mail and the internet. The Appointing Authority has the right to monitor any and all aspects of the computer resources and services, including e-mail, without prior notification.
4. E-mail messages may be considered public record and therefore subject to the Appointing Authority's record retention schedule and possible disclosure to the general public.
5. An employee who transmits inappropriate comments, including discriminatory and defamatory comments, accesses sites considered by the Appointing Authority to be inappropriate, or otherwise misuses the e-mail/internet resources will subject to discipline up to and including termination. (See Section 11.2 PROGRESSIVE DISCIPLINE). Violation of this policy may also result in criminal prosecution.

The County supports the free exchange of information and camaraderie among employees on the internet off-duty. However, when internet blogging, chat room discussions, email, text messages or other forms of electronic communication extend to employees revealing confidential information about the County, or engaging in posting inappropriate material about the County or its employees, the employee who communicates such information or assists in communicating such material may be subject to disciplinary action, up to and including termination.

Employees are reminded to be careful of the information they disclose on the internet, including social media sites, regardless of whether such communication is made on-duty or off-duty or with personally-owned devices (laptops, cell phones, iPads, etc.). The following uses of social media or other forums for electronic communication are strictly prohibited:

- A. Comments or displays about coworkers or supervisors or the County that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the County's workplace policies against discrimination, harassment or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, military status or other protected class, status, or characteristic;
- B. Statements or uses of the County's logo or trademark which are slanderous or detrimental to the County, including evidence of the misuse of the County's authority, insignia or equipment;
- C. Engagement in unprofessional communication. "Unprofessional communication" includes that which, if left unaddressed, could potentially result in a civil or criminal cause of action against the County. "Unprofessional communication" also includes that which the County could demonstrate has a substantial risk of negatively affecting the County's reputation, mission or operations, such as slander, defamation or other legal cause of action.
- D. Disclosure of confidential and/or proprietary information acquired in the course of employment. Confidential information includes not only information that would not be available pursuant to a public records request, but also includes any information which does not relate to an issue of public concern.
- E. Comments or displays which impact employees' abilities to perform their job duties or the County's ability to maintain an efficient workplace.

Electronic communication, including social media sites may be inspected by the County for cause to determine potential violations of the County policy, regardless of when the employee made the communication or whether the communication was made with a personally-owned device. If an employee believes that an online communication violates any County policy, the employee should immediately report the communication to his or her supervisor. The County may investigate the matter, determine whether such communication violates the County's policies, and take appropriate action. This action may include discipline, up to and including termination.

This policy does not apply to communications protected by the U.S. or Ohio Constitutions. Employees should see their supervisors with any questions or concerns about this policy.

- A. The Ohio Revised Code prohibits classified employees (including those on authorized leave of absence) from participating in partisan political activities.
- B. Unclassified employees may participate in partisan political activities.
- C. Political activities permitted for classified employees include:
- Registering and voting;
  - Expressing opinions, either orally or in writing;
  - Making voluntary financial contributions to political candidates or organizations;
  - Circulation of nonpartisan petitions or petitions stating views on legislation;
  - Attending political rallies;
  - Signing nominating petitions in support of individuals;
  - Displaying political materials in the employee's home or on the employee's property;
  - Wearing political badges or buttons, or the display of political stickers on private vehicles; and
  - Serving as a prescient election official under section 3501.22 of the Revised Code.
- D. Political activities prohibited for classified employees include:
- Participating in a partisan election as a candidate for office;
  - 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;
  - Filing of petitions meeting statutory requirements for partisan candidacy to elective office;
  - Circulating official nominating petitions for any candidate for an office filled by partisan election;
  - Service in an elective or appointed office in any partisan political organization;

- Accepting a party-sponsored appointment to any office normally filled by partisan election;
- Campaigning by writing for publications, distributing political material, or by making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
- Soliciting, either directly or indirectly, an assessment, contribution or subscription, either monetary or in-kind, for any political party or candidate for partisan office;
- Soliciting the sale of or actually selling political party tickets;
- Engaging in partisan political activities at the election polls, such as soliciting votes, other than nonpartisan candidates and nonpartisan issues;
- Service as a witness or challenger for any party or partisan committee;
- Participating in political caucuses of a partisan nature; and
- Participation in a political action committee which supports partisan activity.

E. Any employee having a question pertaining to whether specific conduct of a political nature is permissible should contact the Appointing Authority prior to engaging in such conduct.

The County prohibits discrimination and harassment in the workplace.

This policy covers all employees, supervisors, department heads and elected officials. Additionally, this policy covers all suppliers, subcontractors, residents, visitors, clients, volunteers and any other individual who enters County property, conducts business on County property or on the County's behalf, or who is served by County personnel.

- A. Definitions: Unlawful discrimination occurs when individuals are treated less favorably in their employment because of their race, color, religion, sex, national origin, age, ancestry, disability, genetic information, or military status. An employer may not discriminate against an individual with respect to the terms and conditions of employment, such as promotions, raises, and other job opportunities, based upon that individual's membership in one of the above-listed protected classifications.

Unlawful harassment is a form of employment discrimination. Harassment is unwelcome conduct that is based on race, color, religion, sex, national origin, age, ancestry, disability, genetic information, and/or military status. Harassment becomes unlawful where 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.

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 a term or condition of an individual's employment; (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 that is based on one of the other protected categories listed above is similarly unlawful and must be reported.

- B. The responsibility for administering and complying with this policy has been delegated and communicated to all levels of management. Supervisors and other management employees will ensure that all employees are aware of the policy against discrimination or harassment and that adequate procedures are in place to facilitate prompt reporting, investigation and remedial action.
- C. A supervisor or management employee who observes any behavior that could be interpreted as discrimination or harassment is responsible for taking prompt action to stop the behavior.
- D. Every effort will be made to protect the rights of both the accuser and the accused throughout the investigation of a complaint.
- E. 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 considered to be a violation of this policy and an employee who makes a false complaint may be subject to discipline.

- F. **Retaliation:** Anti-discrimination laws also prohibit retaliatory conduct against individuals who file a discrimination or harassment 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 County 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 he/she has been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of his/her relationship with an individual who took action under this policy, shall report such conduct to the Equal Employment Officer or Appointing Authority immediately. Any person found to have retaliated against an individual for engaging in activity protected by this policy will be subject to discipline. Disciplinary action for filing a false complaint is not a retaliatory act.
- G. **Off Duty Conduct:** Unlawful discrimination or harassment that affects an employee'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.
- H. **Workplace Romances:** To avoid concerns of sexual harassment and other inappropriate behavior, employees are required to inform the supervisor or Appointing Authority if they currently are, or if they become, romantically involved with a co-worker. Such relationships are not necessarily prohibited, but must be appropriately addressed. Should an Appointing Authority determine that a conflict exists between an employee's employment with the County and a personal relationship with a co-worker, the County 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 must separate from employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any employee they directly, or indirectly, supervise.

#### I. INVESTIGATION PROCEDURE

Whenever an employee believes he/she is a victim of discrimination or harassment, the following investigation procedure is to be followed:

1. An employee who believes that he/she is a victim of discrimination or harassment may contact any supervisory employee, the Appointing Authority or the Equal Employment Officer to file a complaint. Supervisors are required to immediately notify the Appointing Authority or his/her designee who will order a thorough investigation.
2. If the supervisor is the subject of the complaint, the Appointing Authority or Equal Employment Officer should be notified. If the Appointing Authority is the subject

of the complaint, the Prosecutor or Equal Employment Officer should be notified and will conduct the investigation. If the Prosecutor is the subject of the complaint, the Coroner or the Equal Employment Officer, should be notified and will conduct the investigation.

3. When the supervisory authority, as identified in number 2 above, is advised of alleged discrimination or harassment either on the basis of a written or verbal report, a thorough investigation of the situation will be made in the following manner:
  - a. The complaint will be documented by the supervisory authority, either in writing or on audio tape. The report will include a factual description of the incident(s) and any possible witnesses. The complainant is not required to file a written report.
  - b. If the investigator, after a discussion with the complainant and such witnesses as the investigator deems necessary, finds that the complaint is credible and may constitute discrimination or harassment, the alleged offender will be advised of the complaint and given an opportunity to respond and provide any additional witness names.
  - c. Complete confidentiality cannot be guaranteed during any investigation. However, the investigator will make every effort to discuss the matter only with those who have a need to know of the investigation and its status.
  - d. If, at the conclusion of the investigation, the investigator has reason to believe the reported acts did occur, the Appointing Authority will initiate prompt, effective remedial action, up to and including termination of the perpetrator to ensure that the behavior is not repeated. However, the Appointing Authority is not required to implement the remedy sought by the complaining employee.
  - e. No employee will be retaliated against based on his/her initiation of a good faith complaint or participation in an investigation.
  - f. Employees who knowingly make false allegations will be disciplined according to the severity of the offense.

- A. The use, sale, distribution, possession or manufacture of illegal drugs on the premises of the County, in any of its vehicles or by an employee while on duty is prohibited. County law-enforcement officials may be required, in the scope of their job duties, to handle and/or transport illegal drugs confiscated as evidence.
- B. Employees are prohibited from being under the influence of alcohol, behavior altering legal prescription drugs or illegal drugs during work hours. Employees are also prohibited from being under the influence of these substances when they are representing the County at meetings, out-of-town work assignments, conferences, seminars or in the community. Both employee and County-owned equipment and containers under their control are subject to search and surveillance at all times while on County premises or while conducting County business, if the occasion warrants such measures.
- C. An employee who must use prescribed drugs that could impair his/her ability to perform his/her duties must report this fact to his/her supervisor along with the acceptable medical documentation. A determination will then be made as to whether the employee should be able to perform his/her job.
- D. The legal use of non-prescription drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job and does not pose a direct threat to the safety of the employee or others in the workplace.
- E. The Appointing Authority will not knowingly hire an individual whose current use of alcohol would prevent him/her from performing the job or who would constitute a direct threat to the property or safety of himself/herself or others. The Appointing Authority will not knowingly hire an individual who is currently using illegal drugs. Whenever an employee or applicant for employment must be tested, he/she will be informed of the test requirements before the test is administered.
- F. Procedure to follow when an individual is reasonably suspected to be under the influence of drugs or alcohol while on duty:
  - 1. An employee who suspects that another employee is under the influence of drugs or alcohol should notify the employee's Appointing Authority or supervisor.
  - 2. The Appointing Authority or supervisor will observe the employee and determine, through observation and questioning, if the employee is ill, fatigued, under the influence of prescribed drugs, reacting to environmental substances such as smoke or fumes or possible under the influence of alcohol or illegal drugs. The Appointing Authority or supervisor will record his/her observations and any information gathered from the employee.

3. If the Appointing Authority is not part of the observation/investigation process, the Appointing Authority or his/her designee will be contacted prior to the employee being sent for testing.
  4. Prior to testing, the employee will be given a written statement documenting the specific objective facts leading to reasonable suspicion. The employee will be given an opportunity to read and understand the reasons for requiring a test and will have the opportunity to respond and/or provide a written statement. The employee may be accompanied by another employee during such explanation.
  5. Refusal to submit to testing will result in disciplinary action up to and including discharge.
  6. The employee will lose no straight time pay during the testing process.
  7. Testing procedure:
    - a. Testing will be done by a laboratory certified by the State of Ohio as a medical and forensic laboratory that complies with the scientific and technical guidelines for federal drug testing programs.
    - b. Specimens will be collected according to the laboratory's established procedures to ensure procedural integrity and a chain of evidence.
    - c. An employee with a positive test result may request that the laboratory conduct a confirming test at the employer's cost.
    - d. If the test results show the employee was under the influence of drugs or alcohol while on duty, the appropriate disciplinary action will be administered. (See Section 11.2 PROGRESSIVE DISCIPLINE).
    - e. If the test results are below the levels set by the laboratory as positive, the results will be reported as negative and all documents regarding supervisor's observations and testing will be destroyed. Drug testing results will be kept in a separate file from the employee's personnel file.
- G. If an employee's performance or conduct indicates that an employee is dependent upon controlled substances or alcohol, the Appointing Authority may require the employee to be evaluated by an approved drug/alcohol rehabilitation program, as outlined below. An employee experiencing problems resulting from drug or alcohol abuse or dependency should seek counseling. An employee who seeks voluntary treatment or assistance prior to detection will not have job security, promotional opportunities or other job conditions jeopardized by such a request.
1. The employee will be on paid administrative leave during the evaluation process, if he/she reports for the evaluation at the appointed time.

2. If the employee is found to be dependent upon controlled substances or alcohol, he/she may request family/medical leave during the treatment program and until he/she is released by his/her physician to return to work. (See Section 5.7(A) FAMILY OR MEDICAL LEAVE).
  3. Counseling will be kept confidential and will have no influence upon the employee's performance appraisal. Performance alone will be the basis of all performance appraisals.
- H. Failure to cooperate with an established treatment plan may result in discipline, up to and including discharge.

## Section 8.10 Drug – Free Workplace

- I. The County has a zero tolerance policy for employees who are under the influence of drugs or alcohol while at work. Employees who are using medical marijuana as authorized by Ohio law are not exempt from this policy in any way. The use of marijuana in any form for any purpose, authorized for medicinal purposes or unauthorized, will be treated the same as the use of all other Schedule 1 controlled substances, illegal drugs, or the abuse of legal drugs. Employees using Schedule 1 controlled substances or illegal drugs, including medical marijuana authorized by and in accordance with Ohio law, are still subject to all provisions of this policy and may be subject to discipline including termination for such use.

A. General

Coshocton County's policy is to provide or contract for communication services and the equipment necessary to promote the efficient conduct of County business. Communication equipment and services include, but are not limited to, mail, electronic mail ("e-mail"), courier services, facsimiles, telephone systems, personal computers, computer networks, on-line services, Internet systems, computer files, telex systems, video equipment, tape recorders and recordings, pagers, cellular phones, and bulletin boards.

Supervisors are responsible for instructing employees on the proper use of communication services and equipment used by the County for both internal and external business-related communications.

All County communication services and equipment, including the messages transmitted or stored by county communication services, are the sole property of the County. The County may access and monitor employee communications and files as needed. **EMPLOYEES SHALL HAVE NO EXPECTATION OF PRIVACY IN THEIR USAGE OF COUNTY COMMUNICATION SERVICES AND EQUIPMENT.**

Employees shall not use County communication services and equipment for personal purposes unless otherwise allowed by County policy. All outgoing messages, whether by mail, facsimile, e-mail, Internet transmission, or any other means, are public records and must be accurate, appropriate, and work-related. Employees may not use the County's address for receiving personal mail or use County stationery or postage for sending personal mail. No employee shall tamper with, alter or sabotage any County computer, hardware or the information maintained on it.

B. Telephones and Voice Mail

- Employees may make and receive personal calls during scheduled work hours (personal calls are those determined not to be necessary in the interest of the County) from County telephones when those calls do not incur additional charges to the County. In making personal calls, employees shall ensure that:
  - a) All long-distance calls are made at their own expense, e.g., charged to personal calling or credit cards, home telephone or other non-County telephone numbers;
  - b) The calls do not adversely affect the performance of official duties or the organization's work performance;
  - c) The calls are not made for an improper or illegal purpose; and
  - d) The calls are of reasonable duration and frequency.
- Supervisors and managers will determine whether personal telephone calls are of reasonable length, and in the interest of the County,

based on employees' work schedule, co-worker needs, office work demands, length of work day, etc.

- The voice mail system is maintained for the benefit of the County and it may be monitored by the County at any time without prior notice. The system is a County asset and all entries are County property. Improper use of the voice mail system or its use for personal or non-business purposes may lead to disciplinary action.

#### C. Personal Cellular Phones

- While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of county phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. The County as a general rule expects employees to limit personal calls during the work time to one per day. Personal phone calls should not unreasonably interfere with their job duties. Employees are therefore asked to make any other personal calls on break time where possible and to ensure that friends and family members are aware of the County's policy. Flexibility will be provided in circumstances demanding immediate attention.
- The County will not be liable for the loss of or damage to personal cellular phones brought into the workplace.

#### D. Personal Use of County-Provided Cellular Phones

- Where job or business needs demand immediate access to an employee, the County may issue a business cellular phone to an employee for work-related communications. Employees must complete and submit a signed requisition/approval form to their supervisor to ensure that sufficient funding is available and that the employee has an official need for the cellular phone. Supervisors shall annually review an inventory of users to ensure designated employees continue to demonstrate a need for cellular phones.
- In order to protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used for business reasons only. Employees should make every effort to avoid using cellular phones for personal use. Employees are responsible for using all means available to verify that they are not using over their minutes, (internet, text message to see how many minutes used, copy of phone bill to employee). Phone logs will be audited regularly by the supervisor to ensure no unauthorized use has occurred. Any detected abuse or misuse will result in corrective disciplinary action.
- If an employee experiences a personal situation that results in the need to use the County's cellular phone, he or she is required to report this use to the department head or supervisor within 48 hours specifying the number called

and the reason for the call. The employee must reimburse the County for any personal calls. If there is no charge for the call billed, i.e., the set number of minutes for the calling plan used are not exceeded, then no reimbursement is needed. Employees must highlight personal calls on the monthly bill to delineate those costs which are not reimbursable. There are potential costs for which the County will not reimburse employees. These may include: roaming charges, long distance charges, costs for calling directory assistance, web usage and download fees, and any other charges above and beyond the regular monthly service charge.

- Failure to reimburse the County for the cost of the call will result in disciplinary action and could result in tax liability for the employee.
- Employees in possession of County equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within 24 hours may be expected to bear the cost of a replacement out of their last paycheck.
- Employees who separate from employment with outstanding debts for equipment loss or damage or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

E. Safety Issues for Cellular Phone Use of Personal and County-Provided Cellular Phones

- Employees whose job responsibilities include regular or occasional driving of a County vehicle or their personal vehicle are only to use their personal or County issued cellular phone when it can be done safely. This ensures the safety of the employee while reducing county liability in case of an accident. **Safety must come before all other concerns.** Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic or inclement weather or where the employee is driving in an unfamiliar area.
- In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment will be provided for County issued cellular phones to facilitate the provisions of this policy. Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cellular phone for business use, are also

expected to abide by the provisions above. Under no circumstances are employees to place themselves at risk to fulfill business needs.

- Employees will be personally responsible for all traffic violations resulting from the use of their cell phone while driving.

F. Camera or Picture Cell Phones

Because of the threat to privacy and possible security issues, employees must get permission from their Elected Official, Department Head or Supervisor before using a camera or picture cell phone while they are on their employer's premises.

G. Violations

- Improper use of County communication systems and equipment will result in discipline, up to and including discharge. Improper use includes but is not limited to any misuse as described in this policy as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, or sexually suggestive uses of written, recorded, or electronically transmitted messages.
- Employees who discover a violation of this policy shall immediately notify their Elected Official, Department Head, or supervisor.
- The County also reserves the right to advise appropriate officials of any illegal activities.

- A. Approval for all speaking engagements on behalf of the County must be secured from the Appointing Authority, unless such presentation is a regular part of the employee's duties.
- B. Non-exempt employees are compensated for time spent on approved speaking engagements, including travel time.

- A. A court-ordered legal claim by a creditor against the wages of an employee for non-payment of a debt that is served to the County by the constituted legal authority is a garnishment and will be recognized and executed by the Auditor.
- B. Repeated or multiple garnishments of an employee's wages, not including the court-mandated deduction of child support payments, may result in disciplinary action.
- C. When a garnishment is received by the County, the Appointing Authority will discuss the garnishment with the employee.
  - 1. If the garnishment is the first one received by an employee, he/she will be advised of the consequences of further garnishments. Every reasonable effort will be made to assist the employee in resolving his/her financial difficulties through referral to assistance agencies.
  - 2. If the garnishment is the second one received by the employee, the employee may be subject to disciplinary action. (See Section 11. 2 PROGRESSIVE DISCIPLINE).

In general, employee dress and grooming should reflect a professional, neat appearance. Where uniforms are provided, they are to be kept clean and pressed, if laundering is not provided. Articles of clothing or accessories should not be a distraction in the workplace.

In some circumstances, employees may be more restricted in dress and appearance. Certain articles of clothing may be mandated for safety reasons, e.g., steel toed safety shoes or boots. Similarly, there may be some positions in which long hair, long facial hair or large or dangling jewelry cannot be worn at work due to the potential of injury to the employee or co-workers. For example, long hair, beards or jewelry can get caught in equipment or tools causing injury to an employee and, possibly harm to others.

Employees are typically trusted to exercise common sense when it comes to personal dress and grooming. However, if necessary, an employee may be required to go home and change, or to take steps to minimize the risk to the employee or others in the workplace.

The County does not permit gambling, in any form, by employees during work time. For the purpose of this policy, work time includes regular work hours, lunch periods, clean-up time and other breaks.

- A. Unauthorized persons are not permitted on County property for solicitation or distribution.
- B. Solicitation, distribution or selling by non-employees is prohibited, except by authorized vendors engaged in sales of equipment, services and supplies to the County.
- C. Sales efforts by vendors are allowed when scheduled and authorized by the Appointing Authority.
- D. Solicitation, distribution or selling among employees is restricted to off-duty periods in non-work areas.
- D. The County may authorize certain charitable programs and social or recreational activities that may involve solicitation or support from employees, such as United Way campaigns. An employee may volunteer to assist in these programs. However, an employee will not be discriminated against because of his/her willingness or unwillingness to participate.

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**PUBLIC RECORDS**

**SECTION 8.17**

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**Public Records**

Coshocton County and all employees shall strictly adhere with the Ohio's Public Record Act, Chapter 149 of the Ohio Revised Code. The County's public records policy is incorporated herein. Further, all Departments and Appointing Authorities shall keep a copy of the Public Records Policy Schedule of Records Retention ready and available for reference at any time. If an employee receives a request to copy or inspect County records, the employee must relay that request to his or her Department Head or Appointing Authority immediately. Violation of this policy will result in discipline, including termination.

Approved  
8/28/13  
Jr. 54, pg. 66

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***CHAPTER 9***  
***HEALTH AND SAFETY***

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Section 9.1	Smoking Policy
Section 9.2	Exposure to Contagious Disease
Section 9.3	On-the-Job Accidents and Injury
Section 9.4	Workplace Safety and Health
	Good Faith Refusal to Work under Dangerous Conditions
	Safety Training

- A. Smoking is prohibited in all areas, facilities, vehicles and equipment of Coshocton County. Smoking in a non-smoking area is grounds for disciplinary action.
- B. Each agency or Appointing Authority with control of a County owned building may, at his/her discretion designate an outdoor smoking area in accordance with the Smoke Free Workplace Act. Smoking is prohibited anywhere on County property other than designated outdoor smoking areas.

- A. An employee is required to report any exposure to a contagious disease that might pose a direct threat to health and safety in the workplace.
- B. The Appointing Authority may remove or reassign an infected or contagious employee or co-worker, if a secondary infection would pose a higher than usual risk to the employee, co-workers or others.
- C. An employee who is at risk of exposure to blood-borne or contagious diseases will 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.
- D. An employee concerned about being infected with a contagious disease while in the workplace should convey this concern to his/her supervisor. An employee who refuses to work with or perform services for a person known or suspected to have a contagious disease that does not present a current direct threat in the workplace is subject to discipline, up to and including discharge.
- E. Information relating to a contagious disease in the workplace will be disclosed to employees when the information is necessary to protect the health or safety of employees or others. The necessity of disclosure will be determined by the Appointing Authority.

- A. An employee who is injured and/or involved in an accident (regardless of how minor) arising out of and in the course of employment with Coshocton County must notify his/her supervisor immediately and must complete an accident report recording all pertinent and factual information about the accident. This report must be completed for each work-related accident or injury, whether or not the employee requires medical attention. The report is to be forwarded to the Risk Manager within twenty-four (24) hours of the accident and/or injury. In the event of a serious injury, the Appointing Authority must be notified immediately so that an investigation can be initiated. A Workers' Compensation claim for an unreported injury will not be certified unless the injury required immediate medical attention and was documented by the supervisor. (See Section 5.1(E) WORKERS' COMPENSATION).
- B. If an injury requires medical attention, the supervisor will provide the injured employee with a "Doctor's Report of Injury" form, which is to be completed by the attending health care provider. This completed report must be forwarded to Risk Manager at the earliest possible date.
- C. The employee who cannot return to work after an on-the-job injury is responsible for notifying the supervisor and/or Appointing Authority of his/her expected date of return as soon as it is known and for keeping the Appointing Authority apprised of his/her condition. An injured employee is required to comply with all treatment plans prescribed by the attending health care provider and return to work as soon as possible.
- D. Should an employee who is injured in the line of duty leave work before completing the workday, he/she will be paid at his/her regular rate for the balance of time left in the scheduled workday. Further absence may require the employee to apply for benefits pursuant to Workers' Compensation.
- E. Any employee who suffers a compensable work-related injury or occupational illness may elect to use accrued sick leave and/or vacation prior to receiving payments from Workers' Compensation. (See Section 5.1(E) WORKERS' COMPENSATION).
- F. Any leave, whether paid or unpaid, taken due to an on-the-job injury that qualifies as a "serious health condition" under the Family and Medical Leave Act, will be counted as part of the twelve (12) week entitlement provided under that Act.

- A. Coshocton County regards workplace safety as a fundamental value of the organization and all elected officials are committed to the safety and health of his/her employees and the public he/she serves. The Appointing Authority will ensure that work processes and work sites are regularly inspected in order to anticipate and prevent harmful incidents.
- B. Employer Duties. The County shall:
1. Provide a place of employment free from recognized hazards; and
  2. Provide employees with periodic training on all aspects of safety policies and procedures.
- C. Employee Duties. Each employee shall:
1. Comply with all safety and health standards, rules and regulations;
  2. Notify his/her supervisor and/or Appointing Authority immediately of any accident or incident that occurs on the job or on County property. Damaged or malfunctioning machines or equipment must be reported immediately.
  3. An employee who observes a hazard must immediately report his/her observations to his/her supervisor or the Appointing Authority.
- D. An employee has the right to request an inspection by the Administrator of Workers' Compensation for any violation of work safety standard that he/she believes threatens physical harm or creates imminent danger. The inspection can be requested by filing a written notification with the Administrator of Workers' Compensation. The identity of an employee requesting an inspection will be confidential. Employees should initially attempt to have the unsafe or unhealthy conditions corrected through their own procedures by contacting their immediate supervisor.
- E. Enforcement. The division of safety and hygiene of the Bureau of Workers' Compensation will:
1. Inspect job sites for unsafe and unhealthy conditions following a request to do so by a public employee, public employee representative, or public employer; and
  2. Issue citations requiring public employers to correct safety and health violations.
- F. GOOD FAITH REFUSAL TO WORK UNDER DANGEROUS CONDITIONS
1. An employee may refuse to work, only if all the following conditions are met:
    - a. The employee acts in good faith;

- b. The employee believes that his/her work conditions present an imminent danger of death or disabling injury; and
    - c. Such conditions are not normal or do not reasonably exist in the occupation of the employee.
  2. In addition, the employee must be able to show that:
    - a. He/she has requested that the employer correct the dangerous situation, but the conditions remain uncorrected;
    - b. There was sufficient time to eliminate the danger by requesting an inspection, as described above; and
    - c. A reasonable person would perceive the employee to be in imminent danger of death or serious harm.
  3. The employee must notify his or her supervisor of the imminent dangerous condition and notify the Administrator of Workers' Compensation, in writing, of the dangerous condition, as soon as practicable after the refusal to work.
4. An employee having met all of the conditions outlined above, and refusing to work, may be reassigned.
5. Disciplinary action will be imposed on any employee who refuses to perform assigned tasks without meeting all of the conditions set forth for refusal. Employees cannot be discharged or otherwise discriminated against in any manner for filing a complaint or by instituting or causing to be instituted a complaint. Discrimination complaints must be filed with the State Personnel Board of Review within sixty (60) days of the discriminatory act or be pursued through provisions under a collective bargaining agreement.

#### G. SAFETY TRAINING

1. An employee will receive appropriate safety training upon hire.
2. Training will include proper safety measures for the general work site and specific safety training on any equipment, machinery or other elements that are considered a normal part of the job.
3. An employee is required to attend periodic re-training sessions, as determined by the Appointing Authority.
4. It is the employee's responsibility to request re-training if he/she is not certain of the safety practices for any part of his/her job.
5. An employee will be paid for attendance at any required training sessions.

- H. Within eight (8) hours after a death of any employee from a work-related incident, or the in-patient hospitalization of three (3) or more employees, the employer is required to contact the Division of Safety and Hygiene.

For additional information, contact:  
Ohio Bureau of Workers' Compensation  
Division of Safety and Hygiene  
Public Employment Risk Reduction Program  
13430 Yarmouth Drive  
Pickerington, Ohio 43147

Phone: 614-644-2246 or 800-671-6858

Fax: 614-644-3133

Refusal to Work Phone: 614-731-4380

Fatality/multiple hospitalization reporting phone: 614-731-4380

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***CHAPTER 10***  
***COMPLAINT PROCEDURE***

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Section 10.1	Complaint Procedure
Section 10.2	Fraud Reporting

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- A. A complaint is any allegation that the County has not abided by law or policy as it relates to employment. A formal complaint exists when an informal resolution to a dispute cannot be achieved and the employee making the complaint has submitted a written complaint to his/her immediate supervisor. A complaint regarding alleged violations of civil rights (discrimination on the basis of race, color, genetic information, military status, age, religion, sex, national origin or disability) should be brought to the County's attention pursuant to the policy set forth in Section 8.8.
- B. Complaints are to be settled at the earliest possible step of the procedure. The employee must proceed through each step of the complaint procedure in proper order and within the prescribed time limits. Where a complaint cites issues of law that the individual hearing the complaint cannot address, the complaint will be sent to the Prosecutor's office for an opinion before proceeding. All time limits stated in this procedure will be held in abeyance until a response from the Prosecutor is received.
- C. Nothing in this policy is intended to deny an employee any rights available by law, including the right to appeal to the State Personnel Board of Review, the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission or any court of competent jurisdiction. However, if the employee elects to file a complaint on a matter over which another administrative body or court has jurisdiction, it is the employee's responsibility to meet the criteria for filing with that administrative body or court.
- D. A complainant may be accompanied by one (1) other employee during any meetings held to resolve the complaint, except during the informal resolution.
- E. A written complaint must state the reason for the complaint and the requested resolution.
- F. Complaints will not be made a part of an employee's personnel file.
- G. The following procedure will be followed in processing a complaint:
1. Informal Resolution: Within five (5) workdays of the event prompting the complaint, the employee must meet with his/her supervisor or an appropriate management level employee to try to resolve the issue.
  2. Level One: If the issue is not successfully resolved through the informal resolution step, the employee may, within five (5) workdays of the informal resolution meeting, file a written complaint with his/her immediate supervisor. The written complaint must state the reason for the complaint and the requested resolution. The supervisor will reply in writing to the written complaint within five (5) workdays of its receipt.
  3. Level Two: If the Level One response is not acceptable, the employee may, within five (5) workdays of its receipt, appeal in writing to the department head. The department head will respond in writing within ten (10) workdays of receipt of the appeal.

4. Level Three: The decision of the department head may be appealed to the Appointing Authority within five (5) working days of receipt by the employee. The Appointing Authority will conduct an investigation and may hear oral testimony from the complainant. The Appointing Authority will submit his/her written decision within ten (10) workdays following the conclusion of the investigation. The decision of the Appointing Authority is final.
- H. When management does not respond within the established time limits, the employee may appeal the complaint to the next level. When an employee does not appeal within the established time limits, the complaint is deemed settled with the last management response. Time limits may be extended only by mutual written agreement of the parties due to extenuating circumstances.
  - I. Complaints which arise as a result of actions of individuals at a certain level of the complaint procedure should be submitted at that step. (For example, complaints relating to policies issued by the Appointing Authority should be submitted directly at that step.)

The Auditor of State has established and maintains a system for the reporting of fraud, including misuse and misappropriation of public money, by any public office or public official. The system allows Ohio residents and the employees of any public office to make anonymous complaints through a toll-free telephone number, the auditor of state's web site, or the United States mail to the auditor of state's office. The auditor of state shall review all complaints in a timely manner. The Auditor of State also keeps a log of all complaints filed under this section, which is a public record under section 149.43 of the Revised Code. The log shall include the date the complaint was received, a general description of the nature of the complaint, the name of the public office or agency with regard to which the complaint is directed, and a general description of the status of the review by the auditor of state. If section 149.43 of the Revised Code or another statute provides for an applicable exemption from the definition of public record for the information recorded on the log, that information may be redacted.

Proper reports of fraud to the Auditor of State are protected under the whistleblower protections of Ohio Revised Code 124.341

Please see below the methods for filing a complaint.

1. By U.S. Mail: a written complaint may be filed at:

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

2. By phone call:

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

3. Online:

[www.Ohioauditor.gov](http://www.Ohioauditor.gov) (Report Fraud Link)

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## *DISCIPLINE*

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Section 11.1	Disciplinary Authority
Section 11.2	Progressive Discipline
	General Rules of Conduct
	Safety and Health
	Misuse of Property
	Implementation of Disciplinary Policy
Section 11.3	Appeals

- A. A classified employee may be reduced in pay or position, suspended, terminated or otherwise disciplined by the Appointing Authority for, among other reasons, incompetence, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of departmental regulations or any other failure of good behavior or for any other act of misfeasance, malfeasance or nonfeasance in office.
- B. An unclassified employee may be removed at any time for any or no reason, and no reason need be given.
- C. The Appointing Authority is obliged to investigate the nature of alleged infractions to determine if a violation of law or policy has occurred. Employees must provide complete and accurate information during any investigation. The employee will be informed of any rights he/she may have during an investigation. An employee may be placed on paid administrative leave during the investigation.

- A. Employees are hereby advised of expected job behavior, the types of conduct that are unacceptable and the penalties for unacceptable behavior.
- B. All Employees are expected to perform their duties in a competent, efficient, and professional manner and to abide by the policies contained in this manual as well as work rules that may be established for your department. Further, Employees are required to act courteously and cooperatively with their fellow Employees, Supervisors, and the public. When Employee conduct falls below these standards, disciplinary action may be warranted.

In order to promote the common good and welfare of the County and its Employees, the County has, based on Ohio Revised Code 124.34, established rules of conduct. The commission of any of the acts listed below will result in disciplinary action ranging from written reprimands to suspension or removal depending on the act and the circumstances. This list is intended to be illustrative, and it is not exhaustive.

**A. General Rules of Conduct**

1. Excessive tardiness or absence;
2. Absence without notification;
3. Leaving County premises during working hours without permission;
4. Failing to report absence;
5. Failing to return from Leave of Absence as scheduled;
6. Improper use of benefits;
7. Punching (or completing) another employee's time record or allowing another to punch (or complete) one's time record,
8. Neglect of duty and/or failure to perform assigned duties;
9. Failure to follow established work procedures and policies;
10. Insubordination;
11. Restricting own production or interfering with production of other Employees;
12. Loafing, loitering, or sleeping on the job;
13. Conducting personal business on County time;

14. Fighting or committing an assault;
15. Mistreatment of members of the public, fellow Employees, or supervisory personnel;
16. Using abusive or threatening language;
17. Gambling on County premises or County time;
18. Using, selling, or being under the influence of marihuana, narcotics, or other dangerous drugs on County premises;
19. Disorderly, offensive, or immoral conduct;
20. Falsifying any County records or employment application; and,
21. Stealing or commission of any criminal offense on County property.

**B. Safety and Health**

22. Violating safety regulations;
23. Horseplay or use of machinery, equipment, or tools in a hazardous manner;
24. Possessing firearms, weapons, explosives, and so forth, on the premises; with the exception of ORC. 2923.1210, A Ban on prohibiting those with valid concealed carry permits from storing or transporting firearm (Effective March 21, 2017).

A. A business entity, property owner, or public or private employer may not establish, maintain, or enforce a policy or rule that prohibits or has the effect of prohibiting a person who has been issued a valid concealed handgun license from transporting or storing a firearm or ammunition when both of the following conditions are met:

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

B. No business entity, property owner, or public or private employer shall be held liable in any civil action for damages, injuries, or death resulting from or arising out of another person's action involving a firearm or ammunition transported or stored pursuant to division (A) of this section including the theft of a firearm from an employee's or invitee's automobile, unless the business entity, property owner, or public or private employer intentionally solicited or procured the other person's injurious actions.

25. Failing to make immediate report of an occupational injury;

26. Creating or contributing to any unsanitary condition;

**C. Misuse of Property**

27. Damage to or improper use of County property either willfully or through gross negligence;

28. Intentional making of scrap or waste;

29. Unauthorized possession of County property;

30. Disclosure of confidential County information to non-Employees without proper authorization;

31. Failure to properly park or operate personal automobiles on County property'

32. Unauthorized use of Bulletin Boards; and

33. Posting notices in unauthorized places.

#### D. Implementation of Disciplinary Policy

It is the policy of Coshocton County that Disciplinary Action against Employees in the classified service who are outside their probationary period will only be for cause. The County adheres to the principles of progressive discipline. These principles require that disciplinary action be commensurate with the offense. An appointing authority will consider all relevant factors when imposing discipline, including but not limited to, the nature of the offense, the employee's position, the impact of the County and the employee's work record.

Discipline may include one or more written reprimands, suspensions without pay, or reductions in pay and/or position prior to final removal. In determining the appropriate level of discipline, consideration will be given to the nature and seriousness of the offense, the Employee's prior disciplinary record and performance, and the Employee's length of service. **Note that some offenses may result in immediate termination.**

Before imposing a reduction in pay, demotion, suspension or removal to a classified civil service employee, the County shall hold a predisciplinary conference with the employee to give the employee an opportunity to learn the reasons for the intended disciplinary action and to respond to the charges. The employee has the right to be accompanied at the predisciplinary conference by a representative of his own choosing. The predisciplinary conference will be scheduled as promptly as possible. The County may impose reasonable rules on the length of the predisciplinary conference and the conduct of the participants. The County may tape-record the predisciplinary conference, as may the employee or his representative. If the County determines that the employee's continued employment prior to the conference poses a danger to persons or property or a threat of disrupting operations, the Appointing Authority may place the employee on administrative leave with pay pending the determination of the final disciplinary action.

Prior to the predisciplinary conference, the County shall provide to the employee a list of alleged improper conduct and a summary of the evidence concerning the disciplinary charges. Generally, this information will be provided to the employee at least twenty-four (24) hours before the predisciplinary conference.

At the predisciplinary conference the employee will be given an opportunity to respond to the allegations. The employee may be accompanied by legal counsel. The employee does not have the right to call or cross-examine witnesses. The employee may waive the predisciplinary conference. Failure to attend the predisciplinary conference will be considered a waiver of the predisciplinary conference.

Upon completion of the predisciplinary conference the County shall determine the appropriate discipline, if any. The employee will be notified of the disciplinary action in accordance with law.

- E. A copy of any written Disciplinary Action shall be given to the affected Employee and shall also be placed in the affected Employee's personnel file.
- F. A final disciplinary order involving Employees in the Classified Service of the County that results in suspension over twentyfour (24) hours for employees subject to the overtime

provisions of the Fair Labor Standards Act or forty (40) hours for employees exempt from the overtime provisions of the Fair Labor Standards Act, reduction in pay or position, or removal, may be appealed to the State Personnel Board of Review in accordance with Ohio Revised Code 124.34.

An employee may be placed on paid administrative leave pending the investigation of alleged violations of County policy. Employees placed on leave are to remain at home or otherwise available for questioning during regular business hours. Employees who are placed on administrative leave are encouraged not to communicate the nature of the leave with others (except an attorney or member of the employee's immediate household) so that a thorough and impartial investigation can be completed.

- A. Personnel actions such as removals, suspensions, reductions in pay or position and layoffs may be appealed as follows:
1. An unclassified employee may appeal through the in-house complaint procedure. (See Section 10.1 COMPLAINT PROCEDURE).
  2. A classified employee who is not exempt from the overtime provisions of the FLSA may appeal a removal, suspension of twenty-four (24) hours or more, reduction in pay or position or layoff to the State Personnel Board of Review. An employee who appeals to the State Personnel Board of Review may not use the complaint procedure. Suspensions of or less than twenty-four (24) hours may be appealed through the in-house complaint procedure only. (For classified employees who are exempt from the overtime provisions of the FLSA, the suspension must be for forty (40) hours or more in order to appeal to the State Personnel Board of Review.)
- B. Appeal of a removal, reduction in pay or position or suspension of twenty-four (24) (or forty (40)) hours or more must be filed with the State Personnel Board of Review within ten (10) days of receipt of the order.
- C. The State Personnel Board of Review maintains authority to decide whether an appeal warrants a hearing. When an appeal is heard, the State Personnel Board of Review may affirm, disaffirm or modify personnel decisions made by the Appointing Authority.
- D. An employee who is removed as a result of a felony conviction may not appeal the action to the State Personnel Board of Review.

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**CHAPTER 12**  
**SEPARATION FROM EMPLOYMENT**

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Section 12.1	Voluntary Separation Resignation Abandonment Retirement - Public Employees' Retirement System (PERS)
Section 12.2	Involuntary Termination Probationary Removal Neglect of Duty Disciplinary Discharge Layoff
Section 12.3	Termination Benefits Sick Leave Conversion Health Care Benefits Continuation (COBRA) PERS - Disability and Survivor Benefits Accrued Leave Unemployment Compensation
Section 12.4	Exit Interview

**A. RESIGNATION**

1. Resignation in good standing requires a minimum of two (2) weeks' notice.
2. Resignation must be in writing and submitted to the Appointing Authority for acceptance.
3. An employee who does not resign in good standing is ineligible for reinstatement.

**B. ABANDONMENT**

1. An employee who fails to return from a leave of absence within three (3) working days of its expiration or has three (3) days of "no call, no show" is subject to removal.
2. If at any time within thirty (30) days of termination due to abandonment a classified employee makes a satisfactory explanation of the cause of his/her absence to the Appointing Authority, he/she may be reinstated.
3. An employee who has abandoned his/her position is not eligible for future employment with the County.

**C. RETIREMENT**

1. An employee should notify the Appointing Authority at least ninety (90) days advanced notice of the date when he/she intends to retire.
2. PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)
  - a. The Retirement Board of PERS is responsible for the administration and management of PERS. If you have questions about eligibility for retirement or retirement benefits, contact PERS directly at:

277 E. Town Street  
Columbus, Ohio 43215  
(614) 466-2085

**A. PROBATIONARY REMOVAL**

1. A newly-appointed probationary employee in a classified position may be removed by the Appointing Authority at any time during his/her probationary period.
2. Probationary removal will occur when, in the judgment of the Appointing Authority, the employee's fitness and/or quality of work do not merit continuation in the job or for any other reason deemed appropriate by the Appointing Authority.
3. Probationary removal may not be appealed to the State Personnel Board of Review and is not subject to the complaint procedure.
4. The Appointing Authority need give no reason for removal to the employee.

**B. NEGLIGENCE OF DUTY**

1. Failure to report to work within three (3) days after a leave of absence has expired or has been disapproved or revoked and cancelled by the Appointing Authority shall be considered "neglect of duty" and cause for discharge.
2. If an employee discharged for neglect of duty makes satisfactory explanation to the Appointing Authority of the cause of failure to report to work, the Appointing Authority may then order the employee's reinstatement.

**C. DISCIPLINARY DISCHARGE**

1. Discharge is a serious disciplinary measure taken when less severe methods of discipline have not produced appropriate behavior or when a serious infraction so warrants.
2. The discharge of a classified employee may be appealed to the State Personnel Board of Review. (See Section 11.4 APPEALS).
3. An unclassified employee may appeal through the complaint procedure.

**D. LAYOFF**

A layoff of employees may become necessary due to a change in finances or workload, elimination of position or a reorganization of job responsibilities.

Layoffs may occur due to a lack of funds, which is defined as a present or projected inability to fund the position. A lack of funds is presumed if the position is funded by a grant or other direct funding source which is reduced or eliminated.

A layoff may also occur due to lack of work, which is defined as a current or projected decrease in workload that requires a reduction of current or projected staffing levels.

A layoff may also occur due to a reorganization of job responsibilities that results in the abolishment of a position.

An employee will be notified at least two (2) weeks before the effective date of a layoff. All employees potentially affected by a layoff may be notified at the same time. Once all employees' displacement rights have been determined, final notices will be sent to affected employees two weeks prior to the effective date.

Whenever it becomes necessary to layoff classified employees in a classification, they will be placed on layoff according to length of county service in the following order: part-time probation part-time permanent fulltime probation and full-time permanent employees. Unclassified employees may be placed on layoff as deemed appropriate by the Board to ensure the delivery of services.

The order of classified employee layoff within each appointment category will be established on the basis of retention points for continuous service, as follows:

- a. Each employee will be assigned a base of one hundred (100) retention points and will earn one (1) additional retention point for each pay period of full-time service or excluding overtime hours. Part-time employees earn  $\frac{1}{2}$  of one retention point for each pay period of part-time service.
- b. Any separation from service of thirty-one (31) or more days constitutes a break in service.
- c. Continuous service is not broken by any of the following:
  - 1) Resignation or termination followed by reinstatement within twelve (12) months to the same position. Service credit does not accumulate during the period of separation.
  - 2) Transfer from one department or agency to another.
  - 3) Authorized leave of absence, including military service. Credit continues to accumulate during the period of military leave, provided the employee returns to work following the leave. For all other unpaid leaves, credit does not accumulate during the period of leave.
  - 4) Authorized disability separation so long as reemployment occurs within the allowable time. Service credit does not accumulate during the period of separation.
  - 5) Layoff, if the employee is reinstated or re-employed within one (1) year of the date of layoff. Credit continues to accumulate during the period of leave.

The employee with the lowest number of retention points in a classification will be placed on layoff first.

An employee who has been placed on layoff from his/her current classification may displace an employee with fewer retention points in a lower classification, if the employee is fully qualified to perform the job duties.

A list containing the names of all employees who have been placed on layoff will be established and remain in effect for one (1) year.

An employee on the layoff list will be recalled to a vacancy within the classification at the time of layoff or any lower classification within the same classification series in reverse order of layoff (that is, the employee most recently placed on layoff will be recalled first.)

Appeal of a layoff may be made to the State Personnel Board of Review within ten (10) days of an employee's receipt of notice. (See Section 11.4 APPEALS).

Employees are responsible for keeping the Appointing Authority informed of any changes in address, phone number or other contact information. All communication with laid off employees will be via U.S. mail at the employee's last known address.

**A. SICK LEAVE CONVERSION**

1. At the time of disability or service retirement, an employee with ten (10) or more years service with any political subdivision of the State of Ohio may choose to be paid in cash for one-fourth ( $\frac{1}{4}$ ) the value of his/her earned but unused sick leave credit to a maximum of two hundred forty (240) hours pay.
2. Payment is based upon the employee's rate of pay at the time of retirement.
3. Payment will eliminate all accrued sick leave to the employee's credit at the time of payment. Such payment may be made to an employee only once.
4. An eligible employee who dies is considered to have terminated his/her employment as of the date of death. Sick leave conversion will be paid according to Ohio Revised Code Section 2113.04 or paid to the employee's estate.
5. An employee who elects not to receive payment for unused sick leave upon retirement will be credited with his/her balance of accumulated sick leave upon reemployment in another agency within the State of Ohio, provided the time between separation and reappointment does not exceed ten (10) years.

**B. HEALTH CARE BENEFITS CONTINUATION (COBRA)**

In certain instances, employees and their families have the right to temporarily extend their health care benefits at group rates.

1. An employee covered by the County's health care plan has a right to choose this continuation coverage if he/she would lose group coverage because of:
  - a. A reduction in hours of work below the minimum required for eligibility under the plan, or
  - b. Termination of employment for any reason other than gross misconduct.
2. An employee's spouse and dependent children covered by the County's health care plan have the right to continuation coverage if group health care coverage under the County's plan would be lost due to a "qualifying event" such as:
  - a. Death of the employee;
  - b. Termination of the employee's employment for any reason other than gross misconduct;
  - c. Reduction in the employee's hours of work below the minimum required for eligibility under the plan;

- d. Divorce or legal separation;
  - e. Employee becoming entitled to Medicare; or
  - f. Dependent child ceasing to be a "dependent child" under the terms of the County's health care plan.
3. The employee/dependent must notify the Payroll Clerk of his/her decision to extend benefits within sixty (60) days of the qualifying event or the date of eligibility notice, whichever is longer.
  4. Any person who is covered under the employee's plan on the day before a qualifying event and who will lose coverage, will be considered a "qualified beneficiary."
  5. If the qualified beneficiary does not choose continuation coverage, group health care coverage will end.
  6. Qualified beneficiaries need not show they are insurable in order to qualify for continuation coverage.
  7. Qualified beneficiaries must pay the County the full premium at applicable rates as determined by the plan actuary, plus a service fee. Late payments may result in loss of coverage.
  8. Within sixty (60) days, the employee is responsible for notifying the Payroll Clerk of any of the following "qualifying events:"
    - Divorce;
    - Legal separation; or
    - Loss of dependent eligibility under the plan requirements (age or student status).
  9. Questions about this policy may be directed to the Payroll Clerk.
  10. Employees are responsible for notifying the Payroll Clerk of any change in status including, for example, marital status, dependent status or residence.
  11. The following procedure will be used for notifying employees of COBRA rights:
    - a. Each employee will be notified of his/her COBRA rights at the time he/she begins coverage under the County's health care plan.
    - b. Spouses of all covered employees will be notified of this policy and its provisions at the time family or spouse coverage begins under the County's health care plan.
    - c. Notification of an employee's spouse will be deemed to serve notice on all dependent children.
    - d. Within thirty (30) days, the Appointing Authority will notify the Payroll Clerk of any of the following "qualifying events:"

- Employee's death;
  - Employee's termination;
  - Employee's reduction in hours, making him/her ineligible for benefits;  
or
  - Employee's eligibility for Medicare.
- e. Within sixty (60) days, the employee is responsible for notifying the Payroll Clerk of any of the following "qualifying events:"
- Divorce;
  - Legal separation; or
  - Loss of dependent eligibility under the plan requirements (age or student status).
- f. The employee/dependent must notify the Payroll Clerk of his/her decision to extend benefits within sixty (60) days of the qualifying event or the date of eligibility notice, whichever is longer.

C. PUBLIC EMPLOYEES' RETIREMENT SYSTEM - DISABILITY AND SURVIVOR BENEFITS

1. If an employee, at the time of death, has at least eighteen (18) months of credit in the Public Employees' Retirement System, his/her spouse, children or parents may be entitled to survivor benefits. The employee's next of kin or beneficiary will be provided with contact information from PERS.

D. ACCRUED LEAVE

At the time of separation, an employee will be paid at his/her current hourly rate of pay for all vacation and compensatory time credit.

E. UNEMPLOYMENT COMPENSATION

An employee may be eligible for unemployment compensation according to the regulations of the State of Ohio.

- A. Upon separation from employment, an employee must meet with his/her department head to process paperwork and return County property.
- B. The department head will inform the employee of all termination benefits, verify forwarding addresses for the employee and any dependents and get necessary signatures.
- C. The employee will relinquish all identification cards, equipment and keys.
- D. If the separation is voluntary, the employee will be asked to complete an “Exit Interview Questionnaire” and discuss his/her answers during the exit interview. (See Appendix A FORMS). Information gathered in exit interviews will be used to evaluate County practices and identify areas requiring action to make the County a more attractive employer. Exit interview questionnaires will not be placed in the employee's personnel file.



## A. State of Ohio Ethics Law

1. No public employee shall knowingly authorize or use his/her authority or influence to (a) secure a public contract for himself/herself, his/her family or his/her business associates; or (b) secure the investment of public money in any security in which he/she, his/her family or his/her business associates act as underwriter or receive brokerage, origination, or servicing fee. Nor public employee shall knowingly profit, during his/her term of office or for one (1) year after, from the execution of a public contract authorized by himself/herself or by a legislative body, commission or board for which he/she was a member when the contract was authorized, if the contract was not competitively bid or the contract was not with the lowest and best bidder.
2. No public employee shall knowingly have an interest in the profits or benefits of a public contract. Employment with a public office is considered to be a contract with the public office. Therefore the use of one's position to obtain employment for a family member is prohibited by law.
3. No present or former public official or employee shall disclose or use, without appropriate authorization, any information acquired by the public official or employee in the course of the public official's or employee's official duties that is confidential because of statutory provisions, or that has been clearly designated to the public official or employee as confidential when that confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business.

## B. Conflicts of Interest

1. No public employee shall participate as a public official in any license or rate-making proceeding that directly affects the license or rates of any person, partnership, trust, business trust, corporation or association in which he/she or his/her immediate family owns or controls more than five percent, or any business which he/she or his/her immediate family has sold goods or services of more than one thousand dollars during the preceding year.
2. No public employee shall use or authorize the use of the authority or influence of employment to secure anything of value or the offer or promise thereof that is of such a character as to influence his/her duties.
3. No public employee shall solicit or accept anything of value that is of such a character as to influence his/her duties.

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