



Policy Handbook

**For Employees of Logan County
Engineer's Office**



Welcome

Welcome to the Logan County Engineer's Office and Highway Garage. We are pleased that you have chosen to join our team and hope that you will enjoy a long and successful career with us. As you become familiar with our culture we hope you will take advantage of opportunities to enhance your career and grow into a more valued and productive member of our team.

*This handbook is a combination of **The Employees of Logan County Handbook** and the individual policies of the **Logan County Engineer's Office** to describe some of the expectations we have for all of our employees and what you can expect from us. We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!!*

A handwritten signature in blue ink, reading "Scott Coleman", followed by a long horizontal flourish.

Scott C. Coleman P.E., P.S.
Logan County Engineer

A handwritten date in blue ink, reading "11-29-17".

Date

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SECTION 1: INTRODUCTION/GENERAL INFORMATION

1.01 Introduction

The Purpose of this Policy Handbook is to set forth personnel policies for the employees of Logan County. These policies have been established by the Board of County Commissioners. Many of the rights and responsibilities outlined in this Handbook are based on provisions contained in the Ohio Revised Code and Ohio Administrative Code. When there is a direct conflict between state or federal law and a County policy, state or federal law prevails. When there is a direct conflict between a collective bargaining agreement and a County policy, the provisions of the collective bargaining agreement prevail.

Neither the Board of County Commissioners nor County Officials can foresee all personnel issues and concerns which may arise. Accordingly, it may be necessary and the County reserves the right to, revise, modify, amend, or delete any policy, procedure, benefit or regulation. These amendments shall only affect the specific policy they modify, and will not affect the enforceability of the remainder of this Handbook. Employees are encouraged to ask questions of their supervisor concerning any provisions of the Handbook they do not understand.

Ohio law grants elected office holders and directors of department and agencies the power to hire, compensate, discipline and discharge employees in their offices or departments. Within these statutory parameters, the Board of County Commissioners intend for all office holders and departmental directors to adhere to this Policy Handbook in a consistent and uniform manner. Only if the policies contained in this Handbook directly conflict with the urgent operational needs of a particular office, department or agency, will variances on the policies be acceptable. A particular office, department or agency may adopt alternative policies and procedures only when the policies contained herein do not meet the operational needs of that particular office, department or agency. The policies set forth herein shall apply to all County offices unless individual office holders develop alternative policies and implement those policies in accordance with applicable law.

All office holders and directors with the power to hire, compensate, discipline and discharge their employees shall be referred to as “appointing authorities” and their offices, departments and agencies as “County offices”. An appointing authority may supplement this Policy Handbook with work rules, policies and procedures which do not conflict with applicable law and which the appointing authority deems necessary due to the unique nature of their individual office, department or agency. Additionally, union contracts shall prevail over any conflicting policies that are set forth in this handbook. Notwithstanding the foregoing, to the extent that this Handbook does not conflict with the supplemental policies enacted by an appointing authority or with a union contract, the policies of this Handbook shall continue to govern.

Words, whether in the masculine, feminine, or neutral genders, that are contained within the Policy Handbook, shall be construed to include all of those genders. The use of the masculine or feminine genders is for convenience only and not to be construed as discriminatory by reason of sex.

The provisions of this Handbook may be changed at any time with, or without prior notice to employees.

The provisions of this handbook are not intended to create a contract of employment between the County and any of the employees

1.02 Acknowledgement of Receipt

Employees are responsible, as a condition of their employment, to familiarize themselves with, and abide by these policies and procedures and are required acknowledging receipt of this Manual in writing. A copy of each employee’s acknowledgement will be retained by Personnel Specialist in the employee file.

1.03 Auditor of State Fraud Reporting System

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

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's Office

Special Investigations Unit

88 East Broad Street, P.O. Box 1140

Columbus, OH 43215

Web: www.ohioauditor.gov

1.04 Civil Service and Appointments

Civil Service- Employment within the County is governed by Ohio Civil Service Laws. Note, however, that for employees subject to a collective bargaining agreement, provisions of Ohio Civil Service law that directly conflicts with provisions of a collective bargaining agreement is superseded by the terms of the agreement.

The Civil Service system consists of laws that control the appointment of employees and it is based upon classifications of jobs on the basis of similarity of job duties and the qualifications required to perform those job duties.

Exempt or "Classified" Positions: The classified service shall comprise of all County employees not specifically included in the unclassified service. Following completion of the probationary period, no classified employee shall be reduced in pay or position, fined, suspended or removed, or have his/her longevity reduced or eliminated, except and for those reasons set forth in the civil service laws of the State of Ohio. Such reasons include: incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of any policy or work rule of the County, any other failure of good behavior, any other acts of misfeasance, malfeasance or nonfeasance in office, or conviction of a felony, except for just cause.

Exempted or "Unclassified" Positions: Certain positions are exempt from the classified service and are considered to be in the "unclassified" service. Employees in the unclassified service serve at the pleasure of their appointing authority and do not have the lay off and other job security protections of Ohio Civil Service laws. Unclassified employees are employees at will who serve at the pleasure of the appointing authority and may resign, or be terminated, for any reason not inconsistent with law. If an employee has questions regarding their status as a classified employee, the employee should contact their appointing authority. An unclassified employee may not be rendered classified due to the provisions of this manual.

Appointments- Appointing authority: Civil Service laws refer to the officer, board or commission having the power of appointment or removal from employment as the "Appointing Authority". Each elected County office holder and director is an "Appointing Authority".

Probationary Period: Newly hired or newly promoted employees shall be required to successfully complete a one year probationary period. The probationary period allows the county to closely observe and evaluate the employee's fitness and suitability for the position. Only those employees who demonstrate an acceptable standard of conduct and performance shall be retained in their positions.

If, at any time during the probationary period, a newly hired employee's service is determined to be such that it does not merit further employment, he may be terminated without appeal rights. Time spent on inactive pay status or non-paid leave of absence shall not be counted toward the completion of the probationary period.

Employees working irregular schedules and intermittent employees shall have their one year probationary period based upon the completion of one thousand forty (1040) hours in active pay status.

The failure of a promoted employee to complete a probationary period due to unsatisfactory performance shall result in the employee being returned to the same or similar position he held at the time of his promotion.

Promotional Appointments: All promotional appointments shall have a probationary period equal to that of an original appointment within that classification. If the service of the promotional probationary employee is unsatisfactory, he may be demoted to the position from which he was promoted, or to a similar position, at any time during the promotional probationary period.

Temporary Appointments: Where there is an important and urgent need for services for a temporary period, the appointing authority may appoint an employee on a temporary basis not to exceed three months. The appointing authority may not make successive temporary appointments to the same position. Acceptance or refusal by an employee on a eligibility list shall not affect his standing on the register for permanent employment. The period of temporary service shall not be counted toward the probationary period in the case of subsequent appointment to a permanent position. Persons on a temporary appointment serve at the pleasure of their appointing authority.

Seasonal Appointment: An appointing authority may appoint an employee on a seasonable basis for the purpose of performing a type of work or activity limited to a specific season or period of the year. Such employees may, in management discretion, be reinstated during the next season, or the earliest possible period when there is a need for seasonal employment.

Assignment of Duties: The assignment of duties to an appointee is the responsibility of the appointing authority. No person shall be appointed or employed under any job title not appropriate to the duties to be performed. No person shall be assigned to perform duties other than those properly belonging to the position to which he has been legally appointed, except as may be required because of temporary circumstances or when there has been a change of duties for a position.

1.05 Probationary Period for Non-Bargaining Unit Employees (May 30, 2002)

Purpose: To develop a consistent policy on probationary periods.

Each new employee of the County Engineer will complete a probationary period of not less than one hundred and twenty (120) days.

If an employee's service is not satisfactory, the County Engineer has the authority to remove or reduce an employee at any time during his probationary period.

The collective bargaining agreement states that the County Engineer may discipline or discharge a probationary employee during his probationary period without any recourse to the grievance/arbitration procedure set forth in the agreement or State Personnel Board of Review.

The probationary period of a bargaining unit member may be extended for up to ninety (90) days upon agreement of the County Engineer, the Union and the employee.

NOTE: Bargaining Unit employees should refer to their collective bargaining agreement for information regarding probationary period.

1.06 Ethics of County Employment

In order to maintain the integrity of the Logan County Government and the confidence that the public has in it, it is essential that all Logan County Engineer's Office employees maintain the highest possible ethical and moral standards and conduct themselves within the laws of the state of Ohio.

The proper operation of democratic government requires that actions of public officials and employees be impartial; that government decisions and policy be made through the proper channels of governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. Ohio Revised Code §§102.03 and 2921.42 prohibit employees from using their influence to benefit themselves or family members. In recognition of the above listed requirements, the following Code of Ethics is established for the Logan County Engineer and employees:

- No employee shall use his official position for personal gain, or shall engage in any business or shall have financial or other interest direct or indirect, which is in conflict with the proper discharge of his official duties.
- No employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Logan County Engineer's Office. Nor shall she/he use such information to advance the financial or other private interest of herself/himself or others.
- No employee shall accept any valuable gift, whether in the form of service, loan, item or promise from any person, firm or corporation which is interested directly or indirectly in any manner whatsoever in business dealings with the Logan County Engineer's Office; nor shall employees accept any gift, favor or item of value that may tend to influence an employee in the discharge of his duties or grant in the discharge of employee duties any improper favor, service or item of value.
- No employee shall represent private interests in any action or proceedings against the interest of the Logan County Engineer's Office in any matter in which the Logan County Engineer's Office is a party.
- Any employee offered a gift or favor, which is not sure if its acceptance is a violation of the Code of Ethics, should inform his supervisor of the gift offer. The supervisor will make a decision or refer the individual to the Prosecutor's Office. No employee will accept from any contractor or supplier doing business with the Logan County Engineer's Office, any material or service for the employee's private use.
- State law prohibits Logan County Engineer's Office employees and officials from having a financial interest in companies which do business with public agencies, with minor exceptions. Employees who have any doubt concerning possible violation of these statutes are advised to consult their own attorney.

1.07 Prior Service

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

Employees must provide the Personnel Specialist with a letter from their former employer(s), on their letterhead, with qualifying start and end dates of employment with verification of any unused accumulated sick leave. Vacation accrual rates and available sick leave balances shall be adjusted and be effective upon receipt of documentation deemed acceptable by Logan County Auditor.

SECTION 2:

EQUAL EMPLOYMENT OPPORTUNITY

2.01 Equal Employment Opportunity Policy

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

The County condemns and will not tolerate any conduct that intimidates, harasses, or otherwise discriminates against any employee or applicant for employment on the grounds listed above. Anyone who believes that his rights have been violated under this policy should submit a written complaint of discrimination to the appointing authority, Brian Dunn, Projects Coordinator, at the Commissioners’ Office (937) 599-7280, or the Logan County Prosecutor’s Office: (937) 593-3755 to investigate and take appropriate action concerning the complaint.

Any employee who violates this Equal Employment Opportunity policy is subject to discipline.

2.02 Unlawful Discrimination and Harassment

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

Definitions: Unlawful discrimination occurs when individuals are treated less favorably in their employment because of their membership in a protected classification. An employer may not discriminate against an individual with respect to the terms and conditions of employment, such as promotions, raises, and other job opportunities, based upon that individual’s membership in that protected class.

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

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

Examples: 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:

- Submission to the conduct is made either explicitly or implicitly a terms or condition of an individual’s employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or

creating an intimidating, hostile, or offensive work environment. Harassment on the basis of an employee's membership in any protected classification (as set forth above) is unlawful, will not be tolerated, and must be reported so that the county may investigate and take appropriate action.

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

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

2.03 Workplace Romance

To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform Brian Dunn, at the Commissioner's Office, (937) 599-7280 or the Logan County Prosecutor's Office, (937) 593-3755 in writing if they currently are, or if they intend to become, romantically involved with a co-worker. Such relationships are not necessarily prohibited, but must be appropriately addressed.

Should the County determine that a conflict exists between an employee's employment 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

2.04 Complaint Procedure

Employees who feel they have been subject to unlawful discrimination or harassment by a fellow employee, supervisor, or other individual otherwise affiliated with the county, as outlined in paragraph reference of "Coverage" below, shall immediately report the conduct, in writing, to Brian Dunn, at the Commissioner's Office, (937) 599-7280 or the Logan County Prosecutor's Office, (937) 593-3755, each of whom shall have the authority and responsibility to work directly with any parties involved in the matter to investigate and take appropriate action concerning the complaint.

Similarly, employees who feel they have knowledge of discrimination or harassment, or who have questions or concerns regarding discrimination or harassment, shall immediately contact Brian Dunn, at the Commissioner's Office, (937) 599-7280 or the Logan County Prosecutor's Office, (937) 593-3755. Late reporting of complaint and verbal reporting of complaints will not preclude the County from taking action. However, so that a thorough and accurate investigation may be conducted, employees are encouraged to submit complaints in writing and in an expedient manner following the harassing or offensive incident. All supervisors are required to follow up on all claims or concerns, whether written, verbal, or witnessed, regarding unlawful discrimination and harassment.

Although employees may confront the alleged harasser at their discretion, they are also required to submit a written report of any incidents as set forth above. When the County is notified of the alleged harassment, it will timely investigate the complaint. The investigation may include private interviews of the employee allegedly harassed, the employee committing the alleged harassment and any and all witnesses. Information will be kept as confidential as practicable, although confidentiality is not guaranteed. All employees are required to cooperate in any investigation. Determinations of harassment shall be made on a case-by-case basis. If the investigation reveals the complaint is valid, prompt attention and action, which may include discipline, designed to stop the harassment and prevent its recurrence will be taken.

Retaliation: Anti-discrimination laws prohibit retaliatory conduct against individuals who file a discrimination charge, testify, or participate in any way in an investigation, proceeding, or lawsuit under these laws, or who oppose employment practices that they reasonably believe discriminate against protected individuals, in violation of these laws. The law also prevents retaliation conduct 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 any other protected activity. Any employee who feels he has been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of his/her relationship with someone who took action under this policy, shall report the conduct to Brian Dunn, at the Commissioner's Office, (937) 599-7280 or the Logan County Prosecutor's Office, (937) 593-3755 immediately. Disciplinary action for filing a false complaint is not a retaliatory act.

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 or dishonest statements are considered to be a violation of this policy.

Corrective Action: If the County determines unlawful discrimination, harassment, or retaliation has taken place, appropriate corrective action will be taken, up to and including termination. The corrective action will be designed to stop the unlawful conduct and prevent its recurrence. If appropriate, law enforcement agencies or other licensing bodies will be notified. Any individual exhibiting retaliatory or harassing behavior towards an employee who exercised a right under this policy, or who is close personal friend or family member of someone who exercised a right under this policy, will be subject to discipline, as will any employee who has knowledge of unlawful conduct and allows that conduct to go unaddressed.

Coverage: 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 who is served by County personnel.

2.05 American's With Disabilities Act Policy

The American's with Disabilities Act (ADA), 42 U.S.C. §§12101 et seq., prohibits discrimination, in terms of hire, promotion, transfer, or any other benefits or privileges of employment, of any qualified individual with a disability. To be considered a qualified individual, the employee must satisfy the requisite skill, experience, education and other job related requirements of the position such individual holds or desires, and with or without reasonable accommodation, must be able to perform the essential functions of the position. The Logan County Engineer's Office establishes the following policy and grievance procedure in order to ensure compliance with the requirements of the ADA.

For purposes of the ADA, a "disability" is defined as: (a) a physical or mental impairment which substantially limits a major life activity; (b) a record of having that type impairment; or (c) being regarded as having that type of impairment.

The physical or mental limitations of an otherwise qualified applicant or employee with a disability shall be reasonably accommodated unless the accommodation would pose an undue hardship on the County Engineer's Office. Undue hardship, for purposes of this policy, means an action that requires significant difficulty or expense when considered in the light of other relevant factors or would be unduly disruptive to the department or agency's operation.

Among factors to be considered in determining whether an accommodation would create an undue hardship include, but are not limited to, the nature and the cost of the accommodation, the size of the department and its overall financial resources, the nature and structure of the operation the effect of the accommodation on expenses and resources, conflict with state and federal law, and the impact of the accommodation on other employees. Decisions as to whether an

accommodation is reasonable shall be made on an individual case by case basis. Employees who believe they are in need of a reasonable accommodation should make their supervisor aware of this need.

Complaints should be directed to the appropriate ADA Coordinator listed below who shall coordinate the efforts to comply with and carry out the responsibilities of the county under the ADA. One of the ADA Coordinator's responsibilities is to investigate ADA complaints.

Name	Location	Phone number	For County Departments Listed
Brian Dunn	Commissioners Office	(937) 599-7280	All department, except those listed below
Robin Butler	Job and Family Services	(937) 599-5165	Logan County Job and Family Services
Deb Morrison	Board of DD	(937) 592-0015	Board of DD

The County's ADA grievance procedure may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices by the County. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons upon request.

The ADA complaint should be submitted by the grievant as soon as possible but no later than 60 calendar days after the alleged violation to the relevant ADA Coordinator within the agency, department or office. Within fifteen (15) calendar days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible solutions or accommodations that may be available to the complainant. Within fifteen (15) calendar days of the meeting, the ADA Coordinator shall respond in writing, and if necessary, will respond in an alternative format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his designee may appeal the decision of the ADA Coordinator within fifteen (15) calendar days after receipt of the response to the appointing authority or its designee. Within fifteen calendar days after receipt of the appeal, the appointing authority or its designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting the County Engineer or its designee will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

Nothing included within this grievance procedure shall preclude an individual from filing a complaint with the Equal Employment Opportunity Commission, the Ohio Civil Rights commission or any other state or federal agency with applicable jurisdiction.

All written complaints received by ADA Coordinator, appeals to an appointing authority, and responses from the ADA Coordinator and designee will be kept in a separate file by the County.

Service Animals: Individuals may have the right to bring service animals into county buildings. No animals shall be permitted inside any county building, except "Service Animals" that are accompanied by and under the control of their owners or handlers. "Service Animals", as defined under the Americans with Disabilities Act (ADA), are animals that have been individually trained to do work or perform tasks for individuals with a disability. The task(s) performed by the animal must be directly related to the person's disability.

Emotional support animals, comfort animals, and therapy dogs that do not meet the definition of a "Service Animal" as described under the ADA, are not permitted inside any county building, except with the approval of the appointing authority.

Questions concerning service animals should be presented to the appointing authority or an ADA Coordinator.

SECTION 3

EMPLOYMENT WITH THE ENGINEER'S OFFICE

3.01 Employee Rights

Classified employees who are not in management or supervision have the right to refrain from forming, joining, assisting or participating in union activity. Management level and supervisory employees are expected to respect such rights and may be disciplined, up to and including removal, if they violate employee's rights under Chapter 4117.

3.02 DUI Administrative License Suspensions (February 1, 2002)

Purpose: To establish a consistent policy concerning the loss of occupational driving privileges. Recent changes in the law affect all employees of the Logan County Engineer's Office since all employees are required to drive in the performance of their job duties.

Any employee receiving a DUI administrative license suspension shall immediately notify his/her supervisor. Upon such notification, the progressive Corrective Disciplinary Action Policy shall be initiated to determine the appropriate disciplinary action if any.

3.03 Performance Evaluations

The County may complete annual performance evaluations. Evaluations, if conducted, will be based upon defined and specific criteria and will generally be reviewed and signed by the employee's direct supervisor, and those superiors in the direct chain-of-command. The results will be discussed with the employee and the employee will be asked to sign the evaluation. An employee's signature will reflect their receipt of the evaluation, not their agreement with its contents. Should the employee refuse to sign, a notation will be made reflecting the date and time of the review along with the employee's refusal to sign. Employees may offer a written response to their performance evaluation. Such response, if given, will be maintained with the evaluation.

3.04 Vacancies and Promotions

The appointing authority has the sole discretion to determine when a vacancy exists. Vacancies in positions in the classified service shall be filled insofar as practicable by promotions.

If an appointing authority intends to fill a vacancy, a notice of vacancy will be posted in the main office of the County Engineer's Office and/or other appropriate County buildings for a period of ten (10) working days. In extenuating or unusual circumstances, the County Engineer may remove the posting short of the ten day period.

Any employee in the classified service who is appointed provisionally to fill a vacancy and who remains in provisional status for a period of two years of continuous service, during which period no competitive examination is held, become a permanent employee in the classified service at the conclusion of such two year period.

Preference in promotion will be given to the applicants currently holding positions in a lower classification closest to the classification below the vacancy, and then applications will be considered from those currently holding jobs in classifications above the vacancy. If there are no qualified applicants from the same classification series, then they may proceed to appoint any applicant to the vacancy.

All promotion appointments shall have a probationary period equal to that of an original appointment within that classification. If the service of the promotional probationary employee is unsatisfactory, he may be demoted to the position from which he was promoted or to a similar position at any time during his promotional probationary period.

Upon such a demotion, the employee's salary shall be the same as he was receiving prior to the promotion, except for changes in pay range that may have occurred or any step increase to which the employee would have been entitled in the lower classification.

NOTE: Bargaining Unit employees should refer to their collective bargaining agreement for information regarding job posting and bidding

3.05 Transfers and Job Assignments

Employees shall be expected to fully, dutifully, and conscientiously perform those tasks as assigned to them. Employees may be expected, from time to time, to complete job assignments which are typically not performed by them or contained in their job description. No employee can refuse a job assignment unless it would violate law or place them in an imminently harmful or life-threatening situation. If an employee objects to an assignment, they should complete the assignment first and then file a complaint under **Section 14** of this manual.

Job Assignments- Employees are expected to perform any work duties assigned by the appointing authority or designee, not just those specific duties set forth in a job description. If the job assignments amount to a temporary transfer, then refer to ***Temporary Transfers and Assignments*** below and this policy shall control.

Permanent Transfers- A permanent transfer is any transfer in excess of thirty days unless the employee has consented to a longer period not exceeding ninety days. An employee shall be eligible for a permanent transfer only after successfully completing their probationary period.

- A classified employee, the appointing authority, and the appointing authority of another governmental agency or public body may mutually agree to transfer an employee from one office to another.
- The employee and the appointing authority may agree to the transfer of an employee from one classification to another classification having similar qualifications.
- No permanent transfer to a vacancy may occur until the appointing authority has satisfied its obligation to post a notice of the vacancy and to consider applicants in accordance with the policy on vacancies and promotions.
- Any employee who voluntarily requests and is granted a transfer to a vacancy in a lower classification will be reclassified and must accept the duties, responsibilities, and wages of the lower classification for a minimum of six (6) months before requesting or applying for a transfer or promotion to a higher classification.

Temporary Transfers and Assignments- All employees shall be required to perform any and all temporary assigned duties of which they are capable regardless of their usual or customary duties or job assignments. A temporary transfer shall not exceed the length of the probationary period of the position filled. A temporary transfer may be used: (a) to fill a vacancy caused by an employee being on sick leave or other approved leave of absence; (b) to provide vacation relief scheduling; (c) to fill an opening temporarily pending permanent filling of such opening; (d) to meet an emergency situation; or (e) when an employee is temporarily incapacitated from their regular duties.

When an employee is temporarily assigned to substitute in another job classification with a rate of pay lower than his own for reasons (a) through (d) above, they shall receive their regular rate of pay. When they are temporarily assigned to a lower classification for reason (e) above, they shall receive the highest rate of pay applicable to their temporary assignment.

When an hourly employee is temporarily assigned to a position with a higher rate of pay than their own for reasons (a) through (d) above, they shall receive an additional payment for all such days worked, which shall amount to the difference between their regular rate of pay and the step in the pay scale of the higher position to which they are temporarily assigned which is the next higher than their regular rate of pay. Annual salaried employees shall receive no additional compensation for temporarily filling in a higher position.

3.06 Security and Use of Map Room Records and Equipment (February 1, 2002)

It is our duty to protect the history and records of the people of Logan County. In order to provide security of county records and protect against misuse of equipment, it will be our policy that no one except employees of the Logan County Engineer, surveyors, attorneys, and certified paralegals shall be permitted access behind the counter in the Map room for the purpose of using the county files or record system, or to use county equipment.

County employees will obtain any data from the records for any other person who wishes to use the records. County employees will give whatever assistance is required.

3.07 Reduction in Work Force

Each County “Appointing Authority” under Civil Service Law is a separate layoff jurisdiction. Layoff, displacement, and reinstatement rights shall apply only within the layoff jurisdiction affected by the layoff and only to classified employees.

Employees may be laid-off for one or more of the following reasons:

- Lack of funds within the County Engineer’s Office. A lack of funds means the County Engineer has a current or projected deficiency of funding to maintain current or to sustain projected levels of staffing and operations. Lack of funds shall be presumed if the position has a dedicated funding source that is reduced or withdrawn. The County Engineer shall itself determine whether a lack of funds exists.
- Lack of work within the County Engineer’s Office. A lack of work means The County Engineer has a current or projected temporary decrease in the workload, expected to last less than one year, which requires a reduction of current or projected staffing levels. The County Engineer shall itself determine whether a lack of work exists. Determination of a lack of work shall indicate the current or projected temporary decrease workload of County Engineer’s Office and whether the current or projected staffing levels of the County Engineer’s Office will be excessive.
- Abolishment of positions. Abolishment means the permanent deletion of a position or positions from the organization or structure of the County Engineer’s Office due to a lack of continued need for the position. The County Engineer may abolish positions as a result of reorganization for the efficient operation of the County Engineer’s Office, for reasons of economy, or for lack of work. The County Engineer shall determine whether any position should be abolished. The determination of the need to abolish positions shall indicate the lack of continued need for positions within the County Engineer’s Office.

Order of Layoff

For purposes of order of layoff, there shall be the following “appointment categories”: part time probationary, part time permanent, full time probationary and full time permanent. When a reduction in force is necessary within each of the primary appointment categories, first part time probationary, then part time permanent, then full time probationary, and then full time permanent employees shall be laid off.

A system of “retention points” shall be maintained to reflect the length of continuous service and efficiency in service for all employees who may be affected by a layoff. The employee’s length of continuous service shall be based on the employee’s most recent date of hire in the County Engineer’s Office service. In the event an employee transfers from one layoff jurisdiction to another, the employee’s length of service will be deemed unbroken so long as no break in service occurs from one layoff jurisdiction to another. In the event an employee transfers from one appointing authority to another or receives an appointment with another appointing authority (Ex. A transfer or appointment from another County or state agency to Logan County), the employee’s length of continuous service will be deemed unbroken so long as no break in service occurs from one appointing authority to another. If two or more employees have an identical number of retention points, employees having the shortest period of continuous service shall be laid-off first.

Displacement Rights

A laid-off employee has the right to displace an employee with the fewest retention points in the following order:

- a. within the classification from which the employee was laid off; and
- b. within the classification series in which the employee was laid off.
- c. within the classification the employee held immediately prior to holding the classification from which the employee was laid off, except that the employee may not displace employees in a classification if the employee does not meet the minimum qualifications of the classification or if the employee last held the classification more than three years prior to the date on which the employee was laid off.

An employee laid-off in the classified civil service may displace another employee within the County Engineer's Office in the following manner:

- a. each laid-off employee possessing more retention points shall displace the employee with the fewest retention points in the next lower classification or successively lower classification in the same classification series, and
- b. any employee displaced by an employee possessing more retention points shall displace the employee with the fewest retention points in the next lower classification or successively lower classification in the same classification series; except that a displaced provisional employee shall not displace a certified employee. This process shall continue, if necessary, until the employee with the fewest retention points in the lowest classification of the classification series of the County Engineer's Office has been reached and, if necessary, laid off.

Employees shall notify the County Engineer of their intention to exercise their displacement rights, within five (5) days after receiving notice of layoff.

No employee shall displace an employee for whose position or classification there exist special minimum qualifications, as established by a position description, classification specifications, or by bona fide occupational qualification, unless the employee desiring to displace another employee possesses the requisite minimum qualifications for the position or classification.

Recall or Reinstatement Rights

An employee who has been laid off, or who has, by virtue of exercising displacement rights, been displaced to a lower classification, shall be placed on a layoff list maintained by the County Engineer. The layoff list shall list employees within each appointment category, with individual employees ranked in descending order of total retention points. Laid-off employees shall be placed on layoff lists for each classification in the classification series equal to or lower than the classification in which the employee was employed at the time of layoff. However, an employee who has not exercised his option to displace other employees shall only be entitled to have his name placed on the layoff list for the classification from which the employee was laid off.

An employee's name shall be maintained on a layoff list(s) for one (1) year from the date of the layoff. During the one year period, the County Engineer shall not hire or promote anyone into a classification until all laid-off persons on a layoff list for that classification are reinstated or have declined the position when offered.

An employee shall be offered reinstatement or re-employment based on his/her position on the layoff list, by sending him/her a written offer of reinstatement or re-employment by certified mail at the most recent address indicated on the County Engineer's Office records. It is the responsibility of the employee on layoff to notify the County Engineer's Office in writing of any change of address. Upon receipt of the notice, the employee must immediately inform the County Engineer's Office in writing whether she accepts or declines the offer of reinstatement or re-employment. If the County Engineer's Office receives no response from the employee within seven (7) calendar days of the date on which the

certified mail was sent, the employee shall be deemed to have declined the offer. An employee accepting or declining reinstatement or re-employment to the same classification or same appointment category from which the employee was laid-off or displaced shall be removed from the layoff list.

An employee who declines reinstatement to a classification lower in the classification series than the classification from which the employee was laid-off or displaced, shall thereafter only be entitled to reinstatement to a classification higher, up to and including the classification from which the employee was laid-off or displaced, in the classification series than the classification that was declined. This section does not apply when an employee, who was a full time employee at the time of layoff or displacement, declines reinstatement in a part time position.

Any employee reinstated or re-employed under this section shall not serve a probationary period upon reinstatement or re-employment except that an employee laid-off during an original or promotional probationary period shall begin a new probationary period.

Right to Appeal

A classified employee may appeal a layoff or a displacement which is the result of a layoff to the State Personnel Board of Review. The appeal must be filed or postmarked no later than ten (10) days after receipt of the notice of layoff or after the date the employee is displaced. A classified employee may appeal the decision of the State Personnel Board of Review to the Court of Common Pleas.

NOTE: Bargaining Unit employees should refer to their collective bargaining agreement for information regarding vacancies and layoffs.

3.08 Medical Examinations and Disability Separation

The Employer may require an employee to take an examination, conducted by a licensed medical practitioner, to determine the employee's physical or mental capacity to perform the material and substantial duties of the employee's classification with or without reasonable accommodation. For purposes of this Article, "licensed medical practitioner" is defined as a licensed psychologist or psychiatrist to conduct a mental examination and an M.D. or D.O. to conduct a physical examination. If the employee disagrees with a determination that she is unable to perform the material and substantial duties of her classification with or without reasonable accommodation, she/he may request to be examined by a second licensed medical practitioner of her/his choice at their own expense. If the reports of the two licensed medical practitioners are conflicting, a third opinion shall be rendered by a neutral party chosen by the Employer and the employee and paid for by the Employer. The neutral licensed medical practitioner shall limit the report to the Employer to the issue of whether the employee is capable of performing the material and substantial duties with or without reasonable accommodation as defined by the Employer.

If an employee after examination is found to be unable to perform the material and substantial duties of her classification, the employee may request to use accumulated sick leave, vacation, and other benefits. If the employee remains unable to perform the material and substantial duties of her classification after exhausting his/her available paid leave, she/he may request a voluntary disability separation. An employee granted a voluntary disability separation shall retain the right to be reinstated to his/her position for two (2) years from the date that the employee is no longer in active work status due to the illness, injury, or condition necessitating the placement into inactive status. Reinstatement is available only upon the presentation of appropriate medical documentation that the employee can perform the material and substantial duties of his/her position with or without reasonable accommodation.

If a classified employee found to be unable to perform the material and substantial functions of his/her job refuses to utilize his/her leave benefits or to agree to a voluntary disability separation following the use of his/her leave benefits, the County Engineer may place the employee on an involuntary disability separation in accordance with Ohio Administrative Code (O.A.C.) Chapter 123: 1-30. Prior to placing an employee on involuntary disability separation, the employee is entitled to pre-separation conference. The employee must be given at least seventy two (72) hours notice of this

conference. At the pre-separation conference the employee has the right to examine the Employer's evidence of disability, to rebut that evidence, and to present testimony and evidence on the employee's own behalf. If after the hearing the Employer determines that the employee is unable to perform his/her material and substantial job duties with or without reasonable accommodation, the Employer shall issue an involuntary disability separation order to be given to the employee and filed with the State Personnel Board of Review. The employee may appeal the Employer's order concerning his/her involuntary disability separation to the State Personnel Board of Review.

An employee on a voluntary or involuntary disability separation has a two (2) year right to reinstatement to their former position or a similar position. The employee must make a written request for reinstatement from a disability separation. The request shall be accompanied by substantial credible evidence that the employee is once again capable of performing the essential functions of her classification with or without reasonable accommodation. The Employer shall have the right to have the employee examined prior to her/his return. The County Engineer's Office shall pay for the examination.

Refusal of an employee to submit to an examination or to cooperate in this process will be considered insubordination and may be grounds for discipline.

NOTE: Bargaining Unit employees should refer to their collective bargaining agreement for information regarding medical examination/disability separation.

3.09 Residency Policy (3/01/14)

The County Engineer's Office has established the acceptable driving distance you may reside from the County Engineer's Office for employment purposes.

In order to respond to emergency situations, employees of the Logan County Engineer's Office must live within a 36-minute commute to the office. Drive time shall be determined by Map Quest or similar service. Final decision on time will rest with the Logan County Engineer.

3.10 Cell Phone Usage Policy (9/03/02)

The purpose of this policy is to maximum safety while working and operating county vehicles and equipment. In order to maximize the safety of employees of the Logan County Engineer, the following procedures shall be observed regarding the use of cellular phones:

- Cellular phones are not to be used while operating any county vehicle or equipment.
- The use of personal cellular phones will not be permitted during working hours without permission from immediate supervisor.

Use of Cellular Phones

General: This policy is designed to provide guidelines to County employees who have been authorized to use cellular phones to conduct county business. Employees are expected to strictly adhere to this policy. Exceptions to this policy may only be permitted with approval of the appointing authority.

Authorized Employees: Only those employees who have been given express written consent by their appointing authority to use cellular phones to conduct County business may use such phones during working hours. Employees are discouraged from using their personal cellular phone for either personal or county business except in cases of an emergency.

Permitted Uses: Cellular phones may only be used for County business. When a less costly alternative is available, a cellular phone should not be used unless an emergency dictates otherwise. For example, in some cases a personal meeting, an E Mail, or a "land line" telephone call may be less costly than a cellular phone call. Additionally, employees

shall not utilize any functions of a cellular phone other than the transmittal of a call that would result in additional charges being assessed against the County. Employees will be required to reimburse the County for any such charges that are accrued without their appointing authority's consent.

Employees are expected to follow all federal, state and local laws regarding the use of cellular phones. No phone numbers of County owned cellular phones should be distributed to the public without the approval of the employee's appointing authority. Any lost or stolen County owned cellular phones should be reported immediately to the employee's appointing authority.

Personal Phones on County Property: Employees may bring their personal cellular phones to work as a matter of convenience. Personal cellular phones may be not used during working hours unless the employee is on an approved break and/or during the employee's lunch break. Employees shall refrain from using picture taking or video streaming capability on their cell phones while on County property. Any such phones found to be on County property will be immediately confiscated and returned to the employee at the conclusion of the workday. Exceptions are not permitted unless approved in advance by the appointing authority.

3.11 Use of Procurement Cards

ORC Section 301.29 allows the county to use procurement cards in the conduct of county business. Each appointing authority will decide if their agency will participate in any such program. With prior written authorization, county employees may use county procurement cards to make small purchases in a manner that reduces paperwork and processing time for the county. Employees may contact their Appointing authority, or the Logan County Auditor for information.

3.12 Nepotism Policy

The County will receive employment applications from relatives of current employees. There are four (4) situations which would prevent the County from hiring a relative of a current employee:

- If one relative would supervise or have disciplinary authority over another.
- If one relative would audit the work of another.
- If there was a conflict of interest between the relative and the employee, or the relative and the County.
- If the hiring of relatives could result in a conflict of interest with clients.

An employee is not permitted to work in a position where his supervisor or any person above him in his established chain of organizational command, is a relative. If such a situation is created through promotion, transfer or marriage, one of the affected employees must be transferred or terminated, or an accommodation acceptable to the County must be worked out by the affected parties. Termination is to be the last resort. No employee who meets current standards of performance and behavior shall be terminated if a transfer is possible.

If two employees marry, they will be subject to the same rules listed above as other relatives, unless state law or judicial decisions dictate otherwise. No persons employed in the County prior to the adoption of this policy will be retroactively affected by this policy.

The provisions of O.R.C. § 102.03 and 2921.42 make it unlawful for a public official to use his influence to obtain a benefit, including a job for his/her relative. Any violation of these statutes may result in criminal prosecution and/or disciplinary action including termination.

For purposes of this Article, the term "relative" shall include: spouse, children, grandchildren, parents, grandparents, siblings, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father-in-law, mother-in-law, step parents, step children, step siblings, and a legal guardian or other person who stands in the place of a parent to the employee.

3.13 Contact with News Media and Residents

Any employee contacted by the news media or a citizen on a matter related to County Engineer's Office operations should direct the caller to contact the County Engineer or designee. This policy is designed to avoid duplication, assure accuracy, and protect employee and the County Engineer's Office from the dissemination of misstatements and misinformation.

This policy does not prohibit employees from making a public statement, in their off duty hours, on matters of public concern. However, this policy does prohibit employees from making unauthorized public statements during their working hours and from making public statements about matters of private concern that negatively impact the County.

3.14 Take-Home Vehicles (2/01/02)

Purpose: To maximize the efficiency of and minimize the response time of On-Call Personnel for the County Engineer.

During the period that any member of management has on-call duty, he/she shall take home a properly equipped, company vehicle each night and weekend. Properly equipped shall be defined as follows: radio, flashlight, safety vest, shovel, broom, chain saw, flares, oil dry, safety cones, etc.

3.15 Solicitation Policy

It is the policy of the County to prohibit solicitation and distribution of literature on its premises by non-employees and to permit solicitation and distribution of literature by employees subject to the restrictions of this Article. This policy is not intended to supersede any relevant provision in an applicable collective bargaining agreement covering County employees which concerns union representation, use of bulletin boards, or other provisions in conflict with this policy.

The County limits solicitation and distribution on its premises because those activities can interfere with the County's operations, reduce employee efficiency, annoy customers, and pose a threat to security.

Individuals not employed by the County are prohibited from soliciting funds or signatures, conducting membership drives, distribution literature of gifts, offering to sell merchandise or services (except by representatives of suppliers or vendors given prior authority), or engaging in any other solicitation, distribution, or similar activity on County premises.

The County may authorize a limited number of fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist these drives, but their participation is entirely voluntary.

The following restrictions apply when employees engage in permitted solicitation or distribution of literature for any group or organization, including charitable organizations;

- The sale of merchandise or services is prohibited on County premises.
- Soliciting and distributing literature during the working time of either the employee making the solicitation or distribution, or the targeted employee is prohibited. The term "working time" does not include an employee's authorized lunch or rest periods or other times when the employee is not required to be working
- Distribution of literature is prohibited in work areas at all times.
- Distributing literature in a way that causes litter on County property is prohibited.

The County maintains various communications systems to communicate County related information to employees and to disseminate or post notices required by law. These communications systems (including bulletin boards, electronic mail, voice mail, telephone, facsimile machines, and personal computers) are for business use only and may not be used for employee solicitation or distribution or literature.

In particular, bulletin boards are for the posting of County related information and notices only, and only persons

authorized by the Employer may place notices on or take down material from the bulletin board. The unauthorized use of the communications systems or the distribution of posting of notices, photographs, or other materials on any County property is prohibited.

Employees who violate the provisions of this Article are subject to discipline. All violations of this policy will be addressed on a case by case basis. Disciplinary measures will be determined by the severity of the violation, not the content of the solicitation or literature involved.

3.16 No Access/No Solicitation/No Distribution Policy (2/01/02)

Purpose: To establish rules governing access, solicitations and distribution by non-employees and employees in order to maintain a safe and productive work environment and to protect the interests of the citizens of Logan County by ensuring that only official county business is transacted during employee work time in county work areas/sites.

Non-Employee Access, Solicitation and Distribution

It is the policy of County Engineer's Office that non-employees shall not be permitted access to any work area/site of the Employer at any time except to conduct official county business or with prior approval of the County Engineer. There shall be no solicitation or distribution by non-employees at any time in any work area/site of the County Engineer's Office. This section does not apply to Vendors, as defined in the Definitions section of this policy.

Employee Access

Employees are not permitted access to any work area/site of the County Engineer's Office during their off-duty hours, except to conduct official county business or with prior approval of the County Engineer.

Employee Solicitation

There shall be no solicitation by employees of any other employee or non-employee in any work or non-work area/site of the County Engineer's Office during their working time. Employees may solicit other employees during non-working time in work areas and during non-working time in non-working areas.

Employee Distribution

There shall be no distribution by employees during their working time in any work or non-work area/site of the County Engineer's Office. Employees may distribute during their non-working time in a non-work area/site of the County Engineer's Office provided they do not impede the work of other employees or the business of the Employer.

Definitions:

County- means the County of Logan, Ohio

Distribution- means an act of giving or dealing goods, materials and/or printed or written material

Employee- means any person in the employ of the County Engineer in any status, including persons on vacation, leave of absence, etc.

Employer- means the Logan County Engineer's Office

Non-Work Area/Site- means any area of the Employer's premises, which is designated as a non-work area or is not utilized in the transaction and operation of county business, e.g., lunch/break areas, restrooms.

Non-Work Time- means any time during an employee's work day where the employee is totally relieved of work duties, (e.g, break and lunch periods, time before or after work shift).

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

Vendor- means any individual or group engaged in or desiring to engage in the supply of goods, materials or services to

the County, which goods, material, or services are utilized in the conduct of public business.

Work Area/Site-means any office, building physical location where official county business is transacted and/or operations of the Employer are being conducted, e.g., office areas and adjoining waiting rooms or service counter areas and maintenance work area/site and adjacent premises, county vehicles.

Work-time-means all the time when an employee's duties requires that he or she be engaged in work tasks.

3.17 Posting (2/01/02)

The purpose is to establish rules concerning the posting of notices and other materials on County bulletin board and property. It is the policy of the Logan County Engineer to post notices and other materials on the County bulletin boards and property as a means of communicating information to county employees and the general public.

Posting on Official Bulletin Boards

The County Engineer maintains official bulletin boards for the posting of required federal, state and local government notices, required legal notices, and information directly related to the conduct of County business.

Only the County Engineer or a designated representative of the County Engineer may post information on, or remove information from, official bulletin boards.

Posting on Employee Bulletin Boards

The County Engineer maintains employee bulletin boards for the posting of notices and other information of interest to employees. Notices or other information to be posted on employee bulletin boards must conform to as written in the Memorandum of Understanding currently in effect.

NOTE: Bargaining Unit employees should refer to their collective bargaining agreement for information regarding bulletin boards.

Posting on County Property

Only the County Engineer may authorize the posting of notices or other material on County Property. Only notices concerning events and activities authorized by, affiliated with, or sponsored by the County or a County agency may be posted on County Property.

Posting Limitations

The County Engineer reserves the right to posting limitations as listed below:

- Limit the size of any notice or other materials to be posted.
- Limit the period of time any notice or other materials may be posted.
- Reject any notice or other materials which contains any unfavorable, scandalous, derogatory, or other personal attacks upon an employee, public official, and candidate for public office or governmental unit.
- Require an individual or group desiring to post a notice or other materials to submit a written request.

Violation of Posting Policy

Any notice or other material posted in violation of this posting policy or procedures may be removed and destroyed by the County Engineer or a designated representative of the County Engineer.

Any individual or organization that posts or removes any notice or other material in violation of the posting policy or procedures may be barred by the County Engineer from future posting privileges.

Definitions

Posting-means any act of affixing any notice, sign, poster, seal, sticker or other material.

Property-means all buildings, adjuncts, grounds, vehicles and equipment owned, leased, rented or operated by the County which is under the jurisdiction of the County Engineer.

3.18 Political Activity

Employees in the classified civil service are prohibited by Ohio law from engaging in “political activity”. The purpose of this Article is to provide lists of examples, though not exhaustive lists, of activities which are permissible and prohibited under the law.

Permissible Activities: The following is a non-exhaustive list of examples of permissible activities for employees in the classified civil service:

- Registration and voting;
- Expression of opinions, either oral or written;
- Voluntary financial contributions to political candidates or organizations;
- Circulation of non-partisan petitions or petition stating views on legislation;
- Attendance at political rallies;
- Signing nominating petitions in support of individuals;
- Display of 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 precinct election official under section 3501.22 of the Ohio Revised Code.

Prohibited Activities: The following is a non-exhaustive list of examples of prohibited activities for employees in the classified civil service:

- Candidacy for public office in a partisan election;
- Candidacy for public office in a non-partisan 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 for elected office;
- Circulation of official nominating petitions for any candidate participating in a partisan election;
- Service in an elected or appointed office in any partisan political organization;
- Acceptance of a party sponsored appointment normally filled by partisan election;
- Campaigning by writing in publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
- Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in kind, for any political party or political candidate;
- Solicitation for the sale, or actual sale, of political party tickets.
- Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and non partisan issues.
- Service as a witness or challenger for any party or partisan committee;
- Participation in political caucuses of a partisan nature; and
- Participation in a political action committee which supports partisan activity.

Discipline: Any classified employee who engages in any of the activities listed as prohibited in the preceding paragraph is subject to discipline.

Scope: Nothing in this Article pertains to unclassified employees.

3.19 Rehiring Retired OPERS Members

County Employees Who Take OPERS Retirement May Be Rehired Subject To The Following:

In accordance with O.R.C. §145.381, if the retiring employee is subject to hire through a Board, then sixty (60) days prior to rehire in the same job from which the employee retired, the hiring Board must give public notice of the employee's intent to rehire. The hiring Board must then hold a public hearing on the issue between fifteen (15) and thirty (30) days prior to the retired employee's rehire date.

At the time of retirement, the employee must be paid all accrued vacation time. When rehired, the employee will begin accruing vacation as a new employee. The employee will not receive credit for prior years' service in determining the vacation accrual rate.

If the employee requests payment of sick leave upon retirement, the employee will start with a zero balance and accrue sick leave as a new employee. The employee will not be eligible for any future payment of unused sick leave earned during post-retirement employment.

If the employee does not request payment of sick leave upon retirement, he may retain the sick leave balance for use when rehired provided his re-hire date is within ten years of his retirement. If the employee chooses not to request payout upon retirement, he shall not be eligible for any payment of unused sick leave upon separation from the post-retirement employment.

Classified employees who are rehired subsequent to taking OPERS retirement will receive no credit for prior service. Rehired employees will start a new period of classified service for the purpose of calculating service credits in the event of layoff or other action affecting their employment.

Employees are required to notify their employer of their retirement date. The County reserves the right to start a rehired employee at a newly negotiated rate of pay.

3.20 Outside Employment

No employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair their independent judgment or action in the performance of their official duties. Neither shall other employment, private or public, interfere in any way with the employee's regular, punctual attendance and faithful performance of their assigned job duties. The County Engineer must approve all outside employment.

The following activities are strictly prohibited under this policy:

- Employees are prohibited from engaging in secondary employment while on sick leave, disability leave or family medical leave;
- Employees are strictly prohibited from engaging in or conducting outside private business during scheduled working hours and are further prohibited from engaging in conduct which creates a potential or actual conflict of interest with their duties and responsibilities as a County Engineer's Office employee;
- Engaging in or conducting outside private business while wearing a county uniform, I.D. badge, or while making representations that the private business is associated with the county.

An employee, who engages in outside employment that is determined to be contrary to the interests of the County, or that is determined to interfere with their County Employment, will be instructed to resolve the conflict, which may require resigning from outside employment. If the conflict cannot be resolved/or if the employee refuses to resign from their secondary employment, disciplinary action may result. Any employee having doubt as to the applicability of these provisions should consult their supervisor or County Engineer.

3.21 Workplace Violence

Zero Tolerance Policy

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

Prohibited Acts of Violence

Prohibited acts of workplace violence include, but are not limited to, the following, which may occur on duty or off-duty:

- Hitting or shoving an individual.
- Threatening to harm an individual or his/her family, friends, associates, or property.
- The intentional destruction of property.
- Harassing or threatening telephone calls, letters or other forms of written or electronic communications, including e mail and social media postings.
- Intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule.
- The willful, malicious and repeated following of another person, also known as “stalking” and making threats with the intent to place another person in reasonable fear for his/her safety.
- Suggesting or otherwise intimating that an act to injure persons or property is “appropriate”, without regard to the location where the suggestion or intimation occurs.
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on County property.

Warning Signs and Risk Factors

The following are examples of warning signs, symptoms and risk factors which may indicate an employee’s potential for violence. In all situations, if violence appears imminent, employees should take the precautions necessary to assure their own safety and the safety of others. An employee should immediately notify management if he witnesses any violent behaviors, including but not limited to the following:

- Hinting or bragging about a knowledge of firearms.
- Making intimidating statements such as: “I’ll get even”, or “You haven’t heard the last from me.”
- Keeping records of other employees the individual believes to have violated departmental policy.
- Physical signs of anger, such as, hard breathing, reddening of complexion, menacing stares, loudness, and profane speech.
- Acting out violently either verbally or physically.
- Excessive bitterness by a disgruntled employee or an ex-employee.
- Being a loner, avoiding all social contact with coworkers.
- Having a romantic obsession with a coworker who does not share that interest.
- History of interpersonal conflict.
- Domestic problems, financial problems, unstable/dysfunctional family.
- Brooding, depressed, strange behavior

Upon receiving a report of potential workplace violence, the supervisor shall immediately notify the appointing authority or the Prosecutor’s Office.

3.22 Smoke Free Work Environment

As required by Ohio Law, there shall be no smoking in county buildings, facilities, offices, vehicles, and work areas. While smoking is unhealthful and strongly discouraged, the county recognized that each employee has the right to smoke and may so only at designated outside locations. Employees will not, however, be allowed to lessen their total daily or weekly time in order to smoke.

Employee Tobacco Use Policy - Except as allowed in Section 3.21 above, County employees are prohibited from using tobacco while on County property, while performing duties related to County employment whether on or off site, while traveling for County business, and in any other circumstances or locations where an employee is representing the interests of the County.

For the purpose of this policy, tobacco is defined as all products that deliver nicotine for purposes other than cessation. Examples include (but are not limited to) tobacco, tobacco derived substances, substances mimicking tobacco, cigarettes, electronic cigarettes, vapor cigarettes, artificial/faux cigarettes, cigars, cigarillos, pipes, and oral tobacco. Any manner of using or consuming tobacco, tobacco derived substances, or substances mimicking tobacco is prohibited.

SECTION 4

WORKWEEK AND HOURS/PAYROLL

4.01 Compliance with the Fair Labor Standards Act (FLSA)

The Fair Labor Standards Act (FLSA) generally requires that employees be paid overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek. However some employees are exempted from receiving overtime pay based on factors including weekly pay or assigned job duties that are executive, professional, or administrative in nature. Under the FLSA employees are considered either “Non-Exempt” (eligible for overtime pay), or “Exempt” (not eligible for overtime pay). Employees should be aware of their job status, whether exempt or non-exempt, and address any questions about their status under the FLSA to their supervisor or appointing authority.

4.02 Regular Work Hours

Each appointing authority establishes the scheduled work hours for each department of office, depending on the nature of the work, work practices and custom. Staff may be required to work days, evenings, nights and/or weekends due to operational needs. Additionally, the County may alter schedules, days off and shifts based upon operational needs.

Full-Time Hours: Full time employment shall be considered (40) hours a week or the level accepted by the employee’s appointing authority as full-time service. Full time employment shall be considered 30 hours a week for all wellness benefits purposes. Employees shall receive reasonable posted notice of any change in regular work hours.

Non-Exempt Employees: Employees who are not exempt from the overtime provisions of the Fair Labor Standards Act (“FLSA”) are prohibited from signing in or beginning work before their scheduled starting time, or signing out/stopping work past their scheduled quitting time except with supervisory approval or in emergency situations. Additionally, non-exempt employees who receive an unpaid lunch period are prohibited from working or remaining at their desk or computers during their lunch period except with supervisory approval or in emergency situations. Non-exempt employees who work outside their regularly scheduled hours in contravention of this rule shall be paid for all hours actually worked, but may be disciplined accordingly.

NOTE: Bargaining Unit employees should refer to their collective bargaining agreement for information regarding hours of work and overtime.

4.03 Work Hours and Regulations for Bargaining Unit Employees (11/13/06)

The regular workweek shall be forty (40) hours consisting of five consecutive eight (8) hour workdays or four ten (10) hour workdays.

Each employee shall be at an assigned work site during all working hours. Each employee will receive assignment before beginning work each morning. For any employee remaining in the lounge area beyond stating time, the highway maintenance superintendent will assume the employee will not be working that day. When unassigned to a work site or when assigned job is finished, the employee shall notify the highway maintenance superintendent for reassignment. Employees that are tardy will probably be assigned a different duty. Employees will not be permitted during work hours to go home, work at personal business, loiter in garage area or otherwise abuse working hours. Employees shall not loiter in garage or lounge before quitting time. Any county vehicle that is not at an assigned job site will be checked by the County Engineer or Highway Maintenance Superintendent. Emergencies that require an employee’s presence at home or the conduct of personal business may be excused by their superintendent. Time spend on such leave shall not be eligible for pay.

The superintendent shall normally designate an employee to function as a working foreman for each daily project. In the

absence of such designation by the superintendent the employee in the highest classification working on the site, having the most seniority shall be considered as the working foremen. No additional compensation shall be given for such designation.

Employees shall not be required to work under unsafe conditions or operate unsafe equipment. However, such conditions must have been reported as per Article 27 Section 27.2 of the current collective bargaining agreement and such conditions must have not had corrective action taken. Employee may request the superintendent or the Engineer to evaluate the situation for determination as to the unsafe condition.

Overtime shall be in accordance with current Engineer's Policy.

Starting time shall be 7:30 a.m., Ohio Standard Time or 7:00 a.m. for seasonal ten (10) hour work days. Quitting time shall be 3:30 p.m., Ohio Standard Time or 5:00 p.m. for seasonal (10) hour work days. Lunch time shall be from 11:30 a.m. till 12:00 noon except in the cases of working straight eight (8) or ten (10) hour days when employees shall not be entitled to a lunch break. Employees are expected to carry lunches and eat at the job site. Employees shall not drive to the garage for lunch. County owned vehicles are not to be driven to homes, restaurants, etc., for the specific purpose of eating. If circumstances require the use of a county vehicle, prior approval shall be obtained from the County Engineer or the Highway Maintenance Superintendent.

All bargaining unit employees shall use the time clock provided in the highway garage for recording their work hours. Payroll will be taken from the time cards. The county will furnish time cards that cover a two (2) week payroll period and time cards are to be placed in the proper rack. Any employee who for any reason leaves work early shall punch out his/her time card at the time work ceases. Failure to punch out will result in the employee being paid only for hours of work as determined by the County Engineer. Disciplinary action may be taken against the employee.

Each employee shall be responsible for punching his/her own time card. No employee shall punch another employee's time card. Violation of this may cause disciplinary action to be taken against both employees.

Employees will not be required to punch in or out during lunch periods or during authorized breaks. Breaks are to be mid-morning and mid afternoon generally from 9:00 to 9:15 a.m. in the morning and from 2:00 to 2:15 p.m. in the afternoon. One break may be taken during the first half of the workday and the other break may be taken during the second half of the day. The County Engineer and the Highway Maintenance Superintendent will be checking for abuse of lunch period and break period time observance. Disciplinary action may be taken when employees are observed abusing the authorized lunch period and break period time. Work hours and regulations within a collective bargaining agreement and memorandum of understanding will be followed, if applicable.

Employees, whose cards are punched after the scheduled starting time shall be considered tardy, shall have the appropriate time deducted from their pay and may be subject to disciplinary action. Employees punching out after their scheduled work time will not be considered overtime unless authorized by the superintendent. Fractional hours will be computed to the nearest minute.

An employee who is unable to report to work shall notify the immediate supervisor prior to 7:30 a.m. or 7:00 a.m. during seasonal work days, for each day to be missed, unless emergency conditions make it impossible. All employees shall follow "Absence Notification Procedures". The Superintendent shall note the call on the time card and it shall be initialed by the superintendent.

Habitual tardiness and absence without leave will be considered "Neglect of Duty" as stated in Ohio Revised Code 124.01 - 124.64. Appropriate disciplinary action may be taken.

Absent without leave are days missed that are not covered by sick leave, vacation, compensatory time, or a written leave of absence from the County Engineer.

Daily Service Reports are to be filled out accurately each day. These are necessary for assigning costs to projects.

4.04 Office Work Hours and Regulations for Non-Bargaining Unit Employees (7/21/08)

The regular workweek shall be five (5) days, Monday through Friday. Each day shall consist of 7.5 working hours. For full-time service each workweek shall consist of 37.5 working hours. Highway Department employees and Supervisors shall have a 40 hour workweek.

Each employee shall be at his/her assigned work site during all working hours. Each employee will be assigned work during all working hours. Each employee will be assigned a time card and are required to punch the time clock prior to their scheduled starting time; when leaving for lunch; when returning from lunch; when leaving and returning from previously approved time off for sick, vacation or compensatory leave; and at the end of the work day.

Non-bargaining unit employees of the Logan County Engineer's Office will use the time clock in the Engineer's Office. Supervisors for Bargaining Unit Employees will use the time clock in the Logan County Highway Garage.

All employees are subject to punching the time clock with the exception of part-time employees without regularly scheduled work hours and part-time employees with primary duties at specific job sites which are outside of the Logan County Engineer's Office or County Highway Garage. Part-time employees not subject to punching the time clock are required to complete an accurate timesheet reflecting actual hours worked and proper work order number for job costing.

Personnel in the Map Room are not required to punch the time clock at the Logan County Engineer's Office.

During scheduled work hours, employees are not permitted to work at personal business, loiter in any offices or facilities of the Logan County Engineer's Office or otherwise abuse working hours.

For office staff, starting time shall be 7:30 a.m., Eastern Standard Time and quitting time shall be 4:00 p.m., Eastern Standard Time. Lunch periods are one hour only and should be scheduled at a time agreeable to your supervisor and/or other staff members to allow for coverage of duties. All non-bargaining unit employees are required to use the time clock to punch out for their lunch hour and to punch back in when they return.

Any lunch period in excess of one hour will be docked from the employee's pay. Abuse of work hours by extending lunch periods may result in disciplinary action.

County owned vehicles are not to be driven to homes, restaurants, etc., for the specific purpose of an employee's lunch hour. If circumstances require the use of a county vehicle, prior approval shall be obtained from the County Engineer.

Payroll will be taken from the time cards. The County will furnish time cards. All time cards should match the total hours worked as indicated on the Employee's hand-written time sheets with work order numbers. Any employee who for any reason leaves work early shall punch out at the time work ceases. Failure to punch out may result in the employee being paid only for hours of work as determined by the County Engineer. Any deviations from regular working hours in beginning and/or ending time or extended lunch periods must be authorized and initialed by the employee's supervisor or the Logan County Engineer. Disciplinary action may be taken against an employee that violates work hours and lunch periods.

Daily time sheet will be completed in addition to the punched time cards. These are necessary for assigning costs to projects. Any deviations to the regular working hours must be initialed on the time cards and daily time sheets by the employee's supervisor or the Logan County Engineer.

Each employee shall be responsible for punching his/her own time card. No employee shall punch another employee's time card. Violation of this may cause disciplinary action to be taken against both employees.

Employees are permitted to clock in before their starting time but will not be compensated unless authorized and initialed by the appropriate supervisor.

Employees punching out after their scheduled work time will not be compensated for overtime unless authorized and initialed by their supervisor or the Logan County Engineer. Fractional hours will be computed to the nearest minute.

Habitual tardiness and absence without leave will be considered “Neglect of Duty” as stated in Ohio Revised code 124.01 – 124.64. Appropriate disciplinary action may be taken. Absent without leave are days missed that are not covered by sick leave, vacation, compensatory time or a written leave of absence from the County Engineer. All employees will follow existing policies regarding sick leave, vacation leave, holiday leave, and compensatory leave.

During work hours, employees are required to sign in and out using the appropriate Sign-Out sheets. Engineer’s Office employees will use the Sign-Out sheet in the Engineer’s Office. Supervisors of Bargaining Unit Employees will use the Sign-Out Sheet posted in the Highway Garage.

When on duty, each employee will indicate their destination, vehicle taken, and time leaving. When the employee returns, they will complete the line item and write in the time returned. Employees will not punch out or in when performing work related duties during the normal working hours.

The County Engineer and his/her assigned personnel will be checking for abuse of work hours and lunch periods. Disciplinary action may be taken when employees are observed abusing work hours or lunch periods.

Employees, whose cards are punched in after 7:30 a.m. shall be considered tardy, shall have the appropriate time deducted from their pay and may be subject to disciplinary action. Employees punching out after 4:00 p.m. will be considered to have quit work at 4:00 p.m. unless their supervisor authorizes overtime pay.

An employee who is unable to report to work shall notify the immediate supervisor prior to 7:30 a.m., or the scheduled starting time for each day to be missed, unless emergency conditions make it impossible. All employees shall follow “Absence Notification Procedures.” The appropriate supervisor shall note the call on the time card and it shall be initialed by the supervisor.

4.05 Overtime

Non-Exempt Employees: Generally, employees not exempt from the overtime provisions of the FLSA shall be compensated for overtime for all hours actually worked in excess of forty (40) in any one work week, regardless of the employee’s regularly scheduled work day. Overtime shall be compensated at a rate of one and one-half times the employee’s regular rate of pay for actual overtime worked. Sick leave, vacation leave, personal days, compensatory time, holidays, scheduled non-working lunch breaks, and other paid and unpaid leaves shall not be considered hours worked for purposes of determining overtime compensation.

The County may mandate overtime as a condition of continued employment. Supervisors shall attempt to distribute overtime as equally as practicable among qualified employees within those classifications in which overtime is required. An employee who refuses to work a mandatory overtime assignment may be considered insubordinate and disciplined accordingly. Additionally, the County may authorize or require employees to work a flexible schedule in a work week. For overtime eligible employees, a flexible schedule must occur within a single forty-hour week.

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

Compensatory Time: At the discretion of the Appointing Authority, certain non-exempt employees may be permitted to take compensatory time-off in lieu of overtime payment. Compensatory time shall accrue at a rate of at one and one-half times the hours actually worked and, for non-safety forces, applies only to hours actually worked in excess of forty (40) hours. Compensatory time off may be taken by non-exempt employees in lieu of overtime payment, provided the employee does not exceed the maximum accrual of forty (40) hours. A maximum accrual of one hundred sixty (160) hours shall be allowed for public safety, emergency response, and seasonal activities. Compensatory time must be used, with the approval of the appointing authority, within one hundred eighty (180) days of its accrual. If it is not used within this time period, the employee shall receive payment at the rate of pay at the time it is used. The appointing authority may, at its sole discretion, require an employee to use his compensatory time prior to the employee reaching the accrual limit. Additionally, the Appointing Authority may choose to pay out an employee's compensatory time.

Earned Time Off: Employees who are exempt from the overtime provisions of the FLSA shall not receive compensatory time. However, if approved by the appointing authority, a bona fide executive, administrative or professional employee may receive earned time off. Earned time off may not be given on a time and one half basis, but may be given as an hour for hour trade or as a lump sum "bonus" for hours worked on a particular project. Earned time off shall not be paid out and shall either be used or lost.

Improper Deductions: The County intends to comply with all FLSA provision. Improper deductions that are not in accordance with the FLSA are prohibited. Additionally, improperly classifying individuals as "exempt" from overtime is prohibited. Any deduction that is subsequently determined to be improper, or any exemption status later found to be improper, shall be reimbursed. Any employee who believes that he has had an improper deduction from his salary, or who believes he has been improperly classified under the FLSA, shall submit a complaint in writing to the County Prosecutor or the Projects Coordinator, at the Commissioner's Office. They will investigate and see that a written response is provided in a timely manner to ensure a good faith effort to comply with the FLSA

4.06 Overtime Policy for Non-Bargaining Unit Employees (7/21/08)

Overtime pay shall be for all hours worked in excess of forty (40) hours in one work week. Hours actually worked shall be deemed to include all periods in an active pay status. Section 4111.03 O.R.C.

Hours for which an employee is compensated, but which he does not actually work because of sick leave, compensatory time, or holidays will be computed as active pay status for the purpose of determining the eligibility of said employee for pay at the overtime rate.

Employees required to work on the day observed as a holiday shall be paid one and one-half (1 ½) times their base pay in addition to regular holiday pay. Payment at such rate shall be excluded in the calculation of hours in active pay status. Section 124.18 O.R.C.

An employee may elect to apply for compensatory time off in lieu of overtime pay, for any overtime worked. Such compensatory time off, if approved, shall be granted, on a time and one-half (1 ½) basis and shall be used, at a time mutually convenient to the employee and the County Engineer, within 180 days after the overtime is worked. Section 124.18 O.R.C.

The rate of overtime pay shall be one and one-half (1 ½) times the regular rate of pay. Any compensatory time not used within 180 days of being earned shall be paid at the current base rate. The maximum amount of accrual is one hundred sixty (160) hours. No overtime will be paid without prior approval by the Administrative Coordinator or County Engineer.

4.07 Highway Department Overtime Working Regulations for Bargaining Unit Employees (2/02/05)

Employees shall be entitled to one and one-half times their regular hourly rate for all hours worked in excess of the normal workday or forty (40) hour in a workweek.

Hours for which an employee is compensated, but during which he does not actually work because of sick leave, vacation leave, compensatory time, or holidays will be computed as active pay status for the purpose of determining the eligibility of said employee for pay at the overtime pay.

Employees required to work on the day observed as a holiday shall be paid one and one-half (1 ½) times their base pay in addition to regular holiday pay of eight (8) hours straight time.

To receive holiday pay, the employee must be in active pay status on his or her assigned shift immediately preceding and immediately following the holiday.

In lieu of paid overtime, employees may select compensatory time. Such time shall be credited at one and one-half hours for each overtime hour worked. Compensatory time must be used within (6) months of the time it is earned. However, employees may carry up to forty (40) hours of compensatory time for up to nine (9) months. Any compensatory time not used within this period shall be paid to the employee.

No overtime will be paid unless authorized by Management.

Work hours will begin when the employee reports to the worksite after being called and end when the employee leaves the worksite.

Employees who are called in at hours that do not abut their normal work schedule shall be entitled to a minimum of four (4) hours pay at the straight time rate.

Employees called to work before starting time will be permitted to work through the day to the normal quitting time or they may leave after eight (8) or ten (10) hour days, providing the need no longer exists. Employees will not be permitted to apply for sick leave, personal leave, vacation leave, or compensatory time to complete their regular work hours unless approved by the Engineer or his designee.

Habitual absence during the week when overtime hours occur will not be tolerated and may be cause for dismissal through progressive corrective disciplinary action.

Employees subject to the collective bargaining agreement effective through March 31, 2005, may accrue a maximum of two hundred forty (240) hours of compensatory time as provided in O.R.C. 124.18

4.08 Payroll Deductions for Employee Organizations and Professional Associations (5/30/02)

Purpose: To establish rules for the voluntary deduction of employee organization and/or professional dues in order to protect county employees from unauthorized payroll deductions.

The Logan County Engineer through the County Auditor will deduct employee organization and/or professional association dues, initiation fees, and assessments upon receiving written authorization signed individually and voluntarily by the employee, provided the employee and the organization or association complies with the following procedures and requirements:

- An employee desiring to have dues, initiation fees and/or assessments deducted from his/her payroll check will be required to complete and submit a County Payroll History Form to the County Auditor. The employee will be required to complete and submit this form for each time the amount of the authorized deduction changes or for a

cancellation of an authorized deduction.

- When an employee organization or association submits an initial request for payroll deductions, the organization or association will be required to place on file with the County Auditor the following statements and information:
 - ✓ A statement that the organization or association has no restriction on membership based on race, color, creed, sex, or national origin;
 - ✓ A statement signed by the organization's or associations Chief Executive Office or designee, that the organization or association holds the County and its officials harmless from any claims, action or proceedings by any employee arising from deductions made by the County. In addition, a statement of agreement averring that once the funds are remitted to the organization or association, their disposition thereafter shall be the sole and exclusive obligation and responsibility of the organization or association;
 - ✓ The address of the organization or association where the warrant for the aggregate deductions is to be forwarded. An organization or association will be required to comply with this procedure one (1) time only.
- The County Auditor will deduct the authorized dues, each pay period, provided that the deductions can be split equally. If not, the entire deduction will be taken the first pay of the month.
- The Auditor will forward a warrant, in the aggregate of the deductions made, once each month for that deduction made in the previous month.
- No deductions will be made when: (1) an employee is in a non-pay status, (2) the authorization has been cancelled by the employee (see Section 5.9 of Article 5 regarding dues deductions) or (3) wages are insufficient to cover the deduction.
- For the deduction of regular dues, an employee will be required to state on the County Payroll History Form the exact dollar amount to be deducted from each payroll provided the amount can be divided equally. If not, the entire deduction will be taken from the first pay of the month.
- For the deduction of initiation fees and/or assessments, an employee will be required to submit a County Payroll History form authorizing the deduction of the exact dollar amount to be deducted from certain payrolls.
- The Auditor will charge the appropriate organization or association a reasonable administrative cost for processing authorized deductions; such administrative cost will be subtracted from the monthly funds remitted to the organization or association.

4.09 Absenteeism and Tardiness

Employees are expected to be present and ready to work at their scheduled starting times. Supervisors will document instances of employees arriving late. Excessive tardiness shall be grounds for discipline up to and including removal.

An employee who is absent for a scheduled work day without approved leave may be subject to discipline. Employees who are not exempt from the overtime provisions of the Fair Labor Standards Act shall not receive pay for any period of an unauthorized absence. An absence without approved leave for three consecutive work days shall be cause for removal, regardless of prior discipline. An appointing authority may set aside the removal and re-appoint the employee to their former position if, within ten (10) calendar days of the employee last actual work day, the employee presents a satisfactory explanation of his absence to the appointing authority.

Falsification of a physician's certificate or signed statement to justify the use of sick leave shall be grounds for disciplinary action, up to and including removal.

Failure of an employee to return to work at the expiration of an approved leave of absence shall be considered an absence without leave and shall be grounds for discipline, up to and including removal, in accordance with the regular policy on absences without leave. If it is determined that the employee is using a leave of absence for a purpose other than the purpose for which it was granted, the County Engineer may immediately revoke the leave of absence and may impose appropriate discipline on the employee, up to and including removal.

Failure to properly sign in or out as required, misrepresenting time worked, altering any time record, or allowing a time record to be altered by others will result in disciplinary action.

4.10 Absence Notification Procedures (6/10/05)

Purpose: To provide a uniform procedure for reporting an absence from work for Bargaining Unit and Non-Bargaining Unit Employees, including Map Room, to ensure coverage of duties for the public on a daily basis.

All employees of the Logan County Engineer Office must report an absence from duty on a daily basis for each occurrence prior to the employee's scheduled starting time.

If the employee is unable to contact his/her immediate supervisor prior to the scheduled starting time, he/she may utilize the automated voice message system on the main office telephone line (937-592-2791)

The employee is required to leave a detailed message with the following information:

- Name
- Date
- Reason for absence
- Anticipated return date and/or time
- Desired leave type for the absence

Map Room employees must contact the Chief Deputy surveyor or the Engineer's Main Office to report any unscheduled absence from work prior to his/her starting time or to modify regularly scheduled work hours.

Failure to follow the Absence Notification Policy may result in the status of Absence Without Leave, which is considered "Neglect of Duty" and subject to Discipline Policies.

When it is suspected that any leave type privileges are being abused, the County Engineer shall initiate investigations into the matter.

4.11 Holidays

Full time employees shall receive holiday pay for hours normally worked for:

<u>Holiday</u>	<u>Date Observed</u>
NEW YEAR'S DAY	January 1st
MARTIN LUTHER KING DAY	Third Monday in January
PRESIDENT'S DAY	Third Monday in February
MEMORIAL DAY	Last Monday in May
INDEPENDENCE DAY	July 4th
LABOR DAY	First Monday in September
VETERAN'S DAY	November 11th
THANKSGIVING DAY	Fourth Thursday in November
DAY AFTER THANKSGIVING	Friday following Thanksgiving
CHRISTMAS DAY	December 25th

The County Commissioners have the discretion to add additional holidays for County employees.

If the holiday falls on Saturday, the Friday immediately preceding shall be observed as the holiday; if it falls on Sunday, the Monday immediately succeeding shall be observed.

An employee shall receive holiday pay rather than sick leave for any holiday which occurs when he is absent on sick leave.

If an employee's work week is other than Monday through Friday, he is entitled to holiday pay for any holidays observed on his days off. Part-time employees are entitled to holiday pay only for those days and hours on which they are scheduled to work.

If the employee is required to work on a holiday, they shall receive their holiday pay plus pay for time actually worked on the holiday. Employees shall be paid at a rate of one and one half times the employee's regular rate for any hours worked on a holiday.

NOTE: Bargaining Unit employees should refer to their collective bargaining agreement for information regarding holidays.

4.12 Vacation Leave, Sick Leave, and Holiday Leave with Pay (1/15/10)

Purpose: To provide a uniform procedure for recording time, credits and deductions for vacation and sick leave.

Vacation Leave with Pay and Holiday Pay- In accordance with Section 325.19 (A)(1) of the Ohio Revised Code, each full-time employee in the several offices and departments of the county service, including full-time hourly rate employees, after service of one year with the county or any political subdivision of the state, shall have earned and will be due upon the attainment of the first year of employment, and annually thereafter, eighty hours of vacation leave with full pay. One year of service shall be computed on the basis of twenty-six biweekly pay periods.

A full-time county employee with eight or more years of service with the county or any political subdivision of the state shall have earned and is entitled to one hundred twenty hours of vacation leave with full pay. A full-time county employee with fifteen or more years of service with the county or any political subdivision of the state shall have earned and is entitled to one hundred sixty hours of vacation leave with full pay. A full-time county employee with twenty-five years of service with the county or any political subdivision of the state shall have earned and is entitled to two hundred hours of vacation leave with full pay.

Such vacation leave shall accrue to the employee at the rate of three and one-tenth (3.1) hours each biweekly period for those entitled to eighty hours per year; four and six tenths (4.6) hour each biweekly period for those entitled to one hundred twenty hours per year; six and two-tenths (6.2) hours each biweekly period for those entitled to one hundred sixty hours per year; and seven and seven-tenths (7.7) hours each biweekly period for those entitled to two hundred hours per year.

In accordance to Section 325.19 (A)(2), full time employees granted vacation leave under division (A)(1) of this section who render any standard of service other than forty hours per week as described in division (J) of this section and who are in active pay status in a biweekly pay period, shall accrue a number of hours of vacation leave during each such pay period that bears the same ratio to the number of hours specified in division (A)(1) of this section as their number of hours which are accepted as full-time in active pay status, excluding overtime hours, bears to eighty hours.

Vacation leave shall be taken by the employee during the year in which it is accrued and prior to the next recurrence of the anniversary date of the employee's employment, provided the County Engineer may, in special and meritorious cases, permit such employee to accumulate and carry over the employee's vacation leave to the following year. No vacation leave shall be carried over for more than three years.

Employees shall forfeit their right to take or to be paid for any vacation leave to their credit which is in excess this amount. Such excess leave shall be eliminated from the employee's leave balance.

Any employee is entitled to compensation, at the employee's current rate of pay, for the prorated portion of any earned but unused vacation leave for the current year to the employee's credit at time of separation, and in addition shall be

compensated for any unused vacation leave accrued to the employee's credit, with the permission of the County Engineer, for the three years immediately preceding the last anniversary date of employment. No payment will be made to employees having less than one year of service.

Per the negotiated contract, bargaining unit employee requests for vacation leave shall be in increments of not less than one hour.

In the case of death of a county employee, the unused vacation leave and unpaid overtime to the credit of any such employee shall be paid in accordance with the applicable Section(s) of the Revised Code, or to the employee's estate.

Bargaining unit employees will schedule vacations in accordance with Section 17.8 of Article 17 of the collective bargaining agreement.

Each employee shall file a request for vacation leave on the standard leave form at least one week [five (5) business days] in advance for vacation, if the vacation is to be over four (4) days long. Request for shorter periods shall be filed two (2) business days in advance. If special requests are needed, they will be considered by the proper superintendent. Requests for vacation after it has occurred will not be granted, unless of an emergency nature and then only after discussion with the County Engineer. It is desired that in each classification only four (4) employees or one-half (1/2) of the total in the classification, whichever is less, shall be allowed vacation leave at the same time, unless the County Engineer makes special arrangement.

In addition to vacation leave, a full-time county employee shall be entitled to eight (8) hours of holiday pay for New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving (in place of Columbus Day), and Christmas Day of each year.

In the event that any of the aforesaid holidays fall on Saturday, the Friday immediately preceding shall be observed as the holiday. In the event that any of the aforesaid holidays fall on Sunday, the Monday immediately succeeding shall be observed as the holiday.

In order for employees of the bargaining unit to receive pay for the above holidays, the employee must be in active pay status on his or her assigned shift immediately preceding and immediately following the holiday. Employees of the bargaining unit who are working on a ten (10) hour shift in a work week in which a holiday falls shall be entitled to use two (2) hours of vacation leave in order to receive ten (10) hours pay for the work day on which the holiday is observed.

Employees of the bargaining unit shall receive the same one-half day as a holiday on Christmas Eve as non-bargaining unit employees as referenced in Section 18.6 of Article 18 of the collective bargaining agreement.

Sick Leave with Pay: Employees in the various offices of the county in accordance with Section 124.38 of the Ohio Revised Code, shall be entitled, for each completed eighty (80) hours of service, to sick leave of four and six-tenths (4.6) hours with pay.

Unused sick leave shall be cumulative without limit. When sick leave is used, it shall be deducted from the employee's credit on the basis of one (1) hour for every one (1) hour of absence from previously scheduled work.

The previously accumulated sick leave of an employee who has been separated from the public service shall be placed in the employee's credit upon the employee's re-employment in the public service, provided that such re-employment takes place within ten (10) years of the date on which the employee was last terminated from public service.

Upon retirement from active service with Logan County, an employee with ten (10) or more years of service with the state, any political subdivision thereof, shall be paid in cash for one-fourth (25%) of the value of the employee's accrued but unused sick leave credit. The payment shall be based on the employee's rate of pay at the time of retirement. The maximum payment to the employee shall not exceed the value of thirty (30) days at the employee's normal work week, not to exceed eight hours per work day, up to a maximum payment of 240 hour total.

Employees may use sick leave, upon approval by the County Engineer, for the following reasons:

- Illness, injury or pregnancy related condition of the employee
- Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees or the public.
- Examination of the employee, including medical, psychological, dental or optical examination, by an approved practitioner which cannot be scheduled during non-working time. A physician's not confirming the appointment date and time is required and shall be attached to the sick leave form.
- Illness, injury, death, or pregnancy related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary. A physician's note confirming the appointment date and time is required and shall be attached to the sick leave form.
- If applicable, bargaining unit employees may convert sick leave to use as personal leave, as stated in a collective bargaining agreement.
- Immediate family is defined as: spouse, children, grandchildren, parents, grandparents, siblings, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father-in-law, mother-in-law, step-parents, step-children, and step-siblings.

An employee who is absent due to one of the above reasons must report his absence to the appropriate supervisor as soon as possible. In order to qualify for use of paid sick leave, the employee must complete a sick leave application form as soon as possible after such sickness occurs. If the injured or ill employee or family member required medical attention, a licensed physician's certificate stating nature of illness must be attached to the application. A physician statement may be required for any absence exceeding three days. Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action including dismissal.

If an employee's illness or disability continues beyond the time covered by his earned sick leave, the employee may be eligible for unpaid leave under the provisions of the Family and Medical Leave Act (FMLA)

General Rules: Employees failing to comply with vacation or sick leave rules and regulations shall not be entitled to such leave with pay.

No employee working on an hourly basis shall be entitled to pay for time absent from duty except for vacation, sick leave, and legal holidays. Absent without leave is to be considered "Neglect of Duty".

It behooves all employees to allow sick leave to accumulate so that any serious illness can be covered if it occurs.

No advance sick leave will be granted by this department.

When it is suspected that sick leave privileges are being abused, the County Engineer shall initiate investigations into the matter.

4.13 Hours for Volunteer Firefighter or EMS Provider

An employee may be excused from work for purposes of responding to emergencies as a volunteer for the fire department or any emergency services provider. No later than thirty days after receiving certification as a volunteer firefighter or a volunteer of emergency services, an employee shall submit to his/her supervisor a written notification signed by the chief of the volunteer fire department or chief administrator of the emergency medical organization in which the employee serves, notifying of the employee's status as a volunteer.

An appointing authority may permit only one (1) employee of that appointing authority on any given day to be paid for hours for being late to or absent from work because of responding to a dispatch as a volunteer firefighter or emergency medical services provider.

Any employee shall make every effort to report to his or her supervisor as soon as possible of being dispatched. If notification cannot be made due to the extreme circumstances of the emergency or the inability to contact his/her supervisor, the employee shall submit upon the return to work a written explanation from the chief of the volunteer fire department or the chief administrator of the emergency medical services organization stating that the employee responded to an emergency and the date and time of the response. An employee shall also complete an application of leave form upon return to work.

An employee shall submit to his/her appointing authority and supervisor written notification of any changes in status as a volunteer firefighter or emergency service provider.

4.14 Lactation Break

Upon request, employees who have recently given birth will be provided with a reasonable amount of break time for purposes of expressing breast milk for up to one year after the birth of a child. The employee will be provided with an appropriate space (such as an office or private area, but not a bathroom) that is shielded from view and free from intrusion from co-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. To the extent additional time is needed, such additional time shall be unpaid. Employees requesting a lactation break should make arrangements in advance with their supervisor.

SECTION 5

DRUG AND ALCOHOL POLICY

5.01 County Drug and Alcohol Policy

Purpose: It is the County's policy to ensure that its employees are free from the effects of alcohol and/or illegal drugs at all times while on duty. Our goal is to reduce accidents, injuries and fatalities resulting from drug and alcohol abuse and to ensure that employees are drug free while serving the needs of the public. We recognize alcoholism and drug addiction as a condition which is treatable and encourage those employees who suspect that they have a drinking or drug problem to seek professional treatment and assistance. This provision does not prohibit the County from taking appropriate disciplinary action against employees for inappropriate behavior. This provision also does not affect or alleviate any additional requirements concerning drug and alcohol testing for safety sensitive positions.

Use of Alcohol and Controlled Substances Prohibited: No County employee shall report for work or remain at work while having an alcohol concentration of 0.02 or higher. No County employee shall report for duty or remain on duty when the employee uses any controlled substance, except when the use is prescribed by a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform his job duties. The employee shall provide his supervisor with the physician's report concerning such prescriptions before beginning work.

Use of Medical Marijuana: Medical marijuana use as authorized by state law is not exempted from the County drug and alcohol policy and constitutes a violation of this policy. Employees who use medical marijuana in violation of this policy shall be subject to discipline up to and including discharge.

Events Result in Employee Drug and/or Alcohol Testing: All County employees are subject to drug and/or alcohol testing conducted under any of the following conditions:

Pre-employment drug testing: As allowed by law prospective employees must submit to a drug test after a conditional job offer as been extended to the individual. Any prospective employee who test positive for the use of alcohol or controlled substances or engages in any of the actions listed in section "**Refusal to Test**", will not be hired. Each job classification will be evaluated to determine if it is subject to pre-employment drug testing.

Reasonable suspicion of drug and/or alcohol use: Whenever an employee's supervisor has reasonable suspicion to believe that an employee is under the influence of alcohol or a controlled substance, we will require such employee to submit a urine or other sample for alcohol and/or controlled substances testing. Reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. All supervisors and managers will be trained to recognize drug and alcohol related signs and symptoms. Reasonable suspicion testing may be based on, among other things:

- Observed behavior, such as direct observation of drug/alcohol use of possession and/or the physical symptoms of drug and/or alcohol use;
- A pattern of abnormal conduct or erratic behavior;
- Arrest or conviction for drug related offense or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking;
- Information provided either by a reliable and/or credible source independently corroborated regarding an employee's substance abuse, or
- Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

Post Accident Testing: As soon as practicable following an accident involving a motor vehicle or any other work related accident, Logan County, its elected officials, or its appointing authorities may test each employee involved in the accident

for alcohol and controlled substances. An employee will be tested whenever it appears his alcohol or substance use could have caused or contributed to the accident, whether an injury occurred or not. Any employee who is subject to post accident testing shall make himself readily available for such testing or shall be deemed to have refused to submit to testing. If the test is not administered within eight hours following the accident, the test shall not be administered and a written statement explaining why the test was not administered shall be submitted to the County.

WARNING: IF AT ANY TIME OF ANY POST ACCIDENT/INJURY TEST THERE IS REASONABLE CAUSE TO BELIEVE THE EMPLOYEE USED A PROHIBITED SUBSTANCE OR WAS UNDER THE INFLUENCE OF SUCH SUBSTANCES AND THE TEST RESULT IS POSITIVE OR THE EMPLOYEE REFUSES TO TEST, ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS' COMPENSATION LAWS OF THE STATE MAY BE AFFECTED.

Return to work testing: We shall ensure that, before an employee returns to work after engaging in prohibited alcohol and/or controlled substance conduct, the employee undergoes a return to work alcohol test with a result indicating an alcohol concentration of less than 0.02 and verified negative result for controlled substance abuse.

Follow up drug and alcohol testing: Any employee who test positive for the use of alcohol or controlled substances while on duty may be evaluated by a substance abuse professional. If, following an evaluation, Logan County, its elected official, or its appointing authority directs the employee to undergo substance abuse counseling, the employee shall be subject to unannounced follow up alcohol and/or controlled substances testing consisting of up to six test in the twelve months after the employee's return to work.

Any County employee may, on their own volition, voluntarily undergo a drug screening and/or alcohol screening test. Testing done under these circumstances will be treated in the same manner as if the employee had been ordered to undergo screening.

Testing Requirements: All laboratory drug screening tests, which may be used as the basis for disciplinary action, shall be conducted by medical laboratories meeting the standards and certified by, the National Institute of Drug Abuse, the National Institute of Health, and the Department of Health and Human Services. A vendor selected by the County shall perform all drug testing.

Laboratory testing will be used to detect substance abuse problems, to deter employees from substance use that violates this Policy, and to facilitate appropriate action to correct substance use problems. In addition to alcohol, the drugs tested for under this Policy are as follows:

- | | |
|--------------------|---------------------------------------|
| a. Amphetamines | (speed, uppers) |
| b. Cocaine | (including crack cocaine) |
| c. Opiates | (codeine, heroin, morphine) |
| d. Barbiturates | (sedative hypnotics) |
| e. Benzodiazepines | (sedative hypnotics, Valium, Librium) |
| f. Cannabinoids | (Marijuana) |
| g. Methaqualone | (Qualudes) |

Logan County reserves the right to test for additional substances beyond those listed above, including but not limited to Methadone (narcotic agonist, used to treat heroin addiction); Propoxyphene (narcotic analgesics, Darvon, Darvoset); Hydrocodone (Vicodin, Lortab, Lorcet); and/or Oxycodone Hydrochloride (OxyContin, Percocet).

Logan County, its elected officials, or its appointing authorities shall afford applicants and employees the opportunity, prior to testing, to list all prescription and non-prescription drugs and controlled substances they have used to explain the circumstances surrounding the use of such drugs and controlled substances. If an applicant or employee tests positive for the use of alcohol or controlled substances, we, prior to taking any action, will permit the applicant or employee the

opportunity to explain, in writing, the test results. Failure of any applicant or employee to establish an adequate legal basis for the use of such drug or controlled substance shall constitute a violation of this policy.

No laboratory test shall be considered positive until it has been confirmed by a gas chromatography/mass spectrometry full scan test or its equivalent. The procedures utilized by the County and testing laboratory shall include an evidentiary chain of custody control. All samples collected shall be contained in two (2) separate containers for use in the prescribed testing procedures in accordance with the laboratory's testing procedures. All laboratory procedures shall be outlined in writing and shall be followed in all situations arising under this policy. Copies of the procedures used shall be distributed to employees upon testing and/or upon request.

Any employee who is notified of selection for drug and alcohol testing shall be relieved of any job responsibilities as soon as possible and shall proceed to the designated test site immediately. A selected employee shall not make any stops from the time of notification until reaching the designated test site. Failure to proceed immediately to the drug testing site may be considered a refusal to test.

The results of the testing shall be delivered to a qualified Medical Review Officer (MRO) at the collection site. Any employee who has tested positive for any of the substances will be notified by the MRO and may discuss the positive test results with the MRO before a result is reported to the employer. The employee will have an opportunity to explain any special circumstances to the MRO. The MRO has the authority and responsibility for reporting the results to the county for action. An employee whose confirmatory test results are positive shall have the right to request a certified copy of the testing results in which the vendor shall affirm that the tests results were obtained using the approved protocol methods. The employee shall provide a signed release for disclosure of the testing results to the County. Refusal to submit to the testing or to execute the release may be grounds for discipline up to and including termination.

The County elected official or appointing authority will pay any costs of drug screening tests and confirmatory tests except that any test initiated at the request of the employee shall be at the employee's expense.

Refusal to Test: Refusal to submit to drug and alcohol tests employed by Logan County, its elected officials, or its appointing authorities will be grounds for disciplinary action, up to and including termination. A refusal to test includes conduct that would obstruct the proper administration of a test. The following is a list of some, but not all, of the actions an employee may take which will be considered a refusal to test:

- Refusal to sign the form releasing test result to the County;
- A non-medical delay in providing urine, breath, blood or saliva specimen;
- Failure to report directly to the testing facility upon notification;
- The use of any product or means to invalidate the test results.

Confirmatory Tests: If a laboratory drug screening test is positive, a confirmatory test shall be conducted in the manner prescribed in the laboratory's procedures. In the event the second test confirms the results of the first test, we will proceed with appropriate discipline. In the event that the second test contradicts the result of the first test, we will request a third test in accordance with the procedures prescribed above. We will pay the cost of this test. The results of this test, if positive, shall allow the County to proceed with discipline. If the results of the third test are negative, discipline shall not be imposed.

Discipline and Rehabilitation: Logan County, its elected official, or its appointing authority will place an employee on paid suspension before the time the confirmatory test results are complete. If the screening test and confirmatory test are positive, the employee may be disciplined up to and including termination.

If the testing required above has produced a positive result, the appointing authority will take appropriate disciplinary action and/or may require the employee to participate in a rehabilitation or detoxification program. An employee who

participates in a rehabilitation or detoxification program shall be allowed to use sick time, compensatory days, vacation leave, and personal days for the period of the rehabilitation or detoxification program. If no such leave credits are available, the employee shall be placed on medical leave of absence without pay for the period of the rehabilitation or detoxification program. Family medical leave may be used if available and appropriate. The County is not obligated to offer treatment in lieu of discipline.

Upon completion of such program, and upon receiving results from a return to work testing demonstrating that the employee is no longer abusing a controlled substance, the employee will be returned to their former position. Such employee may be subject to periodic re-testing upon his return to their position for a period of one (1) year from the date of their return to work.

If the employee refuses to undergo rehabilitation or detoxification, or if the employee tests positive during follow up testing within one (1) year after her return to work from such a program, the employee will be subject to disciplinary action up to and including termination.

Confidentiality: Test results will, as a general rule, remain confidential. However, test result information in connection with the County business will be used for purposes of employment or disciplinary actions and in defense of related litigation. Test results will be disclosed when required by government agencies or in accordance with state and federal law.

Employee Assistance: It is the County's policy to assist those employees who are facing alcohol and drug dependency problems. Therefore, any employee who voluntarily seeks assistance from their elected officials, supervisor, or appointing authority for an alcohol and/or drug dependency problem shall be referred to an available assistance program. The County would seek a referral to an assistance program designed to help employees seek appropriate diagnosis and treatment for alcohol and/or drug dependency. Any employee found to have tested positive for drug and/or alcohol use as a result of the drug testing provisions set forth herein may be also be referred to an assistance program.

In the event an employee needs treatment during the employee's scheduled work time, the County, its elected official, or its appointing authority may allow the employee to use any paid leave of absences the employee has accrued at that time. Notwithstanding the foregoing, the employee is still responsible for complying with existing job performance standards and work rules.

An employee's participation in an assistance program does not prevent an appointing authority from issuing discipline for any misconduct relating to the employee's drug and/or alcohol use.

5.02 Naloxone/Narcan Policy

Many public entities have started to procure Naloxone, commonly known by the brand name Narcan, and allowed the employees to carry and administer it in emergency situations to counteract drug overdoses. The Ohio Legislature recently passed Senate Bill 319, which went into effect on April 6, 2017, which allows for a service entity to procure Narcan for use in emergency situations.

Senate Bill 319 enacted Ohio Revised Code §4729.514, which allows for the procurement of Narcan by service entities. O.R.C. 4729.541(B) states that, "a service entity may procure Naloxone for use in emergency situations.: O.R.C. 4729.541(A) defines "service entity" as:

A public or private entity that provides services to individuals who there is reason to believe may be at risk of experiencing an opioid-related overdose. "Service entity" includes a college or university, school, local health department, community addiction services provider, court, probation department, halfway house, prison, jail, community residential center, homeless shelter, or similar entity.

Logan County agencies or offices that are “Service Entities” as described under O.R.C. 4729.541(B) may procure Narcan and allow properly trained and authorized employees to carry and administer Narcan in emergency situations, if the agency so chooses.

An employee who wishes to carry and potentially administer Narcan while on the job must satisfy the following requirements set forth by Logan County, in order to do so. The employee must first notify in writing his/her supervisor of the desire to carry Narcan on the job. The appointing authority will consider the request, and if approved, the employee must then undergo specific training. This will include training regarding how to safely store, handle, transport and administer Narcan, as well as how to recognize when an individual is overdosing and when administering a dose of Narcan is necessary. The appointing authority reserves the right to require additional training that it sees fit, and may revoke the employee’s authorization at any time. An employee who satisfied all of the above requirements will then be authorized by the appointing authority to carry and administer Narcan in emergency situations, if necessary.

5.03 Commercial Drivers License (CDL) and Safety Sensitive Function (5/30/02)

Purpose: The purpose of this policy is to assure that covered employees are fit for duty; to eliminate, if possible, the risk to the County posed by the use of alcohol, drugs, and controlled substances by covered employees and to maintain a work place free of alcohol abuse, controlled substance use or drug abuse. It is further the county’s purpose to detect, identify and remove from duty those covered employees when such employees are not fit for duty. However, it is not the purpose of the policy to warrant or to guarantee to the public at large or other employees of the County who are injured by a covered employee that the county has detected or will in every instance detect that a violation of this policy has occurred before some injurious result occurs, and it is not the purpose of this policy to create an expressed or implied warranty on the part of the County to the public at large or the employees that all covered employees are free from alcohol abuse, drug misuse, or controlled substance use.

It is the Logan County Engineer’s Office (hereinafter referred to as the County) policy to employ those individuals who do not use illegal drugs or abuse alcohol or abuse prescriptions drugs, on or off the job. Federal laws and regulations have been adopted which require the County Engineer’s Office to implement a drug, controlled substance, and alcohol screening program for operators of a commercial motor vehicle and for employees who engage in certain safety sensitive occupations. Accordingly, a requirement for entering County Employment, retaining County employment, or advancing in the administrative service of the County into positions to which the above mentioned Federal regulations apply shall henceforth be that such an employee is fit for duty in the additional sense that he or she is free of drug dependence, not a user of nor a trafficker in controlled substances including marijuana or drugs, and free of alcohol dependency or use such that his or her normal mental or physical capabilities are not impaired. In meeting these goals, it is further the County’s policy to:

- Assure that covered employees operating a covered vehicle with or without a commercial driver’s license are fit for duty and able to perform their assigned duties in a safe, productive, healthy, and unimpaired manner.
- Create a workplace free from the adverse effects of drug, alcohol, and substance abuse.
- Prohibit the unlawful manufacture, distribution, dispensing, possession or use of alcohol, drugs or controlled substances including marijuana, among persons entrusted with covered vehicles or persons employed by the County by contract to engage in work involving the operation of a covered vehicle.

Any questions regarding these policies or procedures should be directed to the Administrative Coordinator.

All employees who operate a commercial motor vehicle (CMV) and all employees who engage in or supervise safety-sensitive functions are subject to this policy. This includes, but is not limited to:

- Full-time regularly employed drivers; casual, intermittent, or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to the employer or who operate a commercial motor vehicle (CMV) at the direction or of the consent of the employer.

- For the purposes of pre-employment/pre-duty testing only, the term driver includes a person applying to the employer to drive a commercial motor vehicle (CMV).
- Employees promoted or transferred into a position requiring the operation of a commercial motor vehicle (CMV) are treated as new hires for the purposes of this policy and pre-employment testing requirements.

For the purposes of this policy, safety-sensitive functions include but are not limited to:

- All time on private or any public property waiting to be dispatched, unless the driver has been relieved from duty by the employer.
- All time inspecting equipment are required or inspecting, servicing, or conditioning any CMV at any time.
- All time spent at the driving controls or a commercial motor vehicle (CMV) in operation.
- All time, other than driving time, in or upon any commercial motor vehicle (CMV).
- All time loading or unloading a vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- All time spent by the driver performing functions relating to accidents.
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.
- All time spent working within the public right-of-way or any other county administered construction project.
- All time spent operating any and all equipment.

Employees covered by the policy are prohibited from engaging in the following:

- Reporting to duty, remaining on duty, performing safety-sensitive function while having an alcohol concentration of 0.02 or greater.
- Reporting to duty, remaining on duty, or performing safety-sensitive function while using a controlled substance, including prescription drugs, unless the physician has advised the driver that the substance does not adversely affect the driver's ability to operate a commercial motor vehicle (CMV) or if the driver test positive for controlled substances or marijuana.
- Using, possessing or distributing alcohol or controlled substances while on duty or operating a commercial motor vehicle (CMV).
- Performing safety-sensitive functions within four (4) hours after using alcohol.
- Using alcohol within eight (8) hours following an accident in which the driver is required to take a post-accident alcohol test or until the driver undergoes a post-accident test, whichever occurs first.
- Refusing to submit to post-accident, random, reasonable suspicion or follow up alcohol or controlled substances test.
- Unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, including marijuana, by any employee which takes place in whole or in part in the employer's work place is strictly prohibited and will result in criminal prosecution and employee discipline.

If a driver/employee violates any of the prohibitions listed in above section of this policy, the following consequences will result:

- The employee may be disciplined up to and including dismissal. The Progressive Corrective Disciplinary Action Policy of the Logan County Engineer's Office will be implemented.
- The employee shall be immediately removed from the safety-sensitive position. Such removal is not subject to the grievance procedure.
- The employee shall be provided with information regarding the services available for alcohol and substance abuse.
- The employee shall be evaluated by a substance abuse professional (SAP), and may not return to work until all recommended counseling and therapy are completed. This action is not subject to the grievance procedure.
- The employee will be subject to re-evaluation, return-to-duty testing, and unannounced follow-up testing. These

actions are not subject to the grievance procedure.

- The employee may use vacation, compensatory time or administrative leave without pay while suspended from safety-sensitive position.
- The employee will not be permitted to return to work in a light duty, non-safety sensitive position while suspended for any violation listed in above section of this policy.

An employee is required to report the use of any prescription or non-prescription use of medicines containing alcohol or controlled substances to his/her supervisor.

An employee will be required to submit to testing for controlled substances under the following circumstances:

- **Pre-employment testing (49 CFR 382.301):** Prior to the first time an employee performs a safety-sensitive function, the employee will be tested for a controlled substances. The employee will not be permitted to perform safety-sensitive functions unless the controlled substance test results are negative.
- **Post-accident testing (49 CFR 382.303):** As soon as practicable following (a) an accident in which a fatality occurs, (b) an accident in which an injury is treated away from the scene, or (c) an accident in which a vehicle is required to be towed from the scene; the employee shall be tested for alcohol and controlled substances. The employer shall cease attempts to administer the test eight (8) hours following the accident for alcohol and after thirty-two (32) hours for controlled substances.
- **Random testing (49 CFR 382.305):** A minimum number of employees (currently 25% for alcohol and 50% for controlled substances) annually will be randomly selected using a scientifically valid method in which each employee will have an equal chance of being tested each time selections are made. The dates for testing shall be unannounced and spread through the calendar year. When an employee is selected for testing, he/she shall cease doing the safety-sensitive function and proceed to the test site immediately. The medical review officer will administer the random selection procedure.
- **Reasonable suspicion testing (49 CFR 382.307):** A trained supervisor or official may require an employee to undergo testing for alcohol or controlled substances based upon specific, contemporaneous, articulable, observations concerning the appearance, behavior, speech, or body odors of the driver. If an employee is required to undergo testing under this section, the employee must immediately cease to perform the safety-sensitive function and may not continue it until the employee's alcohol concentration measures less than 0.02 or twenty-four hours have elapsed since the observation was made.
- **Return to duty testing (382.309):** Before an employee who has been found to be in violation of the prohibitions sections of this policy, set out in the previous safety-sensitive functions section, may return to duty in a position requiring the performance of safety-sensitive functions, the employee must undergo testing for alcohol and/or controlled substances. The results of the alcohol test must show less than 0.02 concentrations if the offense involved alcohol and the controlled substance test must be negative if the offense involved controlled substances.
- **Follow up testing (382.311):** When an employee has been found to be in violation of the prohibitions section of this policy, and the substance abuse professional has determined that the employee needs assistance in resolving alcohol or substance abuse problems, the employee will be subject to a minimum of six (6) unannounced follow up tests within the first (12) months as directed by the substance abuse professional. The employee is responsible for all return-to-duty and follow up testing costs. The only exception shall be that in the instance that a test of the split sample is negative; the County Engineer's Office shall be responsible for the cost of that test.

All drug screening and confirmation test shall be conducted by a laboratory certified under DHHS "Mandatory Guideline for Federal Workplace Drug Testing Programs". The employer and the laboratory shall have a clear and well-documented procedure for collection, shipment, and accessing of urine specimens. The procedures utilized by the employer and the laboratory shall include an evidentiary site person is responsible for maintaining the integrity of the specimen collection and transfer process. All procedures shall be outlined in writing and provided to employer representatives and donors.

All alcohol breath tests shall be administered by a trained breath alcohol technician (BAT) or a law enforcement officer

certified to conduct such tests. Only evidential breath testing (EBT) devices shall be used along with the prescribed breath alcohol testing form.

Refusal to submit to any of the alcohol or controlled substance tests required by this policy will result in the employee's immediate removal from the safety-sensitive functions and may result in disciplinary action. Refusal will be treated as a positive test and the employee will be referred to a counseling program and subject to return-to-duty and follow-up testing. Actions constituting a refusal to submit to a test included:

- Failing to provide adequate breath for alcohol testing;
- Failing to provide adequate urine for controlled substance testing;
- Engaging in conduct that clearly obstructs the testing procedure;
- Failing to remain readily available for a post-accident test.

Employees who have been tested for alcohol with the results showing a concentration of 0.02 or higher will not be permitted to perform a safety-sensitive function for twenty-four (24) hours following administration of the test.

Upon written request from the employee, the employer will promptly provide copies of any records pertaining to the employee's use of alcohol or controlled substances including the results of any tests. The employer may charge a reasonable fee for copies; however, access to this information will not be contingent upon payment for records other than those specifically requested.

All employees subject to this policy remain subject to all other policies, procedures, rules, regulations, and collective bargaining agreements established by the employer under its independent authority which are not inconsistent with the requirements herein. All employees also remain subject to all other relevant federal, state, and local laws and regulations.

5.04 In the Event of a Roll-Over of a Vehicle or Equipment (1/01/09)

Procedure:

- Contact immediate Supervisor
- Supervisor contacts Administrative Coordinator. He will issue instructions. Another Supervisor or the next On-Call personnel should be contacted to assume duties for the Supervisor en-route to the accident scene.
- Complete the "Authorization for Treatment/Testing" form available in the Clerk's Office.
- Contact Personnel Specialist with information

IF ACCIDENT RESULTS IN:

- 1) Fatality
- 2) Injury treated away from the accident scene
- 3) Towing of Vehicle

MUST BE AN IMMEDIATE "POST-ACCIDENT, NIDA-DOT DRUG SCREEN AND ALCOHOL TEST" PER FEDERAL MOTOR CARRIER REGULATIONS.

- *Employee is immediately removed from safety-sensitive function for 48-72 hours or until results of drug screening.*
- *Employer is responsible for back pay if favorable drug screen.*

IF NOT AN ACCIDENT RESULT OF (1,2,3) AND A ROLLOVER OCCURRED, THEN A POST-ACCIDENT, NON-NIDA URINE DRUG SCREEN AND ALCOHOL TEST" IS SELECTED PER ADMINISTRATIVE POLICY OF THE LOGAN COUNTY ENGINEER.

- Supervisor immediately drives employee to MRH from the scene and request a "Post-Accident, Non-NIDA urine

Drug Screen and Alcohol Test” and provides the completed MRH form.

- Employee can remain in active safety-sensitive duty status pending results.
- Employee is eligible for call-in after 12:00 A.M. the next day, the same as if off on sick leave per procedure.

Corporate Health: Monday – Friday from 7:00 a.m. to 3:00 p.m.

Mary Rutan Hospital: outside of 7:00 a.m. to 3:00 p.m.

Go to Registration and Lab with form from Corporate Health. Bring Driver’s License

It is advised to contact Corporate Health (592-5015) in advance (if before 5:00 p.m.) and make them aware of employee en route. They will contact the Hospital Lab prior to your arrival.

SECTION 6

FAMILY MEDICAL LEAVE ACT (FMLA)

Statement of Policy: It is the policy of the County Engineer's Office that employees may request time off for family and/or medical leave of absence with job protection and no loss of accumulated service provided the employee meets the conditions outlined in this policy and returns to work in accordance with the Family and Medical Leave Act of 1993 (FMLA).

Any questions regarding the County Engineer's Office FMLA policy should be directed to the employee's supervisor or Personnel Specialist.

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

<i>Active Duty</i>	Duty under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.
<i>Adoption</i>	Legally and permanently assuming the responsibility of raising a child as one's own. The source of an adopted child is not a factor in determining eligibility of FMLA leave.
<i>Chronic Serious Health Condition</i>	<p>A health condition that meets the following criteria:</p> <ul style="list-style-type: none"> • Requires periodic visits (at least twice a year) for treatment by a health care provider, or by a nurse under the direct supervision of a health care provider. • Continues over a extended period of time (including recurring episodes of a single underlying condition): and • May cause episodic rather than a continuing period of incapacity (e.g, asthma, diabetes, epilepsy, etc.)
<i>Conditions Requiring Multiple Treatments</i>	<p>Any period of absence to receive multiple treatments (including any period of recover therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, for either:</p> <ul style="list-style-type: none"> • Restorative surgery after an accident or other injury; or • A condition that would likely result in a period of incapacity of more than 3 consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).
<i>Contingency Operation</i>	Same meaning as definition provided in section 101(a)(13) of title 10, United State Code.
<i>Covered Servicemember</i>	<p>Current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty; OR</p> <p>Covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran.</p>

NOTE: An individual who was a member of the Armed forces (including National Guard or

Reserves) and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period of October 28, 2009 and March 8, 2013, shall not count toward the determination of the five-year period for covered veteran status.

Daughter

For purpose of FMLA leave taken for birth or **adoption**, or to care for a family member with a **serious health condition**, daughter means a biological, **adopted**, or **foster child**, a stepchild, a legal ward, or a child of a person standing **in loco parentis**, who is either under age 18, or age 18 or older and “**incapable of self-care** because of a **mental or physical disability**” at the time that FMLA leave is to commence.

Foster Care

24-hour care for children in substitution for, away from, their parents or guardian. Such placement is made by or with the agreement of the State as a result of a voluntary agreement between the parent or guardian that the child be removed from the home, or pursuant to a judicial determination of the necessity for foster care, and involves agreement between the State and foster family that the foster family will take care of the child.

Health Care Provider

A health care provider for purposes of the FMLA includes:

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices.
- Podiatrist, dentists, clinical psychologists, chiropractors (limited to treatment consisting of **manual manipulation of the spine to correct a subluxation as demonstrated by X-ray** to exist, and optometrist.)
- Nurse practitioners, nurse mid-wives, clinical social workers, and physician assistants.
- A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.

Inpatient Care

An overnight stay in a hospital, hospice, or residential medical care facility, including any period of **incapacity**.

Incapable of Self-Care

Where the individual requires active assistance or supervision to provide daily self-care in three or more of the “activities of daily living” (ADL’s) or “instrumental activities of daily living” (IADL’s). ADL’s include adaptive activities such as caring appropriately for one’s grooming and hygiene, bathing, dressing and eating. IADL’s include cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

Incapacity and Treatment

A period of **incapacity** of more than 3 consecutive, full calendar days, and any subsequent **treatment** or period of **incapacity** relating to the same condition, that also involves one of the following:

- **Treatment** 2 or more times, within 30 days of the first day of **incapacity**, by a **health care provider**.
 - The first in-person visit must take place within 7 days of the first day of **incapacity**.
 - Whether the second **treatment** visit is necessary must be determined by the **health care provider** (i.e., the doctor must request that the employee follow-up).
- **Treatment** by a **health care provider** on at least one occasion, which results in a **regimen of continuing treatment** under the supervision of **the health care provider**.
 - The initial **treatment** requires an in-person visit to a **health care provider**.

- The initial in-person visit must take place within 7 days of the first day of **incapacity**.
- Whether the **regimen of continuing treatment** is necessary must be determined by the **health care provider** (i.e., doctor must prescribe the regimen).

<i>Incapacity</i>	Inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recover therefrom.
<i>In Loco Parentis</i>	Those with day-to-day responsibilities to care for and financially support a child, or, in the case of an employee, who had such responsibilities for the employee when the employee was a child. A biological or legal relationship is not necessary.
<i>Intermittent Leave</i>	Leave taken in separate blocks of time due to a single illness or injury rather than for one continuous period of time.
<i>Key Employee</i>	The highest paid 10% of all employees in the agency. An employee will be notified in writing of his status as a key employee, if applicable, at the time leave is requested
<i>Next of Kin of a Covered Servicemember</i>	The nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter .
<i>Outpatient Status</i>	With respect to a covered servicemember , the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
<i>Parent</i>	A biological, adoptive , step or foster father or mother , or any other individual who stood in loco parentis to the employee when the employee was a son or daughter as defined in this section. In-law family members are not covered.
<i>Parent of a Covered Servicemember</i>	A covered servicemember's biological, adoptive , step or foster father or mother , or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents "in-law".
<i>Permanent or Long-Term Conditions</i>	A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, or the terminal stages of a disease). The individual must be under the continuing supervision of, but need not be receiving active treatment by a health care provider .
<i>Physical or Mental Disability</i>	A physical or mental impairment that substantially limits one or more of the major life activities of an individual.
<i>Qualifying Exigency</i>	The following types of military-related events may qualify as a "qualifying exigency" for purposes of eligibility for purposes of military-related FMLA leave under this Section: <ul style="list-style-type: none"> • Short-Notice Deployment • Military Events and Related Activities • Childcare and School Activities • Financial and Legal Arrangements • Counseling

- Rest and Recuperation
- Post-Deployment Activities
- Additional Activities

<i>Reduced Leave Schedule</i>	Leave schedule that reduces an employee's usual number of working hours per week or hours per day for a period of time
<i>Regiment of Continuing Treatment</i>	Includes a course of prescription medication (e.g., antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regiment of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves, or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for FMLA purpose.
<i>"Per Year" (12 month period)</i>	A rolling 12 month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the employer will compute the amount of leave the employee has taken under this policy, and subtract it from the 12 weeks of available leave. The balance remaining is the amount the employee is entitled to take at the time of the request. For example, if an employee used four weeks of FMLA leave beginning February 4, 2009, four weeks beginning June 1, 2009, and four weeks beginning December 1, 2009, the employee would not be entitled to any additional leave until February 4, 2010.
<i>Serious Health Condition</i>	An illness, injury, impairment or physical or mental condition that involves at least one of the following: <ul style="list-style-type: none"> • <i>Inpatient Care;</i> • <i>Incapacity and Treatment;</i> • <i>Pregnancy or Prenatal Care;</i> • <i>Chronic Serious Health Condition;</i> • <i>Permanent or Long-Term Conditions;</i> or • <i>Conditions Requiring Multiple Treatments</i>
<i>Serious Illness or Injury</i>	An injury or illness incurred by a <i>covered servicemember</i> in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.
<i>Son</i>	For purposes of FMLA leave taken for birth or <i>adoption</i> , or to care for a family member with a serious health condition, son means a biological, <i>adopted</i> , or <i>foster child</i> , a step-child, a legal ward, or a child of a person standing <i>in loco parentis</i> , who is <u>either under age 18</u> , or age 18 or older and " <i>incapable of self-care</i> because of <i>a mental or physical disability</i> " <u>at the time that leave is to commence.</u>
<i>Son or Daughter of a Covered Servicemember</i>	The <i>covered servicemember's</i> biological, <i>adopted</i> , or <i>foster child</i> , stepchild, legal ward, or a child for whom the servicemember stood <i>in loco parentis</i> , and who is of any age.
<i>Son or Daughter on Active Duty or Call to Active Duty</i>	The employee's biological, <i>adopted</i> , or <i>foster child</i> , stepchild, legal ward, or a child for whom the employee stood <i>in loco parentis</i> , who is on active duty or a call to active duty status, and who is of any age.

<i>Spouse</i>	A husband or wife as defined or recognized under Ohio law for purposes of marriage in Ohio.
<i>Treatment</i>	Includes, but is not limited to, examinations to determine if a <i>serious health condition</i> exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examination.

6.02 Eligibility Requirements

Prior to making an application for FMLA under this Section, an employee must meet both of the following conditions to be considered eligible:

- The employee must have completed twelve (12) months, or fifty two (52) weeks of employment with the County Engineer's Office. These twelve (12) months do not need to be consecutive; and
- The employee must have worked a minimum of one-thousand two-hundred-fifty (1,250) hours over the twelve (12) month period immediately preceding the commencement of the leave.
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

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

The entitlement to FMLA leave for the birth or placement for adoption or foster care of a child shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

6.03 Qualifying Conditions

Eligible employees shall be entitled to a certain amount of FMLA leave (*see Section 6.05*) under any of the following six circumstances:

- Birth of a ***son*** or ***daughter***, and to care for the newborn child.
- Placement with the employee of a ***son*** or ***daughter*** for ***adoption*** or ***foster care***.

NOTE: Eligibility for leave for birth or placement for ***adoption*** or ***foster care*** expires at the end of the twelve (12) month period beginning on the date of birth or placement.

- Because of a ***serious health condition*** that makes the employee unable to perform the functions of the employee's job.
- To care for the employee's ***spouse, son, daughter, or parent*** with a ***serious health condition***.
- Because of any ***qualifying exigency*** arising out of the fact that the employee's ***spouse, son, daughter, or parent*** is on ***active duty*** in the Armed forces in support of a contingency operation.
- To care for a ***covered servicemember*** with a ***serious injury or illness*** if the employee is the ***spouse, son, daughter, parent*** or ***next of kin*** of the covered servicemember. The leave described in this paragraph shall only be available during a single twelve (12) month period.

6.04 Leave Entitlements

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;

- To bond with a child (leave must be taken within 1 years for the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

6.05 Amount of Leave

Except in the case of leave to care for a *covered servicemember* with *serious injury or illness*, an eligible employee is limited to a total of twelve (12) workweeks of FMLA leave during any *backward rolling twelve (12) month period*.

An eligible employee who is the *spouse, son, daughter, parent, or next of kin* of a *covered servicemember* shall be entitled to a total of twenty six (26) workweeks of leave during a single twelve (12) month period to care for the *covered servicemember*. If an employee uses *covered servicemember* family leave in combination with another form of FMLA leave (e.g., pregnancy leave), the maximum amount of combined FMLA leave that an employee can take in a single twelve (12) month period is twenty six (26) workweeks. In this scenario, though, the other form of FMLA leave can only account for a maximum of twelve (12) workweeks of the combined twenty-six (26) workweeks of leave.

6.06 Coordination With Other Leaves of Absence

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

FMLA will automatically be applied to all employees who meet the FMLA qualifying criteria and utilize the following types of leave:

- Unpaid medical leaves of absence provided to employees by County Engineer policy or by any of the collective bargaining agreements;
- Workers' Compensation leave of absence.

NOTE: As in the case with all unpaid leaves, an employee is not entitled to accrue sick or vacation benefits during any unpaid portion of FMLA leave.

6.07 Continuation of Benefits

The County Engineer's Office will continue to pay its portion of medical benefits when an employee is on FMLA leave. **Employees on FMLA leave are still responsible to pay the employee's contribution for these benefits.** Employees who take paid leave will continue to have their usual payroll deduction (including any rate changes) for health insurance benefits. **Employees on unpaid FMLA leave will need to make direct payment for their usual contribution for medical and supplemental benefits.** If while the employee is on FMLA leave the employee fails to pay the employee's portion of such premiums, if any, or, if the employee's payment for his/her portion of the premium is late by more than thirty (30) days the insurance policy will be cancelled. The employee's direct payment for insurance benefits is due to the County on the first day of each month.

If cash-in-lieu of health insurance is an option at the time of the FMLA leave, the employer will continue to make cash-in-lieu of insurance payment to those employees who have chosen this option during open enrollment.

If the employee chooses not to continue health care coverage during FMLA leave, the employee will be entitled to reinstatement into the benefit plan upon return to work, but the employee must reapply for such benefits. Any new or additional coverage or changes in health benefits will be made available to employees on FMLA leave.

If the employee chooses not to return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, the County may seek reimbursement from the employee for any amounts paid by the County for insurance benefits which the employee received through the County during any period of unpaid FMLA leave.

Leave balances accrued by an employee prior to taking FMLA leave and not used by the employee will be retained by the employee. FMLA leave, whether paid or unpaid, will not constitute a break in service credit for employees of the County. Upon the completion of unpaid FMLA leave and return to service, the employee will return to the same level of service credit as the employee previously held immediately prior to the commencement of FMLA leave. Service credit shall continue to accrue during periods of paid FMLA leave. In addition, FMLA leave will be treated as continuous service for the purpose of calculating benefits which are based on length of service. However, specific leaves times (i.e., vacation, holiday, personal and sick leaves) will not accrue during any period of unpaid FMLA leave.

6.08 Intermittent Leave and Reduced Leave Schedules

Intermittent leave or a *reduced leave schedule* may only be granted if:

- There is medical necessity that can be accommodated by such leave; or
- Because of any *qualifying exigency* arising out of the fact that the *spouse, son, daughter, or parent* of the employee is on *active duty* (or has been notified of an impending call or order to active duty) in the Armed forces in support of a *contingency operation*.

Eligible employees are required to make every reasonable effort to schedule leave so as not to disrupt the operation of their Department. Accordingly, the County Engineer's Office may temporarily assign an employee to an alternate position with equivalent pay and benefits if the employee is qualified and the County Engineer determines that the alternative position will better accommodate the employee's intermittent leave or reduced leave scheduled.

The actual amount of leave taken under an intermittent or reduced leave schedule shall be counted towards the twelve (12) weeks of FMLA entitlement. For example, a full-time employee who reduces from eight (8) hour work day to a four (4) hour work day will use (20) hours of FMLA leave each week.

Employees on *intermittent* FMLA leave may be required to periodically provide an updated medical certification form.

6.09 FMLA Application Procedure

An employee that would like to request the use of FMLA leave should contact the Personnel Specialist. At least thirty (30) days advance notice must be provided before FMLA is to begin if the need for leave is foreseeable. In case of an emergency, notice must be given as soon as practicable.

Completion of the FMLA Medical Form and the Request for Family and Medical Leave is required whenever an employee requests FMLA due to the ***serious health condition*** of the employee or their ***spouse, son, daughter, or parent***. Employees must return forms to Personnel Specialist within fifteen (15) calendar days of the employee's receipt of the forms. If the certification is incomplete or insufficient, the employee may be required to provide additional information within seven (7) calendar days. Failure to provide information may result in a denial of FMLA leave. After the FMLA Medical Certification Form has been returned to the Personnel Specialist, employees will be notified in writing whether their FMLA request is approved or denied.

For ***adoption*** or ***foster care*** placement, legal documentation should be submitted from a court or social service agency.

In any case in which the necessity for leave under the ***qualifying exigency*** condition is foreseeable, whether because the ***spouse***, or a ***son, daughter, or parent*** of the employee is on ***active duty***, or because of notification of an impending call or order to ***active duty*** in support of a contingency operation, the employee shall provide such notice to the employer as is reasonable and practicable. In addition the request for leave under the qualifying exigency condition must be supported by certification deemed sufficient by the Department of Labor.

The County Engineer's Office reserves the right to require employees to recertify their conditions periodically upon request. Failure to submit a certification of health care provider form for the re-certification within fifteen (15) calendar days will result in delay or discontinuation of approved FMLA leave until the completed form is submitted.

If an employee needs an extension of FMLA leave, the employee must provide Personnel Specialist notice as soon as practicable of the changed circumstances. Employees shall not be granted an extension beyond the applicable maximum amount of FMLA entitlement.

6.10 Use of Leave

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

General

Whether the leave is paid, unpaid, or a combination of both, an employee is only entitled to a total of twelve (12) weeks of leave per year under the FMLA.

If an employee has accrued paid leave, such as sick leave or vacation leave, but excluding compensatory time, the County Engineer may require the employee to use such accrued paid leave, concurrently with all or part of the unpaid FMLA twelve (12) weeks. Any remaining FMLA leave shall be unpaid. To be permitted or required to use paid leave consecutively with FMLA, the condition for which the employee is taking FMLA must also fall within the category of reasons for which the employee may take the paid leave. For example, an employee who takes FMLA for placement of a foster child, may be required to use his vacation leave concurrently with his FMLA but may not be required to take sick leave as placement of a foster child is not an appropriate sick leave use.

In addition, any time off that may, by law, be counted against an employee's twelve (12) week FMLA entitlement will be counted against such time.

FMLA Leave Use for Birth of an Employee's Child

An employee who is taking leave for the birth of the employee's child where the employee's presence is reasonably necessary must first use all available sick leave prior to using unpaid leave for the remainder of the twelve (12) week period. If the employee requests leave for the employee's own serious health condition as a result of the pregnancy, or a serious health condition of the child, the employee will also be required to exhaust all of the employee's sick leave prior to using unpaid leave for the remainder of the twelve (12) week period. **Note:** see more information below on disability leaves.

FMLA Leave Use for Placement of a Child for Adoption or Foster Care

An employee who is taking leave for the placement of a child with him/her for adoption or foster care must first use all available accrued paid vacation and personal leave, but may not utilize sick leave, prior to using unpaid leave for the remainder of the twelve (12) week period.

FMLA Leave Use Because of the Employee's Own Serious Health Condition or the Serious Health Condition of a Family Member

An employee who is taking leave because of the employee's own serious health condition or the serious health condition of a family member must use all available accrued sick and personal leave prior to using unpaid leave for the remainder of the twelve (12) week period.

FMLA Leave and Disability / Workers' Compensation Plans or Programs

An employee who is eligible for FMLA leave because of his/her own serious health condition may also be eligible for either temporary disability with pay or workers' compensation if the condition is the result of a workplace accident or injury. Regardless of whether or not an employee is on workers compensation, the County Engineer may designate the absence as FMLA leave and count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, an employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the County require her/him to do so, while the employee is receiving compensation from such a program.

Disability leave for the birth of a child is considered FMLA leave for a serious health condition of the employee and will be counted against the employee's twelve (12) week FMLA entitlement. As described above, because the leave pursuant to a temporary disability may be compensated, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the County require him/her to do so, while the employee is receiving compensation from such a plan or program. If the disability leave is with pay, the employee will be required to use sick leave, vacation leave and personal leave as set forth in this policy.

Qualifying Service Member Leave

The spouse, parent or child of a member of the U.S. military service are entitled to FMLA leave due to the contingencies (as defined by the Department of Labor) of the service member being on "covered active duty" or receiving a "call to covered active duty". In addition, a spouse, child or parent of a service member is entitled to up to 26 weeks of leave to care for a service member injured in the line of duty. In the event the injured service member does not have a spouse, child or parent, an employee who is the next of kin (closest blood relative) may take leave under the FMLA to care for the injured service member.

Procedures For Requesting FMLA Leave

Requests for FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or, if this is not possible, as soon as practicable. In requesting such leave, the employee shall submit to his or her supervisor the Request

for Family/Medical Leave Form, which is available from the Personnel Specialist. If the employee fails to provide thirty (30) days notice for foreseeable leave with no reasonable excuse for the delay, the leave may be denied until at least thirty (30) days from the date the County receives notice.

Requests for FMLA leave must be submitted on a standard leave form prescribed by the County Engineer's Office. The County Engineer will determine whether the leave qualifies as FMLA leave, designate it as leave that counts against the employee's twelve (12) week entitlement, if appropriate, and notify the employee that the leave has been designated as FMLA leave. When a request is made for a foreseeable FMLA leave due to a serious health condition of either the employee or a member of the employee's family which involves planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to unreasonably interfere with the operations of the County Engineer's Office, subject to the approval of the health care provider of the employee or the employee's family member.

Certification of Need for FMLA Leave

An employee requesting FMLA leave due to a serious health condition of the employee or his/her family member must provide written doctor's certification of the serious health condition in a form that provides the employer with information needed to approve or deny the FMLA leave request. This certification shall not provide any information that is prohibited by law. The United States Department of Labor provides certification forms, which can be downloaded online at www.dol.gov. Such certification shall be submitted at the time FMLA leave is requested, or when the need for leave is not foreseen, as soon as practicable. An employee requesting FMLA leave due to the birth or placement of a child must submit appropriate documentation as required by the County Engineer at the time FMLA leave is requested.

The County Engineer, in its discretion, may require a second medical opinion prior to granting FMLA leave. Such opinion shall be rendered by a health care provider designated or approved by the County Engineer. If a second medical opinion is requested, the cost of obtaining such opinion shall be paid for by the County Engineer's Office. If the first and second opinions differ, the County Engineer's Office, at its own expense, may require the binding opinion of a third health care provider, approved jointly by the County Engineer and the employee. Failure or refusal of the employee to submit to or cooperate in obtaining either the second or third opinions, if requested, shall result in the denial of the FMLA leave request.

Employees who request and are granted FMLA leave due to a serious health condition of the employee or his/her family member may be required to submit periodic written reports to the County Engineer's Office, in order to assess the continued qualification for FMLA leave.

The County Engineer may request additional reports if the circumstances described in the previous certification have changed significantly (duration or frequency of absences, the severity of the condition, complications, etc.) or if the County Engineer receives information that casts doubt on the employee's stated reason for the absence.

The employee must provide the requested additional reports to the County Engineer's Office within fifteen (15) days, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. Any costs associated with the additional reports requested by the County Engineer shall be at the employee's expense.

Intermittent / Reduced Schedule Leave

When medically necessary, an employee of the County may take FMLA leave on an intermittent or reduced work schedule basis for a serious health condition of the employee or a serious health condition of an employee's family member. Upon approval of the appointing authority, an employee may take leave on an intermittent or reduced schedule basis for either the birth of the employee's child or upon the placement of a child for adoption or foster care with the employee. In all cases, the FMLA leave granted to any employee shall not exceed a total of 12 weeks per year.

Requests for intermittent or reduced schedule FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or, if this is not possible, as soon as practicable.

To be entitled to leave on an intermittent or reduced schedule basis, the employee must, at the time such leave is requested, submit additional certification as prescribed by the County which establishes the medical necessity for such intermittent or reduced schedule leave. This shall be in addition to the documentation certifying the condition as FMLA qualifying. The additional certification shall include the dates and the duration of treatment, if any, the expected duration of the intermittent or reduced schedule leave and a statement from the health care provider describing the facts which support the medical necessity for taking FMLA leave on an intermittent or reduced schedule basis. In addition, an employee requesting foreseeable intermittent or reduced schedule FMLA leave must meet with his/her supervisor and/or the Personnel Specialist to discuss the intermittent or reduced schedule leave.

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

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

6.11 Service Member Leave

The spouse, parent or child of a member of the U.S. military service is entitled to twelve (12) weeks of FMLA due to qualifying exigencies of the service member being on “covered active duty” or being notified of an impending call or order to covered active duty in the Armed Forces. In addition, a spouse, child, parent or next of kin (nearest blood relative) of a service member is entitled to up to 26 weeks of leave within a “single 12-month period” to care for a service member with a “serious injury or illness” sustained or aggravated while in the line of duty on active duty. The “single 12-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established for other types of FMLA leave.

Outpatient Status

The status of a member of the Armed Forces assigned to:

- A military medical treatment facility as an outpatient; or
- A unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Serious Injury or Illness

For purposes of the 26 week military caregiver leave means either:

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

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

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

- a continuation of serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
- a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
- a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
- an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Covered Active Duty or Call to Covered Active Duty

For purposes of the 12 week qualifying exigency leave is defined as either:

- in the case of a member of a regular component of the Armed Forces, duty during the **deployment of the member with the Armed Forces to a foreign country**; (Active duty orders of a member of the Regular components of the Armed Forces generally specify if the member is deployed to a foreign country). OR
- in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call to order to active duty under a provision of law referred to in section 101(a) (13) (B) of title 10, United States Code.

Deployment to a Foreign Country

Means deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the U.S., including international waters.

Qualifying Exigency

For purpose of the 12 week qualifying exigency leave, includes any of the following:

- Up to seven (7) days of leave to deal with issues arising from a covered military member's short notice deployment, which is deployment on seven (7) or fewer days' notice;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty of the covered military member;
- Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;

- Rest and recuperation leave of up to fifteen (15) days to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment; this leave may be used for a period of 15 calendar days from the date the military member commences each instance of Rest and Recuperation leave.
- Attending certain post-deployment activities within 90 days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member; and
- Qualifying parental care for military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age, when the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living, as described in 29 C. F. R. § 825.126, and the need arises out of military member's covered active duty or call to covered active duty status.
- Any qualifying exigency which arose out of the covered military member's active duty or call to active duty status.

Certification for Leave taken because of a Qualifying Exigency

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

6.12 Reinstatement

An employee on FMLA leave must give the County Engineer's Office at least two (2) business day's notice of his/her intent to return to work, regardless of the employee's anticipated date of return.

Most employees who take leave under this policy will be reinstated to the same or a similar position upon return from leave.

Upon request for reinstatement, if the position that the employee occupied prior to taking FMLA leave is not available, the employee will be placed in a position which entails substantially equivalent levels of skill, effort, responsibility and authority and which carries equivalent status, pay, benefits and other terms and conditions of employment as the position the employee occupied prior to taking FMLA leave. The determination as to whether a position is an "equivalent position" will be made by the County Engineer.

An employee of the County Engineer's Office will not be laid-off as a result of exercising his/her right to FMLA leave. However, the County Engineer will not reinstate an employee who has taken FMLA leave if, as a result of a layoff within the County Engineer's Office, the employee would not otherwise be employed in the County at the time reinstatement is requested.

An employee on FMLA leave has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during his/her FMLA leave period.

Prior to reinstatement, employees who take FMLA leave based on their own serious health condition shall provide certification from the employee's health care provider that the employee is able to resume work.

Key employees may be denied reinstatement if:

- In the sole opinion of the employer, denial of reinstatement is necessary to prevent substantial and grievous economic injury to the employer; and
- The employer notifies the employee of its intention not to restore the employee to duty before the leave begins; or
- The employer notifies the employee of its intention not to restore the employee to duty after the leave begins, and the employee does not elect to return immediately to work and be restored to the same or a similar position.

In order to determine whether the restoration of the employee to employment will cause substantial and grievous economic injury to the operations of the County Engineer's Office, the County Engineer may consider its ability to replace the employee on a temporary basis, whether a permanent replacement of the employee is unavoidable, and the cost of reinstating the employee.

6.13 Return to Work

Upon return from FMLA leave, an employee is entitled to be returned to the same position held when leave commenced, or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment. Failure to return to work upon the expiration of the approved leave, without reasonable explanation, may subject the employee to discipline.

An employee who has been on FMLA leave because of his or her own serious health condition may be required to present medical documentation of his or her ability to return to work. The County Engineer may require that an employee obtain a second medical opinion from a physician selected by the County Engineer and at the County Engineer's Office expense. If the second medical opinion disagrees with the employee's health provider, the County Engineer's Office health care provider and the employee's health care provider will select a third health care provider whose opinion shall be final. The County Engineer's Office shall pay the cost of the third opinion.

Benefit deductions through payroll resume the first pay period for the month after an employee returns from leave.

6.14 Records

All records relative to FMLA leave will be maintained by the Logan County Engineer's Office as required by law. Any medical records accompanying FMLA requests will be kept separate from an employee's regular personnel files.

To the extent permitted by law, medical records related to FMLA leave shall be kept confidential. Records and documents created for purposes of FMLA containing family medical history or genetic information as defined by the Genetic Information Nondiscrimination Act of 2008 (GINA) shall be maintained in accordance with the confidentiality requirements of Title II of GINA, which permit such information to be disclosed consistent with the requirements of FMLA.

SECTION 7 EMPLOYEE LEAVE (GENERAL)

7.01 General

All leaves described in this section are subject to prior approval, unless otherwise noted. Employees failing to comply with vacation or sick leave rules and regulations shall not be entitled to such leave with pay. If an employee is at work and must leave for any reason (paid or unpaid leave) the leave must be approved by a supervisor prior to leaving the worksite or compound.

Every request for leave will be given fair consideration in accordance with the following policies and procedures and the staffing needs of the departmental unit. Any leave approved upon false statement is invalid and any approved leave shall be terminated if the reason for granting the leave is no longer applicable. Moreover, employees providing false statements or documentation are subject to discipline. When it is suspected that sick leave privileges are being abused, the County Engineer shall initiate investigations into the matter.

Employees are solely responsible to ensure that they have adequate vacation leave, sick leave and/or compensatory time when taking paid leave.

NOTE: Bargaining unit employees should refer to their collective bargaining agreement for information on paid leave of absence.

7.02 Vacation Leave

Full time employees, upon completion of one full year of service, shall have earned two weeks of vacation time based on hours worked during the first year of service. Thereafter, full time employees shall earn and accrue vacation leave pro rata over twenty six (26) bi weekly pays at the following annual rates:

<u>Completed Years of Service</u>	<u>Accrual per Hours Worked</u>	<u>Credit Earned Per Eighty (80) Hours Worked</u>	<u>Vacation Credit Earned for Yearly Hours</u>	<u>Equivalent Work Days</u>
Less than 1 year	0	0	0	0
1 through less than 8 years	.0388	3.1	80	10
8 through less than 15 years	.0575	4.6	120	15
15 through less than 25 years	.0775	6.2	160	20
25 plus years	.0963	7.7	200	25

Upon the completion of the first year of service, a full-time employee shall have earned eighty (80) hours of vacation leave and shall accrue vacation leave consistent with the above-schedule.

Full-time county employees working 80 hours bi-weekly will be credited with forty (40) hours of vacation leave upon the completion of eight (8), fifteen (15) or twenty-five (25) years of service, in addition to the amount of vacation leave already accrued on a bi-weekly basis during each of those years.

Part-time permanent employees regularly scheduled to work more than 40 hours bi-weekly, shall be entitled to vacation leave. Part-time permanent employees regularly scheduled to work 40 hours bi-weekly or less; seasonal employees, temporary employees, and intermittent employees are not entitled to vacation leave.

Any service with the State of Ohio or any of its political subdivisions counts toward the number of years of service in determining the amount of vacation to which an employee is entitled. Time spend on previous authorized leave of

absence (including Military Leave) also counts. However, no vacation is earned while an employee is on leave without pay. Any person removed from public employment due to a conviction of a felony, who is subsequently re employed in the public sector, shall not be credited with prior public service for the purpose of receiving vacation leave.

An employee with at least one year of service is entitled to payment for any earned but unused vacation to his credit at the time they resign from County service.

Vacation schedules are subject to the approval of the appointing authority.

Employees are expected to use accrued vacation leave each year prior to the employee's next anniversary date. However, an employee may accumulate vacation leave to a maximum amount equal to three times their annual rate of accrual. Vacation credit in excess of three years will be eliminated.

In the case of death of an employee, the unused vacation leave and unpaid overtime to the credit of any such employees shall be paid in accordance to the applicable Section(s) of the Revised Code, or to the employee's estate.

NOTE: Per the negotiated contract, bargaining unit employee request for vacation leave shall be in increments of not less than one hour. Bargaining unit employee will schedule vacations in accordance with Section 17.8 of Article 17 of the collective bargaining agreement.

Seasonal, temporary, intermittent or part time (regularly scheduled forty (40) hours or less per bi-weekly) employees are not entitled to vacation leave.

7.03 Sick Leave

Each County employee shall be entitled to four and six tenths (4.6) hours of paid sick leave upon completion of each eighty hours of service. This accrual rate will be prorated for employees who are otherwise eligible for sick leave and who work less than eighty (80) hours in a bi weekly pay period. Employees absent on paid sick leave will be paid at their regular rate of pay. Unused sick leave shall be cumulative without limits.

An employee who transfers from one County office to another, or who transfers from the State of Ohio or other political subdivision employment in Ohio to employment with the County, shall be credited with the unused balance of his/her sick leave accumulated in their prior public service. The previously accumulated sick leave of an employee who has been separated from the public service shall be placed to his credit upon his re employment in the public service, provided such re employment takes place within ten years of the date of the employee's last separation from public service. The employee is responsible for obtaining certification of his previously accumulated sick leave for County records.

Employees may use sick leave for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and for absence due to illness, injury or death in the employee's immediate family. Use of sick leave to attend to an illness or injury of an immediate family member must be reasonably necessary in order to care for the medical needs of the immediate family member. "Immediate family" for purposes of this policy includes: spouse, children, grandchildren, parents, grandparents, siblings, brother in law, sister in law, daughter in law, son in law, father in law, mother in law, step parents, step children, step siblings, and a legal guardian or other person who stands in the place of a parent to the employee.

An employee who is absent due to one of the above reasons must report his absence to the appropriate supervisor in that office as soon as possible. In order to qualify for use of paid sick leave, the employee must complete a sick leave application form. If the injured or ill employee or family member required medical attention, a licensed physician's certificate stating the nature of the illness must be attached to the application. A physician's statement must be signed personally by the treating physician, and must verify that the employee was unable to work during the period in question,

not simply that the employee was “under the doctor’s care.” Falsification of either a written, signed statement or a physician’s certificate shall be grounds for disciplinary action including dismissal.

Sick leave shall be charged in a minimum increment of one quarter (1/4) hour. When sick leave is used it shall be deducted from the employee’s credit on the basis of one hour of sick leave for every one hour of absence from previously scheduled work. The sick leave payment shall not exceed the normal scheduled work day or work week earnings. Employees may utilize sick leave only for the hours and days on which they are scheduled to work.

If an employee’s illness or disability continues beyond the time covered by his earned sick leave, the employee may be eligible for unpaid leave under the provisions of Family and Medical Leave Act (FMLA) policy.

An employee who fraudulently obtains sick leave, who falsifies sick leave request, documentation, or records, who misrepresents the grounds for sick leave request, or who uses sick leave for improper purposes, shall be subject to discipline. Also, an employee may be disciplined for excessive sick leave use in appropriate cases, whether or not the employee has exhausted all available paid sick leaves, based on indication of inappropriate use of the leave. During a paid or unpaid sick leave, employees are expressly prohibited from engaging in either paid employment of any kind, or other activities, whether or not paid, that are inconsistent with the claimed inability to work or the claimed need to care for a seriously ill member of the immediate family.

The appointing authority may investigate any use of sick leave when it has reason to believe that an employee may be abusing sick leave and/or not using sick leave for its intended purposes. Intentional misuse of sick leave will be considered theft of public funds and just cause for termination.

Upon retirement from active service with the County, an employee with ten or more years of service with the state, any political subdivisions, or any combination thereof, shall be paid in cash for one fourth (25%) the value of the employee’s accrued but unused sick leave credit. The payment shall be based on the employee’s rate of pay at the time of retirement. The maximum aggregate payment to the employee shall not exceed the value of thirty days of the employee’s normal work day, not to exceed eight hours. *County Engineer Office employees refer to **Section 4.12** for more information.*

NOTE: Bargaining unit employees should refer to their collective bargaining agreement for information on sick and funeral leave. Bargaining unit employees may use up to two (2) days of bereavement leave not deducted from sick leave upon the death of the employee’s spouse, child or parent.

7.04 Donated Sick Leave

It is the County’s policy to allow employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to an extended illness or injury of the employee or a member of the employee’s immediate family.

For the purpose of this policy the following definitions shall apply:

- Immediate family: the employee’s spouse, child, or parent.
- Child: a son or daughter, including a child eighteen (18) years or over, who is incapable of self-care because of a mental or physical disability or other minor being cared for in the home.
- Parent: biological parent or an individual who stands in the place of a parent to the employee (in loco parentis). In- laws are NOT included in the definition of “parent.”
- Spouse: husband or wife.
- Serious health condition: an illness, injury, impairment, or physical/mental condition that involves a period of incapacity or treatment that requires absence from employment for more than thirty (30) calendar days and involves care by a health care provider. Serious health condition also includes continuing treatment of chronic or

long termed incurable conditions and prenatal care.

- Transferee: the employee in need and approved to receive donated sick leave.
- Transferor: the employee volunteering to donate their sick leave.

Employees may donate accrued sick leave to a fellow employee who is otherwise eligible to accrue and use sick leave and reports to a County appointing authority who is subject to this rule and pursuant to the provisions of Section 124.391 of the Ohio Revised Code. The intent of the leave donation program is to allow employees to voluntarily provide assistance to their coworkers who are in critical need of leave due to an extended serious health condition of the employee or a member of the employee's immediate family.

Any hours transferred shall be transferred at the rate of pay equal to that of the transferor unless the rate of pay of the transferee is less than that of the transferor, in which case the transfer shall be at the rate of pay of the transferee.

An employee may receive donated leave equivalent up to the number of hours the employee is normally scheduled to work each pay period or the equivalent of the employee's normal biweekly earnings, whichever is less, if the employee to receive donated leave or a member of the employee's immediate family has a serious health condition and the employee:

- has no accrued paid leave (including sick, vacation or compensatory time); and
- has completed his or her new hire probationary period; and
- has applied for any paid leave, Workers' Compensation, or benefits program for which the employee is eligible; and
- has applied for Family and Medical Leave; and
- leave taken under this program will be included and is subject to the twelve (12) week limits of the Family and Medical Leave Act; and
- has no abuse or patterned use of sick leave; and
- has provided acceptable written verification that the extended illness exists; and
- is not a member of the employee's immediate family as defined above; and
- agrees to accept the leave under the terms of this policy and completes an "Application to Receive Donated Leave" form.

Employees may donate leave if the donating employee:

- voluntarily elects to donate sick leave and does so with the understanding that donated leave will NOT be returned;
- donates a minimum of hours equivalent to one (1) of the donor's regularly scheduled workdays, and maximum of eighty (80) hours in one (1) year to the same recipient. An employee may donate to multiple recipients in the same calendar year;
- retains a sick leave balance of at least twelve (12) weeks after their donation;
- completes an "Application to Donate Leave" form.

The sick leave donation program shall be administered on a pay period to pay period basis. The appointing authority of the Transferee and the Logan County Auditor shall review the Application to Receive Donated Sick Leave and the Application to Donate Sick Leave to assure compliance. Donations of sick leave will be recorded in the order of their submission, and will not be considered actually donated nor be deducted from the transferor's balance or credited to the transferee's balance until the pay period such leave is actually used. Unused donation applications shall be returned to the transferor.

Employees using donated leave shall be considered in active pay status however, they shall not accrue leave and be entitled to any benefits to which they would otherwise be entitled. Vacation and sick leave will **NOT** be accrued by an employee while using donated sick leave and the receipt of donated sick leave does not affect the date on which a receiving employee first qualifies for continuation of health insurance coverage. Donated sick leave shall be considered

sick leave but shall never be converted into a cash benefit. The Logan County Auditor shall maintain such records as are necessary for the administration of this program.

Employees who wish to donate sick leave shall certify:

- The name of the employee for whom the donated leave is intended;
- The number of hours to be donated;
- That the employee will have a minimum sick leave balance after donation of at least twelve (12) weeks.
- That the sick leave is donated voluntarily and the employee understands that the donated leave will not be returned.

Appointing Authorities shall ensure that no employees are forced to donate leave. The County Engineer shall respect the employee's right to privacy, however, with the permission of the employee who is in need of leave or a member of the employee's immediate family, inform the employees or their co-worker's critical need for leave donations from employees. **The donation of sick leave shall occur on a strictly confidential and voluntary basis.**

Employees wishing to donate or receive donated sick leave may pick up applications from the County Engineer's Office and/or Auditor's Office and such forms must be returned to the same.

7.05 Personal Leave - Collective Bargaining Unit Only (6/10/05)

Purpose: To provide a uniform procedure for requesting and using Personal Leave granted through a Collective Bargaining Agreement or Official Policy of the Logan County Engineer.

The accrual of Personal Leave will be calculated and recorded in accordance with current **Collective Bargaining Agreement** and/or Official Policy of the Logan County Engineer.

Personal Leave is acquired by a deduction from accrued Sick Leave balances. As Personal Leave requests are submitted, approved, and used, the total hours will be officially deducted from accrued Sick Leave Balances.

The time span for use of Personal Leave will be from April 1 through March 31 of the following year, unless otherwise stipulated by a Collective Bargaining Agreement or other Official Policy of the Logan County Engineer. Any unused Personal Leave balances will not be carried over into the next renewal period. Employees failing to comply with Personal Leave rules and regulations shall not be entitled to such leave with pay.

No employee working on an hourly basis shall be entitled to pay for time absent from duty except for properly approved leave. Absence without Leave is to be considered "Neglect of Duty" and subject to Discipline Policies.

Personal Leave shall be used at a time mutually agreeable to the employee and the County Engineer and/or the Supervisor or the approved designated personnel. All daily operations and duties must be covered with appropriate staffing. An employee must obtain prior approval before the use of Personal Leave is officially granted.

Personal Leave requests will be submitted on the Application for Leave forms as provided by the Logan County Engineer. No advance Personal Leave will be granted by the Logan County Engineer's Office.

It behooves all employees to allow Sick Leave to accumulate so that any serious illness can be covered if it occurs and to have the opportunity to have available Personal Leave. When it is suspected that Sick Leave and/or Personal Leave privileges are being abused, the County Engineer shall initiate investigations into the matter.

The County Engineer shall have final authority of all rulings not covered by this policy and such rulings shall comply with the Ohio Revised Code, the current Collective Bargaining Agreement, and existing policies.

7.06 Court Leave

An employee, who is subpoenaed for jury duty or to testify in court, will receive regular pay for any regular hours of work missed as a result of such jury duty. All monies received as a result of such jury duty shall be turned over to the County Treasurer's Office. Hours spent at court under subpoena during the employee's scheduled work shift shall be considered as time worked for overtime purposes. In order to be paid for time spent on court leave, the employee must present his/her summons or subpoena to his/her supervisor as soon as possible after the employee received the summons.

Any employee dismissed from court or jury duty for any one day, or portion of a day, is expected to report to work for the balance of his/her normal scheduled time.

Employees who are required to appear in court or in administrative proceedings on behalf of the County shall be paid at their regular rate of pay, or overtime if applicable, for hours actually worked. Employees must obtain prior approval from their supervisors before appearing in court or administrative proceedings on behalf of the County.

Employees who are required to appear in court on other matters, which include personal matters, must seek an approved vacation leave or unpaid leaves of absence.

7.07 Disaster Relief Leave

It is the policy of the County to grant no more than thirty (30) days of paid leave per year to an employee who is a certified disaster service volunteer for the American Red Cross upon the request of the American Red Cross for the services of that employee and upon the approval of that employee's appointing authority. The appointing authority shall compensate the employee granted leave under this section at his regular rate of pay for those regular work hours during which the employee is absent from his work.

7.08 Weather Emergency Leave (9/29/05)

Purpose: To develop a consistent policy for work duty during weather emergencies.

This policy is applicable only to non-bargaining unit employees with the Logan County Engineer's Office including the County Highway Garage, and the Map Room.

NOTE: Bargaining Unit Employees refer to the Collective Bargaining Agreement regarding emergency weather leave.

In the event of a **Level 1** Snow Emergency, all personnel are to report for duty in accordance with their scheduled work time and to follow all existing policies.

In the event of a **Level 2** Snow Emergency issued prior to regular starting time, all personnel are to contact the main office of the Logan County Engineer to determine if they are to report for duty or if there will be a reassignment for duties on that day.

In the event of a **Level 3** Snow Emergency issued prior to regular starting time, all personnel are to contact the main office of the Logan County Engineer to determine if they are to report for duty or if there will be a reassignment for duties on that day. If employees are not reassigned, they will be paid for this time off without any deduction from their available accrued leave time unless the employee had previously submitted a leave request prior to the weather emergency.

If the County Commissioners determine the need to close County office buildings due to a **Level 2** or **Level 3** Snow Emergency or other emergency during regularly scheduled work hours, employees of the Map Room are to immediately contact the Logan County Engineer's Office to determine if there will be a reassignment of duties for the remainder of their work hours. If there is no reassignment of duties as ordered by the Logan County Engineer or his management representative, employees will be permitted to leave and will be paid for the remainder of their work hours without any deduction from their available accrued leave time unless the employee had previously submitted a leave request prior to

the weather emergency.

If any employee had previously submitted a leave request prior to the weather emergency that leave time will be deducted in accordance with policies.

Time missed by employees due to weather emergencies will be paid at the employee's regular rate of pay. This paid emergency weather time is not considered to be "hours worked" for purposes of calculating overtime.

The Administrative Coordinator, Chief Deputy Surveyor, Assistant Engineers, Personnel Specialist, all Superintendents, and the Operations Clerk are required to call in prior to their regularly scheduled work hours to determine if they are needed to assist with the weather emergency, regardless of the level of snow emergency or the closure of County buildings.

7.09 Unpaid Leave of Absence

Employees may request an unpaid leave of absence from the appointing authority for personal reasons, including educational pursuits that are not in the course of or required as part of the job. The decision whether to grant the leave is left to the appointing authority's discretion. Personal leave may be granted for up to six (6) months for any personal reasons of the employee which are deemed sufficient grounds for leave by the appointing authority.

Educational leave may be granted for up to two (2) years for purposes of education, training or specialized experience which would benefit the County Engineer's office. Employees must present the County Engineer with a written request for educational leave that describes the program and explains why the education, training or specialized experience would benefit the office. The County Engineer has the authority to determine whether or not to grant educational leave. Upon completion of an educational leave, the employee will return to his/her former position or a similar position within the same classification.

Where an employee is unable to pre determine the exact length of their leave, an indefinite leave not to exceed six (6) months may be approved. The employee may be permitted to return to work at any time during the six month period, provided they give the appointing authority at least two (2) weeks written notice of his desire to return to work. If a leave of absence is granted for a definite period of time, the employee may be reinstated prior to the expiration of the leave only upon written approval of the County Official.

While on leave without pay an employee shall not accumulate sick leave or vacation leave, nor shall they receive holiday pay. Time spent on leave without pay shall not count for seniority purposes. An employee on an unpaid leave of absence must pay the premium for their health insurance (and dependent coverage, if applicable) to keep such coverage in force during the leave.

Unpaid leaves of absence shall not be granted to an employee for the purpose of engaging in partisan political activity.

The appointing authority may revoke the unpaid leave of absence for business reasons upon one week's written notice to the employee that they must return to work. An employee on unpaid leave of absence who is determined to be using the leave for purposes other than the purpose for which the leave was granted may be ordered to return to work immediately and/or shall be subject to disciplinary action. Failure to return to work as instructed in accordance with these policies may result in discipline.

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SECTION 8 MILITARY LEAVE

NOTE: Employees who are related to members of the Armed Forces, including members of the National Guard or Reserves, should be aware that they may be eligible for military-related FMLA leave. Please see Section 6.11 for more information regarding military related FMLA leave.

Military leave is governed by O.R.C. Chapters 5903, 5906 and 5923 and the Uniformed Services Employment and Reemployment Rights Act (USERRA)

Permanent County Engineer's Office employees who are members of the Ohio organized militia or member of other reserve components of the armed forces, including the Ohio National Guard are entitled to military leave. Employees requesting military leave must submit a written request to the County Engineer's Office as soon as they become aware of such orders. Employees must provide the published order or a written statement from the appropriate military authority with the request for leave.

Pursuant to O.R.C. §5923.05, employees are authorized up to twenty-two (22) eight (8)-hour working days or one hundred seventy-six (176) hours within a year. During this period, employees are entitled to receive their regular pay in addition to compensation from military pay. Any employee required to be serving military duty in excess of twenty-two (22) days or 176 hours in a year due to an executive order issued by the President of the United States or an act of Congress or by the Governor in accordance with law shall be entitled to a leave of absence.

During this leave of absence, employees are entitled to be paid a monthly amount equal to the lesser of

- The difference between the employee's regular gross monthly wage or salary and the sum of the employee's gross uniformed pay and allowances received that month; or
- Five hundred dollars (\$500).

No employee is entitled to receive this benefit if the amount of gross military pay and benefits exceed the employee's gross wages from the County Engineer for that period.

Employees, who are on military leave in excess of twenty-two (22) days or one hundred seventy-six (176) hours in a year, may use their accrued vacation leave, personal leave or compensatory time while on military leave. Employees who elect this option shall accrue vacation leave and sick leave while on such paid leave.

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

SECTION 9 BENEFITS

9.01 Benefits

The County provides a variety of benefits for the health and welfare of employees and their families. The County reserves the right to change these benefits at any time. For more information about any benefits, contact your Appointing Authority or the County Commissioner's office.

Health Insurance: The County provides group hospitalization/surgical insurance and major medical insurance covering its full-time regular employees and part-time non-seasonal employees whose hours of service regularly average thirty (30) or more hours per week.

The County shall pay a portion of the cost of individual single coverage for eligible employees. The County shall also pay a portion the cost of family coverage for dependents of eligible employees who elect to enroll for such coverage. The amount that the County and employees pay for the monthly premium will be determined by the County on a periodic basis. Enrollment rules are described below.

The insurance contract year is January 1st through December 31st, but may be changed at the discretion of the County. The County reserves the right to modify the health insurance coverage and premium contributions currently in effect and/or to modify the employee premium contributions.

Prescription Drug Insurance: The County provides prescription drug insurance coverage for out-patient prescription drug purchases by eligible employees and covered dependents. The policy covers eligible prescriptions and refills dispensed by any pharmacy which participates in the program. The County reserves the right to modify prescription coverage.

Life Insurance: The County provides group term life insurance and group term accidental death and dismemberment insurance for each eligible employee. The Board of County Commissioners shall determine the level of its premium contribution required for employees.

Employee Assistance Plan: The County provides an Employee Assistance Plan (EAP) to offer confidential assistance for various issues that may affect employee's job performance and impact their families, friends, and co-workers. Employees may contact their Appointing Authority or the County Commissioner's office for information.

Voluntary Supplemental Benefits: Other benefits are offered to county employees on a voluntary basis, which include supplemental life insurance, disability, and dental insurance. Premiums are paid entirely by the employee through regular payroll deductions. Insurance agents are permitted to contact employees to discuss enrollment for their benefits during limited enrollment periods.

Section 125 Plan: The County, under Internal Revenue Code Section 125, provides employees the opportunity to participate in the "premium only" plan in which their eligible insurance premiums are paid on a pretax basis. Employees' health insurance premiums along with voluntary supplemental benefits are eligible to be paid pre-tax under Section 125. Enrollment rules are described below.

Retirement Programs: Public Employees Retirement System (PERS) under Chapter 145 of the Ohio Revised Code, County employees are members of PERS. As required by law, employee and County contributions are made for the employee's benefit through regular payroll.

Deferred Compensation Program: Under Chapter 148 of the Ohio Revised Code, County employees may voluntarily participate in a tax-deferred retirement savings program through regular payroll.

Enrollment Periods: The open enrollment period is the only time employees may enroll in or make enrollment changes to the health insurance plan or the Section 125 plan without a qualifying event. A qualifying event is a change in family status, employment status, coverage eligibility, or dependent eligibility for which a change can be made during the plan year. Qualifying events include: marriage, divorce, death of a spouse or child, birth or adoption of a child, termination or commencement of a spouse's employment, change of status of the employee, or change of status of a dependent making him ineligible. All Section 125 qualifying events must be reported in writing to the Auditor's Office within 30 days of occurrence. All health insurance qualifying events must be reported in writing to the Commissioner's office within 30 day occurrence. If changes are not received within 30 days they will not become effective until January 1 of the following plan year.

All health insurance and Section 125 changes that take effect on January 1 or each year must be completed and returned to the Auditor's Office and/or the Commissioner's office by the end of the open enrollment period during the previous year. No changes will be accepted after that date. Eligible employees will be notified each year of the open enrollment periods for each plan, which generally occurs between October 1 and November 30.

NOTE: Bargaining Unit employees should refer to their collective bargaining agreement for information regarding health insurance.

9.02 Tuition Reimbursement Policy for Non-Bargaining Unit Employees (1/01/04)

The purpose of this policy is to develop a consistent policy to provide employees with professional development opportunities that increase their skills and enhance their contributions to the organization through tuition reimbursement.

The work performance of an employee is a vital key to the success of our organization. Providing professional development to our employees is an investment in their careers and the organization's future.

Full-time, non-bargaining unit employees are eligible for reimbursement for education costs that are approved by the County Engineer. It is the employee's responsibility to seek out the courses and other training mediums that will enhance his or her career development and are in line with the organization's mission.

1. Only college level courses which will be credited towards a professional license or work related degree will be reimbursable. *The Logan County Engineer has the discretion to determine if a degree is work related.*
2. Employees must request permission from the County Engineer for review and approval to attend and to receive reimbursement for desired education and/or resource. The request must include applicable course of study, purpose, job relevance, cost, dates, times of coursework and name of the institution or source of training.
3. Upon satisfactory completion of the training and/or coursework, the employee must provide documentation to support completion and payment in order to receive reimbursement. Tuition will be reimbursed at a rate of 50% for a grade of "C" or better.

At the Logan County Engineer's discretion, flexibility may be given in modifying an employee's work schedule. All classes, exams, or study time shall not be during work hours. Schedules for changes to normal working hours for the purpose of attending classes or examinations shall be submitted to the County Engineer for approval prior to beginning of each quarter, semester, or term. Any changes to the scheduled must be approved by the County Engineer.

SECTION 10

SAFETY/WORKERS COMPENSATION

10.01 Job Safety

It is the responsibility of every department to provide safe working conditions, tools, equipment and work methods for its employees. The foreman or supervisor must address unsafe conditions promptly and ensure that all safety rules and good working methods are used by employees under their supervision.

It is the duty of all employees to use the safety equipment provided by the County and to follow all safety rules and safe working methods recommended for their safety. Violation of safety rules or failure to comply with safety rules will lead to disciplinary action.

The appropriate supervisor will use the following procedure for handling on the job injury cases:

- a. Arrange for prompt medical care.
- b. Prepare a report on the injury immediately, while the facts are clear.
- c. Keep a copy of report and send a copy to the County Commissioners.
- d. Send a copy of the report to employee.

County employees may be entitled to compensation through the Ohio Bureau of Worker's Compensation for injury or death, as well as for certain medical care services, incurred while working for the County. To facilitate their recovery from work related injuries county employees may be eligible to participate in early return to work programs such as transitional work, light duty, vocational rehabilitation, and wage continuation. For information about these programs, employees may speak with their supervisor or the Commissioner's office.

All employees are expected to report any safety concerns and/or unsafe working conditions to their supervisor as soon as possible. Failure to report a known unsafe work condition may result in discipline. Employees are responsible for complying with all other safety rules and regulations as set forth by law or as adopted by the County Commissioners and/or their appointing authority.

NOTE: Bargaining Unit employees should refer to their collective bargaining agreement for information regarding health and safety.

10.02 Work Related Illness or Injury Requiring Immediate Medical Treatment and Follow-up Appointments (1/15/10)

Purpose: To clarify payment of wages to an injured employee on the date of injury and/or for follow-up medical appointments.

There will not be a deduction from the employee's accrued sick leave for the time involved seeking treatment on the date of injury. Employees are required to return to work after receiving immediate medical treatment. If the physician provides written notification that the employee is unable to return to work for the remainder of the day, there will not be a deduction from the employee's accrued sick leave on the date of the injury.

The Logan County Engineer's Office does not offer "Wage Continuation" to employees. An "Election to Receive Compensation" form must be completed if time off from work is indicated by the physician beyond the date of injury. Time off work for follow-up medical appointments should be documented on the appropriate leave request forms. An employee shall clock-out when departing for the appointment and shall clock-in when returning to duty from the medical appointment. An appropriate note shall be brought back by the employee from the physician to confirm the medical appointment. This appointment confirmation shall indicate the appointment start and departure time and will be attached to the leave form for the record.

Follow-up medical appointments shall be scheduled outside of work hours. If the physician/facility does not have appointments outside of work hours, an employee shall schedule appointment(s) to minimize his/her absence from work.

The Logan County Engineer will waive a deduction from an employee's accrued sick leave if attempts are made to schedule follow-up appointments outside of work hours. Failure of an employee to schedule appointments to minimize time away from work may result in deductions from the employee's accrued sick leave. The Logan County Engineer may designate appropriate personnel to verify the scheduling times of such medical appointments.

10.03 Safety Regulation-Eye Injury Protection (2/01/02)

Purpose: To establish a consistent policy concerning the use of safety glasses and safety side shields.

All employees are required to wear safety glasses or safety side shields at all times while at work unless the side shields obstruct peripheral vision while operating equipment. Violation of this rule may subject the employee to disciplinary action.

Each employee will be provided with one pair of safety glasses or safety side shield. If these items are lost or damaged through the negligence of the employee, replacements will be issued at the employee's expense.

10.04 Hard Hats and Safety Vests (9/03/02)

Purpose: To develop a consistent policy for the use of hard hats and safety vests and to provide a safe work environment.

Each employee will be provided one hard hat and one safety vest by the employer. It will be the responsibility of each employee to have the above mentioned items with him or her at all times during work hours. If any of these items are lost or damaged, through the negligence of the employee, replacements will be issued at the employee's expense.

Hard hats must be worn any time the danger of falling objects exists. It shall be the responsibility of the Site Supervisor or the Senior Highway Worker III/The Senior Routemarker/The Senior Mechanic on the job to make this determination.

Safety vests must be worn any time the employee is working within the boundaries of the road right-of-way.

Exceptions:

- If the road is closed and barricaded
- Coveralls or sweatshirts may be substituted in cold weather. T-shirts may be worn at other times. However, these items will not be furnished by the employer.

Approved colors will be fluorescent orange or lime green for safety apparel.

10.05 Hazardous Material Accidents (Outside Party) (2/02/02)

The following are guidelines for Logan County Engineer and Environmental Engineer personnel for outside party hazardous material accidents-accidents that do not occur on county property or at a county work site or are caused by county personnel.

Logan County Engineer personnel shall respond after being notified by the County Sheriff's Office, the Fire Chief in charge, or the Emergency Management Director.

Engineer personnel will provide answers to questions regarding roads, drainage, and other areas of expertise. Engineer personnel will help establish traffic control by signs, barricades, cones, etc. on county and township roads. Engineer

personnel will assist with containment within road right-of-ways (county or township) and to prevent contamination of drainage ditches or tiles.

At no time shall Engineer personnel come in contact with hazardous materials.

Action:

- All Engineer equipment and personnel shall respond as directed by the proper authority.
- When placing signs and barricades, lights shall be installed for night vision.
- Engineer personnel shall be used for **CONTAINMENT** of the hazardous material within road right-of-way and to prevent its flow into drainage ditches or tiles. Engineer personnel shall use dirt, or other suitable materials as needed.
- An Engineer employee shall be assigned to take photos for any possible litigation.
- Employees shall not come in contact with the hazardous material.
- **CLEAN UP** of hazardous materials shall not be done by Engineer personnel.

Equipment and Materials:

- Equipment and materials for containment shall be supplied by Engineer personnel as directed by the proper authority. NOTE-Engineer personnel shall not come into contact with hazardous materials.
- Engineer equipment may be borrowed for containment operations, but must be clean and free of contaminants and in good shape before returning.
- The Engineer will maintain a stockpile of suitable materials at its maintenance garage.

Costs:

- All costs shall be recorded on daily reports for labor, overhead, equipment, and materials.
- The company or individual responsible for the accident shall be billed for all costs incurred.
- A copy of any accident report shall be kept with the costs.

10.06 Operating Procedures for Construction and Reconstruction Projects

The purpose of this policy is to ensure that all projects undertaken under the authority of the Logan County Engineer are constructed using sound engineering judgment and comply with the requirements of Section 4733.14 of the Ohio Revised Code.

All projects are to be constructed in accordance with the plans, specifications, and standards approved by the Logan County Engineer. All projects with a total value of \$5,000.00 or more shall be designed by an engineer who is under the direct supervision of a registered professional engineer. Final approval authority for all projects rests with the Logan County Engineer.

No project shall be undertaken without the approval of the Logan County Engineer. When the field supervisor on a project determines that a change may be required to address an unanticipated problem the supervisor shall immediately notify the engineering staff. An engineer will respond to the work site as soon as possible to review the problem with the work site supervisor.

The engineer may agree to the proposed change and direct the work to continue, or the engineer may elect to seek the advice and consent of the County Engineer prior to approving the change. If the engineer determines to wait until approval is obtained by the County Engineer, no work to install the change shall begin until the approval is obtained.

Any changes made to a project shall be documented by the engineer and the job supervisor, in writing and the documentation shall be included in the project records.

If the engineering staff is not available to respond to a request from the job supervisor, the change shall not be constructed until an engineer is available for approval.

SECTION 11

EMPLOYEE CONDUCT POLICY

11.01 Employee Responsibility for County Property

Employees are prohibited from using County materials, tools, facilities, equipment and labor for personal or private use regardless of whether the use is during working or non-working time. Employees may not perform private work for themselves, co-workers, friends, family members or others during working time or while using County materials, tools, facilities, or equipment. All County tools and equipment must be used and operated within the laws of the State of Ohio and/or rules and regulations of the County. Employees who separate from service with the County are responsible for return of reusable County property in his/her possession.

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

Employees required to answer the telephone or other communication, as part of their assigned duties shall do so in a polite and courteous manner. No employee shall use foul or abusive language over the telephone, or other communication, or in any dealings with the public. The County reserves the right to monitor any phone or other communications at any time. Personal phone calls or other personal communication must be kept to an “on emergency basis” only. Toll calls and/or long distance calls for personal reasons shall not be charged to the County.

The County may issue cellular phones to its employees. Cellular phones are not only capable of making and receiving phone calls, they may also be capable of email, text messaging, internet browsing, running third party applications, GPS, and entertainment. Regardless of the capability of a particular cellular phone, County-issued cellular phones are considered County property and are for business use only. Features other than phone use must not be used or activated without direct authorization from a supervisor. Use of County cellular phones while operating a motor vehicle (County-owned or personal) is prohibited, including GPS and hands-free, unless authorized by a supervisor.

11.02 Investigations

The County has the right to investigate all alleged disciplinary violations. Employees are required to cooperate fully during investigations. Employees who are the subject of a formal investigation have the right to be accompanied, represented, and advised by an attorney. For all employees, the failure to respond, to respond truthfully, or to otherwise cooperate in an investigation, shall be considered insubordination and may result in termination. Employees involved in an investigation shall not discuss the facts of the investigation during the pendency of the investigation. Investigations shall be conducted upon receipt of an allegation of potential misconduct. Investigation shall be conducted promptly and in a reasonable and efficient manner to determine whether the alleged misconduct occurred.

Classified employees may be placed on a paid “administrative” leave of absence pending an investigation. A classified employee who has been charged with a violation of law that is punishable as a felony may be placed on unpaid “administrative” leave, for a period not to exceed two months, pending an investigation. However, a classified employee who is placed on unpaid leave and is later exonerated of a felony must be reimbursed for lost pay, plus interest, and lost benefits. Unclassified employees may be placed on paid or unpaid leave pending an investigation.

Employees who have completed their probationary period and who are in the classified civil services may only be disciplined for just cause. Disciplinary action will be commensurate with the offense. Discipline for minor infractions will normally be imposed in a progressive manner with consideration given to the nature of the offense, prior disciplinary action, length of service, the employee's position, the employee's record of performance and conduct along with all other relevant considerations. Nothing in the policy shall be construed to limit the County's discretion to impose a higher level of discipline under appropriate circumstances.

The following forms of misconduct constitute grounds of disciplinary action; incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, policy or work rule violations, conviction of a crime, failure of good behavior including a violation of ethics of public employment, failure to maintain licensing requirements, and any other acts of misfeasance, malfeasance, nonfeasance or any other reason set forth in O.R.C. § 124.34

The property and image of the County is to be respected at all times; as such, an employee's off duty conduct that has a nexus to the workplace or could reasonably negatively impact the County may form the basis for discipline. Any comments or questions concerning the standard of conduct expected should be directed toward the employee's immediate supervisor.

Employees have an obligation to immediately inform the County of any on-duty or off-duty arrests or convictions. An arrest or conviction may, or may not, result in discipline depending on the nature of the incident, the job performed, and other relevant considerations. Employees will not be granted vacation leave in order to serve jail time.

The filing or prosecution of criminal charges or other civil administrative investigations against an employee for alleged misconduct or criminal activity shall not be determinative as to appropriate disciplinary action, if any, under this policy. The county may investigate the employee's alleged misconduct or activities and determine the appropriate discipline, if any, without regard to pending administrative or criminal charges. The disposition of such administrative or charge is independent of a disciplinary investigation. Although the County may utilize information obtained during other investigations, the County's decision to take appropriate disciplinary action may or may not correspond with the filing, or non-filing, of criminal charges or civil actions. A felony conviction while employed with the County is just cause for termination.

Staff is responsible for reporting any incident or conduct they believe is inappropriate and/or in violation of County Policies and Procedures whether the conduct occurs on-duty or off-duty. This duty includes incidents actually observed, reported by residents, reported by staff, or suspected due to other facts.

Disruptive behavior and internal gossip is often disruptive to coworkers and takes focus away from assigned job duties. The Engineer's Office maintains an internal complaint process (Section 14.03) to address employee issues or complaints. We encourage you to use that process for addressing any workplace issues. By using our complaint process, we can work with you to try to resolve these issues and create a better working environment.

11.03 Discipline

When the County believes that discipline of a classified employee in the form of a reduction in pay, demotion, suspension or removal to a classified civil service employee, the official shall hold a predisciplinary conference with the employee. At the predisciplinary conference the appointing authority or her designee will explain the charges against the employee and permit the employee the opportunity 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 appointing authority may impose reasonable rules on the length of the disciplinary conference and the conduct of the participants. The appointing authority may tape record the predisciplinary conference, as may the

employee or his representative. If the appointing authority determines that the employee's continued employment prior to the conference poses a danger to persons or property or a threat of disrupting operations, he may place the employee on administrative leave with pay pending the predisciplinary conference to determine the final disciplinary action.

Prior to the predisciplinary conference, the appointing authority 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 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 appointing authority shall determine the appropriate discipline, if any. The employee will be notified of the disciplinary action in accordance with law.

Unclassified employee and probationary employees are not eligible for a Pre-Disciplinary Conference.

11.04 Progressive Corrective Disciplinary Action Policy (Effective May 30, 2002)

Purpose: To establish a consistent policy for corrective disciplinary action

In addition to the provisions of **Section 124.34** of the Ohio Revised Code, the employer shall follow the principles of progressive corrective action. Corrective action shall be commensurate with the offense. Such action shall include:

- Verbal reprimand (with written notation in employee's file)
- Written reprimand
- Suspension (three or less days)
- Suspension (more than three days)
- Reduction in classification
- Termination

Disciplinary action shall be initiated as soon as reasonably possible.

If an employee, whether bargaining unit or exempt, is convicted of a felony on or after March 22, 1999, while employed in the classified service he or she will no longer be permitted to serve in the classified service. If the employee is convicted of a felony as defined in O.R.C. 124.34, the employee is permanently barred from returning to public employment in the classified service and the employee's civil service status shall immediately be changed from classified to unclassified. Further, if he or she is removed as result of a conviction of felony, he or she, upon re-employment in the public service, shall not have any prior service counted for vacation leave accrual purposes. The new provision's for disciplining an employee, who has been convicted of a felony, prevails over all conflicting provisions in a collective bargaining agreement.

When proposed corrective action is to be taken on an infraction severe enough to warrant reduction in classification, suspension of more than three days or termination, a pre-disciplinary meeting shall be held to review the facts and to provide the Employee with an opportunity to present facts or witnesses in the Employee's behalf. The procedure for bargaining unit employees will be followed as defined in **Article 13** of the current collective bargaining agreement. The procedure to be followed for non-bargaining unit employees in the conduct of such pre-disciplinary meeting shall be as follows:

1. The Employer shall notify the Employee of the charge.
2. The Hearing Officer shall conduct the pre-disciplinary meeting and collect all information presented by the parties. Based upon the information presented, the Hearing Officer shall then file a report of the pre-disciplinary meeting including a recommendation of action to be taken. The report is to be filed with the Logan County Engineer.
3. The Employee may be represented by another individual on his/her choosing at the pre-disciplinary meeting. The employee may introduce witnesses and written commentary, as well as refute any testimony presented at the pre-disciplinary meeting.
4. The Logan County Engineer shall review the report filed by the Hearing Officer and determine the action to be taken. The Logan County Engineer shall not be limited to the action recommended by the Hearing Officer.

11.05 Conceal Carry Policy

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

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

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

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

SECTION 12

ELECTRONIC EQUIPMENT AND COMMUNICATIONS

12.01 Computer Use

County computers and information systems are County property. They may be used only for explicitly authorized purposes. The County reserves the right to examine all data stored in or transmitted by their computers and systems consistent with law.

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

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

Allowable Uses of Computer and Information Systems for Business Purposes:

- Facilitating job function performance.
- Facilitating and communicating business information within the County network.
- Coordinating meeting locations and resources for the County
- Communicating with outside organizations as required in the performance of employee job functions.

Prohibited Uses of Computers and Information systems, Including but Not Limited to E-mail, Instant Messaging, and the Internet:

- Violating local, state, and/or federal law.
- Harassing or disparaging other based on age, race, color, national origin, sex, sexual orientation, disability, religion, military status or political beliefs. Harassment and disparagement include but are not limited to slurs, obscene messages, or sexually explicit images, cartoons, or messages.
- Threatening others.
- Soliciting or recruiting others for commercial ventures, religious or political causes, outside organizations, or other matters which are not job related.
- Using computers or information systems in association with the operation of any for-profit business activities or for personal gain.
- Sabotage, e.g. intentionally disrupting network traffic or crashing the network and connecting systems or intentionally introducing a computer virus.
- Vandalizing the data of another user.
- Forging electronic mail and instant messenger messages

- Sending rude or obscene messages (anything that would embarrass or discredit the County)
- Disseminating unauthorized confidential or proprietary County documents or information or data restricted by government laws or regulations.
- Browsing or inquiring upon confidential records maintained by the County without substantial business purpose.
- Disseminating (including printing) copyrighted materials, articles, or software in violation of copyright laws.
- Accessing the Internet in any manner that may be disruptive, offensive to others, or harmful to morale.
- Transmitting materials (visual, textual, or auditory) containing ethnic slurs, racial epithets, sexually-oriented messages/images or anything that may be construed as harassment or disparagement of others based on age, race, color, national origin, gender, sexual orientation, disability, religious or political beliefs.
- Sending or soliciting sexually-oriented messages or images.
- Using the Internet to sell goods or services not job-related or specifically authorized in writing by an approving authority.
- Downloading and viewing non-work-related streaming audio or video (i.e. listening to radio stations, etc) due to the limited bandwidth of the system)
- Intentionally using Internet facilities to disable, impair, or overload performance of any computer system or network or to circumvent any system intended to protect the privacy or security of another user.
- Speaking to the media or to the public within any news group or chat room on behalf of the County if not expressly authorized to represent the County.
- Uploading or downloading games, viruses, copyrighted material, inappropriate graphics or picture files, illegal software, and unauthorized access attempts into any system.

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

Please remember that there is no expectation of privacy for anything sent by County email or IM, and that others can view this information at any time.

Guidelines for Incidental/Occasional Personal Internet Usage:

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

Securing Computer Equipment and Electronic Data

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

Employees accidentally sharing County information, or accessing an improper website, or opening an email with a virus are to immediately notify their supervisors. Employees who receive ransomware, or other malware/virus, are to immediately notify a supervisor. Employees shall not open emails, or click links, about which they have a concern.

12.02 Social Media Policy

The County supports the free exchange of information and camaraderie among employees on the Internet. 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 its employees, or engaging in posting inappropriate material about the County or its employees, the employee who posts such information or assists in posting such material may be subject to disciplinary action.

Employees are reminded to be careful of the information they disclose on the Internet, including social media sites. The following uses of social media are strictly prohibited, whether on or off duty;

- Comments or displays about coworkers, supervisors or the County that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the County's workplace policies against discrimination, harassment or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, military status or other protected class, status, or characteristic.
- Statements or uses of the County's logo which are slanderous or detrimental, including evidence of the misuse of the County's authority, information, insignia or equipment.
- Unprofessional communication which, if left unaddressed, could potentially result in a civil or criminal cause of action against the County. Unprofessional communication also includes that which the County could demonstrate has a substantial risk of negatively affecting the County's reputation, mission or operations, such as slander, defamation or other legal cause of action.
- 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.
- Comments or displays which impact employee's abilities to perform their job duties or the County's ability to maintain an efficient workplace.

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

In the event a County agency operates and maintains a social media site, the elected official, or department head, shall designate the employee(s) who is permitted to post, maintain and monitor the postings on behalf of the agency. Absent prior approval, employees shall not add, or remove, any information, or posting, from the agency's social media site.

SECTION 13

TRAVEL/AND DRIVING ON COUNTY BUSINESS

13.01 Use of County Vehicles

Employees operating a County motor vehicle are required to have a proper and valid motor vehicle operator's license. An employee who operates a motor vehicle for work and who has his/her license suspended, but who has acceptable court-ordered driving privileges, may nevertheless have his/her driving privileges temporarily suspended by the County. When the County suspends driving privileges, the employee will be temporarily reassigned. The County need not reassign an employee who drives for work and has his/her license suspended by a court with no work-related driving privileges.

Any County employee who operates a County-owned motor vehicle, or a privately owned motor vehicle in the discharge of official County business, shall at all times during the course of operation, fully utilize the front seat occupant restraint systems provided in the vehicles and require like use of said systems by all passengers in the vehicle. Employees who operate County vehicles must have appropriate insurance coverage as designed by the Appointing Authority.

Use of a County-owned vehicle must be pre-approved by the employee's supervisor. Employees shall not use, or permit the use of County automobiles for any purpose other than official County business. Passengers not on official County Business (i.e. children, spouses, friends, etc) are not permitted in County-owned vehicles. Employees, as representative of the County, are expected to be courteous to the public and to obey all traffic laws. County employees should drive and conduct themselves as to enhance the reputation of the County and Department.

Employees who drive County vehicles or who drive their personal vehicles for County business are subject to periodic (at least annual) record checks at the Bureau of Motor Vehicles. Employees who utilize County vehicles are responsible for reporting to their supervisor any moving traffic violations obtained while on, or off, duty as an employee's personal driving record may impact his/her ability to be covered on the County's liability policy. Employees who drive on behalf of the county are subject to reassignment and/or discipline in the event of a license revocation, suspension or traffic offense conviction.

All employees of the County who are required to operate a vehicle in the course of their employment shall be subject to the following driver training requirements:

- a. Regardless of their driving record, employees shall attend a defensive driving course within the first year of employment and refresher training at least once every 3 years. National Safety Council Defensive Driver Course curriculum (or similar) is recommended. Documentation of course completion shall be obtained and kept in the employee's personnel file.
- b. Employees with 4 or more accumulated points or 2 or more occurrences on the Motor Vehicle Report (MVR) shall attend a defensive driving course, which will be scheduled during working hours at no cost to the employee.
- c. Each appointing authority may require additional training for specialized vehicle uses.
- d. While live classroom training is strongly preferred, online training and video training may also be used.

Written documentation of the training should be maintained in the employee's personnel file. Concerns regarding repairs or vehicle maintenance must be reported to the employee's immediate supervisor.

The County may, at its discretion, monitor the use of County vehicles through the use of a GPS system. Such monitoring by the County shall be limited to an employee's use during working hours; for take-home vehicles, to confirm that a

vehicle is not being used improperly during non-working hours; or, for other reasons to confirm that the vehicle is being used for a purpose consistent with this policy.

13.02 Operating Procedure for the Maintenance and Cleanliness of all County Vehicles and Equipment

(2/01/02) (updated 4/20)

This procedure is to ensure the proper maintenance and cleanliness of all county vehicles and equipment in order to maintain a safe driving condition. This procedure applies to both bargaining and non-bargaining unit employees.

Daily Requirements

Prior to using each county owned vehicle or piece of equipment

- Check engine oil level.
- Pre-trip walk around
- After each use of a county vehicle or piece of equipment, all trash (cups, cans, wrappers, etc.) shall be removed from the vehicle and placed in a trash can.
- Fill with proper fuel.
- All mechanical problems, servicing needs or safety concerns shall be reported to a supervisor or the Head Mechanic for scheduling of repairs.
- Daily mileage shall be noted for future use on time sheets, etc.

Monthly Requirements

All vehicles and equipment shall be thoroughly cleaned inside and outside as follows:

- Power wash the outside of the vehicle or equipment
- Floors shall be swept out or vacuumed.
- All windows shall be cleaned inside and out using window cleaner and paper towels.
- All mirrors shall be cleaned using window cleaner and paper towels.
-

Quarterly Maintenance

- Mats shall be removed, washed and returned.
- Cloth seats shall be vacuumed.
- All vinyl and plastic surfaces (including seats) shall be cleaned. (Damp cloth or vinyl cleaner may be required)

NOTE: Frequent power washing of the outside of the vehicles may be required during times of high salt usage or during extremely muddy or dusty times. Management will advise.

SECTION 14

EMPLOYEE COMPLAINT PROCEDURE

14.01 General Complaints

If the employee believes that he has been treated arbitrarily, capriciously, unreasonably, or believes that his supervisor or department head has violated any provision of this Handbook, he should process his complaint under this procedure. Complaints regarding unlawful discrimination or harassment should be brought according to the unlawful discrimination and harassment policy contained in this manual.

Step 1. An employee with a complaint must first take the matter up with his immediate supervisor, preferably in private, within three working days after which he knew or should have known of the occurrence or action about which he complains. Step 1 may be bypassed by either the employee or Immediate Supervisor if the Immediate Supervisor lacks the authority to make a change and/or the Immediate Supervisor is the subject of the complaint.

Step 2. If, after meeting with his immediate supervisor, the employee still believes that he has a valid complaint, he must submit his complaint in writing to the next level of supervision within five working days of his conference with the supervisor. The supervisor shall promptly schedule a meeting with the employee, to discuss the complaint. The supervisor shall render a written decision on the complaint within five working days of the meeting.

Step 3. If the employee is not satisfied with the decision on the complaint in Step 2, he may file an appeal in writing within five working days of his receipt of the Step 2 disposition. The appeal must be filed with the County Engineer. The County Engineer shall meet with the employee, who may be accompanied by a representative of his own choice, within five working days of the filing of the appeal. Either the County Engineer or the employee may tape record the meeting. The County Engineer shall render a written decision on the complaint within five working days.

Step 4. If the employee is not satisfied with the decision on the complaint in Step 3, he may file a written appeal to the Board of County Commissioners, setting forth in detail his complaint and all pertinent factual information. The Board shall issue a written recommendation disposing of the complaint within ten (10) workdays and shall send a copy of the recommendation to the employee and to the appropriate appointing authorities.

No employee shall be discriminated against for making a complaint in accordance with these procedures or disputing the application of any of these personnel policies.

NOTE: Employees covered by a collective bargaining agreement shall use the grievance procedure outlined in Article 9 of the CBA.

SECTION 15

RECORDS MANAGEMENT

15.01 Public Records (9/29/07)

It is the policy of the Logan County Engineer's Office that openness leads to better informed citizenry, which leads to better government and better public policy. It is the policy of the Logan County Engineer's Office to strictly adhere to the states Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlines in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

This office, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Logan County Engineer's Office are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

Maintenance of Record

It is the policy of the Logan County Engineer's Office that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See **Section 15.04** for the e mail record policy). Record retention schedules are to be updated regularly and posted prominently.

Response to Record Requests

Each request for public records should be evaluated for a response using the following guidelines:

Identifying Records Requested

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.

Written Requests and Requestor's Identity

The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is this office's general policy that this information may be requested when such information may be needed to respond to the public records request.

Availability of Public Records

Public records are to be available for inspection during regular business hours: Engineer's Office hours are 7:30 a.m. to 4:00 p.m.; and the Map Room hours are 8:00 a.m. to 4:30 p.m. with exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Estimated Time Needed to Respond to Requests

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer

than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.

Requests Needing Additional Time for a Response

If more copies are requested, an appointment should be made with the requester as to when the copies or computer files can be picked up.

All requests for public records must either be satisfied or be acknowledged by the Logan County Engineer's Office within a reasonable period of time following the office's receipt of the request. If a request is deemed significantly beyond "routine", such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

An estimated number of business days it will take to satisfy the request.

- An estimated cost if copies are requested.
- Any items within the request that may be exempt from disclosure.

Denial of Requests

Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

Costs Charge for Public Records

Those seeking public records will be charged only the actual cost of making copies. There will not be a charge for time used for gathering, reviewing, or physically copying the records.

Engineer's Office copy cost (rev. 10.13.15)

Savin Copier	Black Copy	Color Copy
8 ½" x 11" Sheet =	\$.06 (6 cents) each	\$.12 (12 cents) each
8 ½" " x 14" Sheet =	\$.06 (6 cents) each	\$.12 (12 cents) each
11" x 17 Sheet =	\$.07 (7 cents) each	\$.13 (13 cents) each

Map Room Copy Cost:

Savin Copier	Black Copy	Color Copy
8 ½" x 11" Sheet =	\$.06 (6 cents) each	\$.12 (12 cents) each
8 ½" " x 14" Sheet =	\$.06 (6 cents) each	\$.12 (12 cents) each
11" x 17 Sheet =	\$.07 (7 cents) each	\$.13 (13 cents) each

HP Design Jet 1055 CM+

Map or plat copies =	\$0.50 per square foot
24" x 26" =	\$3.00 per page
36" x 36" =	\$4.50 per page

HP Desk Jet 1000C

DVD-R copy with data=	\$1.20 each
CD-R copy of tax map data=	\$0.50 each

Copy costs are reviewed and adjusted as necessary to reflect the actual cost of the copy and will be posted in each office. There is no charge for documents e-mailed.

Mailing Requests

Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage, mailing supplies and copy costs. There will not be a charge for time used for gathering, reviewing, or physically copying the records.

E-Mail Records

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention scheduled.

Private E-Mail Accounts Used for Public Business

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are instructed to retain their e-mails that relate to public business (see **Section 15.01** Public Records) and to maintain them in accordance with the Logan County Engineer's Office policy outlined in **Section 15.04**.

Treatment of E-Mails for Private Accounts

E-mail records from private accounts used in the course of business for the Logan County Engineer's Office will be treated as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with Public Records Act.

Failure to Respond to a Public Records Request

The Logan County Engineer's Office recognizes the legal and non-legal consequences of failure to properly respond to a public records request. Therefore, it is the intent of the Logan County Engineer's Office to provide a copy of any public record of this office in accordance with Ohio Law.

15.02 Employee Records

A personnel file shall be established and maintained for each employee by the appropriate appointing authority.

At the time of original appointment, the employee's personnel file shall reflect the employee's correct name, address, telephone number, social security number, tax exemptions, affiliation with any branch of the armed services, and loss of licensure or insurability, if applicable. In addition, the initial record should include the name and phone number of a person to contact in case of an emergency. The employee is responsible for providing this information and promptly reporting any change in the information.

The personnel file shall contain the employee's application for employment, letters of reference, necessary compensation and payroll information, performance evaluations, disciplinary actions and letters of commendation and all other information necessary for the conduct of County operations.

In the event the County Engineer's Office must send correspondence or other documentation to an employee who is on leave, the County Engineer's Office will mail the document to the last known address listed in the employee's personnel file. An employee will be considered to have constructive notice of any correspondence or documentation mailed to his or her last known address.

Records contained in an employee's personnel file which are not defined as "public records" in Section 149.43 of the Ohio Revised Code or other applicable provisions of law, shall not be released from an employee's personnel file unless specifically authorized by such employee in writing. Records maintained by the County that are defined as public records shall be released in accordance with law. The County will attempt to give employees at least twenty four hours notice before releasing their personal information in response to a public records request.

Each employee shall have the right, upon request and reasonable (at least twenty four (24) hours) notice, to examine his personnel file. Such examination shall be made on non-work time or at some other mutually agreeable time.

If an employee disputes the accuracy, timeliness, relevance or completeness of documents in their file, they may request in writing that the appointing authority investigate the current status of the information. The appointing authority will make a reasonable investigation to determine to accuracy, timeliness, relevance and completeness of the file, and will notify the employee of the results of the investigation and any plans the appointing authority has to take action with respect to the disputed information. The employee may submit a statement to be attached to any disputed documents.

Employees are not permitted to alter, add or remove documents or other information contained in their personnel files without authorization from the appropriate appointing authority. An employee, who alters, adds or removes documents or information from her personnel file without prior approval may be subject to discipline.

15.03 Inspection and Release of Employment/ Payroll Records (5/30/02)

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

The County Engineer through the County Auditor will prepare, make available and/copy public employment/payroll records, upon the request of any member of the general public, provided the individual or organization making the request complies with the following procedures.

a. Request to inspect or obtain copies of records.

Any individual or organization wishing to inspect or obtain copies of employment/payroll records relative to persons employed by the County Engineer's Office must submit a written request to the County Auditor prior to the inspection or release of such information. Such written request must include the following information:

- The name of the individual or organization making the request,
- The mailing address of the individual or organization making the request, and
- A list of the records the individual or organization wishes to inspect or have copies.

The County Auditor will forward a copy of the request statement to the County Engineer.

b. Hold Harmless Agreement

Any individual or organization wishing to inspect or obtain copies of records must sign and date an agreement to hold harmless and indemnify the County and its officials in any claims arising from the inspection or release of such records.

c. Photo Copy Fees

The County Auditor will provide copies free of charge for the first twenty-five (25) pages per week and five (\$0.05) for each page above 25.

The individual or organization requesting copies of records shall be required to remit full payment of photo copy fees prior to the release of information by the Auditor's Office.

d. Inspection of Records

The County Auditor shall make all requested records available for inspection within a reasonable period of time from the date of a request provided the individual or organization adheres to all provisions under this policy.

e. Release of Records

The County Auditor shall forward copies of all requested records within a reasonable period of time from the date of request provided the individual or organization adheres to all provisions under this policy. If specific employee's information is requested, the County Auditor will notify the affected employee before any records are released.

f. The County Auditor may waive any or all provisions under this policy when a request to inspect or obtain copies of records is made:

1. By another governmental agency
2. By an authorized representative of any governmental agency
3. By an authorized agent of a County Appointing Authority
4. In accordance with a court order

15.04 Retention Policy for E-Mail, US Mail, and Junk Mail (6/15/15)

The purpose of this policy is to guide employees to determine what information sent or received by electronic means or US mail shall be retained. The retention policy for E-mail, US Mail, and junk mail is as follows:

All U.S. mail and electronic documents must be retained until they are read and deemed to be no longer of value to the organization. Documents that are deemed to have no value to the organization may be deleted immediately. Electronic documents received may be retained in electronic form or printed and filed in the appropriate file.

U.S. Mail documents received will be retained and filed in the appropriate file. Electronic or mail documents that are filed should be retained according to their classification per the Logan County Engineer's Schedule or Records Retention and Disposition. The person who the document is addressed to shall make the decision on value to the organization.

APPENDIX 1

APPLICATION FOR LEAVE (Bargaining Unit)

NAME (print) LAST FIRST M.I. DATE

EMPLOYING UNIT

I request leave beginning _____ a.m./p.m. on _____, _____ and ending
_____ a.m./p.m. on _____, _____, for the following reason:

CHECK ONE:

_____ Medical, Dental or Optical Examination or Treatment

Name and Address of Doctor _____

_____ Personal Illness (nature of illness) _____

_____ Personal Injury (nature of injury) _____
Job Related? Yes No

_____ Serious illness or injury in Immediate Family _____

_____ Death of _____ on _____
Name and relationship

Sick leave _____

Vacation _____

Bereavement _____ (for spouse, child, or parent only)

_____ Vacation

_____ Personal Leave

_____ Compensatory Time

_____ Leave without pay _____
(Reason)

_____ Court Duty _____ Jury Duty _____ Subpoena _____ Court Date _____

_____ Leave of Absence _____
(Reason)

_____ Military (attach copy of orders)

_____ **TOTAL HOURS USED**

Signature of Employee

Approved _____ Disapproved _____ Superintendent _____ Date _____

Recorded _____ Personnel _____ Date _____

Remarks: _____

APPLICATION FOR LEAVE (Non-Bargaining Unit & Office)

NAME (print) LAST FIRST M.I. DATE

EMPLOYING UNIT

I request leave beginning _____ a.m. / p.m. _____, _____ and ending _____ a.m. / p.m. _____, _____, for the following reason:

CHECK ONE:

_____ Medical, Dental, of Optical Examination or Treatment.
Name and Address of Doctor _____

_____ Personal Illness (nature of illness) _____

_____ Personal Injury (nature of injury) _____
Job Related? Yes No

_____ Serious illness or injury in Immediate Family _____

_____ Death of _____ on _____ sick leave _____
Name Relationship vacation _____
leave without pay _____

_____ Vacation

_____ Leave of Absence _____
(Reason)

_____ Court Duty _____ Jury Duty _____ Subpoena issued by _____ Court date _____

_____ Military (attach copy of orders)

_____ Leave without pay _____
reason

_____ Comp time Date earned _____ Hours Earned _____

_____ TOTAL HOURS USED

Signature of Employee

Approved Disapproved Engineer's Designee _____ Date _____

Recorded Personnel _____ Date _____

Remarks: _____

APPENDIX 2

APPLICATION TO RECEIVE DONATED SICK LEAVE

Employee's Name: _____

Department: _____

Please describe the catastrophic illness/injury, who is affected, and how the employee is affected:

Indicate the amount of time that will be missed because of the catastrophic illness/injury.

Number of days: _____ Beginning: _____ Ending: _____

Has the Employee filed for Family and Medical Leave? Yes _____ No _____

VERIFICATION BY ATTENDING MEDICAL DOCTOR

I certify that the above named individual has experienced a catastrophic illness and/or injury and the projected time missed in an accurate forecast of the time that is needed for the condition.

Doctor's name: _____

Doctor's Signature: _____ Date: _____

I verify that the above information is a true and accurate report of my condition as I know today. I authorize and approve distribution of this information to other Logan County employees to inform them of my condition and to permit other county employees to donate sick leave to me. I understand and agree that my Appointing Authority and/or the County Auditor will make notice of my need for leave and that I should take no other action to solicit or request donation of leave from other staff. I have read, understand and agree with the limitations of this program as outlined in the Sick Leave Donation Policy. I understand and agree that any leave taken under this program will be included and in conjunction with the twelve (12) week limits of the Family and Medical Leave Act. I understand and agree that any employee donating leave to me will have his or her identity kept confidential from me.

Witness's Signature _____ Date _____

Employee's Signature _____ Date _____

*This application has been reviewed and **APPROVED** / **DENIED** (Circle One.)*

Name of Reviewer _____ Signature _____

Date _____

APPENDIX 3

APPLICATION TO DONATE SICK LEAVE

Donator's Name: _____ Employer: _____ Receiver's Name:

_____ Employer: _____ I understand that the Receiver indicated must be contacted by his Appointing Authority to determine if the Receiver is eligible and willing to accept the leave. The Receiver will be required to complete an "Application to Receive Donated Sick Leave" prior to determination of eligibility.

Hours of Sick Leave to be donated: _____

(Must be in one (1) donor day increments Up to a maximum of eighty (80) hours equivalence).

I hereby certify that this request is made voluntarily. I was not coerced, intimidated, or financially induced into donating leave. By signing, I hereby relinquish all rights to the leave shown above and the benefits accrued to or attached to the same. I understand and agree that the donation of the leave is irrevocable and that no leave actually donated will be refunded to me. I certify that I will have twelve (12) weeks of sick leave after making this donation.

Total Hours Donated: _____

Witness's Signature _____ Date _____

Donator's Signature _____ Date _____

CERTIFICATION OF AUDITOR

The above individual is certified as eligible to donate the hours listed Balance of Sick

Leave after donation _____ Sick Leave Donation: **APPROVED** _____

DENIED _____

Signature of Appointing Authority _____ Date _____

Signature of Logan County Auditor _____ Date _____

APPENDIX 4

**OFFICE OF THE
LOGAN COUNTY ENGINEER
P.O. BOX 427
1991 COUNTY ROAD 13
BELLEFONTAINE, OH 43311
www.co.logan.oh.us**

SCOTT C. COLEMAN, P.E., P.S.

Telephone: (937) 592-2791

LOGAN COUNTY ENGINEER

Fax: (937) 599-2658

ELECTION TO RECEIVE COMPENSATION

THE LOGAN COUNTY ENGINEER'S OFFICE DOES NOT OFFER WAGE CONTINUATION TO EMPLOYEES.

☐ I voluntarily elect to receive Sick Leave pay (if available) directly from my employer instead of BWC compensation.

☐ I voluntarily elect to transfer to the following job description. I understand that I am under no obligation to choose this alternative:

Job Title: _____

Rate of Pay _____

☐ I elect to receive compensation from the Bureau of Workers' Compensation

Employee's signature

Date

Approved by:

Elected Official/Department Head

Date

APPENDIX 5

EMPLOYEE HANDBOOK AND PERSONNEL POLICIES ACKNOWLEDGEMENT

Receipt of Handbook (paper copy):

☐ I acknowledge receipt of this Handbook and understand and agree that I am responsible for knowing its contents and for keeping it updated. I also understand that this Handbook is property of the County that must be returned to the County Engineer when I separate from employment with the County Engineer's Office

Receipt of Handbook (internet access):

☐ I acknowledge receipt of this Handbook via Online access, which is available for download, printing, and viewing at www.lceo.us and understand and agree that I am responsible for knowing its contents and any updated versions of this Handbook. I also understand that digital and printed copies of this Handbook are County property that must be returned to the County Engineer when I separate from employment with the County Engineer's Office.

I further acknowledge and understand that this Handbook **does not create a contract of employment with the County for any purpose.** I agree and understand that any and all provisions of this manual may be modified or eliminated, without advance notice to me, at any time. **When there is a direct conflict between state or federal law and a County policy, state or federal law prevails.**

Issued To: _____
(PRINT NAME)

Signature: _____

Date Received: _____

APPENDIX 6

SUBSTANCE ABUSE POLICY – REASONABLE SUSPICION RECORD

Name of Employee: _____

Observation: Date _____ Time(_____ a.m./p.m. to _____ a.m./p.m.)

Location of Observation: _____
(Street Address) (City) (State)

1. Presence of (describe what you saw):

X	Type of Item	Describe
	Drugs	
	Drug Paraphernalia	
	Alcohol	
	Other	

2. Unusual Appearance:

	Disheveled		Puncture Marks
	Dilated/Constricted Pupils		Inappropriate Wearing of Sunglasses
	Dry-mouth symptoms		Tremors or Lack of Muscle Control
	Flushed		Odor of Alcohol
	Bloodshot eyes		Dull Eyes
	Profuse sweating		Other (describe):
	Runny Nose		

3. Unusual Behavior

	Speech:		Behavior Cont.
	Confused		Paranoid or Depressed
	Incoherent		Euphoric
	Slowed		Disoriented
	Slurred		Sleepy
	Whispering		Argumentative
	Avoidance by Co-Employees		Crying
	Behavior:		Inexplicably Laughing
	Unreasonable Resentments		Lethargic or detached attitude
	Nervousness		Confused
	Irritability		
	Talkativeness		Other (describe):
	Using Illness as Alibi		Comments
	Excessive use of mints, gums, candies, etc.		

4. Unusual Motor Skills (Balance)

	Swaying		Other (describe):
	Falling		
	Staggering		

5. Unusual Work Performance:

	Absenteeism: unexcused, excessive, patterned, bizarre excuses, frequent minor “illnesses”		Forgetfulness: Difficulty in recalling or following instructions, increasing difficulty in performing
	On-the-job absenteeism: away from work area frequent use of restroom, long breaks, and excessive personal phone calls.		Lowered efficiency: missed deadlines, wasted supplies. Complaints about performance, undependable, varying periods of productivity.
	Tardiness: excessive late report, long meal breaks, leaving work early, afternoon “illness”		Difficulty in concentration: inattention to detail, work requires great effort or time, bad decisions, poor judgment
	Comments:		

6. Describe any other relevant observed actions or behaviors:

7. Record employee statements if any are made:

This record made by: (One signature is required, two if available)

(Name)

(Name)

(Signature)

(Signature)

APPENDIX 7

Public Records Request Form

While not mandatory, if you fill out this form it will help us provide the public records you are requesting in a more timely fashion.

Name of Requestor:	
Street Address/Mailing Address:	City, State, Zip:
Phone Number(s):	Date Records Request Received:
<p style="text-align: center;">With as much specificity as possible, please describe what records you want to review. PLEASE PRINT</p>	
<p>The Logan County Engineer's Office provides photocopies of public records at the rate of 6 cents per page. Other fees are noted in the Public Records Policy. All requests require advance payment. There is no charge to inspect records while in the Logan County Engineer's Office. Please check your preference below. You will be contacted as soon as possible to complete your records request.</p> <p>_____ I would like to inspect these records in the building when they are ready.</p> <p>_____ I would like these records copied, and I will pick them up when they are ready.</p> <p>_____ I would like these records copied and mailed to me at the address on this form.</p>	
Name of Employee Handling Request	Date Request Was Completed:

Thank you for your recent public record request. The **Logan County Engineer’s office** will respond in accordance to the applicable provisions of the Ohio Public Records Act.

On _____ you requested the following records/information:
(date)

The record/information requested:	Legal Authority Cited (if applicable)
<input type="checkbox"/> Is attached/mailed/emailed	
<input type="checkbox"/> Is not maintained by this office (office will attempt to direct requestor to correct office)	(list office)
<input type="checkbox"/> Is overly ambiguous (despite efforts to clarify)	ORC 149.43(B)(2)
<input type="checkbox"/> Does not exist and/or no obligation to create	ORC 149.40
<input type="checkbox"/> Has been disposed pursuant to One-Time Records Disposal or pursuant to Retention Schedule.	RC-2
<input type="checkbox"/> Is not subject to release in its entirety.	(cite legal authority)
<input type="checkbox"/> Is subject to release, however the following redactions have been made to protect exempted information:	(ORC 149.43(B)(1)-(3))

<u>Redaction:</u>	<u>Legal Authority Cited:</u>
_____	_____
_____	_____
_____	_____
_____	_____



Prepared by: _____ Date: _____

If applicable, Legal Review by: _____ Date: _____

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