

**MEIGS COUNTY  
GENERAL HEALTH DISTRICT  
PERSONNEL POLICY  
AND PROCEDURE MANUAL**

**THIS DOCUMENT IS NOT A CONTRACT**

**Approved by Board of Health: Aug. 11, 2015  
Effective: September 16, 2015**

**Prepared by:**

**CLEMANS, NELSON & ASSOCIATES, INC.  
485 Metro Place South, Suite 200  
Dublin OH 43017  
614.923.7700 | 1.800.282.0787  
[www.clemansnelson.com](http://www.clemansnelson.com)**

<b><u>SECTION 1</u></b>	<b><u>INTRODUCTION</u></b>	
1.1	Definitions.....	2
1.2	Objectives .....	6
1.3	Equal Employment Opportunity .....	7
1.4	Discriminatory Harassment .....	7
1.5	EEO/ADA/Nondiscrimination Complaint Procedure.....	9
1.6	Management Rights .....	11
1.7	Scope of Coverage .....	12
1.8	Dissemination .....	12
1.9	Severability .....	12
<b><u>SECTION 2</u></b>	<b><u>METHOD OF FILLING VACANCIES</u></b>	
2.1	Vacancies: Identification, Announcement, and Application .....	14
2.2	Evaluation of Applicants.....	14
2.3	Promotion.....	15
2.4	Demotion.....	16
<b><u>SECTION 3</u></b>	<b><u>APPOINTMENT</u></b>	
3.1	Employee Status.....	17
3.2	Medical Examination .....	18
3.3	Tuberculin Skin Test Policy.....	18
3.4	Seniority .....	19
3.5	Immigration Reform and Control Act.....	19
3.6	Orientation .....	20
3.7	Re-employment of a Retiree .....	20
3.8	Reporting New Hires .....	22
<b><u>SECTION 4</u></b>	<b><u>EMPLOYEE PERFORMANCE</u></b>	
4.1	Ethics.....	23
4.2	Probation.....	24
4.3	Performance Evaluation.....	24
4.4	Training.....	25
4.5	Conference/Seminar/Workshop Attendance.....	25
4.6	Confidential Information .....	25
4.7	Chain of Authority .....	26
<b><u>SECTION 5</u></b>	<b><u>CLASSIFICATION AND COMPENSATION</u></b>	
5.1	Overtime Approval and Compensatory Time.....	27
5.2	Flex Time .....	28
5.3	Payroll Deductions/Direct Deposit .....	28
5.4	Travel and Expense Reimbursement .....	28
5.5	Health Care Coverage .....	31
5.6	Hospitalization Coverage Following Separation .....	31
5.7	Pay Period .....	32
5.8	On-Call Duties .....	32

**TABLE OF CONTENTS**

5.9 Liability Insurance .....33  
5.10 Wage Continuation .....33  
5.11 FLSA Safe Harbor .....35

**SECTION 6**

**ABSENCE**

6.1 Holidays .....36  
6.2 Vacation .....36  
6.3 Sick Leave.....38  
6.4 Sick Leave Conversion .....40  
6.5 Bereavement Leave.....40  
6.6 Military Leave.....40  
6.7 Civil Leave.....41  
6.8 Leave Without Pay.....42  
6.9 Unauthorized Leaves .....43  
6.10 Disability — Accommodation, Leave, and Separation .....43  
6.11 Separation Pay .....47  
6.12 Inclement Weather .....47  
6.13 Personal Leave Days.....49  
6.14 Family and Medical Leave Act.....49  
6.15 Non-Workday with Pay .....55  
6.16 Infants and Children in the Workplace .....55  
6.17 Expression of Breast Milk .....55  
6.18 Administrative Leave.....56  
6.19 Wellness Policy.....56

**SECTION 7**

**CONDUCT**

7.1 Workweek .....58  
7.2 Tardiness .....59  
7.3 Safety and Health.....60  
7.4 Tools, Supplies, and Equipment .....60  
7.5 Use of Vehicles .....61  
7.6 Use of Telephones.....63  
7.7 Outside Employment .....64  
7.8 No Solicitation/No Distribution .....65  
7.9 Gambling.....66  
7.10 Dress .....66  
7.11 Smoke-Free Workplace/Electronic Cigarette .....67  
7.12 Drug Free Workplace.....67  
7.13 Use of Internet, E-mail, Facsimile Transmission, and Online Services ....70  
7.14 Personal Information.....73  
7.15 Reporting Changes in Personal Information.....74  
7.16 Garnishments .....74  
7.17 Workplace Violence.....75  
7.18 Emergency Procedures.....78  
7.19 Concealed Carry.....81  
7.20 Whistleblower Protection.....82  
7.21 Public Records Policy .....83  
7.22 Social Networking .....90

7.23 Fraud Reporting .....91

**SECTION 8                    DISCIPLINE, APPEALS, AND GRIEVANCES**

8.1 Disciplinary Principles.....93  
8.2 Progressive Discipline .....93  
8.3 Predisciplinary Conference Policy.....94  
8.4 Grounds for Disciplinary Action and Penalties .....95  
8.5 Grievance Policy.....100  
8.6 Grievance Procedure.....101  
8.7 Management Responsibilities and Guideline Procedures.....102  
8.8 Appeals Procedure .....103

**SECTION 9                    NONDISCIPLINARY SEPARATION**

9.1 Resignation .....105  
9.2 Retirement.....105  
9.3 Layoff.....105

**SECTION 10                    PERSONNEL RECORDS**

10.1 Personnel Files .....109  
10.2 Bulletin Boards .....109

**ANNEX**

Ethics Section 102

Public Records Policy

Organizational Charts

District

**SECTION 11                    FORMS**

A Acknowledgement Form  
B EEO/Discriminatory Harassment Complaint Form  
C Vacant Position Bid Form  
D Application for Employment  
E Temporary Appointment Letter  
F Exit Interview  
G Complaint Form  
H Request for Overtime Approval  
I Request for Leave of Absence  
J Intermittent Appointment Letter  
K Employee's Report of Incident and Injury  
L Employee's Report of Incident and Back Injury  
M Compensation Reimbursement  
N Witness Statement  
O Supervisor's Accident Investigation Report

---

## TABLE OF CONTENTS

P	Workplace Violence Incident Report
Q	Agreement of Responsibility: Internet, E-mail, and On-line Service
R	Insurance Driver List
S	Workplace Safety & Illegal Activity Acknowledgement
T	Workplace Safety Report Form
U	Record of Verbal Warning
V	Record of Written Reprimand
W	Acknowledgement of Employer's Information Regarding the Drug Free Workplace Act Policy
X	Notice of Predisciplinary Conference
Y	Sample Letter to Employees
Z	Notice to Employees
AA	Certification of Drug Free Workplace Compliance
BB	Certification of Receipt
CC	Request to Carry Over Vacation
DD	Application to Donate Leave
EE	Application to Receive Donated Leave
FF	Cellular Phone Policy
GG	Notice of An Unacceptable Driving Record
HH	License / Insurance / Maintenance Requirements
II	Social Networking Policy
JJ	Report of Injury

**INTRODUCTION / DISCLAIMER**

This Personnel Policy Manual is to provide employees with a standard of conduct; it is not intended to contradict existing laws or regulatory guidelines. Whenever there exists any conflict between the Personnel Policy Manual herein and any law, then the law shall prevail.

This Personnel Policy Manual is not intended to create nor is it construed to be a contract between the Meigs County Board of Health and its employees. No representative of the Employer has any authority to enter into an agreement with an employee.

These personnel policies and procedures may be altered, amended, or repealed by act of the Meigs County Board of Health. Such revisions, amendments or deletions will be emailed to each employee.

The policies and procedures set forth and adopted within this manual supersede previous written and unwritten personnel policies of the Meigs County General Health District.

MEIGS COUNTY BOARD OF HEALTH

Adopted: Date \_\_\_\_\_

\_\_\_\_\_  
Marcus Barr, MS  
Health Commissioner

\_\_\_\_\_  
Roger Gaul  
Board President

**DEFINITIONS****SECTION 1.1**

Unless otherwise indicated, the following definitions and abbreviations apply to the below listed terms as used in this manual.

Absence Without Leave (AWOL): any failure to report to duty when the employee has no paid leave available, has failed to have paid leave approved, or has failed to have an unpaid leave of absence approved in advance of the absence.

Active Pay Status: except where otherwise defined in this manual, active pay status is a period when an employee is eligible to receive pay directly from the Employer and includes hours worked, vacation leave, holidays, paid military leave and paid court leave, but does not include paid sick leave or personal leave.

Appointing Authority: the Health Commissioner with approval of the Meigs County Board of Health.

Board: abbreviation for the Meigs County General Health District Board.

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

Classification Plan (Class Plan): the alphabetically arranged compilation of the classification specifications for employees of the Employer.

Classified Employee: an employee who, after serving a probationary period, may only be disciplined for cause and pursuant to O.R.C. Section 124.34.

Compensatory Time (Comp Time): time off work granted to non-FLSA-exempt employees in lieu of paying actual cash for overtime hours worked, and granted off at the rate of one and one-half (1.5) hours for each hour of overtime. Time off on an hour-for-hour basis may be scheduled by the Employer to avoid employees working in excess of forty (40) hours in a workweek.

County: the County of Meigs, State of Ohio.

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

Demotion: a change in position that reduces the employee's scope of responsibility and compensation.

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

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

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

Distribution: an act of distributing goods, materials, and/or written materials or literature.

Employee: any person holding a position subject to appointment, removal, promotion or reduction by the Appointing Authority.

Employer: the Health Commissioner and the Meigs County Board of Health.

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

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

FLSA: abbreviation for the Fair Labor Standards Act.

Failure of Good Behavior: failure by an employee to accept, adhere to or maintain the expected levels of performance and/or conduct required by the Employer.

Fines: a form of disciplinary action whereby the Employer imposes a monetary penalty as a disciplinary measure aimed at improving the employee's conduct. Such fine shall not exceed five (5) days' pay and shall not reduce the employee's pay below the minimum wage established by the FLSA. Fines may also be assessed against accrued leave time when appropriate.

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

Immediate Family (Bereavement Leave): is defined as only: parent, sibling, child, spouse, grandchild, grandparent, parent-in-law, sibling-in-law, step-children, step-siblings, step-parents, legal guardian or other person who stands in the place of a parent.

Immediate Family (Sick Leave): is defined as only: parent, child, spouse, step-child, step-parent, legal guardian or other person who stands in the place of a parent.

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

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

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

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

Intoxication: the condition of a person affected by the use of intoxicating drinks or controlled substances; one who is under the influence of alcohol or controlled substances. The effect



produced upon the person by drinking intoxicating liquors or ingesting another intoxicating substance to such an extent that the normal condition of the individual is changed and the person's capacity for rational action and conduct is substantially lessened.

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

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

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

Non-exempt Employee: an employee who is entitled to be paid the Federal minimum wage and to be paid at the rate of one and one-half (12) times their regular rate of pay for all hours worked in excess of forty (40) in an established workweek.

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

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

Non-Work Time: any time during an employee's work day where the employee is totally relieved of work duties, such as break time or lunch time. Whether an employee is in active pay or no-pay status during these times is immaterial to the designation of non-work time.

O.A.C.: abbreviation for the Ohio Administrative Code.

O.R.C.: abbreviation for the Ohio Revised Code.

PERS: abbreviation for the Public Employees Retirement System.

Position: a group of duties and responsibilities assigned or delegated by competent authority to be performed by one (1) person.

Promotion: any change in classification which results in an increase in an employee's compensation and responsibility.

Reduction: a change of the classification held by an employee to one having a lower base pay range, a change to a lower step within a salary range, or any decrease in compensation of an employee.

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

Service of the State ("Civil Service of the State"): includes all offices and positions of trust and employment with state government, and this does not include offices/positions with state-supported colleges and universities, counties, cities, city health districts/school districts, general health districts, or civil service townships (see "State Service").

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

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

Supervisor: an individual who has been authorized by the Employer to perform or assist in performing some or all of the following: hiring, transfers, suspensions, layoffs, recalls, promotions, discharges, assignments, rewards, or disciplining employees under the direction of the Employer; to responsibly direct them; to adjust their grievances; or to effectively recommend such action.

Suspension: relief of an employee from duty without pay or a requirement to report to work to serve the suspension (working suspension), usually for a short period of time (i.e., one (1) to fifteen (15) days), as a disciplinary measure aimed at improving the employee's conduct.

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

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

USERRA: Uniformed Services Employment and Reemployment Rights Act.

Unexcused Absence: see Absence Without Leave (AWOL).

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

Verbal Instruction and Cautioning: the discussion a supervisor holds with an employee in which the supervisor counsels the employee regarding improper conduct and impresses upon the employee the need for change or improvement.

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

Work Time: all the time when an employee's duties require that the employee be engaged in work tasks, not including meal periods, breaks, and time before or after work.

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

Working Suspension: a form of discipline whereby the Employer may require an employee who is suspended to report to work to serve the suspension. An employee serving a suspension in this manner shall continue to be compensated at the employee's regular rate of pay for hours worked. Such disciplinary action shall be recorded in the employee's personnel file in the same manner as other disciplinary actions and will have the same effect as a suspension without pay for the purpose of recording disciplinary action.

Written Reprimand: the written record of disciplinary action, usually issued after a verbal warning has failed to improve an employee's conduct, which is provided to the employee and placed in the employee's personnel file.

**OBJECTIVES****SECTION 1.2**

- A. The Appointing Authority recognizes that a personnel system which recruits and retains competent, dependable employees is indispensable to effective management of the District.
- B. The policies and procedures set forth in this manual are designed to:
  - 1. promote high morale and foster good working relationships among employees of the Health District by providing uniform personnel policies and procedures, equal opportunities for advancement, and consideration of employee needs;
  - 2. enhance the attractiveness of a career with the District and encourage each of its employees to give his/her best effort to the District and the public;
  - 3. encourage courteous and dependable service to the public;
  - 4. provide fair and equal opportunity for qualified persons to enter and progress in the county service based on merit and fitness as determined through objective and practical personnel management methods; and
  - 5. ensure that all District operations are conducted in an ethical and legal manner so to promote its reputation as an efficient, progressive body in the community and the state.

**EQUAL EMPLOYMENT OPPORTUNITY****SECTION 1.3**

- A. The Appointing Authority and District will not discriminate against any employee or applicant for employment because of race, color, religion, creed, sex, age, national origin, ancestry, disability, political affiliation, or veteran status. The District will take affirmative action to ensure that applicants are employed and that employees are treated without regard to their race, color, religion, creed, sex, age, national origin, ancestry, disability, genetic information, military status, or veteran status. Such action shall include, but not be limited to, employment, promotion, demotion, transfer, recruitment, advertising, layoff, termination, and selection for training, and other terms, conditions, and privileges of employment.
- B. The Administrator is the Employer's EEO/ADA Coordinator. The EEO/ADA Coordinator is responsible for providing information regarding anti-discrimination laws to employees and others, and for reviewing and resolving complaints involving alleged discrimination.

**DISCRIMINATORY HARASSMENT****SECTION 1.4**

- A. The employer strictly prohibits discriminatory harassment of employees in the workplace by any person, in any form. It is both illegal and against the policy of the employer for any person, male or female, to engage in discriminatory harassment of an employee. Discriminatory harassment is any type of harassing conduct that is based upon an employee's race, color, sex, national origin, age, religion, disability, or other protected activity as defined by law. Sexual harassment, which is a form of sex discrimination, includes, but is not limited to the following:
1. Repeated unwanted and/or offensive sexual flirtations, advances, or propositions.
  2. Repeated verbal abuse of a sexual nature.
  3. Graphic or degrading verbal or written comments about an individual, the individual's appearance, or the individual's sexual orientation.
  4. The display of sexually suggestive objects, pictures, or the display of same through other media.
  5. Any offensive, abusive, or unwanted physical contact.
  6. The implication or threat that an employee's or applicant's employment, assignment, compensation, advancement, career development, or other condition of employment will depend on the employee or applicant's submission to sexual harassment in any form.
- B. Responsibility:
1. It is the responsibility of all employees to aid the employer in maintaining a work environment free from discrimination, including sexual harassment. Therefore, it

is the responsibility of each employee, including supervision and management, to immediately report any instances of discriminatory harassment to the EEO coordinator or immediate supervisor. Any employee who observes any conduct that may constitute discriminatory harassment of a coworker, but fails to report same, may be subject to disciplinary action. Moreover, any employee who receives a complaint alleging conduct which may constitute discriminatory harassment of any District employee, but fails to report same, may be subject to disciplinary action.

2. It is further the responsibility of each supervisor to ensure that all employees who report to the supervisor are aware of the policy against discriminatory harassment, that they are aware of the complaint and reporting procedures, and that they are aware of the consequences of engaging in discriminatory harassment.
  3. Management shall also ensure that all employees are aware of this policy and will ensure that all employees receive sufficient training to maintain an environment free from discriminatory harassment. Additionally, each newly-hired employee will receive training in this policy as a part of their employee orientation.
- C. Once a complaint of discriminatory harassment has been received, or an instance of discriminatory harassment has been reported, the complaint shall be immediately forwarded to the EEO coordinator and/or county prosecutor for investigation. The EEO coordinator shall then immediately investigate the matter in accordance with the investigation procedure. The complaining employee and/or the reporting employee will be informed of the results of the investigation. There shall be an attempt to reduce all complaints to writing with all supporting facts documented.
- D. If, after a thorough and prompt investigation, it is determined that discriminatory harassment has occurred, the employee who has been found to have committed discriminatory harassment will immediately be disciplined in accordance with the District disciplinary procedure. The complaining and/or reporting employee(s) will be informed of the results of the disciplinary procedure.
- E. If, after the investigation, it is determined that no discriminatory harassment occurred, or that there is insufficient evidence to determine whether or not discriminatory harassment has occurred, the complaining employee and/or reporting employee will be informed of same.
- F. The EEO coordinator or other designated investigator will make every effort to keep the complaint confidential, except as required by law and as may be reasonably necessary to successfully complete the investigation.
- G. The district will protect, as much as possible, employees involved as part of the investigation, from retaliation.
- H. In addition, to avoid concerns of sexual harassment, preferential treatment, and other inappropriate behavior, employees are required to inform the health commissioner or designee if they currently are, or if they intend to become, romantically involved with a coworker. Such relationships are not necessarily prohibited, but must be appropriately

addressed. Should the district determine that a conflict exists between an employee's employment and a personal relationship with a coworker, the district 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.

**EEO / ADA / NONDISCRIMINATION COMPLAINT PROCEDURE****SECTION 1.5**

- A.
1. Any person may file a complaint if they believe that another person has illegally discriminated against them under any local, state or federal anti-discrimination law, including a violation of the ADA or conduct involving sexual harassment.
  2. All complaints alleging illegal discrimination shall be filed on the EEO/ADA Complaint Form with the EEO/ADA Coordinator. This form shall be filed as soon as possible after the date the alleged discrimination occurred.
  3. The EEO/ADA Coordinator or other responsible party shall promptly investigate all complaints and promptly respond to the complainant and/or reporting employee. If the complainant and/or reporting employee is not satisfied with the EEO/ADA Coordinator's response, they may file a complaint with the Board of Health. The Board of Health will investigate and respond by the next Board meeting or within fifteen (15) working days.
  4. When reviewing complaints alleging a violation of the ADA, the EEO/ADA Coordinator and/or the Board of Health, if applicable, will determine whether the complainant is a "qualified person with a disability," whether the Employer may have discriminated against the complainant, and if so, whether the Employer can "reasonably accommodate" the complainant or otherwise resolve their complaint.
  5. Any employee who has been found by the Employer, after appropriate investigation, to have committed an act of illegal discrimination against another employee, job applicant, or other person will be subject to immediate disciplinary action.
  6. If, after the investigation, it is determined that no discriminatory harassment occurred, or that there is insufficient evidence to determine whether or not discriminatory harassment has occurred, the complaining employee and/or reporting employee will be informed of same.
  7. The EEO/ADA Coordinator will make every effort to keep the complaint confidential, except as required by law and as may be reasonably necessary to successfully complete the investigation.
  8. The EEO/ADA Coordinator will protect, as much as possible, employees involved as part of the investigation, from retaliation.

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

B. Reporting:

1. Any employee who believes that he or she has been the subject of or witness to discriminatory harassment should immediately report the alleged act(s) to the EEO/ADA Coordinator. If the Administrator is the subject of the complaint, the employee should report the matter immediately to the Health Commissioner. If the Health Commissioner is the subject of the complaint, the employee should report the matter immediately to the President of the Board of Health. There will be no reprisals against any employee for making a report as provided in this section.
2. The employee alleging discriminatory harassment shall complete a written complaint form provided for that purpose (See EEO Complaint Form). The employee should provide:
  - a. The employee's name;
  - b. The name of the subject of the complaint;
  - c. The incident(s) complained of;
  - d. The date(s) of the incident(s);
  - e. Any witnesses to the alleged incident(s); and
  - f. The resolution the employee is seeking.
3. If the employee alleging discriminatory harassment is unwilling to complete the complaint, the form shall be completed by the person to whom the verbal complaint was made.
4. This form should be completed as soon as possible after the date the alleged harassment occurred. A copy of this form should be forwarded to the EEO/ADA Coordinator. If it is alleged that the EEO/ADA Coordinator is the subject of the complaint, then a copy of this form should be sent to the Health Commissioner. If it is alleged that the Health Commissioner is the subject of the complaint, then a copy of this form should be sent to the President of the Board of Health.

C. Investigation:

1. After the complaint form has been completed, the complaint will promptly be investigated by the EEO/ADA Coordinator. If the EEO/ADA Coordinator is the subject of the complaint, the investigation shall be conducted by the Health Commissioner. If the Health Commissioner is the subject of the complaint, the investigation shall be conducted by the President of the Board of Health.
2. If the investigation reveals that the complaint is valid, prompt action will be taken to end the harassment immediately.
3. Any employee who is found, after appropriate investigation, to have engaged in discriminatory harassment of another employee or a member of the public shall be

subject to disciplinary action, up to and including termination. (This does not apply to elected officials.)

- D. Discipline: When it is determined that there is cause for believing that discriminatory harassment has occurred, the following steps will be followed.
1. The charged party will immediately be placed on administrative leave with pay or temporarily transferred pending the final resolution of the complaint.
  2. If the charged party requests it, a meeting will be held during which the charge will be explained to the charged party, and the charged party will be given the opportunity to respond to the charge.
  3. Subsequent to the meeting a final determination will be made. If it is determined that a prima facie case of discriminatory harassment has been established, the charged employee will be verbally notified and may be given an opportunity to resign, if requested by the employee.
  4. A notice of predisciplinary conference will be issued.

Any employee who is found, after appropriate investigation, to have filed a false claim of discriminatory harassment of another employee or member of the public shall be subject to disciplinary action, up to and including termination.

**MANAGEMENT RIGHTS****SECTION 1.6**

- A. The Employer retains the full right and responsibility to direct the operations, promulgate policies, rules and regulations and otherwise exercise the prerogatives of management, which more particularly include but are not limited to the following:
1. To manage and direct employees including the right to select, hire, promote, transfer, assign, evaluate, lay off, or to reprimand, suspend, discharge or otherwise discipline according to law;
  2. To manage and determine the location, type and number of physical facilities, equipment, programs and the work to be performed;
  3. To determine goals, objectives, programs and services, and to utilize personnel in the manner designed to effectively meet these purposes;
  4. To determine the size and composition of the work force, and the organizational structure;
  5. To determine the hours of work and work schedules required to most efficiently operate;
  6. To determine when a job vacancy exists, the duties to be included in all classifications, and the standards of quality and performance to be maintained;



7. To determine the necessity to schedule overtime and the amount required thereof;
  8. To maintain the security of personnel and financial records and other important data or information;
  9. To maintain and improve the efficiency and effectiveness of the operations; and
  10. To determine and implement necessary actions in emergency situations.
  11. Take necessary action to abolish and create classifications;
  12. To set standards of service and determine the procedures and standards of selection for employment; and
  13. To exercise control and discretion over the budget, organizational structure, and method of performing the work required.
- B. The exercise of any such right, power, authority, duty or responsibility by the Employer and the adoption of such rules, regulations or policies as may be deemed necessary, shall be limited only by the specific express terms of applicable law.

**SCOPE OF COVERAGE****SECTION 1.7**

- A. The policies and procedures in this manual generally apply to all employees unless otherwise specified. These policies do not establish tenure or contractual rights for employees not required by law. Although the Employer subscribes to these policies, the Employer may waive irregularities in policies and procedures to the Employer's benefit.
- B. To the extent not prohibited from doing so by law, the Employer retains the right to hire, fire, set compensation and manage employees without restriction.

**DISSEMINATION****SECTION 1.8**

- A. All employees shall be notified of the existence of these policies and procedures, and a copy shall be placed in the Administrator's office where it will be available for review by all employees.
- B. Any person not employed by the Board of Health may obtain a copy of these personnel policies and procedures, in whole or in part, by requesting for a copy and paying the appropriate fee pursuant to the Access to Public Records Policy adopted by the Board.

**SEVERABILITY****SECTION 1.9**

If any article or section of this policy manual or any amendments thereto shall be held invalid by operation of law or by a person or entity of competent jurisdiction, or if compliance with or enforcement of any article or section of this policy manual shall be restrained by such person or entity, the remainder of this document and amendments thereto shall not be affected and shall remain in full force and effect.



**VACANCIES: IDENTIFICATION, ANNOUNCEMENT, AND APPLICATION****SECTION 2.1**

- A. The Health Commissioner, Administrator or designee shall post internally all vacancies which occur or are imminent within the District. Positions are filled by promotion, reinstatement, transfer, or reduction pursuant to this manual and the O.R.C. whenever possible.
- B. If the Employer deems no internal bidder qualified for the vacancy, the vacancy shall be filled by hiring outside applicants in accordance with O.R.C. Chapter 124 and this manual.
- C. Nothing in this section shall be construed to prevent the Employer from advertising for external applicants concurrently or simultaneously with the posting of internal vacancies.
- D. The Health Commissioner or Administrator shall publicly announce by appropriate means, all vacancies to be filled by other than transfer or reinstatement, and shall maintain a list of announced vacancies for public inspection.
- E. Each announcement, insofar as practicable, shall specify the title, salary range, nature of the job, the required qualifications, the type of selection procedure to be used, and the deadline for and method of application. Each announcement shall also state that the Board of Health is an equal opportunity employer.
- F. An application must be properly completed and submitted as specified on the announcement before an applicant will be considered for employment. Resumes may be accepted in addition to a completed application. Applications for employment will be retained by the Employer and considered active for six (6) months.

**EVALUATION OF APPLICANTS****SECTION 2.2**

- A. The Health Commissioner, Administrator or designee shall review all applications and shall interview applicants considered most qualified. Applicants must submit to reference checks, interviews, required medical examinations, background checks, performance tests, and/or other job-related screening procedures.
- B. An applicant shall be required to provide any information and undergo any examinations necessary to demonstrate qualification for the position sought, insofar as such information and examination is job-related.
- C. Documentation of reference checks, interviews, background checks, medical examinations, performance tests, and/or other job related screening procedures will be maintained in the employee's personnel file.
- D. An applicant shall be eliminated from consideration if he:
  - 1. does not possess the knowledge, skills, and abilities necessary to effectively perform the duties of the vacant position;

2. has made a false statement of material fact on the application form or supplements thereto;
  3. has committed or attempted to commit a fraudulent act at any stage of the selection process;
  4. is an alien not legally permitted to work;
  5. has previously been terminated for just cause, except in unusual circumstances to be determined by the Employer; or
  6. has been convicted of a felony or a crime involving moral turpitude.
- E. An applicant may be eliminated from consideration upon other reasonable grounds relating to job requirements.
- F. If an applicant is hired and it is subsequently discovered that any of the above disqualifying criteria apply, the employee will be terminated for dishonesty, incompetency, nonfeasance, or malfeasance.
- G. Once the preferred candidate is selected, the Employer may inquire whether the candidate requires an accommodation to perform the job. The Employer will not classify a candidate who requires an accommodation as unqualified because that candidate requires an accommodation unless the Employer cannot provide an accommodation that is reasonable, or the accommodation would cause undue hardship to the Employer.
- H. The Employer is responsible for maintaining a record keeping system reflecting the disposition of all job applicants and the reasons therefore. Such records shall be kept on file for at least two (2) years and shall include a completed job application, medical examination data, test results and/or other job-related information.
- I. Once an applicant is hired as an employee, the Health Commissioner, Administrator or designee must provide a position description within 30 days to any such employee who is newly hired.

**PROMOTION****SECTION 2.3**

- A. Promotional opportunities shall be offered as far as practicable to qualified current District employees whenever possible. The Appointing Authority may limit a selection process to qualified employees, or may allow such employees preference in application and/or consideration, to the extent such is permitted by state laws.
- B. Factors to consider for promotion include, but not limited to an employee's completion of required probationary period, required training courses, the employee's annual performance evaluation ratings, and seniority.
- C. Employees interested in being considered for a posted vacancy shall complete a letter of interest and submit it to the Health Commissioner, Administrator or designee within the posting period.

- D. No promotion shall be final until the employee has successfully completed the probationary period; or in the case of an employee promoted without competitive examination to a classified position under Section 124.30 of the Ohio Revised Code, until employee successfully completes the probationary period or six (6) months of continuous service in the position, whichever is longer.

**DEMOTION****SECTION 2.4**

- A. A demotion is the movement of an employee to a position which has a lower level of responsibility, classification and compensation. Demotions generally result from an employee's failure to perform the duties of their position at an acceptable level or as a result of discipline. Demotions may also be voluntarily requested by an employee or result from an accommodation of a qualified employee with a disability who is no longer able to perform the essential functions of the employee's position with or without a reasonable accommodation, but can perform the essential functions of a lower classification with or without a reasonable accommodation. Demoted employees shall be reduced in pay to the maximum compensation of the classification to which they are demoted that does not result in a pay increase.
- B. Employees who desire to be considered for a posted vacancy in a lower classification shall complete a letter of interest and submit it to the Health Commissioner, Administrator or designee within the posting period.

**EMPLOYEE STATUS****SECTION 3.1**

- A. Employees of the District shall be categorized as either full-time or part-time.
1. Full-time Employee: an employee who works 35 hours per week on a regularly scheduled basis.
  2. Part-time Employee: an employee who works less than 35 hours per week on a regularly scheduled basis.
- B. Employees of the District shall also be categorized as:
1. Temporary Employee: An employee appointed to a position, on a full-time, part-time or less than part-time basis, for one (1) specified period of time not to exceed 120 days, and in no case shall successive temporary appointments be made, unless necessary by reason of sickness, disability, or other approved leave of absence pursuant to R.C. 124.30.
  2. Intermittent Employee: an employee who works on an irregular schedule which is determined by the fluctuating demands of the work and is generally not predictable.
  3. Seasonal Employee: An employee appointed to a position, on a full-time, part-time or less than part-time basis, for a specified period of time on a recurring but non-permanent basis (e.g., summer season).
  4. Student: An employee who is a student of a school, college or university employed in a student or interim position.
- C. Employees of the District shall also be categorized as salaried or hourly employees.
1. Exempt (Salaried) Employee: an employee who receives his/her full salary for any week in which he/she performs work without regard to the number of days or hours worked.
  2. Non-Exempt (Hourly) Employee: an employee who receives pay for the actual hours worked in any week.
- D. Pursuant to the Fair Labor Standards Act (FLSA) and amendments thereto, certain employees may be classified as exempt from FLSA minimum wage and overtime requirements. Generally, the exempt classes of employees in the District include executive employees, administrative employees, and professional employees.
- E. Only full-time, regular employees shall be entitled to all employee benefits as provided by the District. Part-time, temporary, seasonal, intermittent, and student employees shall be entitled to only those benefits which are specified in this Personnel Policy and Procedure Manual or by state law.

**MEDICAL EXAMINATION****SECTION 3.2**

- A. Pre-employment and pre-promotional medical and/or psychological examination may be required prior to or immediately after a conditional offer of employment. The Employer will pay for such medical examinations. The Health Commissioner, Administrator and employee will receive the results of the examination.
- B. All employees are encouraged to maintain good personal health which includes a periodic health appraisal as recommended by the employee's personal physician. Such appraisals and examinations are to be made at the employee's expense.
- C. Incumbents of specified positions may be legally required to submit to a regularly scheduled medical and/or psychological examination during their period of employment with the District. Such examinations shall be made by a physician of the employer's choice and shall be at the employer's cost.
- D. If it appears that an employee's state of health is detrimental to the employee's job performance or produces a risk to fellow employees or persons served, the Health Commissioner may require that employee to have a physical examination, appropriate laboratory tests, or x-ray examinations. Such examination shall be made by a physician designated by the Health Commissioner and the cost of such examinations shall be paid by the Appointing Authority.
- E. The person who sends the applicant for a medical or psychological examination should send a job description including appropriate DOT standards to the licensed medical practitioner, and request that the licensed medical practitioner indicate in writing whether the applicant/employee can perform the essential functions of the job identified on the job description and applying appropriate DOT standards; and, if not, what accommodation, if any, the applicant/employee would require in order to do the job.
- F. Current employees and successful applicants will only be drug tested on a random basis if they hold or are applying for a safety sensitive position.

**TUBERCULIN SKIN TEST POLICY****SECTION 3.3**

- A. Working in a health clinic atmosphere such as ours, we have a higher risk of being exposed to communicable diseases, therefore, all personnel under the employment of or contracted services of the District shall have an annual tuberculin (TB) test. This includes any temporary, seasonal, or voluntary help which will be in the service of the Meigs County Health Department for a period of thirty (30) days or longer; provided they cannot show proof of a current annual TB skin test, a chest x-ray, or a statement from a physician stating they are free from communicable disease.
- B. If an individual is a positive reactor to the skin test, a chest x-ray or a statement from a physician stating they are free from communicable disease is required annually, regardless of previous Isoniazid treatment or other treatment.

**SENIORITY****SECTION 3.4**

- A. For the general purposes of the District, seniority is defined as the uninterrupted length of continuous service with the District, the County, another health district, or the state of Ohio. An authorized leave of absence does not constitute a break in service and seniority time continues to accumulate during the term of the leave, provided that the employee complies with rules and regulations governing his/her leave of absence, and that the employee is reinstated from the leave.
- B. For the purposes of vacation, seniority is calculated according to the number of years of service with the District or any political subdivision of the state of Ohio. The service need not be continuous; however, completion of a total of one (1) year of service as defined in Section 9.44 of the Ohio Revised Code is required before eligibility for any vacation leave is established.
- C. For the purposes of determining retirement benefits, seniority is defined by the provisions of the retirement system in which the employee participates.
- D. For all purposes other than those specified above, seniority shall be defined as set forth in the provisions of the Ohio Revised Code.

**IMMIGRATION REFORM AND CONTROL ACT****SECTION 3.5**

- A. In general: In accordance with the provisions of the Immigration Reform and Control Act of 1986, as amended by the Immigration Act of 1990, the employer shall verify both the identity and the employment eligibility of all applicants considered for employment.
- B. Anti-discrimination policy: It is the intention of the employer not to discriminate in hiring on the basis of national origin and citizenship status except as otherwise provided by law. The employer will not discriminate against any citizen or person intending to become a citizen in so far as that person has complied with any naturalization requirements.
- C. All applicants shall be required to complete the biographical information requested by Employment Eligibility Verification Form I-9. The applicant shall attest that the applicant is eligible for employment and has presented authentic, original documentation of identity and employment eligibility.
- D. For persons under age 18 who are unable to present a document listed above that establishes identity, they may submit a school record or report card, clinic, doctor, or hospital record, or day-care or nursery school record.
- E. Post-hiring requirements:
  - 1. Within three (3) business days after the appointment of the applicant, the employer shall physically examine the documentation presented by the new employee, and then complete the remaining portions of Form I-9.



2. The County Auditor's Office shall retain Form I-9 and photocopies of the supporting documentation for three (3) years after the effective date of hire or for one (1) year from the date of the employee's separation from service, whichever is later.
3. Form I-9 and copies of supporting documentation shall not be used for any purpose or provided to any agency or person other than for the purpose of complying with the requirements of the Act.
4. Should an employee be rehired or reinstated by the employer within one (1) year of the date of separation, the employer may use the original I-9 form and supporting documentation for the purpose of complying with the Act.

**ORIENTATION****SECTION 3.6**

- A. During the first week of employment, an employee will be given an orientation session by his/her supervisor. This orientation will include:
  1. A general overview of the Board.
  2. A copy of the Personnel Policy Manual will be made available to, and reviewed with, each employee.
  3. Training on policies and procedures for completion of personnel forms (Time Sheets, Leave Requests, Reimbursement Requests, etc.).
  4. A summary of fringe benefits.

**RE-EMPLOYMENT OF A RETIREE****SECTION 3.7**

- A. Generally: Based upon the Health District's operational needs, the Health Commissioner, Administrator or designee at his or her discretion may initiate discussions with a retiree or a potential retiree regarding re-employment with the Meigs County General Health District.
- B. Definition: Re-employment of a retiree occurs when such retiree returns to work in an OPERS-covered or another Ohio retirement system-covered position after retiring under OPERS or another Ohio retirement system retirement plan.
- C. Notification by Re-Employed Retirees: Re-employed retirees shall notify the Employer that they are receiving an Ohio retirement system benefit. Retirees shall complete and submit to OPERS a Notice of Re-Employment of an OPERS Benefit Recipient or a Notice of Re-Employment of an Elected Office, if applicable. These notices can be found at [www.opers.org](http://www.opers.org).
- D. Certification by Employer: The notice forms described above in (B) shall be certified by the Meigs County General Health District. Such forms serve as an official notification to OPERS of the hiring of a re-employed retiree.

- E. Affect on Retirement Benefits: If a retiree who is receiving benefits from one of Ohio's retirement systems is re-employed in an OPERS position, his or her retirement benefit may be affected. (Pursuant to Ohio law, if an OPERS retiree begins re-employment during the first two (2) months in which he/she receives a retirement allowance from OPERS, the OPERS retiree forfeits his/her retirement allowance for any month of re-employment during the two (2) month period. After the first two (2) months of retirement, the retiree will receive his or her OPERS retirement benefit). Any employee who is considering re-employment with the Employer after retirement should contact the appropriate retirement system for clarification on how re-employment will affect his or her retirement benefits.
- F. Employer and Employee Contributions: Such contributions shall begin on the first day of employment with the exception of contributions remitted during the first two (2) months after retirement. Re-employed retirees will contribute toward a money purchase annuity.
- G. Money Purchase Annuity: This annuity is based on the sum of employee contributions for the period of re-employment, plus allowable interest multiplied by two. There are certain age and other restrictions and requirements related to a money purchase payment.
- H. Public Notice and Public Hearing:
1. Public Notice: If Meigs County Board of Health (hereinafter "Board") proposes to continue the employment of a re-employed retiree or rehire as a reemployed retiree in the same position, a person who is or most recently has been employed by a public employer in a position that is customarily filled by a vote of members of a board or commission or by the legislative authority of a county, municipal corporation, or township; the Board must provide public notice at least sixty (60) days before the re-employment begins, that an individual is seeking employment under the Board.
  2. Public Hearing: The Board must also hold a public hearing fifteen (15) to thirty (30) days before the re-employment is to begin to discuss the issue of the retiree being re-employed. The date, time, and location of the public hearing must be included in the public notice as described in (1) above.
  3. Certification: The Board shall certify on a form provided by the public employees retirement system that it has complied with the above requirements.
- I. Benefits Following Re-Employment: A re-employed retiree of any retirement plan offered by the state shall be permitted to earn vacation leave and sick leave in accordance with Health District policies, as if he or she is a new employee with no prior service time. Such re-employed retiree shall also be eligible to receive other Board-provided benefits in accordance with the terms and conditions of the policies, which control such benefits.
1. Vacation Leave: For purposes of computing vacation leave, a health District employee who has retired under the Ohio Public Employees Retirement System, and who is re-employed by a health District after July 5, 1987, shall not have his/her prior service credit with the state or any political subdivision of the state counted.

2. Sick Leave: For employees hired after January 2, 2008, upon termination of a re-employed retiree's employment, the retiree is not permitted to be paid for accumulated sick leave unless the Board adopts an alternative policy pursuant to R.C. 124.39(C).
3. Health Care: If the retiree qualifies for the Employer's health care coverage, the Employer must make appropriate coverage available to the re-employed retiree and the re-employed retiree cannot waive such health care coverage. During the period of re-employment, the Employer's health care coverage is primary and OPERS coverage is secondary, if the retiree is participating in the OPERS health care program.
4. Re-employed retirees shall be placed at the first step on the appropriate range in the compensation plan.

**REPORTING NEW HIRES****SECTION 3.8**

The Health Commissioner, Administrator, and Meigs County Board of Health will make the actual appointments for their work forces. The County Auditor or the Health District will forward the appointment notification to the Ohio District of Human Services, per O.R.C. 3121.891.

The mailing address is as follows:

Ohio New-Hire Reporting Program  
P.O. Box 15309  
Columbus, Ohio 43215-0309  
[www.oh-newhire.com](http://www.oh-newhire.com)

The toll free technical support number is as follows:

1-888-872-1490

The fax number is:

1-614-221-7088

**ETHICS****SECTION 4.1**

- A. District employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the state of Ohio, and other rules and regulations as may be set forth by the Board of Health. Each employee assumes responsibility to serve the public in an honest, effective, and cheerful manner.

In recognition of same, no employee shall:

1. Use their position for personal gain or engage in any transaction which is in conflict with the proper discharge of the employee's official duties.
  2. Use or disclose confidential or proprietary information concerning the property, government, or affairs of the Employer nor may he or she use such information to advance any personal financial or other private interest or that of others without proper legal authorization.
  3. Solicit or accept anything of value, whether in the form of service, loan, item or promise from any person, firm or corporation which is interested directly or indirectly in any manner whatsoever in business dealings with the Employer.
  4. Accept from any person, firm or corporation doing business with the Employer, any material or service for the private use or benefit of the employee.
  5. Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper performance of the employee's official duties or would tend to impair independent judgment or action in the performance of official duties.
  6. While an employee, or for one (1) year thereafter, represent another person before a public agency on any matter in which the employee personally participated as an employee.
  7. Receive or agree to receive outside compensation for services rendered in a matter before the Employer unless excepted as provided in ORC Section 102.04.
  8. Have a personal interest in a contract with the Employer or use their position or authority to secure approval of a public contract in which the employee, a member of the employee's family or business associate has an interest.
  9. Employees shall be provided with a copy of Ohio's ethics laws (or the electronic equivalent), ORC section 102 and sign an acknowledgement of receipt.
- B. When in doubt as to the application of this Section or other ethics laws or regulations, the Health Commissioner or designee may seek the advice of the Health District's legal counsel who may refer the matter to the Ohio Ethics Commission for a binding advisory opinion.

- C. Penalties: Failure of any health department official or employee to abide by this Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline, which may include dismissal, as well as any potential civil or criminal sanctions under the law.

**PROBATION****SECTION 4.2**

- A. Each newly hired or promoted employee shall serve a probationary period. Probationary periods shall be six (6) months, unless specified as longer on the classification, but in no case shall such period exceed one (1) year.
- B. Supervisors shall use the probationary period to closely observe and evaluate the employee's performance and aptitude for the job. Likewise, the employee is encouraged to bring problems to the supervisor to enhance his/her performance. Supervisors have a responsibility to recommend retention of only those employees who meet acceptable work standards during the probationary period.
- C. An employee may be separated anytime during their probationary period. Employees serving promotional probationary periods may be reduced to the classification and salary held prior to the promotion.
- D. The action of reduction or separation for failure to complete a promotional probationary period shall not be considered a disciplinary action, and shall not serve to eliminate the employee for consideration for advancement to other positions.
- E. The probationary period for full-time employees and scheduled part-time and seasonal employees shall be based on calendar days from the date of the original appointment. Time on leave of absence or other non-paid leaves shall not be counted toward the completion of the probationary period. Part-time employees or employees who work irregular shifts shall have their probationary periods determined as 1000 hours.

**PERFORMANCE EVALUATION****SECTION 4.3**

- A. A written performance evaluation provides supervisors with an effective mechanism to measure and communicate levels of job performance to their employees. It provides the employee with documented, constructive feedback concerning current job performance. Documented performance evaluation serves as a basis for important management decisions regarding training needs, job assignments, promotion, and retention of employees. The work performance of each employee shall be evaluated in accordance with established procedures.
- B. Each District employee shall be evaluated annually. Special evaluations may be made if authorized by the Health Commissioner or Administrator. Probationary employees shall be evaluated both at the mid-point of their probationary period and prior to its completion.
- C. Each employee shall be provided a copy of his/her performance evaluation. The supervisor shall discuss the report with the employee and shall counsel the employee

regarding any improvement in performance which appears desirable or necessary. The employee shall sign the evaluation to indicate review, but not necessarily agreement, and may attach comments to the evaluation. The evaluation form is transmitted to the Health Commissioner and Administrator and becomes a part of the employee's personnel record.

- D. Employees dissatisfied with their performance evaluations may seek reconsideration through use of the complaint procedures.

**TRAINING****SECTION 4.4**

- A. **Training Program Evaluation:** The Board of Health shall periodically examine current and proposed training programs in order to ensure the program's relevance to both the individual employee and organizational training needs.
- B. **On-The-Job Training:** On-the-Job training prepares an employee to effectively perform the responsibilities required of his/her position. It allows the employee to learn his/her job duties, correct procedures and expected performance levels, under the immediate direction of an experienced worker. The conduct of such training is the responsibility of supervisors under the direction of the Health Commissioner.
- C. Employees may be required to attend job-related training programs, courses, workshops, seminars, etc. If such training is required by the Board of Health, the expense incurred shall be paid by the District.
- D. All new employees will be provided a period of orientation by their supervisor. An orientation check list will be used which will become part of the employee's personnel record.

**CONFERENCE / SEMINAR / WORKSHOP ATTENDANCE****SECTION 4.5**

- A. Employees are encouraged to attend conferences, seminars, workshops, training sessions, and educational meetings which will increase their individual expertise and improve their job performance.
- B. All requests for attendance at continuing education conferences must be approved by the Health Commissioner. Attendance at out-of-state conferences shall also have the prior approval of the Board of Health.
- C. An employee may be reimbursed for necessary expenses incurred in attending approved continuing education conferences, pursuant to the current Expense Reimbursement Policy (Section 5.4), from the annual appropriation approved by the Board of Health for this purpose.

**CONFIDENTIAL INFORMATION****SECTION 4.6**

- A. All information obtained by employees in the course of their employment with the Employer and all Employer data shall be considered confidential and proprietary.

Personal information which employees obtain during the normal course of their employment shall not be discussed nor disclosed to anyone other than those individuals who have a need to know for legitimate business purposes.

- B. All Health District information and records concerning an applicant, recipient, or former recipient are considered as confidential information and must be safeguarded to protect the client from exploitation, harassment, and/or embarrassment. No employee of the Health District may disclose such information directly or indirectly without the client's expressed consent except for purposes directly related to the administration of the District's financial, medical, and social service assistance programs, when the client has been unable to provide the needed information.
- C. Using confidential/proprietary information or Employer data for any purpose other than as required to complete assigned work tasks, discussing such confidential/proprietary information or data with anyone other than for work purposes, or removal of such information or data from the Employer's premises without authorization, will result in discipline of the employee, including possible removal from employment.
- D. PROCEDURE

Any employee who has a question regarding the use of confidential/proprietary information or data maintained by the Employer, should request clarification of the Employer's policy before risking a possible violation.

**CHAIN OF AUTHORITY****SECTION 4.7**

- A. The Meigs County Board of Health has established an organizational chart which delineates the Employer's chain of authority. The chain of authority is created as the mechanism for communicating and implementing the decisions regarding the administration and operation of the agency, and for the hearing and resolving of employee complaints.
- B. All employees are required to follow the established chain of authority. Employees shall follow all legal orders or directives issued by any supervisor in their chain of authority.
- C. Any employee who disagrees with an order or directive or operational decision made by a supervisor may explain the objection to the supervisor in a professional and brief manner, but may not refuse to follow any such legal order or directive.
- D. Any employee who, after complying with an order as provided herein, believes the order, directive or decision of the supervisor violated the law or the established policies and procedures of the Employer may file a complaint pursuant to this manual.
- E. Any employee who skips a step or steps in the chain of authority in bringing a grievance, who attempts to bypass the complaint procedure in bringing a complaint or who fails to follow a legal order of a supervisor shall be subject to disciplinary action.

**OVERTIME APPROVAL AND COMPENSATORY TIME****SECTION 5.1**

- A. Flex time means working an approved schedule for a particular day or time period other than the normal business hours of Monday through Friday from 8:00 a.m. until 4:00 p.m. For example, due to an evening clinic or scheduled evening appointment, a flex time schedule would be utilized for this situation as approved or directed by the employee's immediate supervisor.
- B. Whenever possible, flex time needs to be utilized in an employee's schedule. Flexible time is earned straight time that is flexed during a workweek with the approval of an employee's immediate supervisor. Flex time means that an employee may be requested to work at a scheduled time other than the regular business hours and that employee should then take that amount of earned straight time off on another workday, during that same day as earned or within the 35 hour work period.
- C. Any flex time schedule and time used must be approved in advance by the employee's Division Director.
- D. Nonexempt employees of the Health District shall be entitled compensatory time at one and one-half (1½) times per each hour worked over 40 with the prior approval of their immediate supervisor for all hours worked in excess of 40 hours in a seven day workweek. A workweek is defined as seven (7) consecutive days, beginning 12:01 a.m. Sunday, and ending at midnight the following Saturday.
- E. Except in emergency or unusual situations, all overtime hours must be authorized by the employee's Division Director in advance of the overtime being worked.
- F. For purposes of overtime hour calculations, time on vacation, holidays, or compensatory time is considered time worked. Time on personal or sick leave is not considered time worked for purposes of overtime calculation.
- G. Scheduled overtime, which is subsequently cancelled for any reason, shall not entitle the employee to compensatory time.
- H. Compensatory time off is paid time off which is earned and accrued by an employee in lieu of cash payment for employment in excess of the statutory hour limit for which overtime compensation is required.
  - a. Except for employees who are assigned on-call duties (see Section 5.11), employees may accrue no more than 35 hours of compensatory time, which must be used within six months of accrual.
  - b. Employees with accrued compensatory time off will be permitted to use such time off whenever requested in advance and approved by their immediate supervisor so long as honoring the request does not unduly disrupt the operations of the District.



**FLEX TIME****SECTION 5.2**

The Employer may utilize "time off" or flexible hours in order to avoid employees working in excess of the standard workweek or 40 hours in a week (or other overtime hour limit). Flex time must be used within the standard workweek (12:01 a.m. Sunday to 12:00 a.m. Saturday). For example, if an employee normally works Monday through Friday from 7:30 a.m. to 4:00 p.m. and it is necessary for the employee to work until 6:00 p.m. on Monday for work-related purposes, the employee can take two (2) hours off later in that same workweek. The employee could come in at 9:30 a.m. rather than at 7:30 a.m. or could leave at 2:00 p.m. rather than at 4:00 p.m. on another day in the same workweek, or the two (2) hours could be split between more than one (1) workday in the same workweek. Such flex time scheduling should be utilized to meet the needs of the Employer and must be approved in advance by the Director, Administrator, or designee.

**PROCEDURE**

- A. Normally, any additional hours worked past an employee's standard workweek must be authorized by the Health Commissioner, Administrator or designee in advance, unless unusual or emergency circumstances exist. Whenever such circumstances occur, the Health Commissioner, Administrator or designee shall be notified the next scheduled workday.
- B. When additional hours are worked, the employee may request to use flex time by completing and submitting a Request for Flex Time Approval (Form \_\_) to the Health Commissioner, Administrator or designee.
- C. The Employer may also require the employee to utilize flex time in order to avoid working in excess of the standard workweek or forty (40) hours in a week.

**PAYROLL DEDUCTIONS / DIRECT DEPOSIT****SECTION 5.3**

- A. Payroll Deductions: Certain deductions shall be withheld from employee's paychecks as required by law and in accordance with the Employer's benefit plans or as requested by an employee. Such deductions include Public Employees Retirement System (PERS) contributions, income taxes, Medicare tax, medical insurance premiums, or other approved deductions (e.g., deferred compensation, child support, etc.). The Employer may refuse to make deductions, not required by law, which the Employer deems not in its best interests.

Employees are required to complete withholding tax forms (W-4) upon initial employment and also inform the Auditor's office of any dependency change whenever such change occurs.

**TRAVEL AND EXPENSE REIMBURSEMENT****SECTION 5.4**

It is the policy of the Employer to reimburse employees for expenses incurred while conducting or traveling for approved County business.

- A. Employees shall be reimbursed for actual mileage, parking, and tolls as follows.
1. Employees shall be reimbursed for actual miles while on official District business, at the rate established by the Board, when using their personal vehicle. Such payment is to be considered total reimbursement for all vehicle-related expenses (e.g., gas, oil, depreciation, etc.). Mileage reimbursement shall be payable to only one (1) of two (2) or more employees traveling on the same trip, in the same vehicle.
  2. Charges incurred for parking at the destination, and/or any highway tolls shall be reimbursed at the actual amount. Receipts are required.
  3. No expense reimbursement shall be paid for travel between home and office.
  4. Employees are required to use a District vehicle, if available, when traveling on County business.
- B. Employees will be reimbursed for overnight expenses, as follows:
1. Expenses covering the actual cost of a motel room shall be reimbursed in full when an employee travels out of town on official business, and such travel requires an overnight stay. Motel expenses shall be reimbursed only with the prior written authorization of the Employer.
  2. Meals and tips up to 15% will also be reimbursed at the per diem rates established by the Employer (not to exceed the IRS per diem rates).
  3. Itemized receipts shall be required.
  4. Some conferences which include meals with registration can be billed directly to the Employer with prior approval. If this type of billing is received, there is no need for meal receipts.
  5. Employees are encouraged, where possible, to direct bills to the Employer for hotel and other expenses. While a formal action of the Employer is still required, the employee is not responsible for paying charges out of their pocket, provided such travel has been pre-authorized.
  6. The Employer may reject any travel request it deems inappropriate or not in keeping with fiscal responsibility for tax dollars.
- C. Employees will generally not be reimbursed for meals if the employee is not traveling overnight, away from Meigs County, unless for:
1. The meal qualifies as an entertainment rule pursuant to IRS Reg. § 1.274-2(c) and (d). Examples of such meals are:

- a. A meal where the main purpose is the active conduct of business, business is actually conducted, and there is more than a general expectation of income or some other specific business benefit in the future.
  - b. Meals at a hospitality room sponsored by the Employer at a convention.
  - c. A meal that is associated with the active conduct of the Employer's business, and occurs directly before or after a substantial business discussion.
2. Occasional meals that meet the De Minimis Exclusion pursuant to IRS Reg. § 1.132-6 (d)(2), such as infrequently providing coffee, donuts, or soft drinks, also, occasional parties or picnics such as Christmas luncheon meet this exclusion.

Any meal provided to employees that are not excluded from taxable income herein will be reported to the Auditor's office by the District as a taxable meal. This notification will include the fair market value of such meal (not the actual cost) and will be included on the last payroll worksheet of each month.

- D. This policy supersedes all other directives, statements, orders, memos, etc., previously approved or issued regardless of origin.
- E. Sales Tax Exemption: Employees shall submit a sales tax exemption form to hotels when applicable, to eliminate the need to pay sales tax when traveling on County business. In order to receive tax exempt status, the hotel reservation must reflect "Meigs County" in addition to the employee's name.
- F. Disabled Employees: When considering any employee request for job-related travel, the Employer will consider the special needs of employees with a permanent disability that substantially affect the employees ability to drive, see, hear, etc. The Employer will not deny job-related travel opportunities to employees with a disability merely because of such disability.
- G. Frequent Flier Miles/Credit Card Points: Pursuant to the Ohio State Auditor's Office, employees are prohibited from taking advantage of frequent flier miles or credit card points when scheduling flights or hotel accommodations related to County business.
- H. Employees shall submit to their supervisor a Travel Expense Report Form for reimbursement of travel expenses, and employees shall also obtain prior written authorization for motel expenses.
- I. Employees who use a travel agent, including online agents, may be charged service fees and charged more than actual room and / or travel cost. The District will not reimburse for agent service fees and will only reimburse actual room or travel cost as set by the vendor.

**HEALTH CARE COVERAGE****SECTION 5.5**

The District offers paid health care coverage to each full-time employee according to the following guidelines:

- A. Any eligible full-time District employee may elect to participate in the group medical/hospital insurance plan offered by the Board of Health. Employees may enroll in this plan at the time of employment or during open enrollment periods established by the insurance company. Premiums for this insurance shall be paid according to Board approval.
- B. Employees on non-paid leave may make arrangements to pay directly for health care coverage after the District's obligation has elapsed. The District normally carries an employee for 30 days while in non-paid status for non-medical leaves, and 90 days while on medical-related leaves. Leaves exceeding 90 days while on medical-related leaves will be approved at the discretion of the Board of Health and/or in accordance with Family Medical leave.
- C. Employees must notify the Health Commissioner, Administrator, or Fiscal Officer of any changes in dependency status which affect the rate at which the District pays health care premiums or affects dependency eligibility for benefits. Specifically, an employee must notify the Health Commissioner, Administrator, or Fiscal Officer in case of birth, death, or marriage of a dependent. Failure to report a change in status shall be cause for the employee to reimburse the District for premium(s) paid improperly and/or for claims paid by the insurance company for any improperly covered dependent. An employee may be subject to disciplinary action for failure to notify the Health Commissioner or Administrator of a change in status as defined above.

**HOSPITALIZATION COVERAGE FOLLOWING SEPARATION****SECTION 5.6**

- A. Employees who separate from District employment and/or their spouses and children may be eligible for continuation of health care coverage for a specific period of time at their own expense as provided by law. The same coverage shall continue for former employees as is provided to other employees who maintain employment.
- B. Employees, spouses, and dependent children who are covered under the District's health care plan are offered the opportunity to continue coverage according to the following schedule:
  - 1. An employee who is terminated (other than by discharge for gross misconduct) may be eligible to purchase health care coverage for up to 18 months following the termination.
  - 2. An employee whose total hours worked are reduced, and such reduction causes him/her to be ineligible to continue health care coverage, may be eligible to purchase coverage for up to 18 months following such reduction.

3. The spouse and dependent children of an employee may be eligible to purchase health care coverage for up to 36 months when the employee dies, becomes divorced, or would otherwise lose coverage due to termination and/or reduction as described above.
  4. A dependent child who would otherwise lose coverage by ceasing to satisfy the plan's coverage requirements applicable to dependent children is eligible.
- C. The Health Commissioner or Administrator shall notify the Fiscal Officer within 30 days of any event which might trigger the employee, spouse, or dependent children continuation coverage under this plan, such as: employee's death, termination, hour reduction causing ineligibility for continued participation, the fact that the employee has become eligible for Medicare, or any event which would require the employee and/or spouse to lose existing benefits due to the employee's becoming inactive on the payroll.
- D. The eligible employee/individual shall notify the Fiscal Officer of his/her decision to continue/not continue coverage within 60 days of the triggering event. If an eligible separated employee does not elect continuation of coverage, dependents may elect such coverage. Each qualified beneficiary is entitled to a separate election of continuation of coverage. If options of plan coverage are available (e.g. HMO, PPO), dependents may select a coverage different from that selected by the separated employee.
- E. Each employee shall be responsible for notifying the Fiscal Officer of any action which might trigger a spouse or dependent child's continued eligibility under this policy. Such notice shall be made by the employee or qualified beneficiary immediately upon gaining knowledge of the event, but in no instance later than 60 days after the date of the triggering event. Such events shall include divorce, legal separation, or loss of dependent eligibility under the Employer plan. Failure to give such notice as stipulated will result in the ineligibility of the qualified beneficiary for continuation coverage.

**PAY PERIOD****SECTION 5.7**

- A. There are normally 26 pay periods per year. All employees are paid every other Wednesday for the two (2) week pay period which ended the previous Sunday. The bi-weekly payroll period for all employees is from 12:01 a.m. Sunday through 12:00 midnight the second Saturday.
- B. If a holiday occurs on a Wednesday on which a payday falls, the paycheck stub will be issued on the following workday, except under extenuating circumstances, in which case paychecks will be issued as soon as they are available.
- C. The Fiscal Officer is to receive any questions regarding an employee's pay and is responsible for making the necessary explanations of inquiries to resolve the matter.

**ON-CALL DUTIES****SECTION 5.8**

- A. When designated by the Division Director and approved by the Health Commissioner or Administrator, employees may be assigned to on-call status for specified periods. When

in on-call status, employees may be furnished an activated beeper/pager or cellular phone.

- B. On-call employees are free to engage in personal activities, but must remain available for performing on-call duties, as necessary, and respond to call within 15 minutes. On-call employees are responsible for remaining accessible so that calls can be received at all times throughout an on-call period.
- C. On-call employees will be compensated for each hour on-call at a rate approved by the Appointing Authority and in the case of an overtime situation will receive compensatory time (1.5 hours for each hour worked) for all time required, including travel time, when called to duty as approved by the Health Commissioner or designated representative.
- D. On-call employees may accrue no more than 120 hours of compensatory time at any time. All employees who are not assigned on-call status are limited to a maximum of 24 hours of compensatory time. Once an employee accrues the maximum number of compensatory time hours, the employee will be required to use the compensatory time. Employees may be scheduled off on compensatory time based upon current workloads as determined by their supervisor.
- E. Employees with accrued compensatory time off will be permitted to use such time off whenever requested in advance and approved by their immediate supervisor so long as honoring the request does not unduly disrupt the operations of the District.

**LIABILITY INSURANCE****SECTION 5.9**

District employees are protected under the sovereign immunity provisions of the Ohio Revised Code. In addition, the Appointing Authority maintains a liability insurance program covering employees and volunteers performing their assigned responsibilities in a non-negligent manner. Professional employees may choose to carry additional personal professional liability coverage. The cost of such additional insurance shall be the employee's responsibility.

**WAGE CONTINUATION****SECTION 5.10**

Any employee who suffers a compensatory industrial injury or illness can, subject to the conditions of the wage continuation program adopted by the Meigs County Board of County Commissioners, receive regular wages instead of Workers' Compensation lost-time benefits. Payment for related medical benefits is the responsibility of the Bureau of Workers' Compensation.

**A. Qualifications:**

- 1. The injury or illness must be determined to be compensatory by Meigs County, or in the case of dispute, the Ohio Industrial Commission. No compensation will be paid before all required paperwork is completed and filed with the appropriate office(s).

2. Competent medical proof of disability must be provided via Form C-84 or other documentation as requested by the County. The attending physician must complete the forms in their entirety and affix his/her original signature to the forms. Copies are unacceptable.
3. The employee must complete a "First Report of Injury" (FROI) form and sign a wage agreement, medical release, and an election form.
4. The County reserves the right to have the employee examined by a physician of its choice, at its expense, to confirm the medical diagnosis and/or the period of disability. Failure to submit to examination will result in termination of wage continuation benefits.
5. Wage continuation benefits will be paid only for those periods of lost-time that otherwise qualify the employee for receipt of Workers' Compensation lost-time benefits, subject to the following limitations.

B. Termination Conditions:

Wage continuation payments will cease upon any of the following conditions:

1. Attending physician releases employee to return to work.
2. Employee returns to work for another employer.
3. Employee fails to return to a transitional "limited duty" assignment consistent with his/her medical restrictions as approved by the injured worker's treating physician.
4. Employee fails to appear for employer-sponsored medical examination.
5. Employee has reached maximum medical recovery and/or the condition has become permanent.
6. The claim is found to be fraudulent after payment has been commenced.
7. The injured worker attempts to collect both wage continuation and temporary total compensation.
8. Employment termination.
9. Violation of any County policy or guideline.

Regardless of the above conditions of termination, the County may, at its sole discretion, terminate wage continuation benefits at any time if disability exceeds 12 weeks.

The wage continuation plan and all benefits can be terminated at the County's discretion at any time.

## FLSA SAFE HARBOR

## SECTION 5.11

- A. The District makes every effort to ensure all employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to the District's attention, prompt corrections will be made. Each employee shall review their pay stub to make sure it is correct. If you believe a mistake has occurred or if you have any question, please use the complaint procedure.
- B. The District also intends to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). The health district does not make improper deductions from the salaries of exempt employees. Exempt employees are those employed in a bona fide executive, administrative, or professional capacity and who are exempt from the FLSA's overtime pay requirements.
- C. Permitted Deductions for Exempt Employees: There are certain circumstances where deductions from the salaries of exempt employees are permissible. Such circumstances include:
1. When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability.
  2. When an exempt employee is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness.
  3. To offset amounts received as witness or jury fees, or for military pay.
  4. For unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act; or for penalties imposed in good faith for infraction of safety rules of major significance. In these circumstances, either partial day or full day deductions may be made.

- D. Complaint Procedure: If you believe that you have been paid incorrectly or an improper deduction has been made to your salary, you should immediately report this information to your immediate supervisor.

All reports will be promptly investigated by the Fiscal Officer. If it is determined that an employee has been improperly compensated or an improper deduction has occurred, an employee will be promptly reimbursed.



<b>HOLIDAYS</b>	<b>SECTION 6.1</b>
-----------------	--------------------

A. All full time Health District employees are entitled to the following paid holidays:

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

B. If a holiday falls on Sunday, it will be observed on the following Monday; if it falls on Saturday, it will be observed on the preceding Friday.

C. Full-time and part-time employees as described in Section D below that are scheduled and or required to work on an authorized holiday shall be entitled to receive compensatory time for all hours worked in accordance with Section 5.2, in addition to their regular pay.

D. Part-time and seasonal employees who are at least 0.5 full time equivalent are entitled to the number of paid holidays equal to their full time equivalency on which the employee is regularly scheduled to work. (e.g., a 0.6 FTE employee is entitled to receive six (6) paid holidays if the employee is regularly scheduled to work on those holidays). If an employee is scheduled to work on more holidays than they would accrue, with approval of their Immediate Supervisor and subject to the availability of funds, they may request their work schedule be changed to avoid loss in compensation, use accrued vacation, or take an unpaid holiday.

E. If a holiday occurs while an employee is on vacation, such vacation day will not be charged against her vacation leave.

<b>VACATION</b>	<b>SECTION 6.2</b>
-----------------	--------------------

A. Employees earn annual vacation according to their number of years of service with the District. Vacation leave is credited biweekly according to the following schedule which is based on a 35 hour workweek:

<u>Length of Service</u>	<u>Earned Leave</u>	<u>Rate Accumulated</u>
After 1 year (1820 Hrs.)	70 hrs.	0.0385 Hr./Hr. worked
After 8 years	105 hrs.	0.0577 Hr./Hr. worked

After 15 years	140 hrs.	0.0769 Hr./Hr. worked
After 25 years	175 hrs.	0.0962 Hr./Hr. worked

The rate at which vacation leave is accumulated will be proportionately reduced for those full-time employees working less than 1820 hours per year.

- B. Part-time regular and seasonal employees who are at least 0.5 full-time equivalent are eligible for vacation benefits on a pro-rated basis, based on the hours paid during the pay period in proportion to full-time hours.
- C. No employee will be entitled to vacation leave under any circumstances until he has completed one (1) year of employment with the District.
- D. After first anniversary, employee shall take the previous year's accrued vacation accumulated prior to the next recurrence of the anniversary date of his or her employment. If employee prefers, after first anniversary, vacation may be taken as it accrues during the current year.
- E. With the written approval of the Health Commissioner or Administrator, unused annual vacation leave may be carried over to the following year. No vacation leave may be carried over for more than two (2) years. Vacation leave not utilized or authorized for carry over pursuant to this policy shall be deleted from the employee's leave balance with no additional compensation.
- F. Annual vacation leaves must be arranged and approved with the employee's immediate supervisor. Vacations are scheduled in accordance with workload requirements and for this reason it is essential that requests for vacation leave be made as far in advance as possible. Requests submitted less than one (1) week in advance of the proposed starting date may not be honored.
- G. Vacation leave is earned while on vacation, sick leave, or compensatory time, but additional vacation leave is not accrued through the accumulation of paid overtime.
- H. An employee is entitled to compensation at his/her current rate of pay for any earned, but unused vacation leave to his/her credit at the time of separation or retirement. An employee may be required to take terminal vacation leave in lieu of pay for accrued, but unused, vacation leave when that is considered to be in the best interest of the District. No payment will be made to employees having less than one (1) year of service.
- I. Vacation leave is granted in minimum units of one-quarter (1/4) hours.
- J. If an employee is admitted to a hospital during vacation, the period of hospital confinement may be charged against sick leave, if available, and the employee may receive the vacation benefit beginning the first day following discharge from the hospital, or the employee may defer the balance of vacation to a later date. In either event, the employee's supervisor and the Health Commissioner shall be promptly notified. Proof of hospitalization shall be required.

- K. Upon the recommendation of the Health Commissioner or Administrator and with the approval of the Board of Health, an employee may be granted a request to receive vacation pay in lieu of vacation leave. Such requests must be in writing and shall state the reason for the request.
- L. For the purposes of vacation, seniority is calculated according to the number of years of service with the District. The service need not be continuous; however, completion of a total of one (1) year of service is required before eligibility for any vacation leave is established.
- M. Employees may be entitled to earn vacation service credit for prior employment with Meigs County, another general health district within the state of Ohio or who have been previously employed by the state or any political subdivision.

**SICK LEAVE****SECTION 6.3**

- A. An employee may request sick leave for absences resulting from illness, injury, or death of a relative as described below, provided they follow the "Notification of Absence" policy outlined in paragraph H, below. Sick leave may be requested for the following reasons:
  - 1. Illness or injury of the employee or a member of his/her immediate family.
  - 2. Exposure of employee or a member of his/her immediate family to a contagious disease which would have the potential of jeopardizing the health of the employee or the health of others.
  - 3. Death of a member of the employee's immediate family. (See Section 6.5)
  - 4. Medical, dental, or optical examinations or treatment of the employee or a member of his/her immediate family (if permissible, all appointments should be scheduled during non-work hours).
  - 5. Pregnancy, childbirth, and/or related medical conditions.

For purposes of sick leave usage, the "immediate family" is defined as only: parent, child, spouse, step-children, step-parents, legal guardian or other person who stands in the place of a parent.
- B. The Board of Health maintains the right to investigate any employee's absence.
- C. For each completed 70 hours in active pay status, an employee earns 4.3 hours of sick leave. Sick leave is credited at the rate of 0.0614 hours for each hour of service. Active pay status may be defined as hours worked, hours on paid lunch periods, hours on vacation, hours on holiday leave, and hours on paid sick leave.
- D. Part-time employees must be employed on at least a 0.5 full-time equivalency (FTE = 1820 Hours) to be eligible for sick leave. Eligible part-time employees will be credited at the rate of 0.0614 hours for each hour of service.

- E. Sick leave must be charged in minimum units of one-quarter (1/4) hour. Employees may accrue and carryover all sick leave earned with no limits.
- F. Sick leave is earned during paid lunch periods. Therefore, sick leave may be charged during paid lunch periods. When the period immediately before a scheduled lunch period is sick leave and the period immediately following that scheduled lunch period is also sick leave, then sick leave is charged during that lunch period. However, sick leave shall not be charged during a scheduled lunch period if either the period before or the period following that lunch period is not sick leave.
- G. Employees absent on sick leave shall be paid at the same basic rate as when they are working. Sick leave payment will not exceed the normal scheduled workday or workweek earnings.
- H. An employee requesting sick leave shall inform her supervisor of the fact and the reason at the earliest time possible, but not less than one (1) hour before her scheduled starting time. Failure to do so may result in denial of sick leave for the period of absence. The employee will submit to such medical examination, nursing visit, or other inquiry which the Health Commissioner deems necessary.
- I. The employee shall justify each use of sick leave by filing a signed "Leave Request Form" form explaining the nature of the illness or other reason for the use of sick leave. If medical attention is required, or the employee goes to a medical appointment, or the absence is for three (3) or more consecutive days, a certificate stating the nature of the illness from a licensed physician shall be required to justify the use of sick leave. Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action including dismissal.
- J. An employee fraudulently obtaining sick leave, or anyone found falsifying sick leave records, shall be subject to disciplinary action in accordance with policies outlined in this manual.
- K. Vacation leave may be used for sick leave purposes, after sick leave is exhausted, at the employee's request and the approval of the Health Commissioner or Administrator. Employees who have exhausted all sick leave and vacation leave credits may, at the discretion of the Appointing Authority, be granted a personal leave of absence without pay for a period not to exceed six (6) months. Illnesses exceeding six (6) months will be considered Disability Separation.
- L. Denial: The employer maintains the right to investigate the circumstances surrounding an employee's request for sick leave. A request for sick leave shall be denied if:
1. The employee fails to comply with the procedure for proper sick leave usage.
  2. The employee fails to present a required medical practitioner's statement or a properly completed request form.
  3. Investigation of a request discloses facts inconsistent with the proper use of sick leave, such as a pattern of using sick leave before or after regular days off,

alteration of a medical practitioner's statement, or other evidence of intent to defraud.

**SICK LEAVE CONVERSION****SECTION 6.4**

- A. An employee at the time of retirement from active service with the District, shall be paid one-fourth (¼) of the value of his/her earned, but unused sick leave credit. The maximum payment shall not exceed 30 days (not to exceed 240 hours).
- B. To qualify for such payment, the employee shall have had prior to the date of retirement ten (10) or more years of service with the District and be age and service eligible to apply for and receive PERS benefits.
- C. Such payment shall be based on the employee's hourly rate of pay at the time of retirement.
- D. Such payment shall be made only once and shall eliminate all sick leave credit accrued by the employee.
- E. Eligible employees, retiring from active service, shall request such payment in writing, in order to initiate the payment process.
- F. Employees who die shall be considered to have terminated their employment as of the date of their death and shall be eligible for such sick leave payment for which they would otherwise have qualified upon retirement. Such payment shall be made in accordance with Ohio Revised Code, Section 2113.04, or paid to the employee's estate.

**BEREAVEMENT LEAVE****SECTION 6.5**

- A. In the unfortunate event that a death occurs in the employee's immediate family (parent, child, step-child, spouse, step-parent, legal guardian, or other person who stands in the place of a parent), the employee may be excused from work and paid accrued sick leave for up to three (3) consecutive workdays (one of which must be the funeral).
- B. Employees may use sick leave to attend the funeral (one [1] day) for their sibling, grandchild, grandparent, parent-in-law, sibling-in-law, or step-sibling.

**MILITARY LEAVE****SECTION 6.6**

- A. Active Duty Leave — Military Leave is governed by both state and federal laws. In general, any employee with more than 90 days tenure who voluntarily or involuntarily enters any of the Armed Services of the United States, shall be granted a military leave of absence without pay. If not accepted for active duty, the employee shall be reinstated to the employee's former position without loss of seniority or status or reduction in pay. Employees who complete their active duty obligation (without voluntarily re-enlisting or extending that obligation) are entitled to their previous position within 30 days after their written request, provided such request is submitted within the statutorily required period

following discharge or release from active duty. If temporary physical disability precludes the employee from performing the previous job, the employee shall be allowed up to one (1) year from the date of application to overcome such disability and return to work. Employees returning to previously held positions under these provisions shall receive credit for military service in areas affecting seniority status, rank, rating, increments, qualifications, etc., as though they had been continually employed.

- B. Military Reserve Leave — R.C. 5923.05 requires that permanent public employees, who are members of Ohio National Guard, Ohio Organized Militia, or other reserve components of the armed forces of the United States be authorized up to 176 hours of leave without loss of pay per calendar year for military duty or training. This payment is in addition to the gross uniformed pay and allowances the employee receives from the military.
- C. Military Reserve Leave In Excess Of 176 Hours — Any permanent public employee called to military duty for a period in excess of the 176 hours because of an executive order issued by the President of the United States, because of an act of Congress, or because of an order to perform duty issued by the governor pursuant to R.C. Section 5919.29, is entitled to be paid the difference between the employee's gross monthly wage or salary and the gross uniformed pay and allowances up to \$500.00 per month. If the gross uniformed pay and allowances equals or exceeds the employee's regular gross monthly wage or salary normally paid by the Employer, the employee is not entitled to any additional compensation from the Employer after being compensated for the initial 176 hours per calendar year.
- D. Request For Leave — Employees are required to submit to the Employer a copy of the published orders authorizing the military duty or a written statement from the appropriate military commander authorizing such duty. Employees requesting such leave will also be required to complete and submit a request for leave form.
- E. PROCEDURE

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

<b>CIVIL LEAVE</b>	<b>SECTION 6.7</b>
--------------------	--------------------

- A. If an employee is called for court jury duty or subpoenaed to testify in a court of law, unless such court appearance is in connection with the employee's personal business (e.g., traffic court, divorce proceedings, etc.) during any portion of the employee's regular scheduled working day, that employee may choose to be compensated for such time in one of the manners set forth below. Court appearances in connection with the employee's personal business will be vacation, personal leave, or leave without pay.
1. The employee may choose to receive his/her regular salary or wage in full for such time from the District. In such case, all monies received as compensation for

- court service and waive his/her regular salary or wage in full for such time from the District.
2. The employee may choose to retain all monies received as compensation for court service and waive his/her regular salary or wage in full for such time from the District.
  3. The employee may choose to retain all monies received as compensation for court service and take a vacation day for such time off, with the approval of the Appointing Authority.
- B. The employee will be expected to report for work following jury duty, if a reasonable amount of time remains during his/her scheduled workday. The employee should call their supervisor upon being released from duty to determine if the employee needs to report back to work.
- C. If an employee is called for jury duty or subpoenaed to testify in a court of law, outside of her regularly scheduled working hours, all monies received as compensation for such court service shall be retained by the employee.
- D. Employees called for court jury duty to testify in a court of law shall complete a request for leave of absence form and attach a photostatic copy of the subpoena.
- E. The employee shall submit the completed request for leave of absence form to the Appointing Authority and shall notify his or her of which option for payment the employee chooses.
- F. Upon the employee's return, depending upon the employee's choice of options, the Appointing Authority shall:
1. turn the monies received for court or jury duty over to the Fiscal Officer;
  2. notify the Fiscal Officer that the employee is waiving his or her hourly wage for such time; or
  3. notify the appropriate clerical personnel that the employee chooses to take such time as a vacation day.
- G. The request for leave of absence form shall be retained in the employee's personnel file. The Appointing Authority shall ensure that the employee is compensated for court or jury duty in the proper manner, based upon the employee's chosen option.

**LEAVE WITHOUT PAY****SECTION 6.8**

- A. The Board of Health, as a matter of administrative discretion, may grant a leave of absence without pay for any reason to any employee for a maximum duration of six (6) months for any personal reasons of the employee. Such a leave may not be renewed or extended beyond six (6) months. The Health Commissioner and Administrator has the authority to grant or deny short-term leaves of absence without pay of seven (7) hours or

less. Except for leave that qualifies for Family Medical leave, employees should advise the Health Commissioner or Administrator 60 days prior to commencement of the desired leave or with as much advance notice as possible so that services of the District are not interrupted.

- B. Leave may be granted for a maximum period of two (2) years for purposes of education, training, or specialized experience which would be of benefit to the District by improved performance at any level; or for voluntary service in any governmental-sponsored program of public betterment.
- C. A leave of absence without pay may not end on the day preceding an officially recognized holiday.
- D. Upon completion of a leave of absence, the employee is to be returned to the position formerly occupied, or to a similar position if the employee's former position no longer exists. The employment of any replacement in the position while an employee is on leave will be terminated upon the reinstatement of the employee from leave. The terminated employee may be considered for other vacancies.
- E. An employee may return to work before the scheduled expiration of leave if requested by the employee and agreed to by the Health Commissioner or Administrator. Failure to return to work within three (3) days after the scheduled end of an authorized leave of absence without acceptable justification will be deemed a voluntary resignation effective as of the scheduled expiration of the authorized leave unless a disability leave or separation has been requested and granted.
- F. Effect on Employment: Sick and vacation leave are not earned by employees while on an authorized leave of absence without pay. A leave of absence without pay shall not be considered a break in service for seniority purposes.

<b>UNAUTHORIZED LEAVES</b>	<b>SECTION 6.9</b>
----------------------------	--------------------

- A. Any District employee who is absent from duty without authorized leave and notice to the health commissioner, administrator, or designee, shall be subject to disciplinary action up to and including termination.
- B. Any employee who is absent from duty habitually or for three (3) or more successive days without notice of approval of leave is subject to termination.
- C. Failure to return to work at the expiration of an approved leave shall automatically be considered an absence without leave and shall be cause for discharge or interpreted as a resignation.

<b>DISABILITY – ACCOMMODATION, LEAVE, AND SEPARATION</b>	<b>SECTION 6.10</b>
--	---------------------

This section outlines the conditions under which a disability leave or disability separation may be granted to classified employees, and procedures for administering their use. It is intended to outline the procedures to be followed after determining that no reasonable accommodation can



be made which would allow the employee to perform the essential functions of the employee's position or other available vacant position for which the employee is qualified.

- A. Voluntary Reduction: When an employee becomes physically unable to perform the essential functions of the employee's position even with a reasonable accommodation, but is still able to perform the duties of a vacant lower level position, the employee may voluntarily request reduction to the lower level position. Such request shall be in writing, shall state the reason for the request, and, if approved by the Appointing Authority, will be attached to the implementing personnel action.
- B. Involuntary Disability Separation or Termination for Failure to Report for Work: Involuntary disability separation is effective in the following cases:
1. If an employee becomes unable to perform the essential job duties of the employee's position, subject to the Americans With Disabilities Act, and if the employee has exhausted Family and Medical Leave and other available leaves, the Appointing Authority may involuntarily disability separate the employee.
  2. If an employee on disability leave is unable to return to work when the employee's disability leave is exhausted, then the Appointing Authority shall involuntarily disability separate the employee if the employee cooperates under this procedure, or remove the employee for being absent-without-leave if the employee does not cooperate. The Appointing Authority shall do so by completing an R.C. 124.34 order indicating the reasons as "incompetency, neglect of duty, and nonfeasance" with an adequate explanation to make clear the underlying reasons are the employee's failure to report for work able to perform the essential functions of the employee's position. However, if the employee refuses to submit to an examination or to provide proof of disability, grounds for terminating employment shall be neglect of duty, nonfeasance, and failure of good behavior for failure to report for work without approved leave.
- C. Medical Examination: Medical examinations are either required or permitted in relation to involuntary disability separation as follows:

When Required:

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

When Permitted:

2. An Appointing Authority may require an employee to submit to a medical or psychological examination in order to determine the employee's capability to

perform the essential job duties of the employee's position with or without a reasonable accommodation. Such examination shall be conducted by a licensed practitioner as determined by the Appointing Authority. Prior to examination, the Appointing Authority must supply the examining practitioner with facts relating to the perceived disabling illness, injury, or condition and must supply additional information including physical and mental requirements of the employee's position, duty statements, and position description. The cost of the examination shall be paid by the Board of Health. Both the Appointing Authority and the employee shall receive the results of the examination and related documents subject to division (C)(1) of R.C. 1347.08.

Failure to Appear for Examination or Refusal to Submit:

3. The refusal to submit to the examination, the unexcused failure to appear for an examination, or the refusal to release the results of an examination will subject the employee to removal, as explained in subsection (C)(2) above.

D. Right to Pre-Separation Conference Rights of Appeal:

1. The Appointing Authority shall institute pre-separation proceedings when the results of a medical or psychological examination conducted as provided by subsection D have been received and the Appointing Authority initially determines an employee is incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation, and initially determines the employee is not eligible to receive benefits under a program provided by the Appointing Authority. Under such proceedings, a conference shall be scheduled and a 72 hour advanced written notice shall be provided to the employee. If the employee does not waive the right to the conference, then at the conference the employee has a right to examine the Appointing Authority's evidence of disability, to rebut such evidence, and to present testimony and evidence on the employee's own behalf.
2. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-separation conference, that the employee is capable of performing the essential job duties, then the pre-separation conference shall cease and the employee shall be considered to be fit to perform the essential job duties of the employee's position. If the Appointing Authority determines, after weighing the testimony presented and the evidence admitted at the pre-separation conference, that the employee is unable to perform the essential job duties, then the Appointing Authority shall issue to the employee an R.C. 124.34 order of involuntary disability separation, as described in subsection (B)(2) above.
3. An employee so separated shall have the right to appeal in writing to the State Personnel Board of Review within ten (10) days following the Appointing Authority's service upon the employee of the order of involuntarily disability separation.

4. The Appointing Authority shall notify the employee, at the time of the involuntary disability separation, of the required procedures to apply for reinstatement.

E. Right to Reinstatement Rights of Appeal:

1. An employee may make a written request to the Appointing Authority for reinstatement from an involuntary disability separation. The request shall be accompanied by substantial, credible medical evidence that the employee is once again capable of performing the essential functions of the employee's job. Such requests shall be made not more than once every three (3) months and not later than two (2) years following the beginning of the disability separation, or a leave of absence followed by a disability separation.
2. When an involuntarily separated employee presents to the Appointing Authority substantial, credible medical evidence as provided by (E)(1) above, showing the employee is once again capable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation, the Appointing Authority shall either reinstate the employee or require the employee to submit to a medical or psychological examination conducted as provided by subsection (C)(2) above.
3. The Appointing Authority shall reinstate the employee after receiving the results of the examination if the Appointing Authority determines the employee is once again capable of performing the essential duties of the employee's assigned position with or without a reasonable accommodation.
4. The Appointing Authority shall institute pre-reinstatement proceedings if the Appointing Authority has received the results of the examination and initially determines the employee remains incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation. Under these proceedings, a hearing shall be scheduled and adequate advanced written notice shall be provided to the employee. If the employee does not waive the right to the hearing, the employee has a right at the hearing, to examine the Appointing Authority's evidence of continuing disability, to rebut such evidence, and to present testimony and evidence on the employee's own behalf.
5. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is once again able to perform the essential job duties of the employee's assigned position with or without a reasonable accommodation, then the Appointing Authority shall reinstate the employee. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is not able to perform the essential duties of the employee's assigned position with or without a reasonable accommodation, then the Appointing Authority shall not reinstate the employee.

6. If the Appointing Authority determines an employee, who has been involuntarily separated, has committed an act which is inconsistent with the employee's disability, illness, or injury, then that act may be considered by the Appointing Authority when determining an employee's eligibility for reinstatement.
7. Once an Appointing Authority properly determines an employee is to be reinstated, the employee has a right to be assigned to a position in the classification the employee held at the time of involuntary disability separation. If the classification the employee held at the time of involuntary disability separation no longer exists or no longer is utilized by the Appointing Authority, then the employee shall be placed in a similar classification. If no similar classification exists, the employee may be laid off in accordance with the layoff procedures outlined elsewhere within this manual and may exercise any displacement rights which may exist under such procedures.
8. If the employee has been granted disability benefits by a state retirement system, the requirements of this rule shall apply for up to five (5) years, except a licensed practitioner shall be appointed by the Public Employee's Retirement Board and application for reinstatement shall not be filed after the date of service eligibility retirement.
9. An employee refused reinstatement as provided in subsection (E)(5) shall be notified in writing of the refusal to reinstate and of the right to appeal in writing to the State Personnel Board of Review within ten (10) days of receiving notice of the refusal to reinstate.
10. An employee who fails to apply for reinstatement within two (2) years following an involuntary disability separation, or a leave of absence followed by an involuntary disability separation, shall be deemed permanently separated from service except as otherwise provided in subsection (E)(8) above.

**SEPARATION PAY****SECTION 6.11**

- A. Upon separation from employment for any reason, an eligible employee shall be paid for any unused vacation leave and compensatory time to his/her credit as of the date of such separation. An employee who separates from employment prior to completion of one (1) year of service is not entitled to payment for any accrued vacation to his or her credit.
- B. Eligible employees who retire shall be paid one-fourth (1/4) of their accumulated sick leave to a maximum of 30 days. (See Sick Leave, Conversion Policy)
- C. Such payments will be made within 30 days of the separation.

**INCLEMENT WEATHER****SECTION 6.12**

- A. The Board of Health recognizes on certain days it may be difficult or impossible for a scheduled employee to come into work, due to excessive snow, ice, or other inclement

weather. The Employer encourages employees to come to work on such occasions if, in the employee's judgment, they are able to do so in a safe manner.

The Buckeye State Sheriff's Association has issued guidelines for county sheriffs to use when declaring a snow emergency, and have established three (3) snow emergency levels.

1. Level I Snow Emergency: County and township roads are hazardous with blowing and drifting snow. Roads are also icy and drivers should use caution.
2. Level II Snow Emergency: County and township roads are hazardous with blowing and drifting snow. Only those who feel it is necessary to drive should be out on the county and township roads. Listen to radio stations and/or contact employers to see if you should report to work.
3. Level III Snow Emergency: All county and township roads are closed to non-emergency personnel. No one should be out unless it is absolutely necessary to travel. All employees should listen to radio stations and/or contact employers to see if they should report to work. Those traveling on county and township roads may subject themselves to arrest.

The above snow emergency levels declared by a sheriff should not be confused with a State of Emergency which may be issued by elected officials of the affected jurisdiction (mayor, county commissioners, township trustees, etc.). A State of Emergency is generally not issued unless local resources are not adequate to handle the emergency or disaster and state assistance is needed.

- B. Agency offices will close only at the order of the Health Commissioner or Administrator. If offices are closed due to emergency or inclement weather, an announcement will be on local media stations and the District's emergency call-down list will be implemented. If no announcement is given, employees are encouraged and expected to report to work.
- C. Whenever the Agency offices are officially closed due to weather or other emergency conditions, employees will be entitled to their normal pay for the hours they are scheduled to work. If the department or office is officially closed during the course of a workday, employees who have reported and are being sent home will be compensated for those remaining hours they are normally scheduled to work.
- D. Employees who are tardy, leave work early or fail to report for work on days when their offices are not officially closed due to weather or other emergency conditions, will be considered absent. With the approval of the Health Commissioner, Administrator or designee, such absences may be charged to the employee's available vacation leave or compensatory time.
- E. Inclement weather is not a valid reason for the use of sick leave.
- F. Employees not scheduled to work (e.g., employees on sick leave, scheduled vacation, compensatory time, or leave of absence) are not entitled to weather emergency day pay for the hours their office is closed due to weather or other emergency conditions, but may otherwise be eligible for pay in accordance with the applicable approval paid leave.

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

**PERSONAL LEAVE DAYS****SECTION 6.13**

Full-time employees who have completed one year of employment with the District may elect to take one (1) personal day (7 hours) and one (1) birthday leave day (7 hours) with pay annually. This leave must be requested by stating the type (personal or birthday) of the leave and approved in advance by the employee's immediate supervisor. Personal leave will only be approved when remaining staffing is adequate. Personal and birthday leave may not be used immediately prior to or following vacation leave or a holiday. Personal and birthday leave may not be accumulated.

**FAMILY AND MEDICAL LEAVE ACT****SECTION 6.14**

NOTE: THE HEALTH DISTRICT DOES NOT EMPLOY THE REQUISIT NUMBER OF EMPLOYEES REQUIRED BY LAW TO MANDATE USE OF THE FAMILY MEDICAL LEAVE ACT. THEREFORE, THE HEALTH DISTRICT DOES NOT IMPLEMENT THE FAMILY MEDICAL LEAVE ACT. INFORMATION CONTAINED IN THE PRECEEDING PAGES ARE SET FORTH FOR INFORMATIONAL PURPOSES ONLY.

- A. Introduction: Family and Medical leave is a leave of absence, taken for specified medical reasons, during which the Employer shall maintain the employee's health insurance in the same manner as if the employee remained in active pay status. During the leave, however, employees must continue to pay their share of the health insurance premium.
- B. Eligible Employees: Employees who have been employed for a total of at least 12 months and who have completed at least 1,250 hours of actual service with the Employer during the previous 12 month period will be eligible for Family and Medical leave.
- C. Entitlement to Leave: Eligible employees will be entitled to a total of 12 workweeks of Family and Medical leave during the employee's anniversary year of service beginning with the employee's most recent anniversary date of hire. Employees may take the leave for any of the following reasons:
1. Birth of a child of the employee and to care for the newborn child.
  2. Placement of a child with the employee by way of adoption or foster care.
  3. To care for the spouse, child, parent or one who stood in place of a parent of the employee, if that person has a serious health condition; or
  4. Because of a serious health condition that renders the employee unable to perform any of the essential functions of the employee's position.
  5. An employee with family members in the armed services are entitled to:

- a. up to 12 weeks of leave for a “qualifying exigency” arising out of the employee’s spouse, son, daughter, or parent being on active duty or being called up to active duty; and
  - b. up to 26 weeks of leave for an employee to care for a “covered service member” injured while on active duty.
- D. Use of Paid Leave: Employees who use paid leave for a reason which also qualifies for Family and Medical leave as defined herein shall, upon notification, have such leave counted against their available Family and Medical leave. Employees are required to use all applicable paid leave (i.e., accrued vacation, holidays, sick leave, etc.) except time, prior to being granted an unpaid Family and Medical leave. The combined period of leave, including paid leave and Family and Medical leave, shall not exceed the total of 12 workweeks during the leave year defined herein.
- E. Further Unpaid Leave of Absence: In the event of the continuation, reoccurrence or onset of a serious health condition after the employee has exhausted the 12 workweeks of leave, the employee may request an unpaid leave of absence in accordance with this manual.
- F. Husband and Wife: In a case in which a husband and wife, both employed by the Agency, request leave due to the birth or placement with the employees of a child or to care for either employee's parent who has a serious health condition, the aggregate number of workweeks of Family and Medical leave to which both employees are entitled shall be limited to 12 workweeks during the leave year.
- G. Intermittent/Reduced Leave:
1. Leave due to the serious health condition of the employee or the employee's spouse, child or parent may be taken intermittently or on a reduced leave schedule when medically necessary. The Employer may require an employee taking leave in this manner for planned medical treatments to transfer temporarily to an alternative position which has equivalent pay and benefits and better accommodates the recurring periods of leave.
  2. The taking of leave intermittently or on a reduced leave schedule shall not result in a reduction in the total amount of leave to which the employee is entitled in accordance with this policy.
  3. Leave due to the birth or placement with the employee of a son or daughter shall not be taken on an intermittent or reduced leave schedule.
- H. Benefit Accrual During Leave: An employee granted Family and Medical leave shall continue to accrue seniority during any period of such leave provided the employee follows the proper procedure for requesting such leave and returns to work at the expiration of the leave. Vacation, sick leave, and other paid leave will not accrue during the unpaid leave period.

- I. Reinstatement: When an employee returns from Family and Medical leave, the employee will be restored to the position held by the employee when the leave began or a similar position of equivalent pay and benefits. If the employee is returning from unpaid leave, the employee's physician must certify that the employee is able to resume performing the essential functions of the employee's position as a condition of return to employment.
- J. Failure to Return:
1. If the employee fails to return from the leave, the employee shall reimburse the Employer for the total insurance premium paid by the Employer for the period of Family and Medical leave during which the employee was on unpaid leave, unless the failure to return is due to:
    - a. continuation, recurrence or onset of a serious health condition; or
    - b. other circumstances beyond the employee's control.

In such a case, the Employer may require medical certification. If an employee fails to provide certification or an adequate excuse, the employee shall be liable for the total insurance premium paid during the unpaid portion of the leave by the Employer.
  2. If an employee does not report to work or request and receive further approved leave after the applicable Family and Medical leave expires, the employee will be absent without leave and may be subject to disciplinary action.
- K. Records: The Employer shall maintain the following records for three (3) years:
1. employee wage records;
  2. dates of Family and Medical leave taken (including paid leave taken);
  3. hours of Family and Medical leave; if intermittent or reduced leave is taken;
  4. copies of all notices given to employees;
  5. copies of all documents describing benefits, policies, and practices affecting Family and Medical leave;
  6. copies of employee requests for Family and Medical leave;
  7. records of the Employer's and employee's health insurance premium payments;
  8. record of any disputes between the Employer and employee over designation of Family and Medical leave.

Records of medical certification of employees or their family members shall be kept confidential as "confidential medical records" under the law and as defined in this manual.



L. Family and Medical Leave Definitions:

1. Spouse: Husband or wife as defined by state law for purposes of marriage, including individuals married under common law marriage prior to October 10, 1991. (Common law marriage was abolished in Ohio on that date)
2. Parent: The biological parent or person who stands or stood in place of a parent to the employee when the employee was a child. ("In-laws" are not included.)
3. Child: A biological, adopted, foster or step child; a legal ward; or a child for whom an employee is standing in the place of a parent for that child.
4. Serious Health Condition: An illness, injury, impairment or physical or mental condition which involves inpatient care or "continuing treatment."
5. Continuing Treatment: Continuing treatment by a health care provider which includes at least one of the following:
  - a. a period of incapacity for more than three (3) consecutive calendar days which requires subsequent treatment relating to that condition on two (2) or more occasions or on one (1) occasion which results in a regimen of continuing treatment;
  - b. incapacity due to pregnancy;
  - c. a period of incapacity or treatment due to a chronic serious health condition, which may be episodic, but includes periodic visits to a health care provider and continues over an extended period of time.
  - d. any period of incapacity which is permanent or long term, due to a condition for which treatment may not be effective;
  - e. any period of absence due to receiving multiple treatments (e.g., after surgery, accident or for a condition which, if left untreated, would result in absence of three (3) consecutive days.)
6. Health Care Provider:
  - a. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
  - b. Any other person determined by the Secretary of Labor to be capable of providing health care services as further defined in the law.
7. Intermittent Leave: Leave taken in separate blocks of time due to a single qualifying reason.
8. Reduced Leave Schedule: Leave that reduces an employee's usual number of working hours per workweek or workday.

- M. General Notice: The Employer shall post written notice of employees' rights and ability to file a complaint.
- N. Paid Leave: If an employee requests paid leave that also qualifies as Family and Medical leave, the Employer shall notify the employee that the paid leave will count toward their Family and Medical leave. Such notice must be provided within two (2) business days from when the Employer acquires knowledge that the paid leave qualifies as Family and Medical leave. This notice may be provided verbally or in writing. If provided verbally, written notice must then be furnished to the employee by the next pay day. If the next pay day is less than one (1) week away, the written notice may be provided no later than the following pay day.
- O. Personal Notice: Upon request for Family and Medical leave or upon determination that a request for paid leave constitutes Family and Medical leave, the Employer will provide the employee with detailed written notice of:
1. The Employer's expectations and policy;
  2. The employee's rights and obligations, including the amount of insurance premium that must be paid, if applicable;
  3. The consequences of an employee's non-compliance;
  4. The fact that the leave will be counted against the employee's annual entitlement and how it is measured;
  5. The requirements regarding medical certification.

This notice may be provided by furnishing a copy of this policy, and other relevant information to the employee. The Employer will also provide notice to employees on Family and Medical leave of any policy change(s).

- P. Employee's Notice Responsibility: Eligible employees requiring Family and Medical leave shall notify the Employer not less than 30 days prior to the date such leave is to begin by completing a "Request for Family and Medical Leave." However, where the need for leave is not foreseeable 30 days in advance, the employee shall complete a request and provide as much advance notice as practicable. Leave forms shall be submitted to the employee's immediate supervisor. Where an employee has no valid excuse for a delay in notice, the Employer may delay the leave until 30 days after the notice has been received.
- Q. Initial Certification of Serious Health Condition:
1. Employees who request Family and Medical leave must provide the Employer with certification of the condition from a health care provider in cases involving serious health conditions and attach the certification to the request for leave.
  2. Upon receipt of the certification, the Employer may, at its expense, require the employee to obtain a second opinion from a health care provider selected by the

Employer. The Employer will not seek additional information from the initially certifying practitioner, but may seek clarification of information provided.

3. If the second opinion differs from the first, the Employer may, at its expense, require the employee to submit to a third examination by a health care provider jointly selected by the Employer and the employee. This third opinion shall be final and binding.
4. Employees on approved paid leave which the Employer determines constitutes Family and Medical leave shall not be required to provide any certification other than that normally required for such paid leave.

R. Subsequent Certification:

1. For pregnancy, chronic or permanent/long-term conditions under continuing supervision of a health care provider, the Employer may request recertification every 30 days while the employee is on leave. However, if circumstances described in the previous certification change significantly (i.e., the severity of the condition, complications, etc.), the Employer may immediately request recertification.
  2. If the minimum duration of the incapacity specified on an initial certification is more than 30 days, or if the leave is taken on an intermittent or reduced schedule basis, the Employer may not request recertification before the minimum duration of the specified leave expires unless one of the conditions listed in paragraph "3" is met.
  3. For circumstances not covered by paragraph "1" or "2," the Employer may request recertification at any reasonable interval (but not more often than every 30 days), unless:
    - a. the employee requests an extension of leave; or
    - b. circumstances described by the previous certification have changed significantly (i.e., duration or nature of the illness, complications, etc.); or
    - c. the Employer receives information that casts doubt upon the continuing validity of the certification.
  4. If one of the conditions of paragraph "3" occurs, the Employer may immediately request recertification.
- S. Certification Deadline: Employees shall provide requested certification within 15 calendar days unless this time limit is not practicable. Failure to provide this certification may invalidate the leave.
- T. Employee's Failure to Pay Insurance Premium: Upon commencement of Family and Medical leave, the Employer shall continue the employee's health insurance as if the employee was not on leave. However, the Employer's obligation shall cease if the

employee is more than 30 days late in tendering the employee's share of the premium. In such a case, the Employer shall provide the employee written notice of the discontinuance of coverage by mailing such notice at least 15 days before the date coverage will cease.

**NON-WORKDAY WITH PAY****SECTION 6.15**

With the approval of the Board of Health or in accordance with the practices within the government of the County, the Health Commissioner or Administrator may designate a non-workday(s) with pay. This benefit shall accrue only to those employees regularly scheduled to work on that day.

**INFANTS AND CHILDREN IN THE WORKPLACE****SECTION 6.16**

- A. Believing that "family friendly" workplace policies are important to the health of families and the morale of employees, with the approval of the immediate supervisor, it is permissible for an employee who is the parent or legal guardian of an infant, child or grandchild, to bring that infant, child or grandchild, to the workplace under the following circumstances:
1. Regular child care arrangements have been disrupted with too short a time period to make other arrangements. The child should be removed from the workplace as soon as substitute arrangements can be made.
  2. The infant/child must not present a distraction to other employees. Other employees shall not interfere with the work of the parent by "fussing" over the infant/child.
  3. The employee must be able to work at near normal capacity with no significant adverse impact on services to the public.
- B. Adolescent children of employees may be present in the workplace prior to or after school as long as they present no distraction to their parent or other employees or interfere with services to the public. Adolescent children who are in the District pursuant to this provision shall not have access to or use District equipment, e.g. computers.

**EXPRESSION OF BREAST MILK****SECTION 6.17**

- A. The 2010 Healthcare Reform Act amended the FLSA by requiring employers to provide a reasonable break time for an employee to express breast milk for her nursing child for one (1) year after the child's birth each time the employee has the need to express milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion of coworkers and the public to be used by an employee to express the breast milk. The district intends to comply with this requirement so long as it does not impose an undue hardship. Employees who fall under this category shall contact the health commissioner or designee.

- B. Break time to express breast milk shall be handled the same as other breaks and the employee may be required to flex their work schedule to complete necessary work. Employees shall keep accurate time records of their break time.
- C. Employees shall be allowed access to a nearby clean and safe water source and a sink for washing hands and rinsing out any breast-pump equipment.
- D. Employees shall have access to hygienic/refrigerated storage alternatives for the mother to store her breast milk.

**ADMINISTRATIVE LEAVE****SECTION 6.18**

The Health Commissioner or Administrator with the approval of the Board may, pending the outcome of the predisciplinary conference, place the employee who is subject to possible disciplinary action, on an administrative leave with pay.

- A. The Health Commissioner or Administrator shall place an employee on administrative leave with pay only when, in the opinion of the Health Commissioner or Administrator, continued performance of required job duties by the employee may seriously impair the operation of the District, its morale and/or delivery of its services due to the employee's alleged misconduct which caused the predisciplinary conference, and where the health and safety of an employee or of any person or property entrusted to the employee's care could be adversely affected. Administrative Leave is also discussed in Section 8.2 of this Personnel and Procedure Manual.
- B. An employee may be placed on administrative leave under the provisions of this policy for the duration of the time from which the employee is served notice of the Predisciplinary conference to the time in which the Appointing Authority either takes appropriate disciplinary action or determines that disciplinary action is not warranted.
- C. An employee placed on administrative leave shall, during the duration of the leave, receive full pay and benefits to which he or she is otherwise entitled.

**WELLNESS****SECTION 6.19**

Due to the acknowledged hazards of a sedentary lifestyle, poor nutrition, and ingestion of tobacco products, it is the responsibility of the District to initiate a wellness policy aimed at improving health outcomes of its employees. Wellness policies are known to be beneficial for both employees and worksites through increasing productivity, decreasing medical insurance costs, and enhancing quality of life.

**PURPOSE**

The purpose of this policy is to create and maintain an organizational culture of wellness that encourages maintenance of healthy behaviors both at work and off the clock. As the leading entity in Meigs County for public health and wellness advocacy, it is the assumed responsibility of the Health Department to set an example of employee wellness for the community. By raising

awareness of and providing resources concerning the risk factors for developing chronic diseases, this policy intends to promote changes to lifestyles through taking preventative actions.

#### **POLICY**

With guidance from the Ohio Department of Health, the District will implement the Water First for Thirst initiative into its worksite to encourage consumption of water. Promoting water over unhealthy beverages such as pop, energy drinks, or juices is important for improving nutrition by decreasing daily ingestion of sugar.

During nonclinical hours and upon availability of nursing staff, measurement and recording of height, weight, BMI, and blood pressure shall be available for employees in order to promote preventative health behaviors. To discourage tobacco use, the District has a tobacco free indoor policy following the Ohio Revised Code 3794. There is a designated smoking space outside of the building which is located approximately 20 feet from the entrance.

By setting a good standard of commitment to employees' health and wellness, the District hopes to be a champion of health for the surrounding communities of Meigs County.

## WORKWEEK

## SECTION 7.1

- A. Standard work hours shall be 8:00 a.m. to 4:00 p.m. Monday through Friday. Non-exempt employees are expected to report to work five to eight (5–8) minutes prior to standard starting time to permit work to begin at 8:00 a.m. and to leave work not more than five to eight (5–8) minutes after normal stopping time.
- B. Supervisors shall establish daily work schedules and supervise daily employee attendance records. Such work schedules may include flex-time schedules. Flex-time is defined as working other than the standard work hours.
1. Flex-time may be either regular or intermittent.
    - a. Regular flex-time is a regular work schedule that differs from the standard work hours. (e.g., four (4) ten (10) hour days rather than five (5) eight (8) hour days)
    - b. Intermittent flex-time is a work schedule that differs only occasionally from the standard work hours.
  2. Salaried employees with excellent work performance may request a flex-time work schedule. With the consent of the employee's supervisor and the approval of the Health Commissioner, a flex-time work schedule may be granted under the following guidelines:
    - a. The flex-time schedule must have no adverse impact on the availability of services to the public.
    - b. The flex-time schedule must have no significant impact on other employees.
- C. Employees may take two (2) ten (10) minute break periods each full workday; one (1) in the morning and one (1) in the afternoon. Break periods shall not interfere with the proper performance of the work responsibilities of the Department. Such breaks shall be considered as part of the employee's work time. Breaks shall not abut the start or end of the work shift or the start or end of lunch periods.
- D. Non-Working Time:
1. The lunch period shall be 60 minutes in length and shall be taken between 11:00 a.m. and 1:00 p.m. unless another time is approved by the employee's supervisor. The lunch period is considered non-working time and shall be uninterrupted time. Except in unusual circumstances, and then only with the prior approval of the employee's supervisor, it shall not be acceptable to work through a lunch period in order to leave work early or arrive at work late. Employees scheduled to work four (4) hours or less will normally not receive a lunch period.

- 2. On-Call Time: Time that an employee is required to remain "on-call" but is otherwise free to use the time effectively for his/her own purposes, is not considered to be on work time during that period.
- 3. Preliminary and Postliminary activities that are not related to an employee's "principal activities" and that are performed prior to, or subsequent to, the workday are not compensable.
- 4. Travel Time.
  - a. Travel time between home and the District office or the first work site and from the office or last work site and home is not compensable time.
  - b. When an employee is required to travel from home to the District office in an emergency situation, all such travel is considered to be working time.
  - c. When an employee is required as a condition of employment to travel outside the District, such travel time shall be considered working time in accordance with FLSA guidelines.
  - d. Required travel that keeps an employee away from home overnight constitutes travel "away from home" and is work time when it cuts across the employee's normal workday, even if the travel occurs on a day the employee would not ordinarily be on duty, such as Saturday or Sunday.
- 5. Training Time.
  - a. Attendance workshops, seminars, conferences, etc. will be considered working time when such attendance is required by the Board of Health.

**TARDINESS**

**SECTION 7.2**

Habitual tardiness is inexcusable and shall not be tolerated. Tardiness is when an employee reports to work after his/her scheduled starting time or overstays the scheduled lunch period without prior approval.

In addition, if an employee is tardy, that employee may be subject to appropriate disciplinary action unless he/she offers a written reason for being tardy deemed acceptable by the supervisor. Within any continuous six (6) month period, appropriate disciplinary action for unexcused tardiness is as follows:

One (1) time tardy	Instruction and cautioning
Two (2) times tardy	Written reprimand
Three (3) times tardy	Three (3) day suspension without pay
Four (4) times tardy	15 day suspension without pay



Five (5) times tardy

Termination from service

The immediate supervisor is responsible for monitoring tardiness of employees within their Division and reporting to the Health Commissioner or Administrator.

**SAFETY AND HEALTH****SECTION 7.3**

Work safety and employee health are some of the Board of Health's primary concerns. The safe and healthful performance of all work assignments is the responsibility of both supervisory and non-supervisory personnel. It is the responsibility of each employee to ensure that all safety equipment is used and all safety procedures/practices are observed.

- A. Any employee found to be negligent in equipment operation, resulting either in damage to the equipment or an accident shall be disciplined according to these policies.
- B. Any employee found to be recklessly or intentionally negligent in equipment operation, resulting in either damage to the equipment or an accident, shall be subject to immediate termination. All employees who drive District vehicles or their own vehicle and reimbursed for travel by the District will maintain the appropriate speed limits. Violators are subject to disciplinary action, including termination.
- C. All employees, particularly supervisors, are charged with the responsibility of reporting the existence of any hazardous condition or practice in the workplace.
- D. Supervisors found to be negligent in requiring and/or controlling the use of prescribed safety equipment are subject to disciplinary action, including termination.
- E. Any accident, whether or not it appears that injuries were incurred, occurring during working hours shall be reported to the immediate supervisor at once. The supervisor shall, in turn, notify the Health Commissioner or Administrator. Upon notification, the supervisor or the Health Commissioner or Administrator shall complete an incident form no later than 24 hours after the accident, in order that the employee may be covered under Workers' Compensation.
- F. Employees who are at risk of exposure to bloodborne diseases will follow a system of "universal precautions" to prevent the spread of infection in the workplace.

**TOOLS, SUPPLIES, AND EQUIPMENT****SECTION 7.4**

- A. When tools, supplies, and equipment needed to perform job duties are provided by the Board of Health, it is the responsibility of supervisors to see that they are properly used and maintained.
- B. Misuse, neglect, theft, and abuse of tools, supplies, or equipment are prohibited. Accidents involving misuse or abuse of tools or equipment will be cause for disciplinary action. Loss of tools or equipment may require payment by the employee for those items lost or damaged at the discretion of the Appointing Authority.

- C. All tools, supplies, and equipment utilized by the employee in the performance of his/her job are subject to the prior approval of the Health Commissioner.
- D. District employees who are given the privilege of using District-owned equipment and/or property (i.e. desk, filing cabinets, lockers, computers, software, etc.) waive their right to privacy upon employment. Such equipment and/or property is subject to search and examination by the Employer without the employee's consent, and must be made accessible to the Employer upon request. The Employer shall be supplied and shall retain a key or utilization code for any and all equipment and/or property that is capable of being locked or access restricted.

**USE OF VEHICLES****SECTION 7.5**

- A. This policy is for the use of any personal motor vehicles used for performing District business. For the purpose of this policy, the term "employee" hereinafter means the persons comprising of the Board of Health and any employee under its direct supervision or jurisdiction.
- B.
  - 1. Operator's License: All operators of any vehicle used for transaction of Department District business must have a valid State-issued operator's license, which includes the specific class of vehicle being operated. Suspension of a member of the Board of Health and/or employee's operator's license will result in a suspension of any and all District-approved driving privileges. Any member of the Board of Health and/or employee who is authorized to use a vehicle and whose operator's license is suspended, must notify their immediate supervisor of this fact at the earliest of the following: day of suspension or next working day.
  - 2. Seat Belts: As required by the Ohio Revised Code, all front seat passengers of a privately-owned vehicle, while being operated in the transaction of public business or work of the Health Department District, shall wear safety belts at all times while the vehicle is in operation. Rear seat passengers shall also wear safety belts, except in emergency medical or law enforcement vehicles. The vehicle operator is responsible for insuring all passengers wear safety belts. Failure by any employee to comply with this provision must be reported to the appropriate supervisor.
  - 3. Alcohol and other Substances: All members of the Board of Health and employees and/or other persons authorized to use a vehicle shall not operate any vehicle while under the influence of any alcohol or any controlled substances. Legally prescribed medications are permissible only when their use does not adversely affect the official's or employee's driving ability.
  - 4. Accident Reporting/Traffic Citations: In the event of an automobile accident, the vehicle operator is responsible for contacting the appropriate law enforcement agency immediately, or as soon after the accident as is practical.

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

All parking, moving violations, penalties, and/or other fines received during the operation of a vehicle for the transaction of District business are the full responsibility of the operator.

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

6. Insurability: All employees required to drive their own vehicle on the District Department’s time must be insurable under the County Liability Insurance Plan. Any employee deemed uninsurable by such insurance company may be disciplined up to and including termination.

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

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

The employee’s personal insurance shall be considered primary coverage. The Board of Health requires proof of automobile insurance coverage from each employee on an annual basis.

J. Any and all operators of vehicles used for the transaction of District business who fail to comply with the vehicle policies and procedures and/or who misuse or abuse any District-owned equipment may be subjected to disciplinary actions which may include, but is not limited to, the following:

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

- K. In those cases where the employee's job requires driving a vehicle, suspension of the employee's driver's license may result in reassignment or termination of employment.

**USE OF TELEPHONES****SECTION 7.6**

- A. All telephones shall be answered promptly and in a courteous manner. Employees should answer their telephone either by identifying themselves, the health district and/or their department. At no time is it appropriate or acceptable to be derogatory or offensive to anyone over the telephone. The usage of telephones will be monitored as determined by the appointing authority.
- B. Employees are requested to ask friends, relatives, and others not to call at work for personal reasons, other than emergency situations. Personal telephone calls on regular health district-owned telephones shall be kept to a minimum and will not be permitted to adversely affect the employee's work performance.
- C. Employees shall not waste work time talking to family, friends, or conducting other non work-related business during regular working hours. Employees may use their personal cell phones while on authorized work breaks in designated break areas; provided this does not interfere with the operations of the appointing authority nor extend the employee's authorized break period. Subject to approval of the employee's supervisor or appointing authority, a personal cell phone may be used during regular business hours for health district-related business.
- D. Health Commissioner, Administrator and Meigs County General Health District Board members are exempt from the provisions of this section, and may exempt designated employees who are then authorized to use personal cell phones during regular business hours for health district-related business. Upon proper documentation, health district-related calls on authorized personal cell phones may be reimbursed by the appointing authority in accordance with IRS guidelines.
- E. Excessive use of telephones and cell phones for other than business purposes or other violation of the above regulations will result in disciplinary action.
- F. Cellular phones that are provided by the Health District are to be used as a tool to extend the reach for those that spend a majority of their time away from the office, and for use during times of public health emergencies. However, as the cell phone is public property the use of the cell phone by an employee is viewed as a fringe benefit, which must be taxed when it is used in any capacity for personal use. Employees are required to account for business and personal use. (For employees who are provided a District owned cell phone or use personal cell phones for District business the following guidelines shall be followed):
1. All cell phones are to remain properly charged and on at all times during normal working hours unless in a meeting. Cell phones should be set on vibrate while the employee is in the office to cut down on annoying ring tones. Unless on-call, cell phones need not be turned on or monitored outside normal working hours unless

the cell phone is the only method of contacting the employee by the supervisor, Health Commissioner, or Administrator in an emergency.

2. Abide by all client requests to have the cell phones off in their establishment, or at least set on vibrate.
3. The cell phone is to be maintained as a piece of equipment. Normal wear and tear is acceptable. Negligence on the part of the employee is unacceptable. If it is determined that there is loss (any lost phone shall be reported to the employee's supervisor immediately) or damage due to negligence then it will be the determination of the supervisor as to whether the program budget or the employee will be required to pay for the damaged or lost equipment.
4. Never dial the cell phone or take notes while driving.
5. If your cell phone rings while driving, let your voice mail take the call, or if you must answer the phone, let the person you are speaking to know you are driving and hold the call until you can pull over.
6. Excessive use of agency provided cell phones for personal use, or abuse of the Cell Phone Policy in general will result in discipline according to the Employee Personnel Policy and Procedure Manual.

**OUTSIDE EMPLOYMENT****SECTION 7.7**

- A. Under no circumstances shall an employee have other employment which conflicts with the policies, objectives, and operations of the District. In addition, an employee shall not become indebted to a second employer whose interests might be in conflict with those of the District.
- B. Employment "conflicts," as set forth in this policy, are when a second job impairs the employee's ability to perform the duties of his/her position.
- C. Full-time employment by the Health District shall be considered the employee's primary occupation, taking precedence over all other occupations.
- D. "Outside" employment, or "moonlighting" shall be a concern to the Board of Health only if it adversely affects the job performance of the employee's District job. Two (2) common employment conflicts which may arise are:
  1. Time Conflict: Defined as when the working hours required of a "secondary job" directly conflict with the scheduled working hours of an employee's job with the District; or when the demands of a "secondary job" prohibit adequate rest, thereby adversely affecting the quality standard of the employee's job performance with the District.
  2. Interest Conflict: Defined as when an employee engages in "outside employment" which tends to compromise his/her judgment, actions, and/or job

performance with the District. This shall include any employment by any person, company, or organization that is subject to regulation by the Board of Health.

- E. Should the Health Commissioner or Administrator believe that an employee's outside employment is adversely affecting the employee's job performance, the Health Commissioner or Administrator may recommend, but not demand, that the employee refrain from such activity. However, any conflict, policy infraction, or other specific offense which is the direct result of an employee's participation in outside employment shall be disciplined in such manner that is consistent with the policies set forth in this manual.

<b>NO SOLICITATION / NO DISTRIBUTION</b>	<b>SECTION 7.8</b>
--	--------------------

This policy is designed to protect the interests of the citizens of Meigs County by ensuring that only official District business is transacted in the various work areas during employee work time.

Non-employee solicitation and distribution: There shall be no solicitation or distribution by non-employees at any time on county property or in any work area. This section does not apply to vendors as defined in the definition section of this policy.

Miscellaneous solicitations for contributions to a fellow District employee may be made with the permission of the Health Commissioner so long as the amount given by each individual employee remains undisclosed and provided that the contribution is voluntary. These solicitations should be confined to personal occasions, such as but not necessarily limited to resignations, retirements, weddings, births, and deaths. In addition, fund raisers for non-profit organizations will be permitted. However, the sale of merchandise for profit is prohibited.

Employee no solicitation rule: Employees shall not solicit other employees or non-employees during working time. Employees may solicit other employees during non-working time in non-working areas.

Employee no distribution rule: There shall be no distribution during working or non-working time in work areas. Employees may distribute goods and written materials during non-working time in non-working areas. For the purpose of this policy the following definitions shall apply:

Distribution: An act of distributing goods, materials, and/or written materials.

Employee: Any person in the employ of the county in any status.

Non-work area: Any area on or off county property not designated as a work area.

Non-work time: Any time during an employee's workday where the employee is totally relieved of work duties, such as break time and lunchtime; whether an employee is in paid or unpaid status during these times is immaterial to the designation of non-work time.

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

Vendor: Any individual or group engaged in or desiring to engage in the supply of goods, materials, or services to the District and its employers, which goods, materials, or services are utilized in the conduct of public business.

Work area: Any office, building, or physical location where official county business is transacted and/or operations of the county are being conducted. This includes any public or private areas where employees are engaged in work activities.

Work time: All the time when an employee's duties require that he or she be engaged in work tasks, but does not include an employee's own time before or after a work shift.

**GAMBLING****SECTION 7.9**

The District does not permit gambling in any form by its employees during work hours. For the purpose of this policy, workday includes regular working hours, lunch periods, clean-up time, and other breaks. Super Bowl and NCAA pools, etc., where no one profits or gains from such activity, will not be considered gambling under this policy; this is not meant to include the winner. Violation of this policy will be cause for disciplinary action as prescribed in Section 8 of the Personnel Policy and Procedure Manual.

**DRESS****SECTION 7.10**

- A. The personal appearance of an employee reflects the standards of the District and serves as an indication to the general public and co-worker's interest and pride in their job. Cleanliness and proper grooming of self, uniform (if applicable), and other clothing are absolutely necessary.
- B. Professional dress in keeping with the kind of work the employee does is expected at all times. This means clothing that is neat, clean, comfortable, and with proper undergarments.
- C. Name badges provided by the agency are to be worn when on duty with the District. This is particularly important during clinics or in the field.
- D. Lab coats, departmental shirts, or other type of uniform may be provided to the employee by the District and will be worn, when required.
- E. Sanitarians, home health aides, and any other employee with supervisor approval may wear jeans during field visits or work that may warrant this type of dress. Jeans are permitted to be worn by all employees. No torn or ragged jeans will be allowed at any time.
- F. Hats are appropriate in the field but must be removed when in the office. Also, tailored shorts are allowed in the field with the approval of the employee's immediate supervisor. Any shorts worn in the field must be such that the length must equal or exceed where fingertips touch the leg when hanging freely.

- G. Safety is important and footwear needs to match the kind of job the employee does with the approval of their immediate supervisor.
- H. Shirts with inappropriate language or advertising will not be permitted. When in doubt, the employee needs to consult with their immediate supervisor. All shirts must have at least full coverage on the shoulder with no portion of undergarments exposed.
- I. When an employee's dress is not appropriate for the job that is to be done, the employee may be requested to change their clothing. This time to obtain appropriate clothing and change will be charged against vacation, personal, or compensatory time.
- J. Violation of any prohibition or limitation set forth in this policy may result in disciplinary action as outlined in Section 8 of the Personnel Policy and Procedure Manual.

**SMOKE-FREE WORKPLACE/ELECTRONIC CIGARETTE****SECTION 7.11**

- A. District employees are not permitted to smoke. All Health District buildings and vehicles are designated as non-smoking areas.
- B. Smoking and the use of e-cigarettes is permitted by visitors in designated areas provided by the employer. Such areas will be provided in compliance with applicable law, and shall ensure that smoke or the vapor from e-cigarettes does not enter the place of employment.

**DRUG FREE WORKPLACE****SECTION 7.12**

- A. Drug Free Workplace Policy.
  - 1. Generally: The Employer is concerned with the effects alcohol and controlled substances can have on employees, their families, and employees' ability to perform their work safely and efficiently. The Employer believes that it is important, as a public entity, to serve as a leader in the community in the war against drugs by establishing a policy prohibiting the manufacture, distribution, dispersal, possession, or use of controlled substances in the workplace. In addition, it is the Employer's policy to prohibit the possession, consumption, or being under the influence of alcohol in the workplace. The following policy is designed to meet the above objectives and comply with the provisions of the Drug Free Workplace Act of 1988.
  - 2. Notice Upon Hiring.
    - a. As a condition precedent to hiring, all prospective employees will receive a copy of the Employer's drug free workplace statement and policy and will be required to sign the Drug Free Workplace Acknowledgement which will become a permanent part of the employee's personnel file.



- b. In addition, all prospective employees will be required to acknowledge that they are aware of the Employer's drug free workplace policy and understand that it is a condition of employment.
3. Definitions: For purposes of this policy:

Employee: means any person subject to appointment, removal, promotion, or reduction by an appointing officer (i.e., management, supervisory, or non-supervisory), who is paid in whole or in part by the Employer.

Controlled Substance: means those substances defined in Sections 3719.01 and 3719.41 of the Ohio Revised Code and in 21 USC 812.

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

Criminal Drug Statute: means a criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance. For purposes of this policy all definitions will be consonant with O.R.C. Section 3719.01 et seq. and O.R.C. Section 2925.01 et seq.
4. Distribution of Information: Each employee will receive annually an information package containing:
  - a. information concerning the dangers of drug/alcohol abuse in the workplace;
  - b. a current copy of the Employer's posted/published statement;
  - c. a current copy of the Employer's drug free workplace policy;
  - d. information concerning any available drug/alcohol counseling, rehabilitation, and employee assistance programs;
  - e. information concerning the penalties that will be imposed for a breach of the Employer's drug free workplace policy; and
  - f. notice to the employee that any work-related conviction of any federal or state criminal drug/alcohol statute must be reported in writing by the employee to the Employer within three (3) calendar days after such conviction.
5. Regulations: The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, or the possession or consumption of alcohol, by any employee which takes place in whole or in part in the Employer's workplace is strictly prohibited and will result in criminal prosecution and discipline of the employee which may include termination from employment.

6. Notification of Conviction: Any employee convicted of any federal, state, or municipal criminal drug/alcohol statute for a workplace-related drug/alcohol offense must notify the Employer of such fact within three (3) calendar days of the conviction.
7. Employer Action: The Employer will, within 30 days after receiving notice of a conviction from an employee or upon concluding that an employee has violated Paragraph (A)(1) above:
  - a. take appropriate disciplinary action against such employee up to and including termination; and/or
  - b. require such employee to satisfactorily participate in a drug and/or alcohol rehabilitation program as provided herein.
8. Failure to Report: Any employee who fails to report a workplace-related drug and/or alcohol conviction:
  - a. will be terminated from employment; and
  - b. may be held civilly liable for any loss of federal funds resulting from the failure to report the conviction.

B. Alcohol and Drug Rehabilitation Policy.

1. Any employee who is referred to a drug/alcohol rehabilitation program and fails to satisfactorily participate in the program will be terminated from employment.
2. Referral to a rehabilitation program is designed primarily for those employees who appear to have a treatable condition, not to protect those who manufacture, distribute, use, or dispense drugs, possess or consume alcohol, while in the workplace.
3. Prior to appointment, the Employer may require applicants for certain safety-sensitive positions to pass a physical examination which may include urine or similar testing to determine the use of controlled substances.
4. The Employer recognizes alcoholism and drug addiction as diseases which are treatable, and encourage those employees who may have an alcohol or drug problem to seek professional treatment or assistance on their own initiative.
5. For the purposes of this policy, a drinking or drug abuse problem exists when an employee's alcohol consumption or drug abuse interferes with the employee's job performance, or presents a threat to the safety of persons or property, or presents an unfavorable image to the public. This policy is intended to assure that no employee with a drinking problem will have their job security or promotional opportunities jeopardized by a request for treatment. However, this does not mean that a request for treatment will automatically exonerate them from discipline initiated by the Employer for manufacturing, distributing, dispensing,

possessing, or using drugs in the workplace, or violating other policies due to alcohol abuse. An employee who seeks treatment on the employee's own initiative is in a better position than one who brings up a drinking or drug problem for the first time in a disciplinary hearing.

6. The individual's rights to confidentiality and privacy are recognized. The pertinent information and records of employees with alcohol or drug problems will be preserved in the same manner as all other medical records.
  7. It will be the responsibility of the employee to comply with the Employer's referral for diagnosis and to cooperate with the prescribed treatment. An employee's refusal to accept diagnosis or treatment, or failure to respond to treatment, will be handled in the same manner as all other illnesses when job performance continues to be adversely affected. Refusal may be considered insubordination.
  8. Implementation of this policy will not require or result in any special regulations, privileges, or exemptions from the standard administrative practices applicable to job performance.
- C. Employee Testing Program: Where the Employer has a reasonable suspicion to believe that an employee may be under the influence of alcohol and/or controlled substances, the Employer may require the employee to submit to a drug and/or alcohol test in accordance with the Employer's Employee Testing Program.
- D. Violation of the Drug Free Workplace Policy and/or the Employee Testing Program may subject an employee to discipline, up to and including discharge.

<b>USE OF INTERNET, E-MAIL, FACSIMILE TRANSMISSION, AND ONLINE SERVICES</b>
---

<b>SECTION 7.13</b>
---------------------

- A. Purpose.
1. The use of Internet, electronic mail, and online services has great potential to enhance the productivity of District employees. At the same time, as in the case with all District resources made available to employees, abuse is possible.
  2. The purpose of this policy is to establish guidelines and minimum requirements governing the acceptable usage of District -provided Internet, electronic mail, and online services. By establishing and maintaining compliance with this policy, risks and costs to the health District as a whole can be reduced while the valuable potential of these resource tools are realized. The objectives of this policy are to assure that:
    - a. Disruptions to health District activities from inappropriate use of District -provided Internet, electronic mail, and online services access are avoided.

- b. Users are provided guidelines describing their personal responsibilities regarding confidentiality, privacy, and acceptable use of department-owned Internet, electronic mail, and online services access.
  3. The District promotes Internet use that enables employees to achieve their various departmental missions and goals, and to improve District efficiency in general. These resources are intended to assist in the efficient and effective day-to-day operations of District.
- B. Background: The *Internet* is the rapidly expanding world-wide networks of networks connected to each other using, primarily, the Internet Protocol (IP). The Internet provides for file transfer, remote login, electronic mail, news, and other services. *Electronic Mail* is the transmission of memos and messages over electronic networks, including, but not limited to the Internet. *Online Services* provide subscribers with a variety of reference and information exchange services which typically include connection to the Internet.
- C. Scope of the Policy.
1. Access to the Internet, electronic mail, and online services is provided for the purpose of encouraging and promoting improved use of technology and information services in the areas of:
    - a. Gathering information and data relevant to District business.
    - b. Communicating with other users who have related business interests.
    - c. Increasing employee and contractor efficiency by utilizing skills which will enhance overall job performance.
    - d. Encouraging collaboration and resource sharing among other counties, state, and federal agencies.
  2. All district employees are covered by this policy, as well as:
    - a. Volunteers who are authorized to use District resources to access the Internet, electronic mail, and online services.
    - b. Contractors who are authorized to use District equipment and facilities.
- D. District Responsibility: The health commissioner or Administrator will have the final authority in determining whether an employee requires access to the Internet, electronic mail, and online services to accomplish his/her assigned duties.
- E. User Responsibility.
1. Users should be aware that when access to the Internet, electronic mail, and online services are accomplished using Internet addresses and domain names registered to the District, they may be perceived by others to represent the

District. Users shall not use the Internet, electronic mail, or online services for any purpose which would reflect negatively on the District or its employees.

2. Because of the security, legal, and productivity issues referenced in this policy, each user is responsible for:
  - a. Following existing policies and procedures in his/her use of Internet, electronic mail, and online services and shall refrain from any practices which might jeopardize the District's computer systems and data files, including, but not limited to virus attacks, when downloading files from the Internet.
  - b. Learning about Internet, electronic mail, and online service etiquette, customs, and courtesies, including those procedures and guidelines to be followed when using remote computer services and transferring files from other computers.
  - c. Familiarizing her or himself with any special requirements for accessing, protecting, and utilizing data, including Privacy Act materials and confidential information.
  - d. Being careful not to duplicate, download, transmit, or use software not in compliance with software license agreements, unauthorized use of copyrighted materials, or another person's original writing.
  - e. Conducting her or himself as a representative of the District as a whole. This means that users shall not use the Internet, electronic mail, and online services to:
    - (1) Distribute offensive or harassing statements, or to disparage others based on race, national origin, sex, sexual orientation, age, disability, political, or religious beliefs.
    - (2) Distribute or solicit sexually oriented messages or images.
    - (3) Distribute or participate in chain letters.

F. Security.

1. Electronic message systems may not be secure: Employees should be aware of potential electronic messaging security problems before transmitting private or confidential messages. Disclosure may occur intentionally or inadvertently when an unauthorized user gains access to electronic messages. Disclosure may occur when messages are forwarded to unauthorized users, directed to the wrong recipient, or printed in a common area where others can read them.
2. Use caution when sending classified information: Always display "CONFIDENTIAL" on the subject line when sending confidential information. Confirm that encryption has been enabled before sending confidential or

classified information. Be aware that even if you encrypt your data, anything you electronically transmit over the Internet, electronic mail, or online services are subject to interception, reading, and copying by other people.

3. The Internet may not be secure: Employees should take this into account before receiving or transmitting information and messages. Employees should be aware that it is possible to identify visitors to Internet sites (i.e., all Internet browsers furnish a trail to trace all Internet site visits), and should exercise conservative judgment when accessing information on the Internet.
- A. Laptop, Smartphone, iPhone, Blackberry, or Other Mobile Phone Access: The policies and procedures stated throughout this section also apply to online services accessed and electronic mail sent and received on an employer-owned laptop, smartphone, iPhone, Blackberry, or other mobile phone device.
- H. Enforcement and Violations.
1. All employees using District equipment to access the Internet, electronic mail, and online services are subject to having activities monitored at any time by the employer or by system or security personnel. Employees enjoy no expectation of privacy with respect to these activities.
  2. Clear violation of this policy and its attachments will result in disciplinary action, including, but not limited to, termination of Internet, electronic mail, and online service privileges.

<b>PERSONAL INFORMATION</b>	<b>SECTION 7.14</b>
-----------------------------	---------------------

- A. The Employer maintains and is responsible for personal information maintained concerning employees. "Personal information" includes all information about an employee as defined in ORC 1347.04(E), and may include such information as:
1. personal data;
  2. employment application documents;
  3. references;
  4. medical reports;
  5. documentation pertaining to an employee's change of status;
  6. performance evaluations;
  7. communications or disciplinary actions;
  8. paid and unpaid leave records.
- B. Each employee shall be allowed to review the contents of the file(s) pertaining to them. Employees may also request that the Health Commissioner, or Administrator or designee conduct an investigation to determine if the information in their file is accurate, relevant, timely and complete. This investigation must occur within 90 days of written request by the employee. All information determined by the Health Commissioner to be inaccurate as a result of such investigation shall be deleted. If the Health Commissioner determines the record to be correct, the employee may append a brief statement to the file.

- C. The Employer shall monitor the accuracy, relevance, timeliness and completeness of its personal information systems, take reasonable precautions to protect personal information in the system from unauthorized and unlawful modification, destruction, use or disclosure, and shall collect, maintain and use only that personal information necessary and relevant to the Employer's functions.

**REPORTING CHANGES IN PERSONAL INFORMATION****SECTION 7.15**

- A. Failure to report changes in personal information may prevent employees from obtaining or maintaining valuable employee benefits or services. It is each employee's responsibility to report any change of personal information within three (3) calendar days of the occurrence of the change. Notification shall be made in writing to the employee's immediate supervisor.
- B. For the purposes of this section, a change in personal information shall include the following:
1. Name change;
  2. Address change;
  3. Phone number change;
  4. Person to be notified in case of an emergency;
  5. Marital status change;
  6. Changes which may affect employee benefits (i.e., insurance and pension(s) such as changes in dependents or beneficiaries).
  7. Number of exemptions for tax purposes;
  8. Citizenship;
  9. Selective service classification; or
  10. Association with a government military service organization.

**GARNISHMENTS****SECTION 7.16**

A court-ordered legal claim against the wages of a District employee by a creditor for nonpayment of a debt and served by the constituted legal authority is a garnishment and must be recognized and executed by the County Auditor. Repeated garnishments on the wages of an employee may result in disciplinary action, in accordance with the disciplinary procedures outlined herein.

**WORKPLACE VIOLENCE****SECTION 7.17**

## A. POLICY

1. The safety and security of employees, clients, contractors, and the general public are of vital importance to the Meigs County Board of Health. Therefore, threats, threatening behavior, or acts of violence made by an employee or anyone else against another person's life, health, well-being, family, or property will not be tolerated. Employees found guilty of violence will be subject to disciplinary action up to and including termination of employment.
2. The purpose of this policy is to provide guidance to employees of the Board should they encounter a situation that they believe is or could result in an act of violence.
3. The word violence in this policy shall mean an act or behavior that:
  - a. is physically assaultive;
  - b. a reasonable person would perceive as obsessive (e.g., intensely focused on a grudge, grievance, or romantic interest in another person and likely to result in harm or threats of harm to persons or property);
  - c. consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of another;
  - d. would be interpreted by a reasonable person as carrying a potential for physical harm to the person;
  - e. a reasonable person would perceive as intimidating or menacing;
  - f. involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or
  - g. consists of a communicated or reasonably perceived threat to destroy property.
4. The Board prohibits the following:
  - a. Any act or threat of violence by an employee against another person's life, health, well-being, or property.
  - b. Any act or threat of violence, including, but not limited to, intimidation, harassment, or coercion.
  - c. Any act or threat of violence which endangers the safety of employees, clients, contractors, or the general public.



- d. Any act or threat of violence made directly or indirectly by words, gestures, or symbols.
  - e. Use or possession of a weapon on the Board's premises, on a Board-controlled site, or an area that is associated with Board employment except as required in the line of duty (i.e., law enforcement).
5. The most common situations where workplace violence is likely to occur are as follows:
- a. Dealing with the Public: Violent situations could occur in employee contact with the public. While the Board has a strong commitment to client service, we do not intend for employees to be subjected to verbal or physical abuse by the client.
  - b. On-the-Job: Situations could occur where relationships between employees, or between an employee and a supervisor, result in strong negative feelings by the individuals involved.
  - c. Off-the-Job: An employee could become involved in a personal non-criminal dispute with a co-worker, client, or personal family member during the employee's non-working hours. The Board prohibits any act of violence by an employee towards any other employee while off duty. If the situation escalates, individuals sometimes secure restraining orders from the courts. If an employee requests such a restraining order, the employee should include the work location as well as the employee's place of residence in the order.
6. The possession or use of dangerous weapons is prohibited on Board property, or in any personal vehicle which is used for Board business or is parked on Board property.
- a. A dangerous weapon is defined as:
    - (1) A loaded or unloaded firearm; or
    - (2) A weapon, device, electronic stun weapon, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.

Exceptions: Individuals may possess a firearm on Employer property if the individual is employed in the capacity of a law enforcement officer and is engaged in law enforcement activities or is authorized by the Board for the purpose of destroying dangerous animals. Employees who possess a valid permit to carry a firearm, if a firearm is brought on Employer property, must keep the firearm unloaded and in the employee's personal vehicle, which shall be locked.

- (3) Please see Section 7.20 – Concealed Carry, for a more detailed policy on carrying concealed weapons.

## B. PROCEDURE

1. Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on the Board's property shall be removed from the premises as quickly as safety permits and shall remain off the premises pending the outcome of an investigation. The Board will initiate an appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person(s) involved.
2. It is a requirement that all employees report, in accordance with this policy, any behavior that compromises the Board's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job-related or might be carried out on a Board-controlled site, or is associated with Board employment.
3. All incidences of suspected or potential violence should be reported to the employee's immediate supervisor, the Health Commissioner or Administrator. Do not take the position that the incident is too minor to report or that it does not appear to be a "real problem." Do not wait until it is too late to be proactive.
4. Supervisor Responsibilities: Immediate supervisors, the Health Commissioner and the Administrator are responsible for assessing situations, making decisions on the appropriate response, and responding to reports of or knowledge of violent activities that have occurred in the workplace or that involve an employee of the Board.
5. When any actual, potential, or suspected incident of violence is brought to the attention of a supervisor, the Health Commissioner or Administrator, the Health Commissioner, or Administrator or designee shall evaluate the severity of the situation immediately and have the individual reporting the incident fill out an Incident Report. If it is concluded that an actual act of violence has occurred or if there is a likelihood that violence could result, the Health Commissioner, Administrator or designee shall:
  - a. Discuss the situation with the employee(s) and attempt to find out what caused the situation.
  - b. Determine what action is to be taken to prevent the situation from occurring again. Such actions may include but not be limited to:
    - (1) Assigning a different employee to the area or job.
    - (2) Talking with the disgruntled client or employee(s).

- (3) Discussing the incident and offer suggestions for appropriate actions.
  - (4) Referring the affected employee(s) to professional help or counseling.
  - (5) Disciplining the employee(s), up to and including termination of employment.
6. All employees who apply for, obtain, or are the subject of a restraining order which lists District locations as being protected areas, must provide to the Health Commissioner or Administrator a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

**EMERGENCY PROCEDURES****SECTION 7.18****A. Emergency Evacuation Procedure.**

1. **REMAIN CALM.**
2. Immediately close all windows and turn off lights in your work area. All electrical appliances should be turned off. Close office/suite doors, **BUT DO NOT LOCK**. Take your purse, keys, and jacket with you in case you are unable to re-enter building.
3. Calmly direct all customers/visitors in your department to exit the building.
4. Leave the building promptly and quietly through the nearest exit. (See Evacuation Diagram).
5. Division Directors will inspect their respective areas to ensure that all personnel and customers/visitors have safely exited.
6. After vacating the building, walk to the east end of the property (to the rear of building) and gather near the green garage. Division Directors will see that all employees are accounted for. If this gathering area is unsuitable, you will be directed to proceed to an alternate area. Do not leave the designated gathering area at any time unless instructed to do so by the Health Commissioner, Administrator or designated representative.
7. No employee is permitted to leave from the designated area during an emergency unless instructed to do so by the Health Commissioner, Administrator or designated representative. Anyone leaving without permission may be subject to disciplinary action.
8. Employees will remain outside until directed by the Health Commissioner, Administrator or designated representative that it is safe to re-enter the building.

Anyone re-entering the building without permission may be subject to disciplinary action.

B. Bomb and Bomb Threat Procedure.

1. Bomb Threat by Phone.

- a. Remain calm. A calm response to the bomb threat call could result in obtaining additional information. This is especially true if the caller wishes to avoid injuries or death. If told the building is occupied or cannot be evacuated in time, the bomber may be willing to give more specific information on the bomb's location, components, or method of initiation.
- b. If possible, have more than one (1) person listen to the phone call.
- c. Keep the caller on the line as long as possible. Ask him/her to repeat the message. Record every word spoken by the person if possible.
- d. If the caller does not indicate the location of the bomb or the time of possible detonation, ask him/her for this information.
- e. Inform the caller the building is occupied and the detonation of a bomb could result in death or serious injury to many people.
- f. Pay attention to background noises.
- g. Listen closely to the voice (male, female), voice quality (calm, excited, nervous), accents, and speech impediments.
- h. Immediately report the threat to your supervisor or department head.
- i. Call 911 to report the bomb threat to emergency officials.
- j. Notify the office of the Meigs County Commissioners.
- k. Notify each department to evacuate the building following the Emergency Evacuation Procedure (See Evacuation Diagram). NOTE: Portable radios and cellular telephones must not be used during a bomb threat incident.

2. Bomb Threats by Mail.

- a. When a written threat is received, save all materials, including envelope or container.
- b. When the message is recognized as a bomb threat, avoid further unnecessary handling of the material. Every possible effort must be made to retain evidence, i.e., fingerprints, handwriting, typewriting, paper, and postal marks. These will prove essential in tracing the threat and identifying the writer. While written messages are usually associated with

generalized threats and extortion attempts, a written warning of a specific device may be received. It should never be ignored.

- c. If an employee should find an object which they find is unusual or suspicious, immediately contact your supervisor or department head.
- d. Call 911 to report the location and description of the object. Under no circumstances should anyone move, jar, or otherwise touch a suspicious object or anything attached.
- e. Notify each department to immediately evacuate the building following the Emergency Evacuation Procedure, with the exception of closing all windows and doors.
- f. As much as is practicable, all doors and windows should be open to minimize primary damage from blast and secondary damage from fragmentation.
- g. Identify the danger area and block it off with a clear zone of at least 300 feet.
- h. During a bomb threat or actual explosion, no one is to speak to the news media, except the emergency responders in charge.

3. Explosions.

- a. Determine location and extent of explosion.
- b. Call 911.
- c. Evacuate the building following the Emergency Evacuation Procedure. (See Evacuation Diagram)
- d. Notify the Meigs County Commissioners.
- e. Assist with injured or wounded.
- f. Secure an area until authorities arrive.
- g. The Health Commissioner, Administrator or designated representative will determine who will speak with emergency personnel to explain the situation.

C. Fire Emergency Procedure.

1. The person discovering the fire will activate the emergency alarm response system and then call 911.

2. If the fire is small and contained, i.e., in a trash can, or if an individual is engulfed in flames, appropriately trained personnel may attempt to extinguish the fire only after activating the emergency response system.
3. Unless involved in the act of extinguishing the fire, all personnel should immediately evacuate the building following the Emergency Evacuation Procedure. (See Evacuation Diagram)
4. Under no circumstance is anyone to attempt to extinguish a fire that cannot be extinguished with a single fire extinguisher. Safe evacuation takes priority.
5. Follow all steps in the Emergency Evacuation Procedure until you are authorized to re-enter the building or leave the premises.

**CONCEALED CARRY****SECTION 7.19**

- A. The safety and security of employees, visitors, contractors, and the general public are of vital importance to the Employer. Further, carrying a concealed weapon is not part of anyone's job responsibility (except law enforcement officers...); and such activity does not "arise in the course or scope of employment."
- B. Employees and officials of Meigs County, other than law enforcement officers specifically authorized to carry a firearm, are prohibited from carrying firearms into any County building, in any County vehicle or at any time while they are acting within the course and scope of their employment.
- C. More specifically, the Employer specifically prohibits employees from engaging in the following activities:
  1. Carrying a firearm or other weapon while on duty, whether or not licensed to do so. (For those employees who leave the Employer's facility and travel to perform duties, these employees shall not carry a firearm on their person or in their vehicle.)

A County employee or official with a valid license to carry a concealed handgun may bring a handgun onto a County-owned parking lot, but must leave the handgun in their own locked vehicle, either in the glove compartment (or other locked compartment), in the trunk, or locked inside a gun case, when they report for work. An employee or official with a valid license to carry a concealed handgun who is reporting for work may remove the handgun from their own vehicle parked on County property only for the purpose of transporting it to and from the trunk of that vehicle for storage.

2. Displaying a weapon or firearm while on duty, or making comments about firearms in such a way that intimidates, harasses, coerces or threatens another, whether in the facility or on the parking lot. Such action will be considered a threat and will be prosecuted;

3. Carrying or displaying a weapon or firearm, on- or off-duty, while on strike or picketing;
4. Displaying an empty handgun holster on their person while on duty.

Any County employee or official who violates this policy is acting outside the course and scope of their duties. Meigs County will not defend or indemnify such actions by any County employee or official. Any County employee found to be in violation of this policy will be subject to disciplinary action, up to and including discharge.

#### D. PROCEDURE

Any employee who witnesses any prohibited activities as defined in this policy shall immediately report such activity to their immediate supervisor.

<b>WHISTLEBLOWER PROTECTION</b>	<b>SECTION 7.20</b>
---------------------------------	---------------------

This policy is developed and intended in accordance with State law to protect employees from disciplinary or retaliatory action by an Employer for reporting certain violations of state, local or federal law. The Act and this policy apply mutual responsibilities to employees and Employers. It is not intended to compel vigilant action by employees since its scope relates to alleged violations occurring in the course of employment, and only requires reporting. It is the District's belief that through consistent, objective, and fair application and acceptance of this as well as other policies in this manual that a productive and enjoyable employment relationship can exist.

#### General Policy and Procedure

- A. If an employee becomes aware, in the course of his/her employment, of a violation of any State or Federal statute, or any ordinance or regulation of the County, City, or Township that the District has authority to correct, or the misuse of public resources, and the employee reasonably believes that the violation either is a criminal offense that is likely to cause an imminent risk of physical harm to persons, or a hazard to public health or safety, or is a felony, the employee shall notify his supervisor, Health Commissioner, Administrator or designee, of the violation. Subsequently, the employee shall immediately, with his supervisor, Health Commissioner, Administrator or designee, prepare a written report that provides sufficient detail to identify and describe the violation. The report must specify the date and time of its filing. The District shall be responsible for investigating and correcting such violation, if one exists. The District shall endeavor, with reasonable and good faith effort, to correct such violation within twenty-four (24) hours after the oral notification or receipt of the written report, whichever is earlier. Therefore, in order to facilitate timely response, the District encourages employees to file a written, detailed report as close as possible, if not the same time, as the oral notification. Supervisors or Health Commissioner, Administrator or designees shall document immediately following any oral notification the details and time of the notification and shall immediately contact the Health Commissioner or Administrator.

- B. If an employee makes a report under Part "A" of this section, the District, within twenty-four (24) hours after the oral notification was made or the report was received or by the close of business on the next regular business day following the date on which the oral notification was made or the report was received, whichever is later, shall notify the employee, in writing, of any effort of the District to correct the alleged violation or hazard or of the absence of the alleged violation or hazard.
- C. If the District does not correct the violation or make a reasonable and good faith effort to correct the violation within twenty-four (24) hours after the oral notification of the receipt of the report, whichever is earlier, the employee may file a written report that provides sufficient detail to identify and describe the violation with the County Prosecuting Attorney's office, a peace officer or any other appropriate public official or agency that has regulatory authority over the District and the services it provides.
- D. If an employee becomes aware, in the course of his/her employment, of a violation of the Ohio Revised Code that is a criminal offense, the employee may directly notify either orally or in writing any appropriate public official or agency that has regulatory authority of the District and its services.
- E. If an employee becomes aware in the course of his/her employment of a violation by a fellow employee of any State or Federal statute, any ordinance, regulation of the County, City, or Township, or any work rule or agency policy, or the misuse of public resources, and the employee reasonably believes that the violation either is a criminal offense that is likely to cause an imminent or physical harm to persons, or is a felony, the employee shall commence notification as outlined in Part "A" above.
- F. An employee shall make a reasonable and good faith effort to determine the accuracy of any information reported under part "A" or "D" of this section. Proof, although not necessarily absolute proof, of a "reasonable and good faith effort" may include researching the pertinent law, ordinance, or regulation violated; records of conversations with, or documents from knowledgeable authorities; date(s), time(s), place(s), and person(s) involved when violation occurred, etc.

If an employee who makes a report under either Part "A" or "D" of this section fails to make such effort as determined by the District, he may be subject to disciplinary action, including suspension or removal, for reporting information without a reasonable basis to do so under those parts.

Except as provided in Part "F" above, the District shall not take disciplinary or retaliatory action against the employee for making a report authorized by Parts "A", "D" and "E" above, or as a result of the employee having made any inquiry or taken any action to ensure accuracy of any information reported.

**PUBLIC RECORDS POLICY****SECTION 7.21**

- A. Meigs County Health District will prepare and make available for inspection and/or copying "public records," as defined in O.R.C. 149.43, upon the request of any member of the general public.



1. Public records inspection, release, and retention are subject to the Board's Public Records Policy and will be processed accordingly.
2. Questions of whether or not a record is a public record as defined in O.R.C. Section 149.43 should be determined by the County Prosecutor.
3. Self Help to Records Prohibited.
  - a. Employees may not copy or remove any record or writing, even those regarded as "public records," without first obtaining advanced written permission from the Health Commissioner or Administrator, or without going through the process for obtaining public records outlined in Section B.
  - b. No employee may copy, or use any agency writing, document, or record in any grievance, appeal, or legal action without having first obtained the written permission of the Appointing Authority. This particular policy does not apply to matters obtained through formal "discovery" under the Rules of Civil Procedure.
  - c. No employee shall tape record any meeting, hearing, or appeal involving the District or representative of the District without the advanced written permission of the Appointing Authority.
  - d. Except for official agency business, employees may not have any agency writing or document in their possession, unless obtained through this policy.
4. Penalty for Breach of this Policy: Any employee who is discovered to have violated any of the above enumerated policies will be subject to removal. Any former employee who is discovered to have obtained an authorized document or produced any unauthorized tape recording will be barred from reemployment by the District and may be subject to civil or criminal penalties.

## **B. POLICY**

1. Meigs County Health District and its employees must follow Ohio law on responding to public records requests.
2. Providing access to public records for the public is part of the obligations and duties of each department. It should be given as much priority as possible.
3. Each department must make this policy readily available to any member of the public requesting to review it. Copies of this policy, like other public records, will be provided promptly upon request.
4. Public record requests can be made by any member of the public during regular business hours of the department.

5. The department must post a poster describing its public records policy in a conspicuous place available to the public in its office and each of its branch offices.
6. The Administrator is the custodian of the records for the department. All employees handling public records requests must sign a written acknowledgment that he or she has been given a copy of this policy. The Health Commissioner and Administrator will ensure that employees handling public records are well informed of the public records law and ensure that each employee completes training as required by law as necessary to ensure that the employees are kept well-informed of department obligations under the law.
7. All department records, public or non-public, must be maintained pursuant to a records retention and disposition schedule that has been approved by the County Records Commission, the Ohio Historical Society, and the State Auditor. Each department head will create only those records required by Ohio law to be kept, and those that are necessary for adequate documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the department and for the protection of the legal and financial rights of the Board and persons directly affected by the department's activities.
8. All records are the property of the department and must not be removed, destroyed, mutilated, transferred, or otherwise disposed of, in whole or in part, except as provided by law or under the rules adopted by the County Records Commission. Violations of the section of the policy may subject the county and its employees to a civil lawsuit. Each proven violation is subject to a \$1000 fine.
9. The Health Commissioner will designate someone to attend three (3) hours of certified public records training every four (4) years. Under Ohio law certified training at this time means that it has been approved by the Attorney General's office and that it has been approved for CLE credits by the Ohio Supreme Court.

### C. PROCEDURE FOR INSPECTION AND RELEASE

The District will prepare, make available, and copy at cost, the public records of that District upon the request of any member of the public, as follows:

1. Anyone wanting to inspect or obtain copies of records maintained by the District must reasonably identify the records they wish to inspect or have copied.
  - a. When a request is made, employees are not permitted to request a person's identification making the written request for public records or the reason for the request unless that information is necessary to fulfill the request or unless it will assist in responding to the request. WHEN THE INFORMATION IS REQUESTED TO HELP IN IDENTIFYING, LOCATING OR DELIVERING THE RESPONSE, THE EMPLOYEE MUST INFORM THE PERSON THAT THE INFORMATION IS NOT REQUIRED.

- b. When a request is not reasonably clear, the employee must explain how the records are accessed in the ordinary course of business so that the person may revise the request. The employee may also assist the person to formulate the request so that it reasonably identifies the records.
  - c. If the employee knows that the records requested are held by another county department, the employee should direct that person to the department responsible for those records.
  - d. Redaction: (obscuring of information a copy of a record to be provided pursuant to a public record requests because it is exempt from the public records law) redaction is considered a violation of a public records request unless the information is exempt from disclosure under the law. The person providing the public record to the requester should confer with the County Prosecuting Attorney's Office regarding what to redact, if anything.
    - i. Redaction is generally not to be done to the department original, but is done to a copy of that record in preparation for a response to a public record request.
    - ii. All redactions should either be clearly visible to the requesting person or the person should be informed of what type of information was redacted.
    - iii. Legal authority for a redaction must be provided. If the request was made in writing, the reason in legal authority must be given in writing. The legal authority must be accurate, can be supplemented in the future if necessary.
2. To protect the records from potential damage, no person is to be permitted to make their own copies of the records requested. Employees wanting copies of public records are subject to the same policy as any other citizen. The employee should make his or her requests to another employee while not on working time. Employee self-help to records is grounds for discipline up to and including termination.
  3. Providing access to public records for the public is part of the obligations and duties of each department. It should be given as much priority as possible. Responses to public records requests should be provided promptly based upon all the facts and circumstances of the request.
  4. The District is not required to create a public record. If, however, the computers used by the District in question are capable of printing a "report" through its current software that satisfies a public records request, then the "report" is a record that is considered to exist already under Ohio Public Records law.

**D. FORMAT OF RESPONSE**

The person making the request is allowed to request the records be produced in:

1. paper format;
2. in the same way that the District keeps it; or
3. In any other medium that the District determines it reasonably can be copied as an integral part of the normal operations of the District.

**E. TRANSITION BY MAIL**

1. At the request of a person seeking public records, the District will transmit a response to a public records request via mail or other delivery service reasonably available to the office, but only upon prior payment of the actual costs of such delivery.
2. Mail requests are strictly limited to 10 per month unless the person making the request certifies in writing that he or she is not intending to use or forward the information on to be used for commercial purposes. Commercial purposes do not include:
  - a. reporting or gathering news;
  - b. reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government; or
  - c. nonprofit educational research.

**F. WAIVER OF POLICY**

The Health Commissioner or Administrator may waive any or all provisions under this policy if a request to inspect or obtain copies is made;

1. by another government agency or its representative;
2. in complying with a court order;
3. in complying with the requirements of State laws or regulations; or
4. as otherwise allowed by law.

**G. RETENTION SCHEDULE FOR ELECTRONIC MAIL AND OTHER RECORDS**

1. A department records retention schedule is required by Ohio law. Each department is responsible for maintaining its records and maintaining an updated records retention schedule. Retention periods for records should be determined by evaluating the historical, administrative, legal, fiscal, and historical (hereinafter "HALF") value of the records being scheduled. Care should be taken

to title and description of each type of department record on a retention schedule. As the types of records are identified, the types of records should be added to the department retention schedule.

2. Because of the constant changes in technology, even the most current forms of electronic records preservation may be insufficient for long-term reliability. The retention schedule should be set based upon "HALF" value of the records. If the department cannot realistically maintain that record in electronic form for that period of time, that record should be maintained in paper or other appropriate format for the remainder of the retention period. Departments that maintain records in electronic format should have a detailed written documentation that supports the basis for its belief that technology and funding will remain sufficiently stable to satisfy the requirements of the retention period and public record law, and if possible have a written plan for how the electronic information will migrate to a different technological system when necessary.
3. Whenever feasible, continually updated documents should be scheduled as such and the annual copy should be printed and retained for the appropriate retention. Under "HALF."
4. Particular care should be taken to ensure that electronic records are scheduled for destruction and destroyed pursuant to schedule. While this is also true of other formats of records, because of software and technology changes, the expense involved in attempting to comply with a public records request for an electronic copy that could have been destroyed, but was not, could be substantial.
5. E-mail and voicemail. Because the costs of preserving electronic mail of enduring administrative value is cost prohibitive, any e-mail records with enduring administrative values should be printed and retained in paper format in the appropriate paper file. Care should be taken to ensure that electronic mail and other documents are appropriately scheduled on the records retention schedule. In extraordinary circumstances, when the agency, in its opinion, believes a voicemail has enduring value, the agency should have it transcribed verbatim and record it in the form of an affidavit by the employee, and it should be appropriately notarized as to its accuracy. E-mails from and to private e-mail accounts involving the conduct of public business are public record. Each employee is responsible for ensuring that these types of the e-mails are preserved according to the e-mail retention policy.

#### **H. PUBLIC RECORD EXCEPTIONS**

The law allows some records not to be, and in some cases prohibits certain records from being released to the public. Determining the status of certain records can be difficult. The following is the list of more common exceptions to the public records law:

1. medical records;
2. probation and parole records;

3. adoption proceedings;
4. information in the putative father registry;
5. trial preparation records;
6. confidential law enforcement investigatory records;
7. mediation communication;
8. records involving the collection of a disbursement of child support;
9. peace officer, parole officer, prosecuting attorney, Assistant prosecuting attorney, correctional employee, youth services employ, firefighter, or EMT residential and familial information;
10. information pertaining to the recreational activities of a person under the age of eighteen;
11. most records of the child fatality review board; and
12. all records prohibited from release by state or federal law;

There are many other exceptions. Employees uncertain of the status of the record that has been requested should consult with the Meigs County Prosecutor's Office. When calling, the employee should specify whether there is a current public records request involving that record.

#### **I. COST OF COPIES OF PUBLIC RECORDS**

By law, departments may only charge actual costs for copies of public records. "Actual costs" means the cost of depleted supplies; records storage media costs; actual mailing, alternative delivery costs, or other transmitting costs; and any direct equipment operating and maintenance costs, including actual costs paid to the private contractors for copying services. It does not include labor costs for the public employee to respond. Costs of copies for bulk commercial extraction will be provided as allowed by law.

#### **J. DISCIPLINE**

Employees violating this policy may be subject to discipline, up to and including termination.

#### **K. CHANGES AND AMENDMENTS**

This policy is subject to change without notice.

## SOCIAL NETWORKING

## SECTION 7.22

- A. Purpose: The purpose behind this policy is to make an employee aware of his or her privacy rights and prohibited conduct with respect to an employee's actions and its impact on the Meigs County General Health District when using social networking sites on and off duty. Moreover, this policy is intended to ensure efficient use of employee time and to minimize any distraction from an employee's assigned tasks and duties. It will also allow the employer to ensure that employer rules are followed and all employees are treated fairly and consistently. Employees shall remember they are paid by public funds and the public holds them to a higher standard of professionalism. The Employer has an overriding interest and expectation in deciding what is "spoken" on behalf of the Employer. This policy is not meant to infringe on one's right to free speech, rights under R.C. 4117, or any other protected activity.
- B. Scope: All employees will be subject to and held accountable for any conduct outlined in the Social Networking Policy. This policy works in conjunction with other related personnel policies and procedures.
- C. Consent: An employee's use of such technology constitutes consent to being monitored by the employer.
- D. Social Networking refers to the use of websites such as, but not limited to, Facebook, Myspace, Twitter, LinkedIn, Flickr, and Instagram. For purposes of this policy, Blogs and other internet forums of communication will also be referenced. Nothing in this policy is meant to prohibit access to any website or Blog which may be work-related as approved by the health commissioner or designee.
- E. Policy.
1. On-duty Conduct: While at work, an employee may only access social networking websites, Blogs and/or other internet forums of communication during their lunch or breaks. This includes access from a personal cellular device (e.g., Blackberry device, smartphone, iPhone, etc.) during an employee's hours of work. Employees found to have violated this policy may be subject to discipline up to and including termination.
  2. On-/Off-duty Conduct: An employee enjoys no expectation of privacy to any information posted into cyberspace even while off duty. This includes anything posted to a social networking website, Blog, or other similar internet forum of communication. Although information may be posted to a "private" webpage, the employee should be aware this information can still be accessed by the public and other sources in a number of ways. Because of this, an employee needs to use "common-sense" when posting comments, photos, opinions, or any other information related to his or her employment. Any social media/networking activity which portrays the Employer in a negative light will be evaluated and may result in disciplinary action up to and including termination. Examples of prohibited conduct (but not limited to) are as follows:

- a. Posting one's photograph while wearing the employer's uniform (or other similar attire, which could be misidentified as the official uniform) without the express permission of a supervisor.
  - b. Posting pictures, videos, or comments that are insubordinate with respect to the employee's employment.
  - c. Posting pictures, videos, or comments that constitute or could be construed as unlawful behavior.
  - d. Knowingly or recklessly posting false information about the employer, supervisors, coworkers, public officials, or those who have a relationship with the employer. This also includes disparagement of a fictitious character or computer-generated likeness that resembles the above.
  - e. Posting, transmitting, or disseminating any pictures or videos of official training, activities, or work-related assignments without the express permission of a supervisor.
  - f. Posting pictures, videos, or comments that are sexual, violent, offensive, harassing, or pornographic in nature along with any reference to the employer or individual's employment.
3. Employees shall not imply they are speaking on behalf of the employer and shall include a disclaimer when speaking on certain matters affecting the employer or the employee's employment.
  4. Confidential Information: An employee shall not disclose any confidential or proprietary information on any social networking website, Blog, or other internet forum of communication. This includes information that may eventually be obtained through a valid public record's request.
- F. Employees shall sign the Acknowledgement (Form GG in the forms section of this manual). Employees found to have violated any part of this policy may be subject to discipline up to and including termination.
- G. Any deviation from the above policy shall be approved by the employer.
- H. Any questions regarding the policy should be directed to the employee's immediate supervisor.
- I. Employees shall take note of the following: DELETE DOES NOT MEAN DELETE. Once something is posted into cyberspace it remains there.

**FRAUD REPORTING****SECTION 7.23**

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



the auditor of state's website, or through the United States mail. The Auditor of State's fraud contact information is:

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

U.S. 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](http://www.ohioauditor.gov)

**DISCIPLINARY PRINCIPLES****SECTION 8.1**

The Board of Health believes that a clearly written discipline policy will serve to promote fairness and equality in the workplace, and will minimize potential misunderstandings among employees in disciplinary matters. Furthermore, the Board believes that certain basic principles, set forth below, must consistently be applied in order to effectively and fairly correct unsatisfactory job behavior.

1. Employees shall be advised of expected job behavior, the types of conduct that the Board has determined to be unacceptable, and the penalties for such unacceptable behavior.
2. Immediate attention shall be given to policy infractions.
3. Discipline shall be applied uniformly and consistently and deviations from standard procedure must be well justified and documented.
4. Each offense shall be dealt with as objectively as possible.
5. Discipline shall usually be progressive, but depending on the severity of the offense, may proceed immediately to termination.
6. An employee's supervisor, Health Commissioner and Administrator shall be responsible for administering discipline.

**PROGRESSIVE DISCIPLINE****SECTION 8.2**

- A. The Board of Health, Health Commissioner, Administrator and supervisors of the District follow an established system of progressive discipline when correcting job behavior.
- B. The Board of Health has adopted this discipline policy as a guide for the uniform administration of discipline. It is not, however, to be construed as a delegation of, or limitation upon, the statutory rights as set forth in the Ohio Revised Code.
- C. The discipline policy provides standard penalties for specific offenses; however, the examples of specific offenses given in any grouping are not all inclusive, and merely serve as a guide.
- D. The standard penalties provided in this policy do not preclude the application of a more or less severe penalty for a given infraction when specific circumstances warrant such penalties. In those cases where the penalty deviates from the recommended standard penalty, the reasons for such deviation must be noted in writing by the supervisor or the Health Commissioner.
- E. Each disciplinary action shall remain effective and in the employee's personnel file for 24 months after its issuance.

- F. Under the Fair Labor Standards Act, salaried employees exempt from overtime cannot be given disciplinary time off without pay in less than five (5) day increments.
- G. Suspensions or fines of classified employees twenty-four (24) hours pay or more, reductions, or removals of classified employees must be filed with DAS on an Order of Removal, Suspension, or Reduction ADM 4055 form in accordance with R.C. Section 124.34.
- H. Reduction in classification or pay, suspension, fine, or removal of an unclassified employee does not require a DAS form and may be executed at the discretion of the Appointing Authority. A written notice shall be provided to the employee. While a predisciplinary conference is not legally required for unclassified employees, it is recommended that the Appointing Authority meet with the employee to provide the employee with an opportunity to respond regarding the alleged infraction, prior to reducing, suspending, fining, or removing the employee from public service.
- I. The Appointing Authority may place an employee on administrative leave with pay, in circumstances where the health or safety of the employee, other employees, or of any person or property entrusted to the employee's care could otherwise be adversely affected. The length of the leave shall not exceed the length of the situation for which the leave is granted, for example, in a disciplinary situation such leave might extend until the District completes an investigation of the matter, conducts a predisciplinary conference and takes action or decides not to do so.

Compensation for administrative leave shall be equal to the employee's hourly rate of pay.

**PREDISCIPLINARY CONFERENCE POLICY****SECTION 8.3**

- A. Whenever the Employer determines that an employee may be disciplined for cause (including all suspensions, reductions in pay or classification, fines, or terminations), a predisciplinary conference will be scheduled to give the employee an opportunity to offer an explanation of the alleged conduct. The Employer must hold a predisciplinary conference prior to signing a last chance agreement also.
- B. Predisciplinary conferences will be conducted by a Hearing Officer. The Hearing Officer will be determined by the Employer and may be a member of the Board, the Health Commissioner, Administrator, the Health Commissioner's designee, or another party from inside or outside the jurisdiction of the Employer.
- C. Not less than twenty-four (24) hours prior to the scheduled starting time of the conference, the Employer will provide the employee with a written outline of the charges and specifications which may be the basis for disciplinary action. Prior to the disciplinary conference, the employee must be advised of the right to be represented by counsel. In response, the employee must:
  - 1. appear at the conference to present an oral or written statement in the employee's defense; or

2. appear at the conference and have a representative present an oral or written statement in the employee's defense; or
  3. elect in writing to waive the predisciplinary conference (see Form W C Waiver of a Predisciplinary Conference).
- D. An employee who elects to attend the conference and present an explanation, or who is called to testify, must answer all questions truthfully. If it is later proven that the employee's answers were not truthful, such dishonesty may result in disciplinary action.
- E. At the conference the employee may present an explanation, witnesses or documents which explain whether or not the alleged misconduct occurred. The Hearing Officer shall hear the case and shall prepare a written report setting forth findings of fact and concluding whether or not the alleged misconduct occurred. The Hearing Officer, unless it is the Health Commissioner, shall not recommend discipline. A copy of the Hearing Officer's report will be provided to the employee and the Employer within a reasonable time following preparation. The Health Commissioner or Administrator will decide what discipline, if any, is appropriate.

**GROUND FOR DISCIPLINARY ACTION AND PENALTIES****SECTION 8.4**

O.R.C. Section 124.34 sets out the forms of misconduct which are the legal basis for reduction, suspension, or removal of a classified employee. Those forms of misconduct are:

1. neglect of duty;
2. incompetency;
3. inefficiency;
4. dishonesty;
5. drunkenness;
6. immoral conduct;
7. insubordination;
8. discourteous treatment of the public;
9. any other failure of good behavior; and
10. any other acts of misfeasance, malfeasance, and nonfeasance;
11. violation of any policy or work rule of the Employer.

The examples of Group I, II and III Offenses, set forth below, are characteristic of those offenses which have historically judged to be of such a nature so as to warrant those penalties established for the group.

In general, Group I Offenses may be defined as those infractions which are of a relatively minor nature and which cause only a minimal disruption to the organization (in terms of a slight, yet significant, decrease in organization) productivity, efficient and/or morale. Group I Offenses, if left undisciplined by proper authority, will usually cause only a temporary minor adverse impact against the organization unless such acts are compounded over time.

Group II Offenses may be defined as those infractions which are of a more serious nature than Group I Offenses and which, in turn, cause a more serious and longer lasting disruption to the

organization in terms of decreased organizational productivity, efficiency and/or morale. Group II Offenses, if left undisciplined by proper authority, can cause a serious and longer lasting adverse impact against the organization than Group I Offenses.

Group III Offenses may be defined as those infractions which are of a very serious or possibly criminal nature, and which cause a critical disruption to the organization in terms of decreased productivity, efficiency and/or morale. Group III Offenses, if left undisciplined by proper authority, may cause long lasting and critically serious adverse impact against the organization.

Group I Offenses

First Offense	Instruction and Cautioning
Second Offense	Written Reprimand
Third Offense	A working suspension of less than twenty-four (24) hours, a fine less than twenty-four (24) hours, or a suspension without pay for less than twenty-four (24) hours; Forty (40) hours for exempt employees
Fourth Offense	Up to Fifteen (15) days suspension without pay
Fifth Offense	Up to Termination

Following are examples of offenses, however, are not all inclusive, and serve merely as a guide.

1. Failure to "report off" work for any absence.
2. Failure to commence duties at the beginning of the work period, or leaving work prior to the end of the work period.
3. Leaving the job or work area during the regular working hours without authorization.
4. Making preparations to leave work without specific prior authorization before the lunch period, or for any official break time, or before the specified quitting time.
5. Leaving post of continuous operations position prior to being relieved by employee of incoming shift.
6. Neglect or carelessness in signing or clocking in or out.
7. Unauthorized absence from work.
8. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping.
9. Distracting the attention of others, unnecessary shouting demonstration or otherwise causing disruption on the job.
10. Malicious mischief, horse play, wrestling, or other undesirable conduct, including use of profane or abusive language.

11. Threatening, intimidating, coercing, or interfering with subordinates or other employees.
12. Failure to cooperate with other employees as required by job duties.
13. Failure to use reasonable care of District property or equipment.
14. Use or possession of another employee's working equipment without authorization.
15. Neglect or carelessness in observance of official safety rules, or disregard of common safety practices.
16. Failure to observe District rules.
17. Obligating the District for any expense, service or performance without authorization.
18. Failure to report accidents, injury or equipment damage.
19. Disregarding job duties by neglect or work or reading for pleasure during working hours.
20. Unsatisfactory work or failure to maintain required standard of performance.
21. Unauthorized use of telephone for other than business purposes.
22. Excessive garnishments.
23. Unexcused absence from scheduled staff meeting.

Group II Offenses

First Offense	Instruction and a suspension without pay of less than twenty-four 24 hours; Forty (40) hours for exempt employees
Second Offense	Up to Fifteen (15) days suspension without pay
Third Offense	Up to Termination

Following are examples of offenses, however, are not all inclusive, and serve merely as a guide.

1. Sleeping during working hours.
2. Reporting for work or working while unfit for duty.
3. Being in possession of, or drinking alcoholic beverages on the job.
4. Conduct violating morality or common decency, e.g., sexual harassment.
5. Unauthorized use of District property or equipment.
6. Performing private work on District time.
7. Willful failure to sign or clock in or out when required.



4. Making false claims or misrepresentation in an attempt to obtain any District benefit.
5. Gambling during working hours.
6. Stealing or similar misconduct, including destroying, damaging or concealment of any property of the District or of other employees.
7. The possession, use or sale of illegal drugs.
8. Fighting or attempting to injure other employees, supervisors or persons.
9. Carrying or possession of firearms, explosives or weapons on County property at any time without prior authorization.
10. Knowingly concealing a serious or communicable disease which may endanger other employees.
11. Misuse or removal of District records or information without prior authorization.
12. Instigating, leading or participating in any walkout, strike, sitdown, stand-in, refusal to return to work at the scheduled time for the scheduled shift, or other concerted curtailment, restriction, or interference with work in or about the District's work stations.
13. Dishonesty or any dishonest action. Some examples of what is meant by "dishonesty" or "dishonest action" are: theft, pilfering, opening desks assigned to other employees without authorization, making false statements to secure an excused absence or to justify an absence or tardiness; making, or causing to be made, inaccurate or false reports concerning any absence from work. The foregoing are examples only and do not limit the terms "dishonesty" or "dishonest action."
14. Insubordination by refusing to perform assigned work or to comply with written or verbal instruction of supervisors.
15. Committing safety violations.
16. Threatening, intimidating, coercing employees or supervisors.
17. Engaging in unauthorized political activity.
18. Engaging in sexual harassment.
19. Breach of client/Agency confidentiality.
20. Being convicted of a "felony" within the meaning of R.C. 124.34, even if prior discipline has been issued for the underlying conduct.



**GRIEVANCE POLICY****SECTION 8.5**

It is the policy of the District to ensure that employee's questions, grievances and complaints arising from misunderstandings and the application of policies, procedures and work rules that will inevitably develop in the day-to-day activities of public service, are to be promptly heard, answered and action taken to resolve or clarify the particular situation.

All employees, including probationary, shall have the right to file a grievance without prejudice. No employee shall be disciplined, harassed or treated unfairly in any manner as a result of filing a grievance or testifying in a grievance hearing.

A grievance is defined as a disagreement between an employee and management as to the interpretation or application of official District policies, state civil service laws, District rules or decisions, anything subject to state or federal law, District rules and regulations, or other disagreements perceived to be unfair or inequitable relating to discipline, treatment, or other conditions of employment.

Election of Remedy: Nothing in this policy is intended to deny employees any rights available at law to have redress to their legal rights, including the right to appeal to the State Personnel Board of Review where that body has jurisdiction, the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, or any court of competent jurisdiction. However, if the employee elects to file a grievance on a matter over which another appeals body has jurisdiction, it is the employee's responsibility to meet the criteria for filing with that appeals body. The filing of an internal grievance may not affect required filing deadlines.

Notification of Employees: All employees shall sign a statement as provided in their employee handbook that they have been seen and have knowledge of the grievance procedure.

Settlement: Grievances are to be settled at the earliest possible step of the procedure. The employee must proceed through all steps of the grievance procedure in proper order and within the prescribed time limits, except as otherwise noted.

Group Grievances: Where a group of employees desire to file a grievance involving a situation affecting each employee in the same manner, one employee selected by such group will process the grievance.

Exceptions to Procedure: Where a grievance cites issues of law which the respondent (individual hearing the grievance) cannot address, the grievance shall be forwarded to the Prosecuting Attorney's Office for an opinion before proceeding. All time limits set forth in this procedure shall be in abeyance until a response from the Prosecuting Attorney is received.

Waiver of Time Limits: Time limits as set forth in the procedure may be extended by mutual agreement of the parties in writing.

Representation: A grievant may have a representative (employee or non-employee) of his/her choosing present at any step of the procedure, except Step 1. Employees and employee representatives shall not lose payor benefits for time spent in grievance hearings. The expense of

any legal representative(s) shall be borne by the party utilizing them. Witnesses may be called by both parties. Management maintains the right to schedule witnesses for hearings.

Forms: All grievances filed under this District procedure shall be in writing and shall state the nature of the grievance, the expected resolution, and the facts which affect the conditions of the grievance.

Definition of Working Days: For the purpose of counting time under the procedure, "working days" as used in this procedure will not include Saturdays, Sundays, or holidays.

Health and Safety Grievances: Grievances relating to issues of health and/or safety shall be expedited through the steps of the procedure.

**GRIEVANCE PROCEDURE****SECTION 8.6****Step 1**      **Immediate Supervisor**

An employee having a grievance shall file it in writing with his/her supervisor, as outlined in the procedure for his/her work unit. In order for a grievance to be recognized, it must be filed within five (5) working days from the date of the employee's knowledge of the incident giving rise to the grievance. The supervisor shall investigate the grievance and provide a solution or explanation in writing within five (5) working days following the date on which the grievance was submitted.

**Step 2**      **Administrator**

If the grievant is not satisfied with the response received from Step 1, the individual may pursue the matter by presenting the original copy of the grievance to the Assistant Administrator within three (3) working days of receipt of the Step 1 answer. The Assistant Administrator shall schedule a hearing within three (3) working days of receipt. The employee may be accompanied by a representative of his/her choosing, but if an employee representative is chosen, the grievant must notify that employee's supervisor in advance of the hearing so that the employee representative may be relieved of duty to attend the hearing. The Assistant Administrator, after review and investigation of all matters of fact relative to the grievance, shall issue his/her decision in writing, within five (5) working days following the hearing.

**Step 3**      **Health Commissioner**

If the grievant is not satisfied with the response received from Step 2, the individual may pursue the matter by presenting the original copy of the grievance to the Health Commissioner within three (3) working days of receipt of the Step 2 answer. The Health Commissioner shall schedule a hearing within three (3) working days of receipt. The employee may be accompanied by a representative of his/her choosing, but if an employee representative is chosen, the grievant must notify that employee's supervisor in advance of the hearing so that the employee representative may be relieved of duty to attend the hearing. The Health Commissioner, after review and investigation of all matters of fact relative to the grievance, shall issue his/her decision in writing, within five (5) working days following the hearing.

**Step 4**      **Board of Health**

Where the grievant is not satisfied with the Step 3 response, the aggrieved may submit the original grievance to the Board of Health within three (3) working days of the receipt of the Step 3 answer. The Board or its designee will review the grievance and all responses within ten (10) working days following the day the Board received the grievance. If the Board or its designee determines that responses were adequate and proper, they will so inform the aggrieved by letter. The Board's or its designee's decision shall be final.

If the Board of Health or its designee determines the responses to be inadequate or improper, or that sufficient evidence does not appear on its face to warrant a response, the following options may be exercised:

1. Conduct a hearing with all parties involved in attendance and available for questioning within 12 calendar days of receipt of the grievance.
2. Appoint, within ten (10) calendar days of receipt of the grievance, a fact finder or fact panel to hear, investigate and produce findings of fact relative to the grievance. The hearing shall be held within 14 calendar days of appointment of the fact finder or panel. The fact finder or panel shall issue a written report of findings of fact within 14 calendar days from the date of hearing to the Board of Health.

Following the conduct of options 1 or 2, the Board of Health shall within seven (7) calendar days of the hearing (option 1) or receipt of the fact finder's report (option 2), issue the final written decision.

A court reporter or transcription of the proceedings under options 1 or 2 above is permitted. The expenses of a court reporter for the proceedings shall be borne by the party requesting the reporter or transcription.

**MANAGEMENT RESPONSIBILITIES AND GUIDELINE  
PROCEDURES****SECTION 8.7****Answers**

Answers to grievances are to be in writing and should have all supporting data attached.

**Hearings**

Hearings at Steps 2 and 3 should be as informal as possible. The responsibility of the person hearing the grievance is to collect evidence. Such person should take notes of items and issues which require follow-up. The supervisor should attempt to make the grievant feel comfortable and non defensive. The supervisor should not be belligerent or overly defensive if a professional representative is present. The person in charge of the hearing should ask questions, find out what led to the problem, and what resolution to the problem is expected.

Responses

There are three (3) possible responses to any grievance. They are:

1. Find in the employee's favor. The decision is to grant the remedy requested.
2. Find against the employee. The decision is that the findings of fact do not support the allegation(s) and, therefore, the grievance and remedy requested is denied.
3. Compromise. The employee has a legitimate grievance, but the remedy requested is improper. Prior to a compromise decision, the person responsible for hearing the grievance should call the grievant in and ask if he will accept the proposed offer. If not, the option #2 may be exercised, but the employee should be informed beforehand of such alternate option.

Responses should always be based on sound management principles and logical thought. When possible, references should be made to the District policies on which the decision is based.

**APPEALS PROCEDURE****SECTION 8.8**

- A. Personnel actions for classified employees such as a reduction; a suspension of forty (40) or more work hours in the case of an employee exempt from the payment of overtime compensation; a suspension of twenty-four (24) or more work hours in the case of an employee required to be paid overtime compensation; a fine of forty (40) or more hours' pay in the case of an employee exempt from the payment of overtime compensation; a fine of twenty-four (24) or more hours' pay in the case of an employee required to be paid overtime compensation; removal, except for the reduction or removal of a probationary employee; and layoffs may be appealed by an affected employee through the in-house complaint procedure. If necessary, the above listed personnel actions may be appealed by an affected employee to the State Personnel Board of Review. Disciplinary action based on conviction of a "felony" within the meaning of R.C. 124.34 may not be appealed to the State Personnel Board of Review.
- B. Appeals from removal, demotion, fines, or suspension of more than three (3) days, must be filed within ten (10) days after the employee is served the disciplinary order. Appeals from layoffs must be made within ten (10) days after receipt of the layoff notice or the date of displacement.
- C. The State Personnel Board of Review maintains authority to decide whether an appeal warrants a hearing. When an appeal is heard the Board may affirm, disaffirm, or modify personnel decisions made by the Appointing Authority. However, in an appeal of a removal order based upon a violation of a last chance agreement, the Board, Commission, or Trial Board may only determine if the employee violated the agreement and thus affirm or disaffirm the judgment of the Appointing Authority.
- D. Temporary, intermittent, and other employees serving in the unclassified service have no appeal rights to the SPBR. Probationary employees likewise may not appeal to the SPBR.

Disciplinary action based on conviction of a “felony” within the meaning of R.C. 124.34 may not be appealed to the SPBR.

**RESIGNATION****SECTION 9.1**

- A. Non-exempt employees who plan to voluntarily resign are expected to notify their supervisor at least fourteen (14) days in advance of the effective date of the resignation, while exempt employees are expected to notify the Health Commissioner at least thirty (30) days in advance of resigning their employment.
- B. An employee who resigns is encouraged to give his/her reasons for resigning, and to discuss with his/her supervisor any working conditions which he/she feels are unsatisfactory.
- C. A formal letter of resignation shall be required by the Board of Health and shall be delivered to the Health Commissioner or Administrator.
- D. Failure to give proper notification shall result in ineligibility for reinstatement.
- E. A person who resigned in good standing may be reinstated, at the discretion of the Board of Health, in his/her former type of position within one (1) year following resignation, provided the person remains qualified to perform the duties of the position and such reinstatement would be in the best interests of the District.

**RETIREMENT****SECTION 9.2**

- A. All District employees are required by law to participate in the Ohio Public Employees Retirement System. This program is entirely independent of the federal Social Security System.
- B. Employees are eligible to retire with PERS benefits, provided they meet the requirements of the Public Employees Retirement System.
- C. Employees are requested to notify the Health Commissioner, Administrator or designee in writing at least 60 days prior to the effective date of their anticipated retirement.

**LAYOFF****SECTION 9.3**

- A. General Policy: If it becomes necessary to reduce staffing levels, the Board of Health shall lay off employees by using a system which systematically considers length of service in order to determine the order of layoff. Layoffs shall occur only when one or more of the following reasons can be demonstrated:
  - 1. lack of work
  - 2. lack of funds
  - 3. abolishment for reasons of economy and/or efficiency.
- B. Definitions: The following definitions apply to the procedures in this policy:
  - 1. Classification: the official title assigned to a position.

2. Classification Series: those classifications which are similar in duties and functions, and are described by similar titles except that they are distinguished as to their level by numerical or supervisory designation.
  3. Full-time Employee: those employees who are scheduled to work a minimum of 35 hours weekly.
  4. Intermittent Employee: those employees who are not scheduled, and work only when they are called. An intermittent employee may work as a substitute for a full or part-time employee for a specified period of time, but such employment does not affect his/her status, unless the change has been made permanent, or exceeded the probationary period.
  5. Lack of Funds: a current or projected deficiency in the funds available for salaries, wages, and fringe benefits.
  6. Lack of Work: a current or projected temporary decrease in the workload.
  7. Length of Service: the continuous, uninterrupted service of the employee, where no separation lasting 30 days or less shall not be deemed a separation; nor shall personal or educational leaves of absence be deemed a separation. If an employee was separated, but was reinstated by specific action of the Appointing Authority within one (1) year, the service time prior to the separation will be included in the employee's length of service.
  8. Part-time Employee: an employee who is scheduled to work less than 35 hours per week.
  9. Pay Range: the minimum and maximum wage or salary within the compensation schedule that an employee can earn in his/her position.
  10. Position: the group of job duties that an individual employee is expected to perform.
  11. Retention Points: points established for length of service in order to establish the order of layoff.
  12. Seasonal Employee: an employee who is called in to work at certain times of the year.
- C. Method: When it is demonstrated that there is a reason to reduce staffing levels, the Board of Health shall determine the number of positions and the classifications in which layoffs will occur. The Health Commissioner shall prepare a retention point listing of all employees in the classification(s) selected for the layoff, and the lower classification(s) within the classification series where displacement may occur. Such list shall be posted in a conspicuous location, for employee inspection, at the time layoff notices are delivered.
- D. Retention Points: Retention points are based on length of service. Full-time employees receive one (1) point for each completed 13 weeks of continuous service. Part-time and

intermittent employees receive one (1) point for each completed 520 hours of continuous service.

Length of Service points shall be totaled and added to a base of 100 points to determine total retention points.

- E. Order of Layoff: Employees shall be laid off in an order which is consistent with the needs of the District as determined by the Board of Health. Within each classification the general order of layoff will be part-time to full-time and temporary to intermittent to seasonal.

The layoff lists shall be developed separating employees into the above appointment types and listing employees in descending retention point order. The lists shall indicate which employees are to be laid off. In the case of ties in retention points, the most recently hired employee will be laid off. If hire dates are the same, they shall decide the order of layoff.

- F. Displacement: Laid off employees are permitted to displace employees with fewer retention points in the next lower classification and successively lower classifications within the classification series when:

1. the lower classification(s) is within the same classification series;
2. the displaced employee has fewer retention points than the other employees in the lower classification.

Employees may not displace to a higher classification, nor may they displace to a higher appointment type (e.g., intermittent employees may not displace part-time employees, nor shall part-time employees displace full-time employees, etc.).

Employees may not displace into positions which require specialized skills, training, or experience which they do not possess.

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

- G. Displacement under Job Abolishment: Whenever the Board of Health reduces staffing due to job abolishment; employees have the right to displace into an available vacancy if the vacancy is so designated by the Board, in addition to their rights to displace other employees, as follows:

1. If a vacancy is designated available at the classification of layoff, the employee shall first displace to that vacancy, regardless of seniority within the classification.
2. If a vacancy is designated available at a lower level, or successively lower levels, the employee shall displace to that vacancy before he/she displaces another employee, if he/she has the least retention points at the classification series at that appointment type.



3. Employees shall not be required to displace to lesser appointment types under this provision, unless they are the least senior employees in the classification series at that appointment type.
- H. Notification of Layoff or Displacement: Employees shall be sent a written notice of their layoff or displacement by another employee at least 17 calendar days prior to the layoff, or delivered their notice 14 calendar days prior to the layoff or displacement by another employee. The written notice shall include the effective date of layoff, the employee's retention points, information as to displacement rights and how to exercise those rights, and the reason for the layoff.
- Employees must notify the Board of Health in writing of their intention to exercise their displacement rights within five (5) calendar days of receipt of the layoff notice.
- I. Pay Following Displacement: Whenever an employee displaces to a lower classification as a result of layoff, every effort shall be made not to reduce his/her pay; however, pay rates shall be established according to the following provisions:
1. If the lower pay range permits, the employee's rate shall be set at the same or most nearly the same pay level, without receiving an increase.
  2. If the employee's pay rate exceeds the pay range of the lower classification, it will be set at the top level of the lower pay range.
- J. Reinstatement Rights: The Board of Health shall establish a recall list, and employees shall be eligible for reinstatement for one (1) year following layoff. Employees shall be offered positions that become available at their classification level and lower classification levels within their classification series, according to their retention points. The recall list shall be prepared for all laid off or displaced employees, and shall be in the inverse order of layoff by classification (e.g., the employee with the most retention points shall be first on the recall list).

**PERSONNEL FILES****SECTION 10.1**

- A. The Health Commissioner or Administrator shall maintain an official personnel file on each employee of the District. Unless otherwise provided by law, personnel files shall be confidential and may not be used or divulged for purposes not connected with the management of the District, except by the written consent of the employee affected.
- B. Personnel files shall include, but not be limited to the following:
1. individual employment data;
  2. application for employment and/or resume;
  3. payroll information;
  4. health insurance coverage records;
  5. records pertaining to hiring, discipline, promotion, demotion, transfer, layoff, and termination;
  6. work performance evaluations;
  7. annual log of continuing professional education;
  8. copies of licenses and/or certificates.
- C. Nothing herein shall prevent the dissemination of impersonal statistical information.
- D. An employee shall have a right of reasonable inspection of his/her official personnel file. The Employer shall have a supervisor or person appointed by the Health Commissioner or Administrator present at any examination.
- E. Employees must advise the Health Commissioner or Administrator of any change in: name, address, marital status, telephone number, number of exemptions claimed for tax purposes, citizenship, selective service classification, or association with any government military service organization.
- F. Employees who use the District as a personal credit reference shall notify the Health Commissioner or Administrator and shall authorize in writing the release of any requested information, including wages or salary, prior to such information being released.

**BULLETIN BOARDS****SECTION 10.2**

- A. It is the policy of the District to maintain the designated staff bulletin boards as a means of communicating information to employees.
- B. All materials that is to appear on District bulletin boards shall be posted and removed by the designated representative(s) of the District.

All agency, federal, and state required notices, and other legally required notices shall be posted in an area visible to all employees.

- C. Information of a general interest may be posted by the designated representative, if the information does not contain the following:
  - 1. personal attacks upon any employee or public official;
  - 2. scandalous, scurrilous, or derogatory attacks on the Board of Health, Health Commissioner, supervisors, or other personnel of the District;
  - 3. comments regarding candidates for public office.
- D. The following procedures shall be followed concerning the posting of any materials on the District's bulletin boards:
  - 1. All requests to have materials posted shall be made to the Administrator.
  - 2. The Administrator shall provide to the requestor a written approval or disapproval of the request by the end of the next scheduled workday.
- E. Any material posted in violation of this policy shall be removed from the District bulletin boards.
- F. Violators of this policy shall be subject to disciplinary action as specified in the agency's discipline policy.