HAMILTON COUNTY

BOARD OF COUNTY COMMISSIONERS

PERSONNEL POLICY MANUAL

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SECTION ONE

SCOPE, POLICY ADMINISTRATION AND DEFINITIONS

SECTION1.0: PURPOSE,SCOPE,DISCLAIMERANDSEVERABILITY

A. GENERALPURPOSE: These policies are adopted by the Board of County Commissioners (hereinafter "BCC") to further the following goals:

1. To provide a uniform system of personnel administration;
2. To ensure that recruitment, selection, placement, promotion, retention and separation of County employees are based upon employees' qualifications, merit and fitness, and are in compliance with Federal and state laws;
3. To assist in the development of sound management practices and procedures, and to make effective and consistent use of human resources throughout the County;
4. To promote effective communication among managers, supervisors, and employees;
5. To ensure, protect and clarify the rights and responsibilities of all employees;
6. To provide citizens of Hamilton County with superior services in the most cost effective manner.

B. SCOPE: These policies and procedures shall apply to all employees of the BCC. The BCC sets the terms and conditions for employment in the public service of Hamilton County. Employees are expected to perform assigned duties in a responsible manner during their assigned work schedule. In the event of conflict between these policies and any applicable collective bargaining agreement, Commissioners' resolution, or state or Federal law, the terms and conditions of said agreement, resolution, or law shall prevail to the extent of such conflict. In all other instances, these policies and procedures shall apply.

C. DISCLAIMER: These policies supersede all previous personnel policies of the BCC. The BCC specifically reserves the right to repeal, modify or amend these policies at any time, with or without notice. None of these provisions shall be deemed to create a vested contractual right in any employee; employment of all unclassified employees may be terminated at will. The policies are not to be interpreted as promises of specific treatment. Questions regarding interpretation of these policies shall be directed to the employee's supervisor who may seek clarification from the Department Head or the Human Resources Department.

D. SEVERABILITY: If any provision of this Policy Manual is held invalid or its compliance or enforcement restrained by operation of law, the remaining provisions of this manual shall not be affected and shall remain in full force and effect.

SECTION1.1: ADMINISTRATIONOFTHEPERSONNELSYSTEM

A. The personnel system under the jurisdiction of the Board of County Commissioners shall be administered by the Human Resources Director under the direction of the County Administrator.

B. The Human Resources Director may revise these policies to comply with changes in laws or regulations.

C. Specifically, the Human Resources Director is responsible for proper execution of personnel actions, e.g. appointments, promotions, job abolishments, position audits, employee grievances; for employee and labor relations decisions; for administration of Hamilton County's job classification plan; for administration of employee benefits; and for human resource development.

D. The Human Resources Director shall ensure that personnel policies and standard operating procedures are applied in a consistent and impartial manner, in accordance with civil service requirements and all other applicable laws and regulations.

E. These policies may be amended, revised or deleted in whole or in part, by formal action of the BCC. Amendments, revisions or deletions will be reviewed by the Human Resources Department and recommended by the County Administrator or designee, prior to approval by the BCC.

F. The Human Resources Director may effect any necessary changes or revisions for purposes of clarifying these policies without materially altering the policy as formally approved by the BCC.

G. The Human Resources Director may establish Standard Operating Procedures to facilitate implementation of these policies, and may effect any necessary changes or revisions to those procedures.

H. The Human Resources Director shall distribute in a timely manner these policies, and subsequent revisions, to each Department Head under the BCC, who shall ensure that each supervisor in his/her Department has received a copy. All newly hired employees shall be notified by the Human Resources Department during induction of the existence of these policies and procedures and that they are available electronically on the Human Resources website.

I. An annual review of key personnel policies will be conducted by all supervisors with each employee reporting to them. This review will take place in conjunction with the year-end performance appraisal process. Employees will be required to sign a Key Personnel Policies Annual Review Acknowledgment form (HR009) which will be maintained in the employee's personnel file.

SECTION 1.2: DEFINITIONS

Unless otherwise indicated in these policies and procedures, the following definitions apply:

1. ABSENCE WITHOUT LEAVE - Failure to report for a scheduled duty assignment without authorization from the employer.

2. ACTIVE PAY STATUS - The conditions under which an employee is eligible to receive pay, and includes, but is not limited to, hours worked, vacation leave, sick leave, administrative leave, compensatory time, holidays, and earned personal days.

3. AGENCY – Includes any unit of State of Ohio government, including a Board or Commission, headed by an officer or group having the power to appoint employees.

4. APPOINTING AUTHORITY - The Hamilton County Board of Commissioners.

5. CLASSIFICATION - 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.

6. CLASSIFIED CIVIL SERVICE - Comprises all persons in the employ of the County not specifically included in the unclassified service.

7. DEPARTMENT - A county organizational unit directed and controlled by the Board of County Commissioners and charged with a specific public service function and mission.

8. DISHONESTY - Disposition to lie, cheat or defraud; untrustworthiness; lack of integrity; intent to deceive; use of County property or funds for personal gain or purposes.

9. EMPLOYEE - Any person holding a position subject to appointment, removal, promotion or reduction by the Board of County Commissioners.

10. FULL TIME - At least 40 hours per week on a regularly scheduled basis.

11. FURLOUGH - A reduction in employee pay and/or hours worked which is imposed as a cost savings measure. Only permanent full-time and permanent part-time employees not subject to collective bargaining agreements may be included in furlough plans as authorized by ORC Section 124.393. Furlough hours are not used in the calculation for overtime eligibility, but are counted for all other employee benefits the same as if the employee is in active pay status.

12. 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.

13. 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.

14. INCOMPETENCY - Lack of ability, legal qualification or fitness to perform duties required of an employee.

15. INEFFICIENCY - Quality of being incapable or indisposed to perform duties required of an employee within reasonable standards.

16. INSUBORDINATION - Intentional failure or refusal to perform duties required of an employee. Failure or refusal to obey a lawful order issued by the employee's supervisor.

17. INTOXICATION - The condition of a person affected by the use of alcohol or controlled substances; the state of one who is "drunk" or "high." The effect produced upon the person by drinking alcohol or ingesting other intoxicating substances to such an extent that the normal condition of the individual is changed and his/her capacity for rational action and conduct is substantially lessened.

18. LATENESS - Any situation where an employee reports to work after his/her scheduled starting time or fails to return promptly from authorized breaks or lunch periods.

19. MALFEASANCE - The commission of some act which a person ought not to do at all, or which is unlawful.

20. MISFEASANCE - The improper performance or commission of some act which a person may lawfully do, or which is required by the terms and conditions of this policy and procedure manual.

21. NEGLECT - Omission or failure to do something that can and should be done, or that is required to be done. An absence of care or attention in doing something that should be done. An omission of a given act. A designed refusal or unwillingness to perform one's duty.

22. NONFEASANCE - Nonperformance of some act which ought to be performed or which is required by the terms and conditions of this policy and procedure manual, the total omission to perform such act or the total neglect of the performance of such act.

23. ORAL WARNING - The discussion a supervisor holds with an employee in order to improve his/her conduct/performance. This level of discipline is intended to eliminate misunderstandings immediately and set and maintain standards of conduct and performance. A written record of an oral warning shall be maintained in the employee's personnel file, stating the date, time and reason for the oral warning.

24. PART TIME - Less than 40 hours per week on a regularly scheduled basis.

25. POLITICAL SUBDIVISION – As described in ORC 2744.01(F), a municipal corporation, township, county, school district, or other political body responsible for governmental activities in a geographic area smaller than that of the State of Ohio.

26. POSITION - A group of duties and responsibilities assigned or delegated by competent authority to be performed by one (1) person. All of the slots in the organizational chart constitute the positions within a department. Positions as arranged under different supervisors, sections or crews constitute job assignments. Positions and their duties can be revised or reassigned, but the employee's classification remains the same unless reclassified.

27. RETIREE – An individual who receives a retirement benefit (age and service, disability or defined contribution plan benefit) from a Hamilton County sponsored retirement system (as referenced in Section 5.6.O).

28. SICK LEAVE ABUSE - The use of sick leave for any purpose other than as provided by applicable law or these policies. Examples include but are not limited to: calling in sick when the employee is able to work; reporting illness in the immediate family when such illness does not exist; reporting off sick to participate in some other activity or to take care of personal business; establishing a pattern of reporting off sick on certain days of the week or following regular days off; or failing to follow the rules and regulations regarding use of sick leave and reporting procedures.

29. SOCIAL MEDIA TOOLS – Communication formats that are typically web-based and mobile technologies, used to quickly communicate and exchange information interactively, including, but not limited to mediums such as blogs, podcasts, Twitter, and websites such as YouTube, Facebook and LinkedIn.

30. SUPERVISOR - An individual who has been authorized by the appointing authority or designee to oversee and direct the work of lower level employee(s) on a daily basis.

31. SUSPENSION - Relief of an employee from duty, with or without pay, usually for a specific period of time, as a disciplinary measure aimed at improving the employee's conduct or performance.

32. TEMPORARY ASSIGNMENT - The assignment for a limited time, not to exceed six months, to an existing employee the duties of a classification/position different from his/her own to meet the operational needs of the agency.

33. TRANSFER - A change from one position to a position with similar duties within the same job classification without a change in salary or level of responsibility.

34. UNCLASSIFIED CIVIL SERVICE - Comprises all positions that fall within any of the exceptions enumerated in Revised Code 124.11(A), as well as those positions expressly designated as unclassified in other sections of the Revised Code. Appointment to these positions may be made at the discretion of the appointing authority and the incumbent may be removed, suspended or reduced from the position at the pleasure of the appointing authority.

35. WORK UNIT - A division of a department, usually directed by a supervisor and charged with a specific work function which contributes to the accomplishment of that department's public service function.

36. WRITTEN REPRIMAND - A written warning to an employee of disciplinary action, usually issued after an oral warning has failed to improve an employee's conduct/performance. A written reprimand shall be maintained in the employee's personnel file, stating the date, time and reason for the reprimand.

SECTION TWO

EMPLOYMENT AND RELATED

SECTION 2.0: APPLICATION AND SELECTION FOR EMPLOYMENT

A. RECRUITMENT

Effort will be made to aggressively recruit the best-qualified candidates to fill vacancies within the County.

All persons applying for employment with BCC departments must complete a County Employment Application Form prior to appointment.

B. VACANCIES, ANNOUNCEMENTS AND APPLICATION

1. To fill a vacancy, the department head shall submit a job posting request to Human Resources. All vacancies shall be posted for a minimum of ten working days and may be posted for a longer period at the discretion of the department head or HR Director. Unclassified positions, because they are exempt from Civil Service, do not require posting, but may be posted at the discretion of the appointing authority.

2. Human Resources shall be under no obligation to consider any application submitted after the close of the posting period.

3. Vacancies shall be filled, to the extent practicable, by qualified County employees.

4. County employees applying for other County positions shall be granted time off with pay, without reprisal, for job interviews or other selection-qualifying tests. The employee should notify the supervisor not less than two working days before the required time off.

C. EVALUATION OF APPLICANTS

1. Human Resources shall screen all applications to determine if the applicant meets the minimum qualifications for the classification of the posted position.

2. All applications meeting minimum qualifications shall be forwarded to the department head, or designee, for further evaluation and possible interview. The department head, or designee, shall then select the candidates for interviews.

3. Candidates shall be evaluated upon job-related criteria only, including the minimum qualifications of the job, and the knowledge, skills and abilities necessary to successfully perform the essential functions, duties and

tasks of the position. Other relevant criteria may include general background, education, coursework, task performance, training and experience through which the knowledge, skills and abilities were acquired or enhanced.

4. In lieu of civil service exams, structured interviews shall be used in assessing the final candidates for a position. Hiring departments may also use other job related written, oral, or physical tests, demonstrations of skill, or an evaluation of training and experiences to further assess a candidate's ability to discharge the particular duties of the position. Human Resources may be consulted for assistance in structuring interviews.

D. PRE-EMPLOYMENT SCREENING OF EMPLOYEES AND VOLUNTEERS

1. Human Resources, in cooperation with the department head, or designee, shall ensure that applicants and volunteers are properly screened prior to appointment. Screening shall include, but not be limited to:

   a. Screening for minimum qualifications.

   b. Reference checks and educational verification for those positions requiring a college degree.

   c. Criminal background checks (Note: Some background checks require fingerprinting, such as the Ohio Bureau of Criminal Identification and Investigation (BCII) check or equivalent state police checks and the Federal Bureau of Investigation (FBI) check. The Sheriff's background check does not require fingerprinting.)

   d. A State of Ohio BCI&I and an FBI background check for all employees who will have access to a work area which houses a Law Enforcement Automated Data System (LEADS) computer terminal.

   e. Department of Motor Vehicle (DMV) record checks from his/her state of residence for positions which routinely require driving on County business as part of the job. An employee shall not operate a vehicle on County business without a valid driver license from his/her state of residence.

   f. Pre-employment, post-offer drug testing for selected positions as permitted by law.

2. Applicants not meeting screening standards as determined by Human Resources in consultation with the department head, or designee, shall

not be eligible for appointment. Past convictions will not automatically disqualify a candidate for possible employment with the County. Each situation will be considered on a case-by-case basis using the following criteria: 1) nature and gravity of offense(s); 2) time passed since conviction and/or completion of sentence; 3) nature of job held or sought.

In addition, any falsification of information on a County employment application, on an applicant's resume, or during an interview, including misrepresentation or omission of information called for, is basis for disqualification or dismissal.

3. After appointment, the County reserves the right at any time to conduct additional background checks, which may require fingerprinting. An updated background check consisting of an electronic criminal history check is required every five years for all employees that have access to a work area which houses a LEADS computer terminal.

4. Human Resources shall also ensure that volunteers are properly screened, which includes a Sheriff criminal background check and state(s) police check (which requires fingerprinting), prior to placement in any assignment in a County department. Upon assignment, Hamilton County reserves the right at any time to conduct additional background checks, which may require fingerprinting.

E. SELECTION

1. The department head, or designee, shall select the best-qualified applicant for the job, based solely upon merit and fitness.

2. No selection decision shall be unlawfully based upon race, color, religion, creed, gender, national origin, age or disabling condition.

3. The employment of persons under the age of eighteen will be subject to Ohio minor labor laws.

4. The re-employment of a retiree is subject to rules identified in Section 5.6 Paragraph P. and Section 6.0. Paragraph E.11.

F. STANDARD OPERATING PROCEDURE

The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

This SOP implements Section 2.0 of the Policy Manual.

A. RECRUITMENT

1. The Human Resources Department (HR) will coordinate, develop, and conduct recruiting services for departments under the jurisdiction of the Board of County Commissioners and, upon request, may assist other County appointing authorities and agencies with recruiting services.

2. In order to select the most qualified candidate, HR must have a thorough understanding of the job to be filled. The position description will be reviewed in detail to determine the essential job functions and minimum qualifications of the available position.

3. Jobs will be posted for ten working days beginning on Tuesday. Outreach efforts will be used to target a wide spectrum of potential applicants. Sources may include: internal candidates, employee referrals, newspaper advertisements, web/internet sites, professional associations, social service agencies, state employment agencies, college placement offices, job fairs, etc.

B. VACANCIES, ANNOUNCEMENT AND APPLICATION

1. To have a position posted, departments must submit a job approval request using the electronic Applicant Tracking System by 4:00 p.m. on the Friday preceding the new posting period. First time users of the Applicant Tracking System must contact Human Resources to be granted access.

2. All postings will be assigned a posting number and will be advertised for ten working days. Advertisements will be posted by any means as deemed appropriate (i.e., website, newspapers, publications, etc.).

3. All persons applying for posted positions must complete the online County employment application form. Resumes may also be submitted.

C. EVALUATION OF APPLICANTS

1. Human Resources will review all incoming applications for minimum qualifications. Those applicants who meet the minimum qualifications will be moved forward in the Applicant Tracking System for review by the Hiring Manager assigned to the job posting.

2. The department head, or designee, will determine which applicants to interview based upon the number and quality of the applicants. Telephone interviews may be used to select final candidates for face-to-face interviews. The County Administrator is authorized to pay certain expenses, such as travel and lodging, which are deemed reasonably necessary for the recruiting and interviewing process.

3. The department head, or designee, will schedule and conduct all interviews, and request the assistance of HR, if needed.

4. Structured interviews will be used which a) contain only job-related questions; b) address the essential functions of the job; and c) ask the same questions of all interviewees.

5. Final candidates for top management positions must be provided information regarding the County's ethics policy and the selectee must complete a Financial Disclosure Form prior to being hired .

6. Once a candidate is selected, Human Resources will then perform the required Pre-Employment Screening.

D. PRE-EMPLOYMENT SCREENING

Evidence that an applicant has a pattern of poor work habits and performance with previous employers, or has committed acts that demonstrate character traits that would be detrimental to successful performance of the employment sought, including but not limited to evidence that the applicant was dismissed for good cause from any branch of public service, or was convicted of or pleaded guilty to a job related felony or misdemeanor, shall be sufficient to exclude such applicant from appointment. In addition, there are statutes in the Ohio Revised Code that prohibit individuals from being employed in certain lines of work upon certain felony convictions.

1. Reference Checks:

   a. Human Resources will obtain references.

   b. Previous employers will always be contacted for references.

   c. Attempt will be made to obtain a minimum of two positive references for each job applicant. No applicant should be appointed without documenting at least one positive reference.

2. Verification of Education:

   Human Resources will verify a candidate's educational credentials for all positions that require a college degree as a minimum qualification or for any position that allows for equivalencies (such as job experience in lieu of degree) when the candidate is using a degree, rather than experience, to meet the minimum qualifications.

3. Criminal Background Checks:

   a. Once a contingent offer of employment has been made, HR will obtain a local criminal background check by the Sheriff's Office, a state background check for each state the candidate has lived in over the past seven years, and any additional jurisdictions as deemed necessary by the Human Resources Director, on all prospective employees and volunteers. All employees who will have access to a work area which houses a Law Enforcement Automated Data System (LEADS) computer terminal will receive a State of Ohio BCI&I background check. In certain circumstances, it may be appropriate to complete the records check after employment begins.

   b. For certain types of positions, additional records checks may be warranted and will be performed by HR if deemed necessary by the department head, in consultation with the Human Resources Director. Positions that may require additional checks should be identified prior to posting the position.

c. All offers of employment are made contingent upon the positive outcome of these background checks. An FBI check (which requires fingerprinting) will be conducted immediately following appointment for all employees appointed to top management positions, for all employees and volunteers who will be working directly with children, developmentally disabled persons, or older adults, and for employees who will have access to a work area which houses a LEADS computer terminal.

4. Department of Motor Vehicle (DMV) Records Checks:

a. For all positions which involve driving as part of the job, Human Resources shall conduct DMV checks.

b. The DMV check should normally be performed prior to appointment, but may be obtained after appointment for some job classifications as determined by Human Resources in consultation with the hiring department. Information obtained from DMV should be forwarded to the department head, or designee, for evaluation. No County employee may operate a County car or personal motor vehicle on County business unless he/she possesses a current, valid driver's license and proper insurance.

5. Drug Testing:

Pre-employment, post-offer drug testing may be performed for selected positions permitted by law as designated by Human Resources.

E. SELECTION

1. A job offer may be made by the department head, or designee, contingent upon the candidate's passing a pre-employment drug screening test, a post-offer medical exam and/or resolving any requests for reasonable accommodation, if applicable. If the candidate accepts the offer, the department head, or designee, shall notify HR via the Applicant Tracking System.

2. Once the selected candidate has cleared all background, reference and educational checks that are required prior to appointment, Human Resources will prepare the appointment documentation to execute the

appointment. (See E.3. below for special instructions.)

3. Appointments to positions of top management, commissioner aides and secretaries, and clerk of the board and assistant to clerk of the board are processed as follows:

   a. Top management appointments are made by the County Administrator. (The County Administrator will provide HR with all the information on the selected candidate and HR will execute the appointment documentation.)

   b. Appointments to commissioner staff positions (currently commissioner aide and secretary), the clerk of the board position, and assistant to the clerk of the board position are made by resolution at a regular weekly Commissioner meeting. (Human Resources will execute the personnel action upon receipt of all information on the selected candidate.)

4. Human Resources will send a welcome letter to the appointee confirming the start date and giving instructions for reporting to work. For employees appointed to a position in the unclassified service, the welcome letter sent by HR will include a written description of the nature of employment in the unclassified service.

5. Human Resources will promptly notify unsuccessful candidates of their status.

SECTION2.1: RESIDENCY

Although the Ohio Revised Code (ORC) does not require that classified civil service employees be residents of the State of Ohio, inherent in the duties of all County employees is the responsibility to effectively serve the public. Employee residency within the governmental jurisdiction where employed enhances the ability to identify and relate to local government issues, fosters good citizenship and contributes to effective public service. Therefore, all Hamilton County employees are strongly encouraged to reside in Hamilton County or within the service jurisdiction of their respective agency.

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SECTION2.2: IMMIGRATIONREFORMANDCONTROLACT

A. The Board of County Commissioners shall comply with the Immigration Reform and Control Act of 1986 (IRCA) and adhere to its provisions as set forth below:

1. The Board shall not knowingly hire or recruit or continue employment of any alien hired without substantiating and documenting that alien's eligibility in accordance with provisions established under the IRCA.

2. An employment verification system shall be established and appropriate records retained verifying that each employee hired after November 6, 1986, is lawfully authorized to work in the United States as either a U.S. citizen or as a properly “documented alien.”

B. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

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This SOP implements Section 2.2 of the Policy Manual.

A. The Human Resources Director or designee shall physically examine the documentation presented by the newly hired employee within three (3) business days after the new employee's appointment, then complete the remaining portions of Form I-9.

B. Form I-9 and copies of the supporting documentation shall be retained in Human Resources 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.

C. Form I-9 and copies of supporting documentation shall not be used or provided to any agency or person for any purpose other than for the purpose of complying with the requirements of the Act.

D. Should an employee be rehired or reinstated within one (1) year of the date of separation, the employer may use the original Form I-9 and supporting documentation for the purpose of complying with the Act.

E. All newly hired employees shall be required to complete the biographical information requested by Form I-9. The new employee shall attest that he/she is eligible for employment and has presented authentic, original documentation of identity and employment eligibility by placing an "X" in the appropriate box in Part I of the form. The new employee shall sign the signature space of Part I of the form and shall submit the form to the Board or designee for review and verification.

F. The employee shall furnish a United States Passport, a Certificate of Citizenship (INS Form N-560), a Certificate of Naturalization (INS Form N-550), or one of the other documents listed below in order to substantiate both the employee's identity and employment eligibility:

1. Unexpired foreign passport which (a) contains an unexpired stamp stating "processed for I-551..." or (b) has attached thereto Form I-94 bearing the same name and an unexpired employment authorization stamp. (Note: If Form I-94 is presented, the Human Resources Director or designee shall verify that the proposed employment does not conflict with the limitations of I-94.);

2. An Alien Registration Receipt Card (INS Form I-15) or Resident Alien Card (INS Form I-55a) bearing a photograph of the employee; or

3. Temporary Resident Card (INS Form I-688) or Employment Authorization Card (INS Form I-688A) containing a photograph of the employee.

G. In lieu of any of the documents specified in Section F of this policy, the employee may 1.) verify identity by submitting a State driver's license or State identification card bearing a photograph of the new employee and containing the employee's name, date of birth, sex, height, weight, eye color and address; and 2.) verify employment eligibility by submitting one of the documents outlined below:

a. Social Security card	b. A birth certificate issued by the Department of State (Form FS-545)
c. An unexpired re-entry permit (INS Form I-327)	d. A certificate of birth abroad issued by the Department of State (Form D5-1350)
e. An unexpired Refugee Travel document (INS Form I-571)	f. An original or certified copy of a birth certificate issued by a state or political subdivision

H. If unable to produce the required document(s) within three (3) days, the new employee must produce a receipt showing that application has been made for the documents(s). If the required document(s) are not produced within twenty-one (21) days after the appointment, the new employee may be terminated.

I. If an alien attests that he/she intends to apply or has applied for legalization or amnesty, the evidence of work authorization as specified in Section F above need not be required at the time of hire; however, the employee must provide evidence of his/her identity, and the Form I-9 must be completed omitting the work authorization data. The Form I-9 will then be updated when work authorization documents become available.

SECTION2.3: EMPLOYEEAPPOINTMENTANDSTATUSTYPES

CLASSIFIEDAPPOINTMENTS

A. All employees of the County are presumed to be classified civil servants unless the position which they occupy has been exempted from the classified service by a lawful request of the appointing authority, or by operation of law. After completion of a probationary period, classified employees may only be disciplined for cause as provided at Section Seven of this PPM. Classified employees may not actively participate in partisan politics. Examples of permissible and prohibited activities are listed at the end of this policy section.

B. Classified employees shall be appointed as full-time permanent, part-time permanent, or seasonal. A full-time employee works at least forty (40) hours per week on a regularly scheduled basis. A part-time employee works less than forty (40) hours per week on a regularly scheduled basis.

C. Classified employees appointed from a list of certified eligible applicants who have passed a civil service examination are certified appointments that obtain permanent status upon completion of their initial probationary period or completion of 6 months of continuous service, whichever is longer. Employees who are appointed without having passed a civil service exam (i.e., no certified eligible list of applicants is used) are not certified appointments and obtain permanent status in the classified service upon completion of their probationary period or completion of 6 months of continuous service, whichever is longer.

D. Employees hired into grant-funded positions where the funding is guaranteed for more than six months, are presumed to be classified civil servants. However, once funding ceases, grant-funded positions will be abolished, i.e., permanently deleted from the organization, and the employee will be laid off according to procedures detailed in Chapter 41 of the Hamilton County Administrative Regulations available for viewing in the Human Resources Department.

UNCLASSIFIEDAPPOINTMENTS

Some county employees serve in the unclassified civil service and serve at the pleasure of the Appointing Authority. Unclassified employees are not subject to civil service examination for initial appointment or retention of position and are not prohibited from partisan political activity, except for Top Management employees of the BCC who must comply with Paragraph D of Section 6.0 Ethics of Public Employment. However, unclassified employees intending to declare and/or campaign for any political office must notify their respective appointing authority. If in the opinion of the appointing authority, the employee's political office is in conflict with his or her

current position, or if either position is subordinate to, or in any way a check upon, the other, or if it is physically impossible for one person to discharge the duties of both positions, or if there is a federal, state, or local statute, regulation or ordinance that prohibits a person from serving both positions, the employee must request a leave of absence or resign. The decision of the appointing authority shall be final.

E. Students who are employed in Student or Intern positions shall be considered unclassified, temporary appointments. Appointments to Student or Intern positions may extend past the 120 day time limit set for temporary appointments.

F. Temporary and intermittent employees are unclassified appointments and serve at the pleasure of the appointing authority.

1. Temporary Employee - an employee hired for a limited period of time, fixed by the Appointing Authority, for a period not to exceed 120 days. A temporary appointment longer than 120 days may be made to fill a vacancy created by the sickness, disability, or other approved leave of absence of a regular employee for the period of the sickness, disability, or leave of absence. As a condition of appointment, the temporary employee shall be notified in writing that the appointment shall cease upon the return of the incumbent for whom the temporary employee is working. Two (2) weeks prior to the return of the incumbent, the temporary employee shall again be notified in writing that the appointment shall cease on a given date. (See Section 2.8 regarding temporary assignments of existing employees.)

2. Intermittent Employee - an employee who works on an irregular schedule, which is determined by fluctuating demands of the work.

EXAMPLESOFPERMISSIBLEPOLITICALACTIVITIESFORCLASSIFIEDEMPLOYEES

1. Registration to vote and voting.
2. Expression of opinions, either oral or written.
3. Voluntary financial contributions to political candidates or organizations.
4. Circulation of petitions on legislation or non-partisan petitions.
5. Attendance at political rallies that are open to the general public.
6. Signing nominating petitions in support of individuals.
7. Display of political materials in their home or on their property.
8. Wearing badges and buttons or displaying political stickers on their private vehicles.
9. Serving as a precinct election official under Section 3501.22 of the ORC.

EXAMPLESOFPROHIBITEDPOLITICALACTIVITIESFORCLASSIFIEDEMPLOYEES

1. Candidacy for public office in a partisan election.
2. Candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party.
3. Circulation of official nominating petitions for any candidate participating in a partisan election.
4. Filing a petition meeting statutory requirements for partisan candidacy to elective office.
5. Service in an elected or appointed office in any partisan political organization.
6. Acceptance of appointment to any office normally filled by partisan election.
7. Campaigning by writing for publications, by distributing political material or by making speeches on behalf of a candidate for partisan elective office.
8. Solicitation, either directly or indirectly, of any assessment, contribution or subscription for any party or candidate.
9. Solicitation of the sale of political party tickets or selling political party tickets.
10. Participation in partisan activities at the political polls such as soliciting votes.
11. Service as a witness or challenger for any party or partisan committee.
12. Participation in political caucuses of a partisan nature.
13. Participation in a political action committee which supports partisan activity.

SECTION2.4: PROBATIONARYPERIOD

A. Each person entering County service, or being promoted, into a full or part-time classified civil service position with the Board of County Commissioners shall be required to successfully complete a probationary period, beginning the effective date of the appointment or promotion.

B. Each person entering County service, or being promoted, into a full or part-time unclassified position does not serve a probationary period, as he or she serves at the pleasure of the appointing authority.

C. The probationary period for full-time and part-time FLSA non-exempt (hourly) positions is six months. The probationary period for full-time and part-time FLSA exempt (salaried) positions is one year. The probationary period for full-time or part-time seasonal positions shall be for the duration as defined above or the length of the initial season of employment in the position, whichever comes first.

D. The supervisor is responsible for acclimating newly hired or promoted employees to their positions. The supervisor shall acquaint the employee with the organization, the work unit, the duties and responsibilities of the job, and the performance development system and specific standards by which performance and conduct will be assessed.

E. If an employee is granted a leave of absence or is removed from active pay status for any period during the probationary period, the time off is not counted as part of the probationary period. Therefore, the probationary period shall be extended by the amount of leave or time off.

F. Supervisors shall be responsible for evaluating the performance of each newly hired or newly promoted employee twice during the probationary period. Only those employees who meet acceptable standards shall be retained.

G. The first probationary evaluation must be conducted within 30 days after completion of the first half of the probationary period (between the 3rd and 4th month for 6 month periods; between the 6th and 7th month for 1 year periods). The final probationary evaluation shall be completed not less than ten days prior to completion of the probationary period, or at termination in cases of earlier removal.

H. If a newly hired employee’s performance during the probationary period is unsatisfactory, the employee may be removed and has no right of appeal to the State Personnel Board of Review.

I. If a promoted employee's performance is deemed unsatisfactory during the probationary period, the employee may be removed, or reduced to his/her former position or a similar position in the same classification.

J. The Human Resources Department shall be consulted prior to any probationary removal.

Effective: November 12, 1991
Revised: 5/7/97, 12/06/00, 10/11/02, 12/17/04, 03/31/08, 07/01/10

SECTION2.5: MEDICALEXAMINATION

A. The BCC may require applicants for selected positions to whom a written job offer has been made to submit to medical examinations, provided the need for such examination is job-related and consistent with business necessity.

B. The BCC may require current employees to submit to medical examinations and/or provide medical certification in the following instances:

1. to determine whether an employee has a disability covered under the Americans with Disabilities Act when an employee requests an accommodation and the disability is not obvious;

2. to identify possible accommodations when accommodation is requested under the Americans with Disabilities Act;

3. when an employee's performance and/or behavior suggest the need to determine whether the employee can continue to perform the essential functions of the employee's position, with or without reasonable accommodation;

4. to obtain medical certification from a health care provider to support requests for leave under the Family and Medical Leave Act based on an employee's own serious health condition, or the serious health condition of the employee's spouse, child or parent;

5. to obtain medical recertifications and fitness-for-duty certifications in conjunction with a request for leave covered by the Family and Medical Leave Act;

6. in conjunction with a workers' compensation claim;

7. in conjunction with a disability separation pursuant to Section 4.7;

8. when such examinations and certifications are required or allowed by other State or Federal laws.

C. All information obtained from post-offer medical examinations and inquiries and from medical examinations and inquiries of current employees will be maintained in files separate from personnel files and will be treated as confidential medical records to the fullest extent allowed by law.

Effective: November 12, 1991
Revised: 12/06/00

SECTION 2.6: AMERICANS WITH DISABILITIES ACT (ADA)

A. The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. And, it is Hamilton County's policy to comply with all Federal and state laws concerning the employment of persons with disabilities.

B. Hamilton County will not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

C. Hamilton County will reasonably accommodate qualified individuals with a temporary or long-term disability so that they can perform the essential functions of a position.

D. An individual who can be reasonably accommodated for a position, without undue hardship, will be given the same consideration for that position as any other applicant.

E. All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of themselves or other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regard to the employee's employment situation.

F. The Human Resources Department is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

G. As used in this policy, the following terms have the indicated meaning and will be adhered to in relation to this ADA policy:

1. "disability" means a physical or mental impairment that substantially limits one or more major life activity of an individual; this includes an individual who has such impairment, has a record of such impairment, or is regarded as having such impairment.

2. "direct threat to safety" means a significant risk of substantial harm to the health or safety of that employee or others which cannot be eliminated or reduced by reasonable accommodation.

3. "qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the

essential functions of the employment position that the individual holds or for which the individual has applied.

4. “reasonable accommodation” means, in general, any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities.

5. “undue hardship” means an action requiring significant difficulty or expense by the employer considering such factors including, but not limited to, as 1) the nature and cost of the accommodation; 2) the overall financial resources of the facility at which the reasonable accommodation is to be made; 3) the number of persons employed at the facility; 4) the effect on expenses and resources or other impact on that facility; 5) the overall financial resources of the employer; 6) the overall number of employees and facilities; 7) the operations of the particular facility as well as the entire County employer; and 8) the relationship of the particular facility to the rest of the County.

6. “essential functions” means those activities of a job that are core to performing the duties of that position and for which the job exists that cannot be modified.

SECTION2.7: JOBCLASSIFICATIONPLAN

A. The Human Resources Department (HR) shall develop, maintain and administer a Classification Plan (Class Plan) based upon the duties, responsibilities and qualification requirements of classified civil service positions within the various departments and appointing authorities participating in the Class Plan.

B. A job classification includes one or more positions that are similar enough in duties and responsibilities to be described by a common classification specification and title. Each position within a job classification must have its own "working" title, which may differ from the classification title. Every position within the Class Plan should have a written position description on file in Human Resources, describing the current duties and title for that position. Classifications affect the determination of certified civil service status and the rank-order for layoff.

C. Human Resources in cooperation with the participating agencies and appointing authorities may review the duties, responsibilities and qualification requirements of classified positions and make necessary adjustments or revisions to the Class Plan, with the approval of the Human Resources Director.

D. A classified employee who is not serving in a probationary period may request that his/her position be audited for proper classification by submitting a written request to the Human Resources Department. Such request may be submitted only once per calendar year.

E. When creating or changing job classifications in the Class Plan, Human Resources will draft classification specifications based on an analysis of the duties, responsibilities, essential functions, and qualifications of the positions affected.

F. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

Effective: November 12, 1991
Revised: 9/17/92, 07/12/95, 12/06/00, 02/23/01

STANDARD OPERATING PROCEDURE — SOP Sec. 2.7
Job Classification Plan

This SOP implements Section 2.7 of the Policy Manual for those departments and appointing authorities participating in the Hamilton County Classification Plan administered by Human Resources.

A. 1. Every position in the Class Plan should have an up-to-date position description in existence and on file with Human Resources.

2. Positions should be assigned to job classifications by matching the duties set forth in the position description with the classification specification providing the best "fit".

3. Existing classification specifications will be used whenever possible. If a new job is created within the County for which no existing classification specification is adequate, the Department Head should consult with Human Resources about creating a new job classification.

4. Occasionally existing job classification specifications need to be revised to better adapt to changes in the jobs they comprise, or as a result of new or revised licensing or certification requirements dictated by law. Human Resources will assist Department Heads in making such revisions as required.

5. Occasionally the assignment of a position to a particular job classification requires review. The Department Head should contact Human Resources for assistance with such reviews.

B. The entire Class Plan will be analyzed and updated as needed to ensure that significant changes are included, positions are properly classified and specifications accurately reflect the job duties, responsibilities and skill level requirements of each classification.

C. Any changes which are made in the Class Plan will be communicated to all affected employees.

D. Title changes, reclassifications and related changes will be promptly reported and reflected on all applicable payroll, personnel and operational records.

E. If a classified employee believes that substantial changes have occurred in his/her job which merit consideration for reclassification of the position, the employee may request a position audit in accordance with the procedure set forth in Chapter 3 of the Hamilton County Administrative Regulations.

SECTION2.8: TEMPORARYASSIGNMENTS

A. To meet the operational needs of a department and with an existing employee's consent, a classified employee may temporarily be assigned the duties of a position in a different classification. The employee so assigned must meet the minimum qualifications of the different classification.

B. Temporary assignments may be utilized under two circumstances:

1. Temporary Work Level: to fill a vacancy made necessary by any reason, except a leave of absence as provided below, for a period not to exceed six months.

2. Temporary Assignment due to leave of absence: to fill a vacancy made necessary by reason of sickness, disability, or other approved leave of absence of a regular officer or employee. The assignment may be for an indefinite period of time, but shall continue only during such period of sickness, disability, or other approved leave of absence. Note: For purposes of this policy, the permanent/original position vacated by the employee serving in this Temporary Assignment may be filled by another employee via a Temporary Work Level, in accordance with the TWL guidelines.

C. When such temporarily assigned duties are those of a position assigned to a classification with a higher pay grade than that of the employee, the employee, upon assumption of the assigned duties for more than ten consecutive work days, shall receive a temporary pay adjustment to the minimum pay rate for the higher pay grade, or a rate 4% above the employee's current rate, whichever is higher.

D. An employee temporarily assigned to a position with a lower rate of pay shall not be reduced in pay.

E. Upon completion of a temporary assignment, the employee will revert to his/her prior duties, classification and pay, plus any interim pay adjustments to which the employee otherwise would have been entitled.

F. All temporary assignments must be submitted to Human Resources for approval by the HR Director prior to initiating the temporary assignment or pay adjustment. Human Resources will assist with the preparation and execution of the requisite personnel actions. Personnel action forms completed for a temporary assignment must include an assignment end date.

Effective: November 22, 1995
Revised: 12/06/00, 02/23/01, 04/15/04, 07/01/06, 09/21/07

This SOP implements Section 2.8 of the Policy Manual for Job and Family Services Employees only.

A. The employer, with the employee's consent, may temporarily assign a classified employee, to perform the duties of a position in a different classification to meet the operational needs of the department. Temporary assignments can be made when the position will be vacant for more than 10 consecutive work days.

An assignment can be made:

1. To temporarily fill a position that becomes vacant through resignation, retirement and or other assignment that will be vacant for more than 10 consecutive work days, but no more than 6 months (Temporary Work Level - TWL).

2. To temporarily fill a position that will be vacant for more than 10 consecutive work days while the incumbent is on leave. The length of the assignment is fixed by the length of absence of an employee due to sickness, disability, or approved leave of absence and shall continue only during such leave. (Interim Assignment)

B. The employee may be assigned to a classification in a lower pay range, in the same pay range or in a higher pay range. In all cases, the employee must meet the minimum qualifications of the different classification.

1. If assigned to a different classification in the same pay range, there will be no pay rate adjustment.

2. If assigned to a classification in a lower pay range, there will be no pay reduction.

3. If assigned to a classification in a higher classification, the employee will receive a temporary pay adjustment to the minimum pay rate of the higher pay range, or a rate 4% above the employee's current rate, whichever is higher. Any pay change as a result of a temporary assignment will be retroactive to the date the duties of the higher classification were assigned.

C. The manager of the temporary assignment position is responsible for notifying Human Resources about the temporary assignment opportunity. Human Resources will post the job for three (3) work days and screen the applicants to ensure they meet the minimum qualifications for the position.

D. The manager of the position or a panel created by the manager will conduct the interviews. The number of applicants selected for interview is at the manager's or panel's discretion.

1. If a panel is used it will consist of the manager and two other managers or employees within the Section. An external manager or employee is not required for the panel.

2. The manager or panel will consider the applicant's minimum qualifications, knowledge of the job duties, prior experience, program knowledge and ability to assume responsibilities of the job. No other criteria need be considered.

E. The manager or panel will submit written justification regarding their recommendation to the Assistant Director in the position chain of command.

F. Serving in a temporary assignment, whether in an Interim or TWL capacity, will not eliminate the employee from future promotional opportunities to the position. In the event of a TWL assignment, if the position is vacant for more than six months; consecutive appointments of the same employee to the position are not permitted.

G. Temporary assignments are to be considered as an opportunity for an employee to demonstrate their abilities and an opportunity for management to assess the employee's skills in a real time environment for future promotional consideration. Therefore, the employee's performance should be closely evaluated to identify strengths and weaknesses and suitability for similarly situated jobs and future promotional opportunities. With that in mind, it is important that the employee is relieved of their current duties and not required to perform both jobs. The performance of the employee on the temporary assignment should be noted and included either in the next performance evaluation or documented in writing and placed in the employee's personnel file for future reference.

SECTION2.9: TRANSFER

A. A classified employee may be transferred from one position to a similar position for up to 30 days with written notification to the employee and authorization by the Appointing Authority or Appointing Authorities approving the transfer.

B. For transfers of up to 90 days, the employee must agree with the transfer.

C. The Human Resources Department shall be consulted prior to initiating an employee transfer to assist with the preparation and execution of the requisite personnel actions. All transfers require the approval of the Human Resources Director.

Effective: November 12, 1991
Revised: 12/06/00, 09/21/07

SECTION2.10: OUTSIDEEMPLOYMENT

A. Outside employment, i.e. an employee working another job in addition to present employment with this appointing authority, is discouraged because it may conflict and adversely affect the employee's job performance.

B. Outside employment may conflict with the employee's County job in several ways:

1. Timeconflict: when the working hours required by outside employment directly conflict with the scheduled working hours of the employee's County job;

2. Physicalconflict: when the demands of outside employment prohibit adequate rest, thereby adversely affecting the quality of the employee's job performance; and

3. Interestconflict: when an employee engages in outside employment which tends to compromise his/her judgment, actions and/or job performance with the County; or when an employee engages in outside employment which results in, or creates the appearance of:

   a. conflict with County or department goals and/or policies, or
   b. direct competition with programs or responsibilities of County departments.

C. Prior to engaging in outside employment, an employee shall complete a Request for Approval of Outside Employment form (HR006) and confer with his/her supervisor to determine if the outside employment presents a conflict with the employee's present position. The supervisor shall document the results of the conference on the Request Form and copy the employee and the employee's personnel file.

The request must include the following information:

1. Identity of proposed employer (or affiliated organization);
2. Nature of work to be performed:
3. Anticipated maximum number of hours to be worked and anticipated work schedule.

D. Outside employment that adversely affects an employee's job performance with the County will result in disciplinary action, which may result in termination from employment with the County.

Effective: November 12, 1991
Revised: 12/06/00, 05/27/03

SECTION2.11: REDUCTIONSINFORCE

A. The Board of County Commissioners maintains the legal right to reduce the workforce whenever such a reduction in force is necessary. Reasons include but are not limited to: 1) lack of work; 2) lack of funds, or projected lack of funds; 3) job abolishment, reorganization for efficiency.

B. Each Appointing Authority in Hamilton County constitutes a separate layoff jurisdiction. Each layoff jurisdiction is autonomous and layoff, displacement and reinstatement rights and procedures shall apply only within the jurisdiction affected by the layoff.

C. Whenever a reduction in the workforce is necessary, the Board of County Commissioners maintains the legal right to determine the classification(s) in which the layoff(s) will occur and the number of employees to be laid off within each classification.

D. Layoffs of classified civil service employees shall comply with Chapter 41 of the Hamilton County Administrative Regulations. Human Resources shall be consulted by the agency/department considering layoffs prior to implementing any reduction in force. Human Resources will assist the agency/department and assure compliance with the procedures and requirements of Chapter 41 of the Administrative Regulations regarding layoff process and procedures.

E. Regular, permanent classified and unclassified, non-bargaining employees of the BOCC (excludes probationary, temporary, intern, student, seasonal, intermittent, and grant-funded employees) who are involuntarily separated in accordance with A-D above are eligible for a severance. The County Administrator may alter the severance period if special circumstances are present.

F. Eligible staff will receive one week of severance pay for each full year of continuous service with Hamilton County without a break in service. The minimum severance is two weeks and the maximum is eight (8) weeks.

G. The actual termination date will be the last day worked and will be considered the last day for calculating an employee's date of continuous service with the County. If prior to the end of the calculated severance period, the employee receives any other employment or begins receiving OPERS, severance payments will cease. The cost of severance payments will be borne by the employing department. Lump sum options are not available.

H. Following the approval of the layoff/abolishment process by the Human Resources Department, the affected employee(s) will be notified in writing of the layoff/ abolishment and the applicable dates of the severance period. Severance

will be paid biweekly, according to the normal County pay schedule, and will reflect all applicable deductions including taxes and benefits. Employees receiving severance pay will continue benefits under the same terms and conditions applied to all other County employees. Benefits coverage terminates on the last day of the month for which the employee receives severance pay. Employees receiving severance pay will not accrue sick and vacation leave during the severance period. Severance pay is recognized by OPERS as earnable salary and deductions will continue through the severance period.

I. Staff members terminated for performance or disciplinary issues are not eligible for severance pay.

J. In the event that an eligible employee is offered another position with Hamilton County with reasonably similar pay and status and the employee declines, the severance benefit is immediately forfeited at that point.

SECTION2.12: RESIGNATION

A. To resign in good standing, an employee is expected to submit a letter, duly signed and dated, to the supervisor and Department Head expressing the reason for resignation and the effective date of the resignation. The resignation letter is expected at least two weeks in advance of the effective termination date. Top management employees are expected to provide at least four weeks advance notice. Failure to give proper notification may result in ineligibility for future reinstatement or employment with a County Appointing Authority.

B. With departmental approval, an employee may extend the date of separation through the end of the month in which the employee last worked by using accumulated vacation leave. However the position cannot be filled until a vacancy occurs.

C. The Department Head or designee shall immediately forward the resignation notice to the Human Resources Department. Human Resources will execute the personnel action terminating the employee, including updating all personnel and payroll records.

D. An exit interview with the resigning employee should be scheduled, conducted and documented by Human Resources on or before the effective date of resignation.

E. Information regarding the insurance benefits for employees who are terminating is explained in Section 5.2.H. Group Health Insurance Benefits.

Effective: November 12, 1991
Revised: 12/06/00, 02/23/01, 01/01/12

SECTION2.13 PUBLICRECORDSPOLICY (Requests for Public Records, Records Retention and Personnel Files)

OVERVIEW

A. As a public office of the State of Ohio, Hamilton County is subject to the Ohio Public Records Act (ORC 149.43), which provides for prompt inspection of public records and requires that copies of existing public records be provided in a reasonable period of time. Compliance with the Public Records Act is subject to audit by the State Auditor.

B. The purpose of this policy is to provide employees of the Board of County Commissioners with information regarding the Public Records Act, to establish procedures for responding to requests for public records, and to establish procedures for the maintenance of departmental records and personnel files.

GUIDELINES

C. A two-stage analysis is required under the Public Records Act to determine what documents or electronic/recorded information is subject to public access. The first step is to determine if the document or electronic/recorded information qualifies as a "record." ORC Section 149.011(G) defines a "record" to be any document, device, or item, regardless of physical form or characteristics, including an electronic record, created or received by or coming under the jurisdiction of any public office of the state or political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations or other activities of the office. Documents or electronic/recorded information that does not document public office activities in this manner are not subject to the Public Records Act and are not subject to public access. For example, an email between employees setting a lunch date does not document county government activities and does not qualify as a "record."

If a document or electronic/recorded information does qualify as a "record" it is then a "public record," subject to public access and disclosure unless it is specifically exempt from disclosure under the terms of the Public Records Act. The second step of the analysis is to determine if any of the statutory exemptions apply to the document or electronic/ recorded information. For example, attorney-client communications are confidential by state law and exempted from disclosure under the terms of the Public Records Act. A partial list of these exemptions is provided in the SOP. These exemptions are to be narrowly construed and if a record does not clearly fit into one of these categories of exemptions, it must be released.

D. During each term of office, each elected official, or appropriate designee, is required to attend three hours of training (pertaining to the Ohio Public Records Law) that has been approved by the Ohio Attorney General as provided in Section 109.43 of the Revised Code. Human Resources shall provide training on this policy, on an as needed basis, to each BOCC department head and department representative responsible for records management within their department.

E. A notice describing this Public Records Policy shall be posted in all buildings where Board employees are employed. Human Resources and the County Facilities Department are jointly responsible for compliance.

F. Each BOCC department shall follow the Hamilton County Records Retention Schedule, adopted by the Hamilton County Records Commission on 03/05/1992, as well as any Records Retention Schedules specific to each BOCC department. Records will be disposed only in accordance with the standard operating procedures (SOP 2.13).

G. In accordance with ORC 149.43, the Hamilton County Records Commission is comprised of a member of the Board of County Commissioners, the Prosecuting Attorney, the Auditor, the Recorder, and the Clerk of Courts. All commission members, other than the member of the Board of County Commissioners, may designate a representative to attend Records Commission meetings on their behalf.

REQUESTSFORPUBLICRECORDS

H. BOCC Departments shall ensure that all public records requests are promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. Any questions regarding requests, including what can and cannot be released or redacted, shall be directed to the Department Head who may seek assistance from the County Prosecutor's office. Each department will be responsible for the following:

1. Designate one employee as the point-of-contact for all records requests;
2. Maintain a copy of the BOCC Records Retention Schedule and/or the departmental schedule and a copy of this policy and procedure for public access and review.

I. While it is not required that public records requests be submitted in writing, the requestors are encouraged to submit the requests in writing (using Form HR036), in an effort to prevent any misunderstanding as to the records the requestor is seeking. Individuals requesting a public record cannot be forced to provide identification or a reason for the request, and cannot be charged for time and labor spent fulfilling the request. If a requestor makes an overly broad request, or

has difficulty in specifying the request, the department employee (point-of-contact) shall provide the requestor with reasonable assistance to facilitate their request, such as providing a copy of the retention schedule and policy and the opportunity to revise the request. Note: If a request is made in writing, the response must also be in writing.

J. If a request is denied in whole or in part, the requestor shall be provided, in writing using Form HR036, an explanation including the legal authority setting forth why the request was denied. The requestor will be notified (using Form HR036) if the request is for a record that was never maintained or is no longer maintained (i.e.; record met retention period and was destroyed).

K. If a request includes information that is "exempted" from disclosure, that information must be redacted. The requestor must be notified in writing of what information was redacted and the specific section of the Ohio Revised Code granting legal authority for redaction. (Normally this notification will be made right on the document itself.)

L. In response to a public records request, a maximum of 10 public records per month will be sent by mail unless the requester certifies in writing that such records are not being requested for any commercial purpose as provided in the Ohio Public Records Act.

M. All charges for copies, plus any postage and delivery charges, are compiled on an invoice (Form HR028). Payment for the cost of the copies may be requested in advance. Payment may be made by cash or a check written out to the Hamilton County Treasurer. The charge for copies of public records is as follows (as a cost saving measure, copies should be double-sided, unless requested otherwise):

1. First ten (10) pages at no charge.
2. All pages thereafter, five cents ($.05) per page (double-sided is counted as 1 page).

N. All instances when assistance is offered to facilitate a request, even if such assistance does not result in the release of records, must also be documented on Form HR036. The original record request and a copy of the corresponding invoice shall be kept on file by the Board department for two years.

<u>RECORDSRETENTION</u>

O. All BOCC departments are responsible for maintaining and disposing of their records according to the County's Records Retention Schedule and/or their departmental retention schedule. Each department head must designate an employee as the Records Management Coordinator who will also serve as the point-of-contact for records requests.

P. The Records Management Coordinator must adhere to the appropriate standard operating procedures (SOP 2.13) when disposing of records that have met their retention period.

Q. The Records Management Coordinator shall attend the Hamilton County Records Commission meetings held twice a year.

PERSONNELFILES

R. The Human Resources Director shall be the official custodian of personnel files for employees under the BOCC.

S. Personnel records will be kept confidential to the extent permissible by the Ohio Public Records Act (ORC 149.43).

T. An employee may review his/her official personnel file in the presence of an HR Officer of Human Resources and copy any documents in the file at no charge. The employee may also attach letters of explanation to documents where the employee feels such explanation is necessary.

U. For employment verification purposes, departments may release an employee's name, job title, employment dates, and salary information. Departments must consult with Human Resources before releasing any additional information on current or former employees.

V. Employees must advise the departmental payroll officer of any change in their personal information or status (e.g. name, address, marital status, telephone number, number of exemptions for tax purposes, citizenship, or association with any governmental military service organization).

STANDARDOPERATINGPROCEDURES

W. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

This SOP implements Section 2.13 of the Policy Manual.

A. BCC departments may seek assistance from the Human Resources Department (HR) with their records management needs and public records requests. Departments may also seek assistance on public records requests from the County Prosecutor's office.

B. Human Resources will provide training, on an as needed basis, on records management and the public records law as it relates to records requests. When training is offered, attendance is mandatory for Department Heads and employee(s) in each department responsible for records management and records requests.

C. Each BCC department head must designate an employee as the Records Management Coordinator who will also serve as the point-of-contact for records requests.

D. The Records Management Coordinator responsibilities, including point-of-contact duties, are:

1. Maintain the departmental Records Retention Schedule;
2. Prepare appropriate forms for disposal of records that have met their retention period and ensure proper procedures are followed in the destruction of those records;
3. Respond to all public records requests submitted to the department;
4. Assist the requestor, as appropriate, in specifying the request;
5. Attend annual training held by Human Resources;
6. Attend Hamilton County Records Commission Meetings.

REQUESTSFORPUBLICRECORDS

E. When a BCC department receives a public records request, whether verbal or in writing, the Records Management Coordinator (point-of-contact) will ensure that the request is given prompt attention. Any questions should be directed to the Department Head who may also seek assistance from the County Prosecutor's office.

1. The Records Request Form (HR036) should be completed for all requests. If the original request is not submitted on that form, the Records Management Coordinator (point-of-contact) will complete the form with as much information as possible. If the request is made in writing, the response must be made in writing.

2. The person making the request does not have to provide any identification or the reason for the request.

3. It is the responsibility of the Records Management Coordinator (point-of-contact) to assist the requestor in specifying their request. Copies of Policy Section 2.13 and the departmental records retention schedule may be provided to assist in the process.

4. Any information that is exempted from disclosure must be redacted from the document and the reason for the redaction noted on the document. To redact information on paper documents:
   a. Make a photocopy of the document.
   b. Cover the exempt information with white out, marker, etc.
   c. Make a second copy of the document.
   d. Note on this copy what information was redacted and the reason for the redaction (site the applicable ORC code).

5. Any time a record request is denied, including when no records are provided, the Records Management Coordinator (point-of-contact) must complete Form HR036 and provide the reason for the denial. The original form is given to the requestor and a copy is kept in the department.

   Reasons a record request may be denied include, but are not limited to:
   a. Record is kept in a different county office;
   b. Record has met its retention and has already been destroyed;
   c. Record is exempt from disclosure under ORC 149.43 (see Section H. for a partial list of exemptions);
   d. A record does not exist (or does not exist in the format specified). NOTE: Departments are not obligated under the Public Records Law to create new records to fulfill a request (this includes taking existing data and compiling in a different manner or format). BUT, the Records Management Coordinator is obligated to explain what records are available and help the requestor decide if those would fulfill the request.

6. Once the documents are compiled, the invoice is created (Form HR028). To save on resources, two sided copies are made whenever possible (unless the requestor specifically requests single-sided copies). Each sheet of paper is counted as one copy (it does not matter if it is two-sided). The first 10 copies are free. For standard black and white copies, the cost is $.05 each. The cost of color copies and oversized documents (i.e., maps) may be determined by each department. Departments may not charge for employee time to make copies. All postage or delivery fees are also included in the invoice. Payment is made to the Hamilton County Treasurer. Departments may request payment in advance.

7. The Records Management Coordinator (point of contact) must document on the Record Request Form any instances when assistance is offered, even if such assistance does not result in the release of records.

8. The original Record Request, along with a copy of the invoice, is kept on file in the department for two years.

RECORDSRETENTIONGUIDELINES

F. The Records Management Coordinator in each Board department must ensure that the department has a Records Retention Schedule specific to the department. The following steps should be followed when creating a Records Retention Schedule.

1. Take an inventory of all records maintained in the department and create a list. Consolidate similar records into single categories whenever possible. The list must include all the media types in which the record is stored (paper, electronic, microfilm, optical disk, etc.).

2. Next, determine the retention period for each type of record. Some records may already be listed on the county-wide Records Retention Schedule, adopted in 1992. The Ohio Historical Society website (http://www.ohiohistory.org/resource/lgr/publications.html) includes other retention schedules that can be used as guides. Retention periods must adhere to any legal restrictions already established by law.

3. Then list on the Form RC-2 “Record Retention Schedule” any records that are not already listed on an established Retention Schedule. Instructions on how to fill out the form are included on the form. The Hamilton County Records Commission assigns the schedule number, so that column is left blank. Once completed, the original form is submitted to the Hamilton County Records Commission. At the next Records Commission Meeting, the RC-2 will be presented for approval. Once the RC-2 has gone through the entire approval process, which includes the Ohio Historical Society and State Auditor, the department will receive a final signed document from the Hamilton County Records Commission.

4. Any revisions and/or additions that need to be made to an approved Records Retention Schedule are submitted on a new RC-2 form, using the existing schedule number if one is already assigned. The revised RC-2 is forwarded to the Records Commission for processing.

G. Records may be disposed of under two circumstances. AT NO TIME MAY RECORDS BE DESTROYED WITHOUT FOLLOWING ONE OF THESE TWO PROCESSES.

1. RETENTIONPERIODMET: The records are listed on the Retention Schedule, have met their retention period and are ready for disposal. Form RC-3 "Certificate of Records Disposal" is completed following the instructions listed on the form. Allow 15 business days from the date mailed as the date of disposal.

   Mail to: The Ohio Historical Society
   State Archives of Ohio
   Local Government Records Program
   800 E. 17th Avenue
   Columbus, Ohio 43211-2497

   Email to: localrecs@ohiohistory.org

   A copy of the RC-3 is maintained by the department and a copy is forwarded to the Hamilton County Records Commission, Clerk of Courts Office, Rm B25, Hamilton County Court House.

   The Ohio Historical Society does not return an approved copy of the RC-3 authorizing disposal. The records may be disposed on the disposal date, unless the department has been contacted by the Ohio Historical Society.

2. ONE-TIMEDISPOSAL: The records are not required to be retained by any statute, are not listed on a Records Retention schedule, and are ready for one-time disposal. Form RC-1 "One-Time Disposal of Obsolete Records" is completed and submitted to the Hamilton County Records Commission for approval at the next Records Commission Meeting. The Records Commission assigns the schedule number, so that column is left blank. The original form is sent to the secretary of the Records Commission, Clerk of Courts Office, Room B25, Hamilton County Court House. Once the RC-1 has gone through the entire approval process, which includes the Ohio Historical Society and State Auditor, the department will receive a final signed document from the Hamilton County Records Commission.

3. Once the approval process in both circumstances is complete, the records may be disposed of. Shredding service is available at the Records Center, managed by the Clerk of Courts' office. Departments may contact the Records Center to make arrangements for pick-up of documents that are ready for destruction (shredding). A copy of the approved RC-1 or RC-3 must accompany the records.

H. Listed below is a partial list of exemptions for a "Public Record," (from ORC 149.43 as well as other determinations made under the law):

(1) Medical records;

(2) Records pertaining to probation and parole proceedings or to proceedings related to the imposition of community control sanctions and post-release control sanctions;

(3) Records pertaining to actions under section 2151.85 and division (C) of section 2919.121 of the Revised Code and to appeals of actions arising under those sections;

(4) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under section 3705.12 of the Revised Code;

(5) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;

(6) Records listed in division (A) of section 3107.42 of the Revised Code or specified in division (A) of section 3107.52 of the Revised Code;

(7) Trial preparation records;

(8) Confidential law enforcement investigatory records;

(9) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;

(10) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;

(11) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;

(12) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;

(13) Intellectual property records;

(14) Donor profile records;

(15) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;

(16) Peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, or EMT residential and familial information;

(17) In the case of a county hospital operated pursuant to Chapter 339 of the Revised Code or a municipal hospital operated pursuant to Chapter 749 of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;

(18) Information pertaining to the recreational activities of a person under the age of eighteen;

(19) Records provided to, statements made by review board members during meetings of, and all work products of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code, other than the report prepared pursuant to section 307.626 of the Revised Code;

(20) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;

(21) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of examiners of nursing home administrators administers under section 4751.04 of the Revised Code or contracts under that section with a private or government entity to administer;

(22) Records the release of which is prohibited by state or federal law;

(23) Proprietary information of or relating to any person that is submitted to or compiled by the Ohio venture capital authority created under section 150.01 of the Revised Code;

(24) Information reported and evaluations conducted pursuant to section 3701.072 of the Revised Code;

(25) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency.

(26) Social Security numbers and home addresses of county employees.

SECTION2.15: PERFORMANCEDEVELOPMENT

A. The employee performance development system is intended to be an on-going collaborative process. The performance evaluation is intended to provide employees timely, documented, constructive feedback concerning job performance. Performance evaluations provide a basis for decisions concerning salary increases, training needs, job assignments, promotion and retention of employees and efficiency points in the event of layoffs.

TYPESOFPERFORMANCEEVALUATIONS

B. Annual Evaluations: Employees are evaluated annually during the month of January. Once completed and signed, the evaluation is forwarded to the Human Resources Department for insertion in the employee's personnel file.

C. Probationary Evaluations: Employees serving initial or promotional probationary periods shall receive two probationary performance evaluations, the first to be completed within thirty calendar days **after** completion of half of the probationary period; the second to be completed within ten days **prior** to completion of the probationary period. Probationary evaluations will be based on core standards and may or may not require prescribed performance or career objectives at the discretion of the Department Head. An employee not meeting the minimum expectations of the position may be removed or reduced at any time during the probationary period. (Please reference Section 2.4 for more details regarding probationary periods.)

D. Special Evaluations: These evaluations may be conducted at any time if deemed appropriate and authorized by the Department Head. Special evaluations shall not be used to determine efficiency points influencing the order of layoff.

FORMATOFPERFORMANCEEVALUATIONS

E. The specific format and rating instructions for performance evaluations shall be provided by Human Resources. An evaluation format shall be established for all employees and consist of a set of core standards, with a provision for rater's comments and action planning. Provisions also shall be made for setting and evaluating specific performance/operational objectives deemed pertinent.

F. A one-page summary will be standardized for each evaluation format. The summary page shall include a performance summary showing the rater's, the reviewer's and the rated employee's signature and date, with any summary comments, and the rating of standards and objectives.

Effective: November 12, 1991
Revised: 1/12/95, 5/31/96, 12/06/00, 12/15/03, 05/01/06

G. The employee's immediate supervisor shall conduct the performance evaluation following the rater instructions of the evaluation format. Unless the rater is the County Administrator, the rater's supervisor shall review evaluations and may confirm or modify performance ratings. If the rater is the County Administrator, there shall be no further review. Review of Department Head-rated evaluations by the County Administrator is not mandatory. The rated employee shall sign the evaluation form acknowledging receipt. Signing the evaluation form does not signify that the employee agrees with the rating.

H. Each agency shall establish procedures for the internal review or modification of a rating. If a rating is modified, a revised summary sheet shall be executed and submitted to Human Resources. Performance evaluations/ ratings are not subject to formal appeal or grievance proceedings.

I. The evaluation of managers and supervisors shall include a minimum of three performance/operational objectives, weighted and prioritized by assigned percentages, and not less than one career development objective. Relevant time lines shall be assigned for accomplishing the respective objectives. The time line may extend beyond the rating period(s), with progress noted during each evaluation until the objective is achieved or no longer pertinent.

J. The rater shall involve the employee to be rated in planning and setting objectives with clearly defined expectations and measurable results for the ensuing rating period. Both employee and supervisor/rater shall sign and date the form signifying mutual agreement with the stated objective(s). Any subsequent changes shall be initialed and dated. Progress may be discussed with the employee and objectives reaffirmed or redirected as appropriate, at any time during the rating period. The rater may require the employee's self-assessment of performance to facilitate the evaluation process.

K. Addenda may be added to the evaluation format at the discretion of the County Administrator, Designee or Department Heads for purposes of evaluating standards or objectives unique and internal to the respective organizations. A blank copy of such addenda/forms shall be filed with Human Resources.

EFFICIENCYPOINTS

L. Human Resources shall establish an equitable grading system for determining efficiency points for factoring into total retention points for layoff situations. The point value will be assigned by Human Resources to each standard and objective for the rating received in accordance with the scale below:

(E) Exceeded	100% of the Relative Weight
(A) Achieved	67% of the Relative Weight
(P) Partially Achieved	33% of the Relative Weight
(D) Did not Achieve	0% of the Relative Weight

Effective: November 12, 1991
Revised: 1/12/95, 5/31/96, 12/06/00, 12/15/03, 05/01/06

M. Human Resources shall maintain a training component to support a consistent and effective evaluation program for County employees. The training component will provide for periodic training sessions for new managers and supervisors.

N. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

This SOP implements Section 2.15 of the Policy Manual.

A. **Forms**: Electronic versions of the forms listed below are available in the Human Resources Department.

HR054: Performance Development/Evaluation (Non-Bargaining) – used to evaluate employees who are not in management positions or a bargaining unit.
HR061: Performance Development/Evaluation (Bargaining Unit) – used to evaluate employees who are in a bargaining unit.
HR055: Performance Development/Evaluation (Management) – used to evaluate employees who are in management positions.
HR056: Performance on Major Objectives – used for setting objectives for all employees.

B. **Developing Performance Objectives:** When required per policy, or at the discretion of the department, the Performance on Major Objectives Form (HR056) should be prepared at the beginning of the performance-rating period. An employee and his/her manager should mutually determine appropriate performance objectives for the upcoming rating period.

C. **Assigning Relative Weights:** Each Performance Standard and Objective shall be assigned a Relative Weight at the beginning of the rating period. The sum of the Relative Weights of all the Standards and Objectives must equal 100 percent. The relative weight should reflect the overall "importance" of the standard or objective to the organization or work unit.

D. **Indicating a Rating for each Standard and Objective:** The rater must select one of the following ratings, based on the employee's performance on each standard and objective:

1. (E) Exceeded: Employee consistently exceeded performance standard or objective. High level of performance.

2. (A) Achieved: Met and at times exceeded performance standard or objective. Fully effective level of performance.

3. (P) Partially Achieved: Inconsistently met performance standard or objective.

4. (D) Did Not Achieve: Consistently failed to meet performance standard or objective.

E. RATER INSTRUCTIONS

Performance Evaluations are prepared annually in January for the rating period of January 1 through December 31 of the previous year. Five major purposes of the performance development system are:

1. To measure progress toward attainment of agency mission, goals and objectives.
2. To inform the employees of strengths, weaknesses and progress.
3. To improve performance and productivity.
4. To strengthen work relationships and improve communication.
5. To recognize accomplishments and good work.

Step 1: INITIATE REVIEW PROCESS.

1. Review the employee's self assessment (if one was requested by the rater).
2. Review the position description.
3. Review the employee's previous performance evaluation (and each recommended action and major objective).
4. Review any records and observations of performance on objectives and standards.

Step 2: COMPLETE THE PERFORMANCE EVALUATION FORMS.

1. Mark the appropriate rating for each of the nine performance standards and the major objectives that had been previously set.
2. Provide rater comments justifying the rating for each performance standard; for any unmet standard, indicate how the employee can reach an acceptable level of performance.
3. Provide rater comments regarding progress on each major objective.
4. Complete the Performance Summary (enter rating levels, relative weights, summary comments and signature).

Step 3: SCHEDULE THE PERFORMANCE REVIEW CONFERENCE AT LEAST TWO DAYS IN ADVANCE.

1. Provide the employee with a copy of the completed performance evaluation prior to the conference.
2. Encourage the employee to review the performance evaluation prior to the conference, and consider future objectives/goals.

Step 4: HOLD THE PERFORMANCE REVIEW CONFERENCE.

1. Provide privacy; put the employee at ease; encourage employee input.
2. Review each performance standard and major objective. Recognize good work, make suggestions as needed for improving performance, and ask if there are any areas where help is needed to improve performance.
3. Identify, discuss and set specific actions(s) for the next review period to improve performance on standards where the employee received a rating of "did not achieve" or "partially achieved standard."
4. Identify, discuss and set mutual new objectives and assign relative weights of each objective and standard for the employee's next rating period.
5. Obtain employee signature and comments on the Performance Summary.

Step 5: FORWARD THE FORMS TO THE REVIEWER, WHO WILL:

1. Confirm or modify each performance rating (modifications must be discussed with the employee and rater).
2. Ensure that the rater has complied with all of the above instructions (incomplete forms must be returned to the rater).
3. Review the forms, add comments and sign the Performance Summary.
4. Return the forms to the rater.

Step 6: DISTRIBUTE FORMS AS FOLLOWS:

1. Copy for the employee.
2. Copy for the rater's file.
3. Send original, signed form to the Human Resources Department, County Administration Building, Room 707, by no later than January 31.

SECTION2.16: TRAININGANDDEVELOPMENT

A. Training and development are critical to quality public service, maintenance of an efficient workforce, and to employee advancement. They both deal with improving human performance, however they represent two different emphases. Training relates to employees' specific needs for their current jobs, while development involves a system-wide approach to meeting individual career needs and organizational management needs. While training focuses on specific skills and behaviors, development aims at helping people achieve their full potential, both personally and professionally.

B. Department Heads shall ensure all employees receive sufficient and appropriate training and counseling to effectively perform their jobs to the prescribed performance level. Initial training should be provided during the probationary period to advance the employee to a fully qualified status. After the probationary period, supervisors and employees should mutually establish training and development goals to ensure continued satisfactory performance, and allow opportunity for growth and advancement.

C. Employees may be required to attend job-related training and development activities. In these cases, the expenses shall be paid by the County. The County shall not pay for training taken voluntarily by the employee and not deemed necessary by the Department Head. However, the Department Head may authorize employee absence from normal duties to attend such training or development when it is deemed advantageous to employee or organizational development.

D. An employee may request the Department Head provide additional training or development to upgrade performance levels in a current position, or in preparation for anticipated position vacancies. In these instances, cost reimbursement may be authorized by the Department Head.

SECTION THREE

COMPENSATION / SCHEDULING / PAYROLL

SECTION3.0: COMPENSATION

A. The County Administrator or designee shall establish a minimum and maximum rate of pay for each classification within the organization.

B. Employees shall be hired at the range minimum (entry level of pay) for their classification. However, an exception may be granted if the employee possesses substantial qualifications which merit a starting salary above range minimum. Such exceptional starting salary shall not exceed 12% over the range minimum, based on recommendation by the Department Head. A starting salary above 12% over range minimum may be approved by the County Administrator or designee based on criteria in paragraph C. of Section 3.1 (In-Range Pay Adjustments) of this policy manual.

C. Any employee promoted to a higher classification shall receive the minimum pay rate for the higher grade or a four percent (4%) increase in the rate of compensation, whichever is higher, effective on the date of promotion. An exceptional increase in compensation not to exceed 12% over the range minimum may be approved by the County Administrator, or designee, for promotions under exceptional circumstances, e.g. when necessary and appropriate 1) to attract experienced county employees to the supervisory ranks, and/or 2) to maintain internal equity. The exceptional circumstances shall be documented by the Department Head and recommended for approval by the Human Resources Director.

D. The County Administrator or designee shall periodically assess the compensation system to ensure that it is externally competitive based upon the local labor market for comparable jobs.

E. The Human Resources Department shall establish the appropriate pay range for any new classification specification.

F. Compensation increases shall be awarded on the basis of merit as ultimately determined by Department Heads and the individual performance and contributions of their employees. An amount approved annually by the Board for compensation increases will be allocated for permanent compensation increases and one-time supplementary increases which coincide with the annual performance evaluations. Permanent compensation increases are normally awarded in January and one-time supplementary increases are normally awarded in January and July.

G. Permanent compensation increases will be based on improved job proficiency. The supplementary awards (one-time pay adjustments) will acknowledge specific accomplishments during the rating period, but will not become a part of base

salary. Permanent compensation increases shall not place employees beyond the established maximum salary for their respective pay ranges. However, employees whose rate of pay has reached or exceeded the maximum pay range shall remain eligible for one-time supplementary pay awards.

H. Permanent increases and supplemental increases are subject to OPERS contributions as earnable salary, as both types of payments are based on the employee's basic rate of pay.

I. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

This SOP implements Section 3.0 of the Policy Manual.

A. Employee Pay Range adjustments due to job audit findings.

1. When, as a result of a job audit, an employee's position is reassigned to a classification with a higher pay range, he or she shall receive a 4% increase in pay, or receive the minimum of the higher pay range, whichever is greater. If the employee's current pay rate is above the maximum for the new pay range, the employee's rate shall be frozen until such time as the range is adjusted upward sufficiently to embrace that rate.

2. When a position is reassigned to a different classification in the same pay range, the salaries of the affected employees shall remain the same.

3. If an employee's position is re-assigned to a classification bearing a lower pay range than the classification to which the employee is currently assigned, the employee's pay rate shall not be lowered; however, if the employee's pay rate is above the maximum for the new, lower pay range, the employee's rate shall be frozen until such time as the range is adjusted upward sufficiently to embrace that rate.

B. Employee Pay Range adjustments due to changes in classification specifications and/or associated pay ranges (Classification/Compensation Plan Maintenance).

1. When a classification specification is revised (i.e., changes occur to duties and responsibilities, minimum qualifications, knowledge, skills and abilities, job functions statement, percentages, etc.), the Human Resources Department will reexamine the pay range assignment to see if the classification is appropriately assigned.

a. When a classification is raised to a higher pay range, the salaries of all affected employees shall be raised by 4%, or to the minimum of the higher pay range, whichever is greater (an employee's pay rate will not exceed the maximum of the pay range). If the employee's pay rate is over the maximum of the new range, the employee's rate shall be frozen until such time as the range is adjusted upward sufficiently to embrace the salary.

b. When a classification is appropriately assigned, there shall be no change to an employee's current pay rate.

c. When a classification is re-assigned to a new, lower pay range, employees in positions assigned to that classification will not have their pay rates lowered; however, if the employee's pay rate is above the maximum of the new pay range, that employee's rate shall be frozen until such time as the range is adjusted upward sufficiently to embrace that rate.

2. In rare circumstances, a classification may be re-assigned to a new pay range when there is no change to the classification specification itself, in order to maintain internal equity within the classification plan.

a. When a classification's pay range is increased to maintain internal equity, no employee assigned to any position in that classification shall have his/her pay rate adjusted unless that rate is below the new range minimum. If that is the case, it is up to the discretion of the respective Department Head whether or not the employee's pay rate shall be raised to the new minimum. Below-minimum adjustments are not automatic, but must be merit-based. The Department Head must justify this in a memo attached to the personnel action form documenting the new rate, which is submitted to Human Resources.

b. If the employee's pay rate is above the maximum of the new pay range, the employee's pay rate shall be frozen until such time as the range is adjusted upward sufficiently to embrace the new rate.

c. An employee's pay rate will not be lowered if it is determined that the pay range for his/her classification is too high. If the employee's pay rate is above the maximum of the new pay range, the employee's rate shall be frozen until such time as the range is adjusted upward sufficiently to embrace the new rate.

C. Adjustments to Pay Schedules.

1. Pay schedules will be reviewed periodically to determine whether they should be adjusted to maintain competitiveness with the external job market.

2. An employee's pay rate will not automatically be raised to the new minimum for his or her pay range if it falls below that new minimum as a result of the pay schedule being raised pursuant to C.1. above. Once again, all below minimum adjustments must be merit-based and supported by documented job performance.

D. The Human Resources Director reserves the right of approval to decide whether an employee's pay rate shall be adjusted as a result of Section A., B. or C. above.

SECTION3.1: IN-RANGEPAYADJUSTMENTS

A. The primary means for rewarding employee performance is through the Pay-for-Performance process with merit increases and bonus payments, as provided for in Section 3.0 of this manual. However, in extenuating circumstances, a Department Director may recommend that an employee be advanced within his/her assigned salary range, outside of the scope of established merit and bonus schedule.

B. In-range pay adjustments (permanent compensation increases) of up to twelve percent (12%) may be granted when requested by a Department Director.

C. Situations that may warrant the granting of an in-range pay adjustment include:

1. typical salaries for comparable positions in the local market are clearly higher than the compensation policies allow,

2. turnover rates for the position are substantially higher than the County average,

3. qualified applicants cannot be attracted and/or hired between the established minimum pay range for the position and a rate of 12% above that minimum as provided under Section 3.0.B. of this policy manual,

4. an employee has received a lucrative job offer and it is determined that (a) it would be extremely difficult to recruit a qualified person to fill the position, (b) it would require hiring above the minimum salary range and extensive training costs, and/or (c) other County employees possessing the same skills are not available to assume the duties on an interim basis,

5. an employee has accepted additional significant responsibility which does not warrant a change to a higher classification and pay grade, or

6. an employee has demonstrated exemplary performance over an extended period of time resulting in a significant impact on the department and/or organization. However, Section C.6. is not to be used as a means to reward employee performance, which is provided for in Section 3.0 of this manual. Thus, additional factors, such as the individual's credentials and experience compared to those in similar positions within the unit, the County, and the relative competitive external market also must be considered. Section C.6. is intended for use in limited and exceptional circumstances only.

D. When recommending an employee for an in-range pay adjustment, the Department Director shall submit written justification for the raise and a proposed percentage increase within the limits of this policy to the Human Resources

Director, using the Request for In-Range Pay Adjustment Form (HR064). The Human Resources Director reviews all requests for in-range pay adjustments for recommendation. The request is then submitted to the County Administrator for final decision.

1. If approval is obtained, the effective date of the in-range pay adjustment will be the first day of the next pay period after the authorization is obtained from the County Administrator.

2. In-range pay adjustment decisions are not subject to formal appeal or grievance procedures.

E. Employees covered by a collective bargaining agreement are governed by the terms of that agreement and are not eligible for an in-range pay adjustment, as outlined in this policy.

F. An in-range pay adjustment will not be granted beyond the maximum of the assigned pay range.

G. Supplemental appropriations will not be approved to fund an in-range pay adjustment.

SECTION3.2: SHIFTDIFFERENTIAL

Subject to the approval of the County Administrator, a Department Head may authorize a shift differential to be paid to any FLSA non-exempt employee not covered by a collective bargaining agreement. Such shift differential shall be paid as a percentage of the employee's regular hourly base rate of pay, as compensation for regularly-scheduled hours worked on second or third shift. The Department Head shall confer with the Human Resources Department in establishing the dollar amount of the shift differential. If an employee receiving a shift differential reverts back to a first shift position, the employee will no longer receive the shift differential.

Effective: 12/06/00
Revised: 02/23/01

SECTION3.3: WORKWEEK AND WORKSCHEDULING

A. The workweek for all employees shall normally commence at 12:01 a.m. on Thursday and continue for seven (7) consecutive days to end at 12:00 midnight the following Wednesday; however, the Department Head may alter the standard workweek for an employee or employees where appropriate.

B. The Department Head shall establish the daily work schedule for employees of his/her department in consideration of current and anticipated workload, public service needs and any other related factors.

C. Overtime for FLSA non-exempt employees may be scheduled by the Department Head or designee only as provided at Section 3.5 of this policy manual.

D. Work scheduling for FLSA exempt personnel is outlined in Section 3.6 of this manual.

NURSINGMOTHERS–REASONABLEBREAKTIME

E. The FLSA requires a “reasonable break time” for an employee to express breast milk for one year after a child’s birth, each time the employee has a need to express breast milk.

F. The FLSA also requires that a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public is available to the Nursing Mother as a lactation area. Departments are not required to specifically designate a chosen location exclusively as a lactation area. However, the location must be available when the nursing mother requires its use.

G. The Nursing Mother should work with her supervisor to determine appropriate use of reasonable break times, altered work schedules, use of accrued leave time and/or unpaid leave to accommodate the reasonable break time.

Effective: November 12, 1991
Revised: 09/17/92, 12/06/00, 01/01/11

SECTION3.4: EMERGENCYSCHEDULING

A. The County Administrator may declare an emergency which could result in building closures, discontinuation of operations, and/or redeployment of staff resources. Such emergency may be due to:

1. Excessive snow and/or ice;
2. Inclement weather;
3. A Level 3 Snow Emergency as issued by the Hamilton County Sheriff;
4. Situations contained in the Hamilton County Ohio Emergency Actions Guidance Manual (e.g., bomb threats, fires, tornados, earthquakes, medical emergencies, riots);
5. Security threats; and
6. Other hazardous incidents.

B. The County Administrator is responsible for sending notice of a declared emergency to department heads who are then responsible for communicating this information to their staff. The department head shall designate an alternate responsible for receiving and relaying such notice in the event he/she is unable to fulfill this role.

C. Each department head is responsible for identifying critical operations and for designating essential employees, i.e., those employees considered necessary to protect the immediate safety and/or security of persons or property for which the county has direct responsibility, and/or employees whose presence at the work site(s) is critical to maintaining operations and services. Department heads must inform essential employees of their status and their responsibilities as such. Also, department heads are responsible for regularly updating this information and keeping it on file.

D. During a declared weather emergency, all essential employees are expected to work unless otherwise advised by the department head or County Administrator. Employees may call 946-SNOW for reporting instructions and information during a weather emergency.

E. During a declared emergency, including weather, employees of those departments required to maintain twenty-four (24) hour emergency service are required to report to work. The department head or designee may continue to use available personnel beyond regularly scheduled hours, subject to overtime pay provisions as applicable.

F. Individual building closures will be handled on a case-by-case basis depending on the severity and duration of the declared emergency.

Effective: *September 17, 1992*
Revised: *12/06/00, 08/13/04, 9/01/05, 07/01/10*

G. Emergency closures pertain only to the shift and/or shifts during which the emergency is in effect, i.e., if an emergency is declared during first shift and lifted prior to the commencement of second shift, then second and third shift employees are expected to report to work.

H. During an emergency declared by the County Administrator, if County offices are officially closed to the public and nonessential personnel, employees will be compensated in the following manner:

Employee Type	Reporting to Work?	Compensation
Exempt ESSENTIAL	Yes, regardless of weather or emergency conditions unless directed otherwise by management	Paid normal salary
Exempt NON-ESSENTIAL	No, do not report until next scheduled shift unless otherwise directed by management	Paid normal salary
Non-exempt ESSENTIAL	Yes, regardless of weather or emergency conditions unless directed otherwise by management	Paid for hours worked at regular rate and subject to overtime pay provisions as applicable
Non-exempt NON-ESSENTIAL	No, do not report until next scheduled shift unless otherwise directed by management	Paid for regularly scheduled shift
Bargaining Unit ESSENTIAL	Yes, regardless of weather or emergency conditions unless directed otherwise by management	Paid according to the applicable labor agreement
Bargaining Unit NON-ESSENTIAL	No, do not report until next scheduled shift unless otherwise directed by management	Paid for regularly scheduled shift
Employee on scheduled leave	N/A	Charged with leave time, regardless of declared emergency

<u>EMPLOYEEREPORTINGPROCEDURESDURINGADECLAREDWEATHER EMERGENCY</u>

I. In the event that the Hamilton County Sheriff has instituted a Level 1 Snow Alert, Level 2 Advisory, or Level 3 Emergency, **prior to employees reporting to work**, the following operational guidelines should be followed:

Level 1 Alert	County Operations remain open. Employees should exercise common sense traveling to work and may contact their supervisor to discuss alternative scheduling, the use of vacation time or time off without pay, if travel is impractical.
Level 2 Advisory	County Operations remain open. Essential employees should report unless otherwise directed by management. Employees not formally designated as essential for operations during inclement weather are encouraged to check with their supervisor to determine if attendance is required. If not, employees and supervisors are encouraged to work cooperatively to discuss alternative work scheduling, the use of vacation time or time off without pay, in lieu of reporting to work.
Level 3 Emergency	County operations are suspended. Only those employees designated as ESSENTIAL to County operations during inclement weather should report. (See chart in Section H. above regarding employee compensation.)

SECTION3.5: OVERTIMEANDHOURSOFWORK / HOURLYEMPLOYEES

A. Overtime is generally discouraged. Normally, overtime shall be authorized by the employee's Department Head, immediate supervisor, or designee in writing in advance of the overtime being worked. (Authorization For Payment of Overtime forms are available from departmental payroll officers – Form HR053.) Whenever unusual circumstances occur that require employees to work overtime without prior authorization, the Appointing Authority or Department Head may authorize the overtime after it has been worked. Employees working non-scheduled hours without prior authorization may be subject to discipline.

B. The overtime compensation provisions of the Fair Labor Standards Act (FLSA) apply only to hourly (FLSA non-exempt) employees. FLSA status shall be determined by the Human Resources Department.

C. Any non-exempt employee holding more than one non-exempt position under the Board of County Commissioners must notify the Human Resources Department in writing to ensure compliance with the overtime provisions of this policy.

D. Top management and other salaried (FLSA exempt) positions are governed by Section 3.6 of this Personnel Policy Manual.

PAYMENTOFOVERTIME

E. Eligibility for overtime shall be computed based upon all hours that the employee actually worked.

F. FLSA non-exempt employees required to work in excess of a regularly scheduled forty-hour workweek shall be entitled to overtime pay at the rate of one-and-one-half (1-1/2) times their regular hourly rate of pay for overtime worked.

G. FLSA non-exempt employees having a regularly scheduled workweek of less than 40 hours shall be compensated at their regular rate of pay (straight-time) for required work in excess of their regularly scheduled workweek through 40 hours of work and at one-and-one-half (1-1/2) times their regular rate for overtime worked in excess of 40 hours.

H. With Department Head authorization, non-exempt employees entitled to overtime pay for working over 40 hours/week as defined in "F" and "G" above may receive compensatory time off, instead of overtime pay, at the rate of one-and-one-half (1-1/2) hours off for each hour of overtime worked. Compensatory time 1) may

accrue to a maximum of one hundred (100) hours, 2) must be used within one hundred eighty (180) days of the pay period in which it was earned, and 3) shall be used at a time which is mutually agreeable to the Department Head and the employee. If the compensatory time is not used within the 180 day time limit, it shall be paid in cash at the current hourly rate during the pay period following expiration of the 180 day time limit. Payment of compensatory time upon separation shall be based on the employee's current hourly rate.

I. During any given workweek, an employee's supervisor may alter the work schedule, hour for hour, to avoid the employee's working in excess of the regularly scheduled workweek.

CALL-INPAYANDON-CALL

J. Call-In pay is defined as payment for work of an urgent nature which is performed by an FLSA non-exempt employee who has been called to work at a time that does not abut his/her normal work schedule.

K. An FLSA non-exempt employee who is called-in to work at a time that does not abut his/her normal work schedule shall receive compensation for the actual time worked or for a minimum guarantee of two hours, whichever is greater. The actual time worked will be calculated from the time the employee arrives at the work location until their scheduled shift starts or, if they are called back after the completion of their regular shift, from the time the employee begins traveling to the work location, until the employee returns back to their point of origin. When FLSA non-exempt employees are called in on an urgent basis as described above, only the hours actually worked, not the "minimum guaranteed hours" are used to determine overtime.

L. Being On-Call is defined as any employee who is not restricted to his/her home or any other specific location, but must carry a cell phone or beeper, leave a number where he/she can be reached, or can otherwise be contacted and remain reasonably accessible to report to work.

M. An FLSA non-exempt employee who is provided a beeper or cell phone, or who is otherwise required to be "on-call," shall be compensated under the provisions of "J" through "L" above only if the employee is required to report to work.

N. Compensating FLSA non-exempt employees differently than as described in "J" through "M" above requires the approval of the County Administrator. All such requests must be submitted to the Human Resources Director.

Effective: November 12, 1991
Revised: 09/17/92, 07/12/95, 09/13/95, 12/06/00, 01/23/02, 10/01/09

HOURSOFWORK

O. Each non-exempt employee is required to execute a biweekly timesheet showing the actual hours worked each day by the employee and properly accounting for the beginning and ending of the work day and intervening lunch periods. At the end of each biweekly work period, such employee shall sign the timesheet certifying the accuracy of the hours reported on the timesheet.

P. Non-exempt employees shall not perform work assignments prior to the beginning or after the end of the regularly scheduled work day unless previously approved by the employee's supervisor. Supervisors may authorize overtime after the fact for infrequent emergency situations.

Q. The lunch period is a non-work period during which employees are encouraged to consume their lunch in designated eating areas or spend their lunch period away from their desks or work areas, unless the Department Head indicates otherwise due to operational requirements. An employee who chooses to remain at his/her desk or work area is not expected to perform any work assignments during this time and will not be compensated for any work performed during the lunch period, unless previously approved by the employee's supervisor.

SECTION 3.6: TOP MANAGEMENT AND OTHER SALARIED POSITIONS

A. "Top Management" positions are salaried and include the following positions:

1. County Administrator
2. County Administrator direct reports in pay band “D” and above or as determined by the County Administrator
3. Assistant County Administrator
4. Assistant County Administrator’s direct reports who are Department Heads
5. Job and Family Services Director
6. Job and Family Services Director’s direct reports in pay band “D” and above (excluding Section Chief level and below positions).

B. Human Resources shall maintain a list of current top management positions.

C. All salaried employees are FLSA exempt and are ineligible for overtime payment or compensatory time credit. Human Resources shall determine which positions are salaried.

D. An employee will be considered to be paid on a “salary basis” within the meaning of FLSA regulations if the employee regularly receives each pay period a predetermined amount constituting all or part of the employee’s compensation, which amount is not subject to reduction because of variations in the quality or quantity of the work performed. Subject to certain exceptions (e.g., the initial or terminal week of employment), an exempt employee must receive the full salary for any week in which the employee performs any work without regard to the number of days or hours worked.

E. For purposes of calculating biweekly payroll and leave accumulations, salaried employees are considered to be working 40 hours per week.

F. Salaried employees shall not sign-in or keep timesheets for payroll purposes. However, salaried employees may be required to track work time for programmatic reasons. It is expected that salaried positions will normally require no less than 40 hours per week to complete the requirements of the job.

G. Salaried employees are required to notify their respective supervisors of their whereabouts during normal working hours. Salaried employees’ work schedules may be adjusted with prior approval by their respective supervisors.

H. Salaried employees need not be paid for any workweek in which they perform no work. Salaried employees need not be paid for absences for one or more full days for personal reasons, and the pay for those days absent may be deducted from their salary. Deductions from pay may be made for absences of one or

more full days for sickness or disability in accordance with the Sick Leave Policy, Section 4.1. An employee is not paid on a salary basis if deductions from the employee's predetermined compensation are made for absences occasioned by the employer. If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

I. In the event that an employee believes that the determination of Human Resources as to exempt/non-exempt status is incorrect, the employee should inform his/her supervisor and contact Human Resources for a detailed explanation. Similarly, should an exempt employee believe that an improper deduction was taken from his/her salary, the supervisor and Human Resources should be contacted for an explanation. The employee may utilize the Internal Grievance Policy Section 7.4 to address unresolved concerns, and will be promptly reimbursed for any improper deduction.

Effective: *September 17, 1992*
Revised: *09/29/94, 07/12/95, 12/06/00, 02/23/01, 09/15/03, 12/17/04, 07/10/07, 07/01/10, 01/01/12, 04/05/13, 10/01/13*

SECTION3.7: PAYANDPAYPERIOD

A. There are normally twenty-six (26) pay periods per year. All employees are to be paid bi-weekly. The biweekly payroll period for employees extends from 12:01 a.m. Thursday through 12:00 midnight the second succeeding Wednesday.

B. If payday occurs on a holiday, paychecks will be issued on the preceding work day, except under extenuating circumstances in which case paychecks will be issued on the following work day.

C. Pay advances of any kind are not permitted.

D. The Department Head or designee (usually the department payroll officer) will assist in answering questions regarding an employee's pay and otherwise resolve pay issues in cooperation with the County Auditor's office.

Effective: November 12, 1991
Revised: 12/06/00

SECTION3.8: PAYROLLDEDUCTIONS

A. Certain deductions are withheld from an employee's paycheck as required by law or as requested by the employee. Such deductions may include:

1. PERS - The County is required to withhold a percentage amount designated by PERS of each employee's gross earnings as his/her contribution to the Public Employees Retirement System (See Section 5.6). Membership in PERS is compulsory with few exceptions (See Ohio Revised Code Chapter 145).

2. IncomeTaxes - The federal, state and local governments require that taxes be withheld from each salary payment. Employees are required to complete withholding tax certificates (W-4 forms) upon initial employment and to inform the department's payroll officer of any dependency change thereafter. The department's payroll officer will inform the Auditor's Office of such changes on the Employee Data Form (EDF) or other appropriate form.

   Note that residents of some municipalities are required to pay income taxes to those municipalities, which are not withheld from their paychecks by the County Auditor. It is the employee's responsibility to ensure that these taxes are paid.

3. MedicareHealthInsurance - 1.45% of the salary of employees hired on or after April 1, 1986 is withheld each pay period to pay for Medicare health insurance coverage.

4. Miscellaneous - Other deductions may include: employee organization and/or professional association dues, deductions for employee benefit plans, credit unions, deferred compensation, court-ordered garnishments, child support, United Appeal, Fine Arts Fund, Savings Bonds, labor unions, and other such deductions.

B. Unless required by law, payroll deductions and subsequent changes require the voluntary, written authorizations and signature of the employee and must be processed in cooperation with the department’s payroll officer, the respective agency representative(s) and the County Auditor’s Office.

C. The department's payroll officer may refuse to make deductions, not required or permitted by law, below certain prescribed minimum amounts, or at irregular intervals, or for other reasons deemed by the Appointing Authority to be inappropriate. No deductions will be made when: (1) an employee is in layoff status, or (2) an employee is on an unpaid leave of absence, or (3) the employee's total wages are insufficient to cover the amount of the deduction.

SECTION3.9: PROJECTGAIN

A. Hamilton County desires to reward county employees for exceeding specific performance goals, above and beyond the normal scope of duties, which are new or never before successfully implemented in Hamilton County. It is a reasonable expectation that employees will implement ideas to perform their job duties as efficiently and effectively as possible. Project Gain recognition and awards are reserved for situations in which the ideas go beyond the reach of daily duties. An eligible employee participating in an approved program will be compensated based on enhanced revenues, improved efficiencies, or improved service quality which generates sustainable savings. Project Gain employee participation is voluntary. Programs may be submitted by individuals or groups. Rewards may be awarded to individuals or shared by groups, encouraging employee/employer partnership for improvement.

B. RATIONALE

The Hamilton County Commissioners recognize that employees are critical to the delivery of services. Employees are also the best source of innovative ideas and process improvements to further improve both the quality and efficiency of those services. Through their personal knowledge about their jobs, employees are able to improve both quality and efficiency, and reduce waste. The concept of Project Gain supports these principles by offering county employees the opportunity to share ideas with management in order to assist in the development of cost and/or enhanced revenue programs. Independent appointing authorities and elected officials may request participation in this plan under the terms of this policy.

C. DEFINITIONS

AWARD - One-time, lump sum payment an employee receives for an approved Project Gain program (all applicable payroll taxes will be withheld). Award is exempt from OPERS.

AWARDDISTRIBUTION – Name(s) of employee(s) within a department or work group that participated in a program, and the amount each employee may receive as a Project Gain award.

DEPARTMENT(S) - Departments under the jurisdiction of the Board of County Commissioners, an Appointing Authority or Elected Official participating in Project Gain.

EVALUATIONPANEL - Group selected by the Board of County Commissioners to review Project Gain programs. The group assures programs comply with guidelines and process applications. A chairperson may be appointed by the Board of County Commissioners, or designee.

Effective: March 27, 2006
Revised: 07/10/07, 08/25/08

FUNDINGPOOL - Amount a Project Gain Program identifies as savings and/or enhanced revenue. Also, amount by which a department=s, appointing authority=s, and elected official=s budget will be reduced in the subsequent year.

PROJECTGAINPROGRAM(orAPROGRAM@) - Department=s, Appointing Authority=s or Elected Official=s incentive program (with supporting documentation) that includes financial rewards to employees for exceeding specific performance goals which generate sustainable savings and/or revenue for the County through better use of resources, e.g., labor, capital, materials and energy.

REVENUE - Additional funds/income brought into the department/agency, above the current budget. This figure may be higher than the funding pool, and should be noted on the Cost Tracking Sheet.

SAVINGS - Total amount of funds saved as a result of an approved Project Gain program during a defined period, normally half a year or a fiscal year (distinct from the AAward@, which is the portion eligible for distribution).

D. EMPLOYEEELIGIBILITY

1. All permanent employees who have worked for Hamilton County at least 180 consecutive days by the end of the measurement period may be eligible to participate. In addition, to be eligible for an award, an individual employee=s performance must be satisfactory throughout the program, and the employee must have actively contributed toward the goals of the program for at least one-half of the measurement period. Bargaining unit employees may request participation under the terms of this policy.

2. To earn a Project Gain award, an employee must remain employed with Hamilton County through the date of award distribution or be retired. Employees who have transferred to another county department, but participated in their previous department=s Project Gain program for at least one-half of the measurement period are permitted to receive an award. Employees transferring to a county department participating in a Project Gain program and participating for at least one-half of the measurement period are permitted to receive an award.

E. Department heads, appointing authorities and elected officials may design and implement specific Project Gain programs along with their employees, and may collaborate with each other on Project Gain programs when working on common and overlapping functions (e.g., the Department of County Facilities and the Department of Public Works may work together on a project).

F. The program documentation or application will identify the employee(s) of the department/agency or work groups that participated in the program.

G. ELIGIBLEPROGRAMS

All Project Gain programs must be based on performance measures that take into consideration the department=s budget performance goals and that support the county=s and the department=s mission. Cost saving and/or enhanced revenue programs must be above and beyond the department=s normal scope of duties, and new or never before successfully implemented in Hamilton County. Appropriate ideas may include, but are not limited to: providing new services, developing and implementing changes that are beyond the employee(s) authority to implement themselves, or providing such a radically different way of achieving results that other county organizations could use the method as a model. There must be no decline in the standard of service as a result of the program, and there must be permanent and sustainable change. Programs may not include salary recommendations or position reclassifications. The department head, appointing authority or elected official will determine for his/her department whether the program will be submitted to the Evaluation Panel as a Project Gain project.

H. INELIGIBLEPROGRAMS

In particular, programs involving accounting changes, cost transfers to other departments or business units, various cash windfalls or fee increases are ineligible. Other exclusions include, but are not limited to: uncontrollable events, market forces, legislative and regulatory actions, funding restrictions, etc. The County Administrator, or designee, reserves the right to determine ineligible programs.

I. DATES

The length of a Project Gain program will be a fiscal year program (1/1 B12/31) or a semi-annual program (1/1 B 6/30 or 7/1 B12/31). An annual schedule found in the Project Gain Program Guidelines will note specific program dates.

J. PROGRAMAPPLICATION/DOCUMENTATION

1. Measurements used in Project Gain are based on individual or group performance.

2. The department head, appointing authority or elected official will submit the Project Gain program to the Evaluation Panel using the format found in the Project Gain Program Guidelines that includes a narrative that explains what, why, who, when, how, savings and/or revenue, and distribution award. The documentation will also include a program flow chart that mirrors the narrative.

3. As part of the Project Gain process a Cost Tracking spreadsheet must be completed. A Abefore@section must be completed with the initial documentation to participate and an Aafter@section with the final documentation reflecting actual cost savings and/or enhanced revenue, and award distributions. Information provided must be as detailed as possible, including specification of line item(s) and vendor(s) where applicable.

4. A comprehensive validation report will be submitted to the Evaluation Panel when the measurement period is complete. This report will be submitted whether or not the Project Gain program goals were achieved. The report must include an original signature of the department head, appointing authority, or elected official which indicates that he/she approved the results submitted. After review of the report, the Evaluation Panel may require the department to perform additional analysis and/or supply additional supporting documents.

5. Any amendment or cancellation of a Project Gain program requires notice to the Evaluation Panel and approval by the County Administrator, or designee.

K. EVALUATIONPANEL(DUTIESANDMEMBERS)

1. The Evaluation Panel assures that all Project Gain programs:

   a. Comply with guidelines and process applications accordingly;
   b. Meet the county=s mission;
   c. Support the vision of the department;
   d. Are consistent with the department=s budget goals;
   e. Promote customer service and department efficiencies;
   f. Lead to cost and/or enhanced revenue;
   g. Do not overlap Project Gain programs in other county departments or agencies.

2. The Evaluation Panel also performs the following other duties:

   a. Approve each department=s Project Gain performance goals;
   b. Verify each department=s achievement of the approved performance goals;
   c. Verify actual savings and/or enhanced revenue for each department at the end of the measurement period (fiscal year or semiannually);
   d. Verify amount of savings and/or enhanced revenue to be disbursed to an individual participant or equally among participants;
   e. Make recommendations so that the Commissioners and/or Administrator may settle any issues that may arise in reference to the program.

3. Evaluation Panel Members

   a. County Commissioner=s designee(s)
   b. County Administrator, or designee(s)
   c. Project Gain Program Coordinator
   d. Human Resources Director, or designee
   e. Assistant County Administrator(s), or designee(s)
   f. Budget Analyst of department submitting request
   g. Two representatives from departments not under the Board

L. AWARDLIMITS

1. Project Gain awards will be funded from the cost reductions or revenue enhancements identified in the department=s Project Gain program. Each department must remain within its expenditure budget in order to distribute an award under the plan. The total amount distributed under the plan must not exceed one-half of the savings and/or revenue enhancements generated under the plan. The remaining savings and/or enhanced revenue will be returned to the respective fund. The following fiscal year expenditure budget will be reduced by the full-year impact of any expenditure savings and/or enhanced revenue realized.

2. Individual employee awards must total at least $100.00 per employee per program, and may not exceed $1,000.00 per employee, per program and $5,000 per employee, per fiscal year. It is intended that equal amounts are shared with each participating employee under the plan. An exceptional award (of a maximum of $2,000 per employee per program) may be approved by the County Administrator under exceptional circumstances, e.g., when necessary and appropriate 1) program savings/enhanced revenues are $500,000 or above, and/or 2) program concept will be applied in other departments or be used County-wide for savings and/or enhanced revenue; and/or 3) savings/enhanced revenue are part of a project that takes multiple years to realize. The exceptional circumstances will be documented by the Evaluation Panel and approved by the County Administrator. Payment of awards will be made as soon as practical once projected savings and/or enhanced revenue are realized. Project Gain awards are made by check, separate from the biweekly payroll check, and are not considered Aearnable salary@thus exempt from OPERS deductions. All applicable payroll taxes will be withheld.

3. Any material changes in the department=s accounting procedures during the fiscal year that may affect the Project Gain program must be disclosed to the Evaluation Panel for review. If the Panel=s review indicates the change will have a significant effect on the Project Gain program, the review may result in a recommendation that the department=s program be amended or canceled.

SECTION3.10: FRESHIDEAS: ANEMPLOYEESUGGESTIONPROGRAM

MISSIONSTATEMENT

A. The Hamilton County Board of County Commissioners' Employee Suggestion Program, Fresh Ideas, is an effort to motivate employees by rewarding and recognizing them for sharing ideas that improve service and generate savings and/or revenue and otherwise benefit Hamilton County.

RATIONALE

B. The concept of Fresh Ideas offers county employees an opportunity to share ideas with management.

1. Employees are the best source of innovative ideas and process improvements to further improve the quality and efficiency of County services.

2. Hamilton County will reward county employees who share ideas that are implemented and benefit Hamilton County and its residents.

DEFINITIONS

C. The following are definitions of terms used in this policy:

1. Department(s) – includes all departments under the jurisdiction of the Board of County Commissioners and other participating departments.

2. Funding Pool – amount that Fresh Ideas identifies as annual savings and/or enhanced revenue.

3. One-day Paid Leave – an award which an employee may elect for approved tangible suggestion instead of the $200 cash award.

4. Revenue – additional annual funds or income brought into the department/ agency, above the current budget; the figure may be higher than the funding pool and should be noted on the Cost Tracking Sheet (completed by Department Director).

5. Savings – total amount of funds saved annually as a result of an approved suggestion. The amount by which a department's, appointing authority's, and elected official's budget will be reduced in the subsequent year.

ELIGIBILITYREQUIREMENTS

D. An employee is eligible to submit a suggestion under these conditions:

1. The employee is in a permanent position that is below the top management level as defined by the Board of County Commissioners' Personnel Policy Manual;

2. The employee submits the suggestion while employed with Hamilton County in a participating agency.

E. A suggestion is eligible when:

1. The employee does not have the authority to implement the suggestion without prior supervisory approval;

2. The suggestion produces positive results for Hamilton County;

3. The suggestion offers a specific solution;

4. The suggestion supports the county's and the department's mission;

5. The basis of performance measure is taken into consideration with the department's budget performance goals;

6. There is permanent and sustainable change; and

7. There is no decline in the standard of service as a result of the Fresh Ideas program.

INELIGIBILITYANDLIMITATIONS

F. Ineligible suggestion subjects include personal and personnel grievances; adjustments in job classifications, benefits, or salaries; matters within the scope of collective bargaining; matters requiring legislative or court action; stricter enforcement of already existing rules, regulations, or Personnel Policies; routine corrections or updates to printed material, hard copy, or other forms; periodic or routine matters for which established procedures are provided; housekeeping, normal maintenance and repairs (unless an improved method is proposed); suggestions on subjects periodically re-examined by management; increases in existing fees or charges; or an idea awarded cash under a previous or similar suggestion.

G. Exclusions & Limitations. Employees may not submit the same suggestion to both the Fresh Ideas program and the Project Gain program. Employees will not be compensated twice for the same suggestion (through the two different initiatives).

H. If a suggestion is rejected under the Fresh Ideas program, after one year the suggestion is again eligible for submission by any employee.

I. Employees may submit as many ideas as they wish each year. However, tangible award payments ($200 before tax award and one-day paid leave awards) have an annual maximum of ten (10) awards per year, and may be in any combination (Example: 5 - $200/before tax awards AND 5 - one-day paid leave awards; or 3 - $200/before tax awards AND 7 - one-day paid leave awards). Intangible awards do not have an annual maximum per year.

AWARDS

J. Employees who submit a suggestion to the Program Manager on the proper form, completed accurately and compliant with the criteria of the Fresh Ideas program, receive a congratulatory letter and a program item.

K. Two types of awards are given to employees whose suggestions are implemented by the department. Employees must elect the preferred award when submitting the Fresh Ideas suggestion form.

1. Intangible Award: May be given to an employee who submits a suggestion where a precise monetary value cannot be determined, but implementation of the suggestion is expected to produce a savings or enhancement in revenue of $199 or less (e.g., suggestion includes more efficient and/or effective management of operations; improvements in employee morale, health, safety, and quality of work life, and improved quality of service to Hamilton County residents, etc). The employee who submits an intangible suggestion which is implemented will receive notification and be entered into a raffle for an award. This award may include, but is not limited to, two tickets to a Cincinnati sporting or arts event or one-day paid leave.

2. Tangible Award: Is given to an employee who submits a tangible suggestion when a value can be precisely determined and demonstrates projected annual monetary savings or enhancements in revenue of at least $200. An award for a tangible suggestion being implemented in the employee's own department is one-day paid leave or $200 (before all applicable taxes are deducted). An award for a tangible suggestion being implemented in a participating department other than the employee's own department is one-day paid leave. Departments that are grant funded may award one-day paid leave in lieu of cash payment due to grant funding restrictions.

L. All projected net savings or revenue enhancements will be monitored during the implementation period. Upon completion of the implementation period, all net savings or revenue enhancements which result from an implemented suggestion will be accurately recorded and appropriately documented. Each department will include documented savings or revenue enhancements with their annual budget request. [1]

M. The cost of tangible awards will be funded from the budget of the department that benefits from the suggestion. Payment of award will be made as soon as the Department Head implementing the suggestion verifies the projected savings/enhanced revenue with the Budget Department, and the County Administrator, or designee, approves the suggestion. The Program Manager will coordinate this process. Departmental implementation is expected as soon as feasible.

PROGRAMRULES

N. All Fresh Ideas suggestion forms will be accepted for review. Oral suggestions will not be accepted. Requests from an employee for technical assistance to complete the suggestion form will be honored.

O. Suggestions must offer specific solutions. Incomplete suggestions will be returned to the submitter for a complete solution. Ideas that lack solutions in specific terms will not be accepted.

P. An employee's identity will remain anonymous when suggestions are initially sent to the Department Head. The Program Manager may ask the Department Head to identify who in his/her department would be responsible for implementing the suggestion. If the person identified by the Department Head proves to be the same person who suggested the idea, and that person has the ability to implement the idea without supervisory approval, no award will be made. Regardless, the identity of the employee and his/her idea must be made public once the eligible suggestion is approved for implementation.

Q. If the suggestion does not enhance revenue or provide a monetary savings, it is not eligible for a cash award.

R. Any eligible employee whose suggestion is implemented will not lose his/her eligibility for any monetary award by reason of resignation, retirement, promotion, or transfer. In the event of the employee's death, the award will be paid to the employee's estate or beneficiary. In the case of a terminated employee, the County Administrator, or designee, will review the circumstances and determine if the award will be presented.

[1] In calculating savings, the cost of capital expenditures will be amortized over the useful life of the equipment or facility. Direct labor costs and indirect administrative costs of implementation will be considered first year costs.

S. If a department modifies an employee's suggestion so that the specific solution implemented is in a different form, the employee may be eligible for an award if the employee's suggestion is considered to be of substantial assistance and was directly responsible for management taking action. If the implemented suggestion does not allow for the quantifiable identification of the employee's contribution, then the suggestion may be judged as an intangible award.

T. The Program Manager, with assistance from the appropriate Department Head, will determine the eligibility of employees and suggestions. The County Administrator, or designee, will have final approval of all suggestions. Decisions are deemed final and are not subject to appeal.

U. The entire Fresh Ideas suggestion program process will typically require no more than 90 days to complete, allowing for evaluation, budget review, Administrator/ designee approval, and award distribution processes. Should the process take more than 90 days, the employee will be informed of the delay. The complexity of a suggestion or a need for extensive testing may necessitate a longer evaluation period.

V. The County Administrator/designee shall have final authority regarding program implementation, or award category or level.

W. The BOCC initiated this program to acknowledge and reward employees for their Fresh Ideas. In addition to raffle prizes, recognition letters and certificates, monetary awards, and paid leave, the BOCC may acknowledge employees as part of public appreciation and recognition events.

X. All implemented suggestions become property of the BOCC once they are submitted to the Program Manager for review and consideration.

SUBMITTINGASUGGESTION

Y. Suggestions must be submitted on the Fresh Ideas suggestion form or be submitted electronically using the Intranet application. Forms are available in the Human Resources Department and on the county Intranet.

1. The suggestion form should be forwarded by the employee to the Program Manager, whose name and address are on the form. Online suggestions will be acknowledged once the form is received by the Program Manager. Interdepartmental and U.S. mail suggestions will normally be acknowledged within 10 calendar days. The preferred tangible award (monetary payment or one-day paid leave) must be selected on the Fresh Ideas suggestion form prior to submittal.

2. The Program Manager will forward eligible suggestions to the appropriate Department Head, who shall coordinate the process with the Department Coordinator and selected team members to begin the evaluation process.

3. If the Department Head believes the suggestion is feasible, he/she will recommend implementation and project the annual monetary savings/ revenue. This will assist in determining whether the employee is eligible to receive a tangible award or an intangible award. To be eligible for a tangible award the suggestion must be projected to produce a monetary savings/revenue enhancement of at least $200.

   If the Department Head does not believe the suggestion is feasible, then the evaluation form, along with rationale explaining why the suggestion is not being recommended for implementation, is sent to the Program Manager who will share the information with the County Administrator or designee. At any point during this process the Budget Department, the County Administrator or designee, or the Program Manager may request additional information.

4. The appropriate Budget Analyst will review the financial aspect of the Department Head's projected savings/revenue and forward verification to the Program Manager who will share the information with the County Administrator or designee.

5. Once the County Administrator/designee approves/denies the recommended suggestion, the Program Manager will be notified. The Program Manager will review the evaluation for completeness and accuracy, coordinate awards for payment, and respond to all parties involved, including the employee, regarding the final decision.

6. Once the Department Head is notified that a program is approved by the County Administrator/designee, the Department Head is expected to implement the idea. All implemented ideas will be monitored and the results will be measured. The Department Head will process tangible awards, sending appropriate documentation to the Auditor and/or documenting approved paid leave days. (Implemented cost saving proposals will be reflected in subsequent year budgets.)

SECTION3.11: TELECOMMUTINGPROGRAM

A. Telecommuting is an employment arrangement in which an employee works, on a regularly scheduled basis, from a remote work location, rather than at the standard County worksite. Telecommuting is a management tool that provides flexibility in meeting customer and business needs and may be used to assist in the effective and efficient accomplishment of County business. Telecommuting, as an employment alternative, offers many potential benefits such as increased productivity, reduced sick time, decreased turnover, and increased job satisfaction. The use of telecommuting depends on specific business functions and work tasks to be performed.

B. The telecommuting program applies to departments under the BOCC. The Department Head has the ultimate responsibility for managing the day to day coordination of the program within his/her department and ensuring that all participating employees comply with its rules and other applicable policies, procedures, and regulations. The telecommuting employee's immediate supervisor is responsible for monitoring and documenting the employee's ongoing work performance. HR may be consulted at any time in order to assist with the implementation of individual telecommuting arrangements.

C. Telecommuting requests will be considered on an individual basis to determine if the employee has the necessary skills and abilities to be a telecommuter and if the duties of the employee's position can adequately be performed by telecommuting. Decisions will be based on specific, written, work related criteria established by management. Only permanent employees in non-bargaining unit positions, with a minimum of one year of experience and an overall performance rating of "Achieved" or better on the most recent evaluation, with no disciplinary actions within the preceding 12 month period will be considered for telecommuting arrangements. Telecommuting arrangements must not result in excessive additional work for employees who remain at the standard County worksite and the same level of customer service must be maintained.

D. Employees interested in telecommuting must demonstrate that their position and work tasks, in conjunction with previous job performance, warrants consideration for a telecommuting arrangement. Employees must complete the Telecommuting Program Request Form (HR024) and submit it to their immediate supervisor for consideration. The immediate supervisor will consider the request, complete the Telecommuting Program Supervisory Checklist (HR025), and then forward the request with his/her recommendation and the completed checklist to the Department Director for consideration. The Department Director may consult with HR. The Department Director has the sole discretion to grant or deny telecommuting requests based on the business needs of the department and the decision is final and is not subject to appeal or grievance.

E. Once approved the immediate supervisor and the telecommuter will execute a Telecommuting Program Agreement (HR026) and determine the work schedule (including specific telecommute days, office work days, core hours, etc.). Telecommuters will be expected to attend all mandatory meetings, trainings, etc, as determined by the supervisor. Office needs take precedence over telecommute days and an employee will be required to forgo telecommuting without notice, if needed in the office on a particular day. Once the agreement is executed and the schedule is agreed upon, the supervisor will provide copies to the employee, the Department Director, and Human Resources. If necessary, the Department Director can amend the schedule to better serve organizational and customer service needs.

F. Approved telecommuting arrangements will take effect as soon as is feasible but generally no more than 30 days after final approval is granted. The telecommuting arrangement may be cancelled by the Department Director at any time when it is determined that continuation would not be productive, efficient, or otherwise not in the best interest of the County. Cancellation of a telecommuting arrangement is not appealable or grievable. The County will attempt to provide at least 10 working days to transition back to regular work at the standard County worksite.

G. Telecommuting employees will be compensated for all pay, leave, overtime, and travel (to training, seminars, other worksites, etc.) as if duties were being performed at the standard County worksite. Telecommuters are subject to the same rules and procedures as other employees and are covered by workers' compensation when performing official work at the alternate worksite. Telecommuters shall verify in writing that their alternate worksite provides space that is free of safety and fire hazards and shall agree that Hamilton County will be held harmless against any and all claims, excluding worker's compensation claims that result from working at the alternate worksite. The County may require that the immediate supervisor or other appropriate person conduct a safety inspection of the employee's alternate worksite prior to final approval of a telecommuting arrangement.

H. Telecommuters must adhere to the requirements of the FLSA and not work longer than permitted, or incur overtime without prior supervisory approval. Working unapproved overtime will result in immediate cancellation of the telecommuting arrangement.

I. Telecommuters must make appropriate arrangements for care of dependents during work hours. Personal business/family responsibilities must be arranged so as not to interfere with work time.

J. Once a telecommuting arrangement is approved, the telecommuting employee will be provided with the necessary supplies needed to successfully perform his/her duties from the alternate worksite. The County at its sole discretion may permit use of employee owned equipment or may provide County equipment for

use at the alternate worksite. Any computer or electronic equipment supplied by the County remains County property. Equipment provided by the County may include computer hardware, computer software, modems, fax machines, and telecommunications equipment. The use of County owned equipment at the alternate worksite is limited to authorized persons only for purposes of transacting County business. Unauthorized use of County owned equipment for personal use is prohibited and will result in immediate termination of the telecommuting arrangement and/or disciplinary action. Employees may be required to return equipment to the main work location for all necessary maintenance, repair, and replacement. When telecommuting using either County owned or personal equipment, employees must continue to comply with personnel policy Sections 6.6 and 6.7 while conducting County business. All County owned equipment must be returned upon termination of a telecommuting arrangement.

K. Employees will be reimbursed for the following expenses incurred while working at an alternate worksite: long distance telephone calls made from the employee's alternate worksite phone that can be demonstrated to have had a business purposes, and maintenance and repair of County owned equipment. Purchase of regular office supplies must be procured through regular office procedures. Travel to and from the standard County worksite on office work days is not reimbursable, as this constitutes the standard commute mileage. Repair to employee owned equipment is the responsibility of the employee even if such equipment is used to transact County business. Individual tax implications related to the alternate worksite are the responsibility of the employee.

L. Employees previously participating in a telecommuting arrangement are not assured of the continuation of such arrangement upon return from a leave of absence or after a job transfer.

M. All telecommuting arrangements must be discussed and renewed annually (prior to or on the anniversary date of the initial arrangement approval), whenever there is a major job change or change in duties, or whenever there is a change in direct supervision of the telecommuting employee.

N. Employees may also request to telecommute on an ad hoc basis for a short duration for the following reasons:

1. the employee needs a block of uninterrupted time to complete the writing and/or editing of a report or other similar document, or to complete a large project;

2. the employee has a business or personal appointment during the day and cannot reasonably commute to and from the office. The employee would take leave for the period of the personal appointment but otherwise work the remainder of the day at an alternative worksite;

3. the employee has a minor injury or condition that temporarily limits mobility but not ability to perform duties;

4. The employee is suffering from or has been exposed to a communicable disease as documented by a medical practitioner, but maintains the ability to perform duties;

5. The employee is caring for an immediate family member who is suffering from an illness, injury, or pregnancy-related condition;

6. The employee does not wish to commute during an extreme weather emergency such as snow, ice, smog-alert, etc.

Requests made for ad hoc arrangements can be approved and arranged at the sole discretion of the supervisor and Department Head. In these instances, completion of forms is also at the discretion of the Department Head.

SECTION 3.12: ALTERNATIVE SCHEDULING

A. Alternative scheduling arrangements allow employees to balance work and personal commitments while ensuring the operational needs of the County are met. Alternative schedules are permitted at the sole discretion of the Department Head based on the business needs of the department. Alternative schedules must not result in excessive additional work for employees who work a standard schedule and the same level of customer service must be maintained.

B. Alternative scheduling applies to departments under the BOCC. The Department Head has the ultimate responsibility for approving alternative schedules for employees in his/her department. The Department Head must ensure that all participating employees comply with applicable rules, policies and procedures. The immediate supervisor is responsible for monitoring and documenting the employee's ongoing work performance. HR may be consulted at any time in order to assist with the consideration and implementation of alternative schedules.

C. Requests for alternative schedules will be considered on an individual basis to determine if the employee has the necessary skills and abilities to work an alternate schedule. Decisions will be based on specific, written, work related criteria established by management. Only permanent employees will be considered for alternative schedules.

D. Alternative Scheduling Options:

1. Flextime: allows employees to adjust their arrival and departure times subject to supervisory approval and the operational needs of the department and County. Flextime typically allows the employee to choose his/her daily starting and ending times. Employees will work 40 hours in a pay week and 80 hours in a pay period.

2. Compressed Work Week:

a.) FLSA non-exempt, overtime eligible employees

Allows employees to work longer days for part of the week in exchange for a shorter work day or day off each week. Employees would work 40 hours per pay week but in less than five (5) work days. Compressed work weeks are most appropriate in situations in which employees do not have fixed schedules for consumer contact, have to keep pace with incoming work on a daily basis or where there are several employees who perform the same job.

Examples of FLSA non-exempt compressed work week options:

1.) Four (4) – 10-hour days per pay week (example Monday – Thursday, 7:00 a.m. to 5:30 p.m. with a thirty (30) minute lunch, off on Friday);

2.) Four (4) – 9-hour days with one (1) - 4 hour day per pay week (example 7:00 a.m. to 4:30 p.m. with a thirty (30) minute lunch, 8:00 a.m. to 12:00 p.m. on Friday).

Remember FLSA non-exempt overtime eligible employees must work their 40 hours within the pay week (Thursday – Wednesday).

b.) <u>FLSA Exempt Employees</u>

Allows employees to work longer days for part of the week or pay period in exchange for shorter days or a day off each week or pay period. Employees will work 80 hours per pay period but in less than 10 work days. Compressed work weeks are most appropriate in situations in which employees do not have to keep pace with incoming work on a daily basis or where there are several employees that perform the same job.

Examples of FLSA exempt compressed work week options:

1.) Eight, 10-hour days per pay period (example: Mon –Thurs 7:00 a.m. to 5:30 p.m. with half hour lunch, off on Fridays);

2.) Eight, 9-hour work days per pay period with two half days per pay period (example: Mon-Thurs 7:00 a.m. to 4:30 p.m. with half hour lunch, 8:00 a.m. to 12:00 p.m. on Fridays);

3.) Eight, 9-hour work days, One, 8-hour work day, and one off day per pay period (example: Off every other Monday, work 7:00 a.m. to 4:30 p.m. on 8 days and 7:00 a.m. to 3:30 p.m. on one day per pay period).

E. <u>Items to consider when evaluating employee requests</u>:

1. Level and quality of customer service must be maintained and operational deadlines are met consistently;

2. Schedules coordinate with needs of coworker(s) and internal and external customers and with other County departments that may be impacted;

3. Employee's individual work can be performed effectively within the proposed alternative schedule;

4. The individual employee is held accountable for completing assigned work, using time effectively, maintaining dependable attendance, documenting timekeeping accurately, and communicating work issues effectively to management.

F. Timekeeping and Administrative Issues to Consider:

1. Core office/departmental hours should be established and must be covered.

2. Paid holidays are a maximum of 8 hours for full time employees (employees working a compressed work week may alter their work schedule and/or request additional time off during work weeks that include an observed holiday).

G. The alternative schedule may be cancelled by the Department Director at any time when it is determined that continuation would not be productive, efficient, or otherwise not in the best interest of the County. Cancellation of an alternative schedule is not appealable or grievable. The County will attempt to provide at least 10 working days to transition back to the standard work schedule.

H. Employees previously working an alternate schedule are not assured of the continuation of such arrangement upon return from a leave of absence or after a job transfer.

SECTION FOUR

LEAVE

SECTION 4.0: FAMILY AND MEDICAL LEAVE

A. In accordance with applicable federal law, employees who have been employed for at least one (1) year with the Board of County Commissioners, and for at least 1,250 hours during the preceding twelve-month period are eligible for family and medical leave (FML) for the following reasons:

1. the birth of a son or daughter, and to care for the newborn child;
2. the placement of a child with the employee for adoption or foster care (leave must be taken within twelve (12) months of placement);
3. to care for the employee's spouse, son, daughter or parent with a serious health condition;
4. a serious health condition that makes the employee unable to perform the essential functions of the employee's position;
5. because of any *qualifying exigency* arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty"; or
6. to care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the servicemember (military caregiver leave).

B. For purposes of this policy, the following definitions apply:

1. *Adoption* - means legally and permanently assuming the responsibility of raising a child as one's own.
2. *Covered Active Duty* – for a member of the Regular Armed Forces, means duty during the deployment of the member with the Armed Forces to a foreign country. For a member of the Reserve components of the Armed Forces (members of the National Guard and Reserves), it means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.
3. *Foster care* - means 24-hour care for children in substitution for, and away from, their parents or guardian. Such placement is made by or with the agreement of the State as a result of a voluntary agreement between the parent or guardian that the child be removed from the home, or pursuant to a judicial determination of the necessity for foster care, and involves agreement between the State and foster family that the foster family will take care of the child.
4. *Next of kin of a covered servicemember* - means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter.
5. *Parent* - means biological parent, adoptive parent, step or foster father or mother, or any other individual who stood in *loco parentis* to an employee when the employee was a son or daughter. This term does not include parents "in law."

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6. *Parent of a covered servicemember* - means a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents "in law."
7. *Qualifying exigency* - means (a) short-notice deployment; (b) military events and related activities; (c) childcare and school activities; (d) financial and legal arrangements; (e) counseling; (f) rest and recuperation; (g) post-deployment activities; and (h) additional activities mutually agreed upon by the employee and employer, but not enumerated in the regulations.
8. *Servicemember with a serious injury or illness* - means member of the Armed Forces, including National Guard or Reserves, who has suffered an injury or illness incurred in the line of duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.
9. *Son or Daughter* - means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*, who is either under the age of 18, or age 18 or older and incapable of self-care because of mental or physical disability [see also 29 CFR 1630.2(h), (i), and (j)].
10. *Son or daughter on active duty or call to active duty status* - means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on active duty or call to active duty status, and who is of any age.
11. *Son or daughter of a covered servicemember* - means the servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the servicemember stood in loco parentis, and who is of any age.
12. *Spouse* - means husband or wife, as defined or recognized under State law for purposes of marriage in the State where the employee resides, including common law marriage in States where it is recognized.

C. All qualifying leave under this policy will be counted against an employee's entitlement under the federal Family and Medical Leave Act. The maximum duration of a leave for any reason delineated in Paragraph A.1-5 shall be twelve (12) weeks in any calendar year. The maximum duration of a leave for reason in Paragraph A.6 shall be twenty-six (26) weeks during a single twelve (12) month period, which begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

D. In all cases and in order for Family and Medical Leave or Military Family Leave to be approved, all portions of one or more of the following must be completed and submitted to the Human Resources Department in a timely manner (forms may be obtained from the Human Resources Department):

1) Certification of Health Care Provider for Employee's Serious Health Condition;

2) Certification of Health Care Provider for Family Member's Serious Health Condition;
3) Certification of Qualifying Exigency for Military Family Leave; or
4) Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave.

E. If the requested leave is because of an employee's serious health condition, the employee must demonstrate that the probable length of the illness, injury, or condition will not exceed the maximum duration established in Paragraph C. If the employee is unable to demonstrate likely improvement and return to work within the maximum period, said employee may be separated due to disability, under Chapter 34 of the Hamilton County Administrative Regulations.

F. In any case where the Human Resources Director, or designee, has any doubt or disagreement with the employee's certification, the HR Director, or designee, may, at the employer's expense require that an additional opinion be obtained from a health care provider designated by Human Resources. In addition, the HR Director, or designee, may require periodic recertifications during the leave. (See Section 2.5 of this manual.)

G. If an employee is unable to return to active work status within the maximum time allowed for the leave because of the same illness, injury or condition, the employee will be granted a disability separation.

H. If leave is for the birth or adoption of a child, an employee may take leave on an "intermittent" or "reduced leave" schedule only with prior employer agreement. This leave must be concluded within twelve (12) months of the date of birth or from the date of placement of a child for adoption or foster care. If leave is because of a "serious health condition," intermittent or reduced leave may be approved when medically necessary. Employees approved for intermittent or reduced leave for planned medical treatment must make a reasonable effort to schedule treatment so as to not unduly disrupt the employer's operations. An employee using intermittent leave may be transferred temporarily to an alternative position, with equal pay and benefits, which better accommodates recurring periods of leave.

I. FML shall be without pay, except that employees shall exhaust all accrued sick leave, compensatory time, earned personal days, and vacation balances, as appropriate, prior to going on unpaid leave. (Sick leave shall be substituted only for reasons set forth in Section 4.1 of this manual.)

J. When FML is used while receiving Workers' Compensation, that program shall override the requirement described in Paragraph I. above.

K. If the employee's need for leave is foreseeable, the employee must provide at least 30 days advance notice before the date of leave. Where a need for leave is unforeseen, notice must be provided within one half hour of the employee's

normal start time or as soon as practicable. If the need for leave is foreseeable and the employee fails to give proper notice, the Appointing Authority may deny leave until 30 days after notice is provided. Employees shall make a reasonable effort to schedule leave so as to minimize disruption to County operations.

L. When a husband and wife are both employed by the Board of County Commissioners and are entitled to leave because of the birth or placement of a child, or to care for a sick parent, the aggregate period of family leave shall be limited to twelve (12) weeks.

M. During a period of FML, an employee will be retained on the County's health plan, if applicable, under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he or she made to the plan before taking leave. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of health insurance premiums during the leave, unless the reason the employee fails to return is the presence of a serious health condition which prevents the employee from performing his or her job or to circumstances beyond the employee's control.

N. An employee who takes leave for his or her own serious health condition will be required to obtain a medical certification from his or her health care provider that the employee is able to resume work. Such return-to-work certifications may not be required from employees who take intermittent leave.

O. Upon completion of FML, the employee shall be returned to the same or similar position within the employee's former classification. If the employee's former classification no longer exists, the employee shall be assigned, with the concurrence of the Human Resources Department, to a position in a classification similar to that which he/she formerly occupied.

P. The employee may be returned to active pay status prior to the originally scheduled expiration of the leave if the employee gives notification to Human Resources at least two (2) working days prior to the employee's planned return.

Q. The failure of an employee to return to work upon the expiration of a family or medical leave of absence will constitute a resignation unless an extension is granted. Requests for extensions must be submitted in writing to Human Resources, as soon as the employee realizes that she or he will not be able to return at the expiration of the leave period, and no later than within one half hour of the employee's normal start time on the expected return to work date.

R. Failure to comply with the requirements of this policy could result in a denial or delay of leave, a loss of rights under the Family and Medical Leave Act, and/or disciplinary action up to and including termination

S. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

This SOP implements Section 4.0 of the Policy Manual.

A. Employees requesting a leave of absence for any reason must submit a Time Off Request and follow their department's internal procedures. Departmental payroll officers are responsible for informing the Human Resources Department (HR) of all requests for leave for medical reasons for periods lasting four or more days or for any intermittent period. Supporting documentation should be forwarded to Human Resources. The Program Compliance Officer of HR will then review the request for leave for coverage under the FMLA.

B. In all cases and in order for Family and Medical Leave or Military Family Leave to be approved, all portions of one or more of the following must be completed and submitted to the Human Resources Department in a timely manner (forms may be obtained from the Human Resources Department):

1) Certification of Health Care Provider for Employee's Serious Health Condition;
2) Certification of Health Care Provider for Family Member's Serious Health Condition;
3) Certification of Qualifying Exigency for Military Family Leave; or
4) Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave.

C. Absent extenuating circumstances, Human Resources will use the Designation Notice to inform the employee within five (5) business days after receipt of all completed documentation whether the leave is protected under the FMLA and the conditions under which the leave is approved. A copy of the Designation Notice will be forwarded to the employee's immediate supervisor, the employee's Section Chief (where applicable) and/or to the departmental payroll officer/timekeeper.

D. When any portion of the leave is known to be without pay, the employee must make advance arrangements with his/her department and the County Auditor to pay his/her employee contribution for benefits.

E. If an employee is not able to return from leave as originally anticipated, the employee must request a leave extension or submit his/her resignation. Requests for extensions must be submitted in writing to Human Resources, as soon as the employee realizes that she or he will not be able to return at the expiration of the leave period, and no later than within one half hour of the employee's normal start time on the expected return to work date.

If an extension is requested, the Human Resources Department will determine the need for an additional:

1) Certification of Health Care Provider for Employee's Serious Health Condition;
2) Certification of Health Care Provider for Family Member's Serious Health Condition;
3) Certification of Qualifying Exigency for Military Family Leave; or
4) Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave.

F. Human Resources will provide the employee with a response to his/her application for an extension using the Designation Notice. A copy of the response will also be forwarded to the employee's immediate supervisor and departmental payroll officer/timekeeper.

G. Human Resources will monitor the employee's attendance for the purpose of tracking the employee's eligibility for FML. Absences unrelated to the request of an FML qualifying leave will not be counted against an employee's entitlement to FML.

SECTION 4.1: SICK LEAVE

A. An employee requesting sick leave must follow the notification policy outlined in Section 6.2.B. of this manual and submit a Time Off Request.

B. Sick leave may be requested for the following reasons:

1. Illness, injury or pregnancy-related condition of the employee, or of a member of employee's immediate family;

2. Exposure of employee to a contagious disease which could be communicated to other employees;

3. Death of a member of the employee's immediate family (leave not to exceed five days); or

4. Medical, psychological, dental or optical examinations or treatment of employee, or of a member of employee's immediate family where employee's attendance is reasonably necessary.

For purposes of this policy, the "immediate family" of the employee includes only: spouse, mother, father, brother, sister, child, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, step-mother, step-father, step-brother, step-sister, step-son, step-daughter, legal guardian or other person who stands in the place of a parent.

For sick leave situations involving approved FMLA claims, see section 4.0.

C. For each completed hour in active pay status, full-time and part-time employees earn .0575 hours of sick leave. Active pay status for this purpose is defined as hours worked, vacation leave, sick leave, administrative leave, compensatory time, holidays, and earned personal days. For purposes of this policy, employees also earn sick leave for hours on mandatory furlough. Employees are credited at the end of each pay period with the appropriate amount of sick leave earned which may be used in the following pay periods. Employees may not use this newly credited amount within the same pay period it is earned.

D. The amount of sick leave any one employee may accrue is unlimited.

E. Employees absent on sick leave shall be paid at the same basic hourly, daily or biweekly rate as when they were working, provided they have sufficient sick leave accrued to cover the period of absence, and comply with all requirements of this section.

F. Accrued vacation leave may be used for sick leave purposes, at the employee's

request and with the prior approval of the employee's supervisor.

G. Employees who suffer from a chronic illness or extended disability and who have exhausted all appropriate leave options may request an accommodation under the Americans with Disabilities Act (see Section 2.6) or a Voluntary Disability Separation (see section 4.6).

H. If an employee seeks medical attention for any authorized use of sick leave, as set forth in Paragraph B of this policy, the employee must provide to his/her supervisor a medical practitioner's statement, indicating name of patient, date and nature of the visit.

I. When an incident of absence exceeds seven (7) consecutive calendar days, a statement from a medical practitioner must be provided to the employee's supervisor or to the Human Resources Department if requesting leave under the FMLA, stating the nature of the illness or injury and when the employee may reasonably be expected to return to work.

J. If an employee fails to submit the Time Off Request, or the medical practitioner's statement when required, the employee shall not be paid for the sick leave. If the Time Off Request is denied and as a result the employee has been overpaid, such overpayment shall be deducted from that employee's next pay check. A Time Off Request may be denied by the supervisor based upon any investigation which discloses facts inconsistent with proper use of sick leave.

K. In conjunction with the Human Resources Department, the employer may require an employee to submit to medical examination to validate sick leave, as provided in Section 2.5. An Employee Authorization to Release Medical Information will be required for such examination and to justify payment of sick leave benefits.

L. Any employee failing to comply with sick leave rules and regulations will not be entitled to sick leave pay. Application for sick leave with the intent to defraud shall result in disciplinary action and may include dismissal and/or the forfeiture of salary or wages paid.

M. Employees who transfer between County departments or agencies, or from another public agency (as defined in ORC124.38), or who are reappointed or reinstated, will be credited with the unused balance of accumulated sick leave, provided the time between separation and reappointment does not exceed ten (10) years and the unused balance has not been eliminated by a prior conversion of sick leave at retirement or other termination. This ten-year period shall be tolled for any period during which the employee holds elective public office, whether by election or by appointment. (Under ORC 124.38, the definition of public agency, with certain exceptions, includes the state of Ohio, counties, municipalities, civil service townships, any state college or university, and any

boards of education for which sick leave is not provided by ORC 3319.141.)

Effective: November 12, 1991
Revised: 12/06/00, 02/23/01, 05/27/03, 07/01/06, 10/01/09, 01/01/12, 07/19/17

SECTION4.2: ADMINISTRATIVELEAVES

A. A Department Head may grant an employee paid administrative leave during a disciplinary investigation or in circumstances where the health or safety of an employee, or of any person or property entrusted to the employee's care, could be adversely affected. The length of the leave shall not exceed the length of the situation for which the leave was granted.

B. The Department Head shall confer with the Human Resources Director prior to granting paid administrative leave.

C. The Department Head shall notify the County Administrator of the circumstances which result in authorized paid administrative leave.

D. An employee may be placed on administrative leave without pay for a period of up to two months if the employee has been charged with any violation of the law that is punishable as a felony. If the employee subsequently does not plead guilty to or is not found guilty of a felony, the employee will be paid at his or her base pay, plus interest, for the period the employee was on unpaid administrative leave.

Effective: January 19, 1995
Revised: 12/06/00, 09/21/07

SECTION4.3: COURTLEAVE

A. An employee shall be granted court leave with full pay if the employee:

1. Is summoned for jury duty by a court of competent jurisdiction, or

2. Is subpoenaed to appear before any court, commission, board or other legally constituted body authorized by law to compel the attendance of witnesses, where the employee is not a party to the action.

B. When such duty is performed during an employee's scheduled working hours, the employee shall receive regular salary or wages from the County in full. Any compensation or reimbursement for jury duty, or for court attendance compelled by subpoena, shall be turned over to the departmental payroll officer and transmitted to the County Treasurer. The employee will be expected to report for work following jury duty or court attendance, if more than one (1) hour of time remains during his/her scheduled workday.

C. Employees summoned for jury duty or for court attendance shall submit a Time Off Request and submit a copy of the subpoena or summons.

D. Any employee, who is appearing before a court or other legally constituted body in a matter in which he/she is a party, may be granted vacation leave or leave of absence without pay. Such instances would include, but not be limited to, criminal or civil cases, traffic court, divorce proceedings, custody hearings, or appearing as directed as parent or guardian of juveniles. The type of leave is the employee's option, and shall be scheduled in advance with the Department Head.

E. An employee who is the appellant in any action before the State Personnel Board of Review, and is in active pay status at the time of a scheduled hearing before the Board, shall be granted court leave with full pay for purposes of attending the hearing.

F. If an employee is called for court jury duty or subpoenaed to testify in a court of law, outside of his/her regularly scheduled working hours, all monies received as compensation for such court service shall be retained by the employee.

Effective: November 12, 1991
Revised: 12/06/00, 12/17/04, 08/25/08, 01/01/12

SECTION4.4: MILITARYLEAVE

A. Military leave is governed by Chapter 5923 of the Ohio Revised Code (ORC) and 38 U.S.C.A. Sections 4301 to 4333, USERRA, and Hamilton County Administrative Regulations 33-04 and 33-05. Because of the complex rules governing military leave, only basic information is provided in this policy. All inquiries or questions regarding details not covered in this policy should be directed to the Benefits Division of the Human Resources Department.

B. Any County employee (other than elected officials and appointed officials serving fixed terms) who voluntarily or involuntarily enters any of the Armed Services of the United States, shall be granted a military leave of absence for a period not to exceed five (5) years. Such leave may be with or without pay as is described in the Hamilton County Administrative Regulations. If an employee is not accepted for active duty, the employee shall be reinstated to his/her former position or a similar position without loss of seniority, status or reduction in pay.

C. All employees who are members of the Ohio National Guard, the Ohio Defensive Corps, the State and Federal Militia, or members of other reserve components of the Armed Forces of the United States, are entitled to a leave of absence from their respective duties without loss of pay. This includes military service for field training or active duty for periods not to exceed a total of twenty-two (22) regularly-scheduled work days (one-hundred seventy six (176) hours for 40 hour jobs) in any one calendar year. Service may or may not be continuous.

D. An employee whose employment with Hamilton County is interrupted by a period of service in the uniformed services shall be permitted, upon request, to use accumulated vacation leave or other similar leave prior to any unpaid leave of absence.

E. Prior to military leave, an employee shall submit a Time Off Request and provide to his/her supervisor the official order to duty from the appropriate authority or military commander. Military leave exceeding twenty-two (22) regularly scheduled work days in a calendar year shall be reported to Human Resources.

F. An employee who completes his/her active duty obligation is entitled to be reinstated to his County position as described in Regulation 33-05(C) and (D).

G. An employee who fails to return to work or to report to his/her appointing authority his/her intent to return to work within the appropriate time period shall be considered Absent Without Leave and subject to discipline as described in Section 7.1 of this manual. NOTE: No such notice is required if giving notice is precluded by military necessity or is otherwise impossible.

SECTION 4.5: LEAVE OF ABSENCE WITHOUT PAY

A. Nothing in this policy shall be construed as limiting, superseding, or requiring any leave granted under the Family and Medical Leave Act or the Americans with Disabilities Act as amended.

B. Upon written request, an employee may be granted a leave of absence without pay.

C. All requests for leave of absence must be submitted using the Time Off Request process. Supporting documentation indicating the need and specific reason for the leave of absence, and the dates for which such leave is being requested must be provided to the employee's supervisor.

D. The authorization of a leave of absence without pay is solely a matter of administrative discretion, and each request will be decided by the Department Head or designee based upon merits of the request, business needs of the Department, and recommendation by the employee's supervisor.

E. The maximum duration of a leave of absence without pay for personal reasons of the employee shall not exceed six (6) months.

F. The maximum duration of a leave of absence without pay for purposes of education, training or specialized experience or for other related reasons which would benefit County service, shall not exceed twenty-four (24) months.

G. The Department Head or designee shall contact the employee on leave of absence at least two (2) weeks before the scheduled return-to-work date and confirm the return date. If a temporary employee has been appointed to the position left vacant by the employee on leave, the temporary employee also shall be notified two (2) weeks before the return date of the employee on leave.

H. Upon returning from a leave of absence, the employee will be placed in his/her original position, or a similar position in the same classification should the original position be unavailable.

I. If it is determined that an employee is not actually using the leave of absence for the authorized purpose, the Department Head or designee may cancel the leave and direct the employee to report for work at a designated time. A copy of such directive should be sent to the Human Resources Department.

J. If an employee fails to return from leave to work as scheduled or fails to return following cancellation of the leave, the employee shall be considered Absent Without Leave and subject to termination (See Section 6.2.F. of this manual).

K. An employee who has been placed on authorized leave of absence without pay does not accrue sick or vacation leave. However, time spent on such leave shall be considered in determining service credit with the County.

L. Leaves of absence that exceed one (1) pay period and leaves of absence during the employee's probationary period must be reported to the Human Resources Department.

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Revised: 12/06/00, 09/21/07, 01/01/12, 07/19/17

SECTION4.6: EMPLOYEEDISABILITY

An employee who is unable to perform the essential functions of his/her position, with or without reasonable accommodation, may be considered for voluntary reduction or leave of absence without pay.

A. VOLUNTARYREDUCTION: If an employee becomes unable to perform the essential functions of his/her position, 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 to the employee's supervisor, stating the reason for the request, and if approved, the request shall be submitted to Human Resources for execution of the personnel action.

B. LEAVEOFABSENCEWITHOUTPAY:

1. An incapacitated employee, who has exhausted all accumulated sick and vacation leave and for whom voluntary reduction is not practicable, may request up to six (6) months of leave without pay under provisions of the Sick Leave Policy at 4.1.H. The employee must demonstrate that the probable length of disability will not exceed six (6) months.

2. Such request shall be submitted to the employee's supervisor, using the Time Off Request process. Supporting documentation must be submitted to the employee's supervisor that includes a licensed practitioner's certificate stating the probable period for which the employee will be unable to perform the essential job duties of the employee's position.

3. If the employee is unable to return to work by the end of the six (6) month leave of absence without pay, a Disability Separation, under Section 4.7, may be granted.

4. An employee may be required to provide a physician's certificate that confirms the employee is able to perform the essential job duties of his/her position prior to returning to work.

5. If approved by the Department Head or designee, the request and documentation shall be submitted to Human Resources for execution of the personnel action.

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Revised: 12/06/00, 01/01/12

SECTION4.7: DISABILITYSEPARATION

A. In accordance with Chapter 34 of the Hamilton County Administrative Regulations, disability separation may be granted when a classified employee becomes unable to perform the essential functions of his/her position, with or without reasonable accommodation, due to a disabling illness, injury, or condition, and said employee has exhausted all accumulated leave, paid and unpaid, to which he/she is entitled.

B. VOLUNTARYDISABILITYSEPARATION

1. An employee may request in writing to his/her Department Head or designee a voluntary disability separation. All such requests must be forwarded to Human Resources.

2. The employee must provide credible medical evidence signed by a licensed practitioner substantiating that the employee is unable to perform the essential job duties of his/her position due to a disabling illness, injury, or condition.

3. Human Resources may grant an employee's request for a disability separation, or require the employee to submit to a medical or psychological examination by a licensed practitioner selected by Human Resources, at the employer's expense. Failure to submit to such examination may result in discipline, up to and including removal.

4. An employee who is granted a voluntary disability separation waives his/her right to a pre-separation hearing and to an appeal of the decision to grant the employee's request.

C. INVOLUNTARYDISABILITYSEPARATION

1. Human Resources may require that an employee submit to a medical or psychological examination by a licensed practitioner selected by Human Resources, at the employer's expense, to determine if the employee is unable to perform the essential job duties of his/her position due to a disabling illness, injury, or condition.

2. Both the employee and Human Resources shall receive the results of the examination.

3. Failure to submit to such examination may result in discipline, up to and including removal.

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Revised: 12/06/00, 09/21/07

4. Human Resources may institute pre-separation proceedings when it has received the results of a medical or psychological examination, in accordance with Chapter 34 of the Regulations.

5. An employee so separated shall have the right to appeal in writing to the State Personnel Board of Review within ten (10) days from the date the Order is served upon the employee.

D. REINSTATEMENTRIGHTS

1. An employee shall have the right to reinstatement to the same or similar position provided the employee applies in writing within two years from the date the employee was given a disability separation.

2. The employee may be required to submit to a medical or psychological examination by a licensed practitioner selected by Human Resources, at the employer's expense, to establish that the employee has recovered sufficiently from the disabling illness, injury or condition so as to be able to perform the essential functions of the position to which reinstatement is sought, with or without reasonable accommodation.

3. The Department Head, in cooperation with Human Resources, shall notify the employee of the reinstatement procedures at the time of separation.

E. Any appointment made to a position vacated by a disability separation will be on a temporary basis, and such temporary employee must be made fully aware by the Department Head of its temporary nature.

SECTION4.8: LEAVEDONATION

A. Hamilton County employees within those appointing authorities designated at 4.8.B may receive/donate paid leave from/to a fellow employee within said appointing authorities. Paid leave may be donated to any employee in need of such leave because of an approved FMLA situation and/or because of the serious illness or (non-occupational) injury of that co-worker or a member of his/her immediate family (spouse, mother, father, brother, sister, child, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, step-mother, step-father, step-brother, step-sister, step-son, step-daughter, legal guardian or other person who stands in the place of a parent.), as provided in this policy.

B. Appointing Authorities which have formally agreed to participate in this leave donation policy are:

Auditor
Board of County Commissioners
Board of Elections
Clerk of Courts
Common Pleas Court
Coroner
Dog Warden
Domestic Relations Court
Engineer
Family and Children First Council
Juvenile Court
Municipal Court
Probate Court
Prosecutor
Public Defender
Public Health
Recorder
River City Correctional Center
Soil and Water Conservation District
Treasurer
Veterans Service Commission

C. Only vacation time may be donated. Sick leave and compensatory time may not be donated.

D. This policy does not supersede, replace or supplement entitlement programs, e.g., workers' compensation, disability or retirement benefits.

E. An employee may be paid with donated leave at a rate not to exceed the maximum number of hours the employee is scheduled to work each pay period, provided that the employee:

1. has an approved FMLA situation, a serious illness or injury, as determined by the Appointing Authority, or has an immediate family member who has such an illness or injury;
2. has provided all necessary documentation as required by the Appointing Authority;
3. has exhausted all other available paid leave (e.g., sick, vacation, compensatory time, personal time);

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4. does not have his/her period of active service extended as a result beyond a qualifying disability retirement date.

F. A co-worker may donate leave provided that:

1. the donor does so voluntarily;
2. the donor understands that the leave may not be returned and that the donor is not entitled to any compensation for the donated leave;
3. a minimum of 4 hours is donated.

G. Decisions affecting Donor/Donee eligibility rest exclusively at the discretion of the Appointing Authority and are not subject to appeal or grievance.

H. Leave shall be donated hour-for-hour without consideration to cash value.

I. Employee recipients are considered to be in active pay status while using donated leave and accrue their own paid leave at the applicable rates. Such accrued leave must be used in the following pay period before additional donated leave is credited.

J. Donated leave shall never be converted into a cash benefit under any circumstances.

K. Any donated, but unused leave, shall be returned to the donor(s), starting from the most recent donor forms received and working back.

L. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

This SOP implements Section 4.8 of the Policy Manual.

A. Leave donation shall be administered on a pay period-by-pay period basis.

B. Forms for leave donation are available from departmental payroll officers, the HR Intranet, and Human Resources (HR).

RECIPIENT/DONEE PROCEDURES

C. The employee wishing to receive leave shall submit a Leave Donation Request Form (HR014) to his/her supervisor, who will then route through the supervisory chain to the Department Head, or designee, for approval. After approval, the Department Head or designee will forward the form to the departmental payroll officer, who forwards a copy to HR.

Note: Leave Donation Request forms may be submitted and signed by persons other than the employee.

D. The departmental payroll officer of the employee requesting donated leave shall communicate the need for donated leave throughout the department.

E. Human Resources shall communicate the need for donated leave to other departments if requested on form HR014. Notices regarding requested leave donations are posted for thirty (30) days.

F. As Leave Donation-Donor Forms (HR015) are received by the departmental payroll officer, the payroll officer shall complete the reverse side of form HR014 recording the donated hours and usage of the hours.

G. If the employee requesting leave does not use all the donated hours, his/her payroll officer will return the unused hours to the Donors by completing the bottom portion of Form HR015 and returning to the appropriate payroll officer(s).

H. When the employee no longer needs donated leave, the payroll officer shall report to HR the total number of donated hours the employee used.

DONOR PROCEDURES

I. Any employee wishing to donate leave must submit a Leave Donation - Donor Form (HR015). The donor must certify on the form that the donation is entirely voluntary. The Leave Donation - Donor Form (HR015) must be completed in full and signed to be considered for approval.

J. The employee will forward the Donor Form (HR015) to their departmental payroll officer for verification.

K. The departmental payroll officer of the employee donating leave must complete the Donor Form (HR015) by verifying the donated hours and deducting them from the employee's vacation time balance. He/she will then forward the form to the departmental payroll officer of the employee who has requested leave. NOTE: the recipient and donor departmental payroll officers may be one and the same.

L. Recipient employees are considered to be in active pay status while using donated leave and accrue their own paid leave at the applicable rates. Such accrued leave must be used in the following pay period before additional donated leave is credited.

SECTION 4.9: POLL WORKER LEAVE (With Pay)

A. Pursuant to HB 262 and ORC 3501.28, the Board of County Commissioners adopted a poll worker paid leave program for full-time and part-time employees (Resolution Vol. 311, Image 9810, 8/13/08). Seasonal and intermittent employees are not eligible for this program. An employee who is on any type of paid or unpaid leave of absence is not eligible. The program permits a qualified employee of the Board to serve as a Precinct Election Official for elections without any loss of compensation and without having to use accrued leave.

B. An employee who is participating in the Poll Worker Leave program will, in effect, receive their regular wages in addition to any compensation received for serving as a Precinct Election Official.

C. Employee Qualifications to Serve as a Precinct Election Official are:

1. Must be a full-time or part-time employee;
2. Must be a resident of Hamilton County;
3. Must be a registered and active voter in Hamilton County;
4. Must attend any required and/or organizational meetings on his/her own time;
5. Not be a candidate for any office to be voted on at the polling place at the election;
6. Not be a convicted felon.

D. Steps to Requesting Poll Worker Leave are as follows:

1. An employee requesting leave under this policy must submit a Time Off Request prior to the election. It is recommended that employees start this process 60 days prior to the election.

2. The immediate supervisor and department head will approve or deny requests in the order received, based on the department workload, goals, and mission.

3. Once the employee receives the approval for his/her Time Off Request, the employee then contacts the Board of Elections to request to serve as a Precinct Election Official.

4. An employee who meets the qualifications and has taken the training will receive a letter of appointment from the Board of Elections (BOE). The employee must provide a copy of this letter to his/her supervisor.

5. If the employee has been approved for leave but is not called to serve as a Precinct Election Official, the employee will report for work at his/her regular time and location.

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Revised: 01/01/12, 01/27/16

E. Documentation of hours worked as an Precinct Election Official:

1. The Precinct Election Officials who work on Election Day must complete the Board of Elections provided payroll record for compensation and verification purposes.

2. In order to verify that the employee served as a Precinct Election Official, the Board of Elections will provide each employee's department with a copy of the payroll verification signed by the employee. (It may take up to a week for departments to receive this verification.)

3. An employee working at the polls is expected to work the entire day to receive his/her Poll Worker Leave pay. Employees will only receive paid leave on an hour-for-hour basis, up to the maximum number of hours the employee was regularly scheduled to work on the day of the election. If it is found after an employee has received pay for Poll Worker Leave that the employee did not actually work as a Precinct Election Official, the hours paid will be recouped from the employee's next paycheck.

4. If while working at the polls, due to illness or other unforeseen circumstances, a non-exempt employee does not fulfill at least the number of hours he/she would have normally been scheduled to work, the employee must use sick leave or other accumulated leave time as is deemed appropriate for the hours not worked up to the maximum that they are normally scheduled to work for that day.

F. Employees must comply with the requirements of the above stated program. An employee's failure to comply with this policy will affect his/her future eligibility to participate in the Poll Worker Leave program and may also subject him/her to discipline, up to and including termination.

SECTION FIVE

EMPLOYEE BENEFITS

SECTION5.0: VACATION

A. Each full-time employee, after service of one year with the county or any political subdivision of the state, shall have earned and will be due upon the attainment of the first year of employment, eighty hours (or 70 hours if applicable) of vacation leave with full pay. Thereafter vacation leave is accrued at the rates shown below:

Service Credit*	Regular Work Schedule: Rate at 80 hours Biweekly	Rate at 70 hours Biweekly
After 1 year of service	3.1 hrs/pay period (80 hrs/year)	2.7 hrs/pay period (70 hrs/year)
After 6 years of service	4.6 hrs/pay period (120 hrs/year)	4.04 hrs/pay period (105 hrs/year)
After 12 years of service	6.2 hrs/pay period (160 hrs/year)	5.39 hrs/pay period (140 hrs/year)
After 18 years of service	7.7 hrs/pay period (200 hrs/year)	6.73 hrs/pay period (175 hrs/year)

*Assumes all pay periods are completed.

B. Permanent part-time employees regularly scheduled to work not less than 520 hours per year (10 hours per week) and who work less than a full pay period are eligible for vacation leave. Each part-time employee shall have earned and will be due upon the attainment of the first year of employment, prorated vacation leave based upon actual hours worked in a pay period (up to the standard rate of accrual listed in Paragraph A above). Part-time employees shall earn service credit as described in paragraph A above at the same rate as full-time employees. (NOTE: the 520 hour/year minimum does not apply to part-time employees of the Department of Job and Family Services.)

C. Intermittent, seasonal, and temporary employees (which include interns and student help) are not “full-time” or “part-time” employees for vacation leave purposes, and therefore are not eligible to earn vacation leave.

D. New employees are required to complete one year of service to be eligible for vacation. Prior employment with Hamilton County or another political subdivision of the State of Ohio may be taken into account in the calculation of the first year of employment and in the calculation of service credit in determining the vacation accrual rate after completion of the first year.

E. Vacation scheduling is subject to the approval of the Department Head or designee. Requests of thirty days or more can only be approved by the Department Head. Employees are encouraged to take earned vacation leave each year. Supervisors shall arrange work schedules to foster opportunities for all employees to take earned vacation leave.

F. Vacation leave may be carried over to the next year. The maximum amount of vacation an employee may accumulate is three (3) times an employee’s annual accrual rate. Any excess accrual shall be forfeited when it exceeds the maximum allowable accumulation.

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G. With departmental approval, an employee may extend the date of separation through the end of the month in which the employee last worked by using accumulated vacation leave. However the position cannot be filled until a vacancy occurs. An employee who separates for any reason is entitled to compensation at his/her current rate of pay for any earned but unused vacation leave at the time of separation, not to exceed the accrual limit provided in paragraph F.

H. Vacation credits are not earned if an employee is in No-Pay status for an entire pay period. Vacation leave shall be prorated when an employee earns pay for any part of a pay period (NOTE: for purposes of this policy, hours on mandatory furlough are counted the same as earned pay when determining vacation accrual.) Overtime is not a factor in determining vacation accrual.

I. If an employee is on vacation leave and becomes ill, the remaining leave is still deducted from vacation leave, not sick leave. Vacation leave may be changed to sick leave only for days that an employee is admitted and confined to a hospital.

J. An employee who is hired (or re-hired) after having retired in accordance with the provisions of any retirement plan offered by the state (including the City of Cincinnati Retirement Fund and Police and Fire Fund) shall not have prior service counted for the purpose of computing vacation leave.

K. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

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Revised: 09/17/92, 11/01/95, 05/7/97, 12/06/00, 02/23/01, 01/23/02, 12/09/02, 10/01/05, 12/28/06, 10/01/09

This SOP implements Section 5.0 of the Policy Manual.

VACATION ACCRUAL

A. Each full-time and part-time employee who is eligible to earn vacation must complete one (1) year of employment before being credited with vacation leave. One year is calculated based on twenty-six (26) pay periods. After completion of the 26 pay periods, a lump sum amount of vacation is credited to the employee. Since new employees are credited with a lump sum of vacation after completion of their first year, they are not considered as having been "accruing" vacation during that time period; therefore, there is no payout of any vacation if the employee separates from employment with Hamilton County before completing their first year. (**Note:** Please see Section D. below for information regarding Prior Service and how it may impact accrual.)

   In addition, upon completion of the first year of employment, employees begin earning vacation on a pay period-by-pay period basis. Employees are credited at the end of each pay period with the appropriate amount of vacation earned and may use these hours in the following pay periods. (In other words, employees may not use vacation accrual within the same pay period it is being earned.)

B. Because the first year is based on 26 pay periods, it is possible for new employees to be credited with the lump sum of vacation before the actual anniversary date of their employment. (In all cases, employees receive their lump sum credits of vacation at the beginning of the pay period in which their anniversary date or "adjusted date-of-service" falls.)

   For example: A full-time 40 hour employee begins on January 1, 2013, which falls within pay period 1. The employee will complete 26 pay periods on December 18, 2013. On December 19, which is the beginning of their 27th pay period with the County, the employee is credited with 80 hours of vacation. This situation arises because new employees are given credit for the entire pay period in which their start date falls.

C. After employees complete 6, 12 and 18 years of service, they begin to accrue vacation at a higher rate as shown on the charts below.

1. Full-Time Employees: Full-Time employees receive vacation accruals on the following schedule. The chart below shows an example for a 40-hour per week employee whose start date is January 1, 2013 (assuming no prior service):

Years Completed:	At Beginning of Pay Period that Includes:	Accrual Rate That Begins This Pay Period:
1st year	January 1, 2014	3.1 hours
6th year	January 1, 2019	4.6 hours
12th year	January 1, 2025	6.2 hours
18th year	January 1, 2031	7.7 hours

2. Part-Time Employees: Part-Time employees receive vacation accruals on the schedule below. The actual hours paid to that employee each pay period are used to calculate the accrual of vacation hours. The chart below shows an example of how the accruals would be calculated for a part-time employee whose start date is January 1, 2013 (assuming no prior service):

Years Completed:	At Beginning of Pay Period that Includes:	Accrual Rate That Begins This Pay Period:
1st year	January 1, 2014	.03875 x Number of hours paid this pay period.
6th year	January 1, 2019	.0575 x Number of hours paid in this pay period
12th year	January 1, 2025	.0775 x Number of hours paid in this pay period
18th year	January 1, 2031	.09625 x Number of hours paid in this pay period

PRIOR SERVICE

D. Prior employment with Hamilton County and other political subdivisions of the State of Ohio is taken into account in the calculation of two definitions which must be considered separately:

1. Attainment of the first year of employment, and

2. Service credit in determining the vacation accrual rate.

E. It is the responsibility of the new employee to obtain documentation verifying prior service. Employees may use the Prior Service Verification Form available from HR to assist in this process. Upon receipt of the Verification Form, HR will credit the employee with the prior service and update all benefit accrual and personnel records. At no time will retroactive accruals be credited.

F. When an employee is credited with prior service, the start date with Hamilton County is adjusted to include this service by counting backward from the start date. This "adjusted date-of-service" is used when computing the rate of vacation accrual and the date that the employee crosses each threshold to higher accrual rates (after completion of 6, 12, and 18 years).

G. Each point below applies to both full-time and part-time employees and explains how prior employment with Hamilton County and other political subdivisions of the state of Ohio is applied to the two definitions above.

IMPORTANT NOTE: The ONLY time prior part-time service applies to the attainment of the first year of employment (for both full-time and part-time employees) is when the service is with Hamilton County.

1. Prior Full-Time and Part-Time Employment with Hamilton County

Prior full-time and prior part-time employment with Hamilton County applies to the calculation of the attainment of the first year of employment and the calculation of service credit for purposes of determining the vacation accrual rate after completion of the first year of employment.

EXAMPLE: A full-time 40 hour per week employee begins employment with Hamilton County on January 1, 2013. He/she also has prior service with Hamilton County (in either a part-time or full-time position) from January 1, 2010 to June 30, 2010 (it doesn't matter in this case whether it was full-time or part-time because the service is with Hamilton County). Therefore, the employee has prior service of six months (181 days). By counting backward 181 days from January 1, 2013, the "adjusted date-of-service" then becomes July 4, 2012. The employee will attain his/her first

year of employment in July 2013 instead of January 2014 and will be credited with a lump sum of 80 hours of vacation at the beginning of the pay period which includes the "adjusted date-of-service." The employee will then begin accruing vacation at 3.1 hours per pay period, thereafter.

If this same employee has more than one year of prior service with Hamilton County, the employee begins to accrue vacation immediately at the rate as determined by the number of years of service and is eligible to use it immediately because the first year of employment has already been attained.

2. Prior Full-Time Employment with Another Political Subdivision

Prior full-time employment with another county or political subdivision of Ohio applies to the calculation of the attainment of the first year of employment and to the calculation of service credit for purposes of determining the vacation accrual rate after completion of the first year of employment.

EXAMPLE: A full-time 40 hour per week employee begins employment with Hamilton County on January 1, 2013. He/she also has prior service with Clermont County in a full-time position from January 1, 2010 to June 30, 2010. Therefore, the employee has prior service of six months (181 days). By counting backward 181 days from January 1, 2013, the "adjusted date-of-service" then becomes July 4, 2012. The employee will attain his/her first year of employment in July 2013 instead of January 2014 and will be credited with a lump sum of 80 hours of vacation at the beginning of the pay period which includes the "adjusted date-of-service." The employee will then begin accruing vacation at 3.1 hours per pay period, thereafter.

If this same employee has more than one year of full-time prior service, the employee begins to accrue vacation immediately and is eligible to use it immediately because the first year of employment has already been attained. The employee's accrual rate is determined by the number of years of service.

3. Prior Part-Time Employment with Another Political Subdivision

Prior part-time employment with any other county or political subdivision of Ohio does not apply to the calculation of the attainment of the first year of employment, but does apply to the calculation of service credit for purposes of determining the vacation accrual rate after completion of the first year of employment.

EXAMPLE: A full-time 40 hour per week employee begins employment with Hamilton County on January 1, 2013. He/she also has prior service with Clermont County in a part-time position from January 1, 2010 to June 30, 2010. Therefore, the employee has prior service of six months (181 days). By counting backward 181 days from January 1, 2013, the "adjusted date-of-service" then becomes July 4, 2012. Since prior part-time service does not apply to the calculation of the attainment of the first year of employment, the employee will attain his/her first year of employment in January 2014 and will be credited with a lump sum of 80 hours of vacation at the beginning of the pay period which includes the anniversary date of hire (January 1). The employee will then begin accruing vacation at 3.1 hours per pay period, thereafter. The "adjusted date-of-service" will be used to determine when the employee reaches his/her 6, 12, and 18 year threshold for accrual at the next higher rate.

If this same employee has more than one year of part-time prior service, the employee will still complete his/her first year of employment with Hamilton County, be credited with 80 hours of vacation, and then begin to accrue vacation at the rate as determined by the number of years of service. For example, if the employee had 9 years of part-time service with Clermont County, he/she would be credited with 80 hours of vacation upon completion of his/her first year and then immediately begin accruing at the higher rate of 4.6 hours per pay period. The employee's "adjusted date-of-service" would be used in determining when the employee would reach the next threshold as well.

4. Prior Intermittent, Seasonal and Temporary Employment (includes Interns and Student Help)

Prior intermittent, seasonal and temporary employment (which includes interns and student help) does not apply to the calculation of the attainment of the first year of employment, but does apply to the calculation of service credit for purposes of determining the vacation accrual rate after completion of the first year of employment. (Note that

service credit for prior seasonal, intermittent, and temporary employment is only calculated on biweekly pay periods in which the employee actually worked, regardless of the number of hours worked in each pay period. Periods of non-paid status are not included in the calculation of prior service credit. (For example, a seasonal employee's last day worked is at the end of the season, but their resignation date is the next spring when they decide not to return to the seasonal position. Prior service is only calculated through their last day worked, not their actual resignation date.)

EXAMPLE: A full-time 40 hour per week employee begins employment with Hamilton County on January 1, 2013. He/she also has prior service with Hamilton County as a part-time intern from January 1, 2010 to June 30, 2010. Therefore, the employee has prior service of six months (181 days). By counting backward 181 days from January 1, 2013, the "adjusted date-of-service" then becomes July 4, 2012. Since prior service in Intermittent, Seasonal, and Temporary positions (which includes interns and student help) does not apply to the calculation of the attainment of the first year of employment, the employee will attain his/her first year of employment in January 2014 and will be credited with a lump sum of 80 hours of vacation at the beginning of the pay period which includes the anniversary date of hire (January 1). The employee will then begin accruing vacation at 3.1 hours per pay period, thereafter. The "adjusted date-of-service" will be used to determine when the employee reaches his/her 6, 12, and 18 year threshold for accrual at the next higher rate.

If this same employee has more than one year of intermittent, seasonal or temporary prior service, the employee will still have to complete his/her first year of employment with Hamilton County, be credited with 80 hours of vacation, and then begin to accrue vacation at the rate as determined by the number of years of service. For example, if the employee had 9 years of seasonal service with Hamilton County, he/she would be credited with 80 hours of vacation upon completion of his/her first year and then immediately begin accruing at the higher rate of 4.6 hours per pay. The employee's "adjusted date-of-service" would be used in determining when the employee would reach the next threshold as well.

MAXIMUM VACATION ACCUMULATION AND CARRYOVER

H. Vacation leave may be carried over to the next year. The maximum amount of vacation an employee may accumulate is three times an employee's annual accrual rate. The annual accrual rate is based on the employee's current

standard (or regularly scheduled) hours. For a full-time employee the standard hours are always 40 hours/week (or 80 hours/bi-weekly).

Listed below is a breakdown of the maximum amounts, year-by-year. (Remember to take into consideration the "adjusted date-of-service" for employees with prior service credit.)

Maximum Vacation Accumulation Chart:

Note: The chart below shall be prorated for part-time employees, based on the employee's standard (or regularly scheduled) hours.

During Year:	Maximum Number of Weeks allowed to accumulate:	Equivalent number of hours for 80 hour biweekly employees
2	4	161.2
3, 4, 5, 6	6	241.8
7, 8, 9, 10, 11, 12	9	358.8
13, 14, 15, 16, 17, 18	12	483.6
All remaining years	15	600.6

SECTION5.1: HOLIDAYS/PERSONALDAYS

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

1. New Year's Day, January 1.
2. Martin Luther King Day, third Monday in January.
3. President's Day, third Monday in February.
4. Memorial Day, last Monday in May.
5. Independence Day, July 4.
6. Labor Day, first Monday in September.
7. Veteran's Day, November 11.
8. Thanksgiving Day, fourth Thursday in November.
9. Friday after Thanksgiving.
10. Christmas Day, December 25.

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

C. In addition to the above, all full-time employees who have completed their initial probationary period are entitled to eight hours personal holiday leave per calendar year. Such leave shall be requested by the employee in advance (unless a specific day, or portion of a day, is designated for all employees by the department head) by submitting a Time Off Request, and shall be scheduled by the employee's supervisor so as to not adversely affect the efficient operation of the department. If the employee does not use this personal holiday leave by December 31 each year, the holiday is forfeited.

D. If a holiday occurs while an employee is on vacation or sick leave, vacation or sick leave will not be deducted from the employee's accrued balances.

E. An employee who is not in active pay status on his/her normally scheduled work day immediately preceding any holiday provided for in this Section shall not be paid for that holiday. And, if an employee is absent without approval on the normally scheduled work day immediately preceding or immediately following any holiday provided for in this Section, the employee shall not receive pay for that holiday.

F. The County Administrator or designee shall designate, once annually, the official dates of observance of all legal holidays, and cause such designation to be conspicuously posted in each department or agency.

G. Part-time employees are entitled to holiday pay only when the paid holiday occurs on a day when the part-time employee is normally scheduled to work.

H. Intermittent, seasonal, or temporary employees are not “full-time” or “part-time” employees for purposes of this policy and therefore are not eligible for holiday pay.

Effective: November 12, 1991
Revised: 11/04/93, 12/06/00, 02/23/01, 01/23/02, 12/15/03, 01/01/08, 01/01/12

SECTION 5.2: GROUP INSURANCE BENEFITS

A. The Board of County Commissioners reserves all rights to determine the types of insurance benefits to be provided and the costs, terms and conditions for participation and to determine insurance carriers or to establish a program of self-insurance.

B. Employees in a collective bargaining unit are subject to the terms and conditions of their agreement pertaining to benefit coverages and contributions.

C. Hamilton County offers a flexible benefits plan which allows each eligible employee and elected county official a choice of benefits; including, but not limited to medical, dental, life insurance, and long-term disability insurance.

D. An employee may elect coverage for themselves and may also include an eligible spouse and dependents, when permitted. The County has the right to request verification that it finds satisfactory for the eligibility of anyone who is covered under any County insurance plan.

E. PLAN ELIGIBILTY

Eligibility for coverage varies by plan, as detailed below.

1. Medical Insurance Plan:

a. Eligible Employee: an employee regularly scheduled to work an average of 30 or more hours per week.

Temporary, Seasonal, Intermittent and Intern Employees may also be eligible for medical insurance, if working more than 30 hours per week and expected to work longer than the defined waiting period, listed in Section F.1.a. of this policy. If expected to work more than 30 hours per week, these employees will be afforded the opportunity to enroll in medical insurance, and will also be measured according to the Standard Measurement Period to determine ongoing eligibility.

The Standard Measurement Period generally begins the first pay period that ends in the month of October and runs for 26 pay periods.

Employees who average more than 30 hours per week during the Standard Measurement Period are eligible for health insurance for the next plan year.

Effective: November 12, 1991
Revised: 12/06/00, 04/11/01, 04/15/04, 01/01/06, 12/14/06, 09/21/07, 03/31/08, 01/01/09(rev2), 07/01/10, 01/01/12, 01/01/13, 01/01/14, 01/01/16, 07/19/17

b. Eligible Spouse: the legally married spouse of the employee.

1. Employees who choose to cover their spouse under a Hamilton County medical plan when the spouse is eligible for other medical coverage are required to pay a spousal surcharge, unless otherwise excluded in 2, below. An employee whose spouse has access to retiree health coverage is subject to the surcharge even if they are enrolled in the retiree coverage, since the County coverage would be primary in either case.

2. In some instances an employee who chooses to cover his/her spouse on the medical plan will not be required to pay the surcharge, including:

a. Employees whose spouse is also employed by Hamilton County.

b. Employees whose spouse is not eligible for their own employer sponsored health coverage.

c. Employees whose spouse is enrolled in their own Employer coverage.

d. Employees whose spouse only has access to Medicare, TriCare, or Healthcare on the Exchange.

c. Eligible Dependent: the biological child, stepchild, legally adopted child who is under age twenty-six; or the employee's handicapped child who is age twenty-six or over, who is incapable of self-support because of a mental or physical handicap.

d. An eligible employee who opts out of County medical benefits must certify they have alternate medical coverage.

2. Dental Insurance Plan and Supplemental Life Insurance**:**

a. Eligible Employee: A permanent full-time employee, or one who is regularly scheduled to work at least thirty hours per week. Temporary, Seasonal, and Intermittent employees are not eligible regardless of number of hours worked.

b. Eligible Spouse: See Eligible Spouse under Section E.1.b of this policy. Note: The Spousal Surcharge only applies to medical insurance.

c. Eligible Dependent: See Eligible Dependent under Section E.1.c of this policy.

3. Basic Life Insurance, Long-Term Disability Insurance, and Employee Assistance Program:

a. Eligible Employee: See Eligible Employee under Section E.2.a. of this policy.

4. Vision Insurance:

a. Eligible Employee: See Eligible Employee under Section E.2.a of this policy

b. Eligible Spouse: see Eligible Spouse under Section E.1.b of this policy

c. Eligible Dependent: the biological child, stepchild, legally adopted child who is under age twenty-six and is not eligible for any health insurance plan through his/her employer; or the employee's handicapped child who is age nineteen or over, who is incapable of self-support because of a mental or physical handicap.

5. Flexible Spending Accounts and Transportation Reimbursement Accounts:

a. Eligible Employee: full-time permanent or part-time permanent employees (regardless of the number of hours worked). See Section 5.9 of this policy manual for information on the Transportation Reimbursement Accounts.

6. The Human Resources Department is responsible for providing details of the insurance plans offered by the County and for overall administration of the health and dental insurance benefits programs. The plan options depend on continued availability of the products and authorization by the Board of County Commissioners.

F. COVERAGE EFFECTIVE DATES

1. Employees become eligible for benefits according to the following schedule:

a. Employees are eligible for benefits on the first day of the month following sixty (60) days of continuous County service, except as otherwise listed in sections 1.b – 1.e, below.

b. Employees who experience a change in status that deems them eligible for coverage per Section E of this policy are eligible for

benefits on the first day of the month following the change in status, so long as sixty days of service has already been completed at the time of the change in appointment status. If sixty days of service had not been completed at the time of the change in status, the employee is eligible for coverage the first of the month following completion of sixty days of service. For example, employee begins as a temporary employee on 3/1, then on 4/1, after 31 days of service, the employee changes to full-time permanent status. The employee will complete 60 days of service on 4/29, after completing the additional 29 days needed. Employee is therefore benefits eligible on 5/1, the first of the month following completion of 60 days.

c. Employees who are terminated, separated, or retired, and are rehired within 180 days of the effective date of the termination are eligible for benefits the first of the month following the reinstatement.

d. Employees who are recalled from layoff in accordance with the Ohio Revised Code, or their collective bargaining agreement, are eligible for benefits the first of the month following the effective date of the recall.

e. Employees who are reinstated from a disability retirement within the five-year statutory limit are eligible for benefits the first of the month following the reinstatement.

2. If a Hamilton County employee's spouse is also employed by the County, the following enrollment options are available for medical, dental, and/or vision insurance. (*Under no circumstances will an employee be permitted to be both a subscriber and a dependent.)*:

   a. If there are no other eligible dependents being covered, then the employees may choose to enroll in either:

      1. two "employee only" plans, or
      2. one "employee +1" plan.

   b. If there is an eligible dependent(s) in addition to the employee and spouse, then the employees may choose to enroll in either:

      1. One "employee" plan, plus one "employee +1" plan or one "family" plan (depending on the number of dependents); or
      2. one "family" plan.

3. Terminated, separated, or retired employees' medical, dental, life insurance and long-term disability coverage will cease the last day of the month in which the employee is terminated, separated or retired, unless otherwise eligible for coverage as a dependent under another County employee's plan. An

employee may extend their date of separation through the end of the month in which the employee last worked by using accumulated leave (vacation, sick, etc.), but never into the following month.

G. ENROLLMENT

1. Eligible employees may enroll, continue, modify or drop insurance coverage during specified annual open enrollment periods.

2. An eligible employee who experiences a "qualifying event" as defined by the Department of Labor, may make changes consistent with the event, so long as notification is made to the Human Resources representative within 31 days of the event.

3. Enrollment materials/information must be provided in a timely manner to the eligible employees by the departmental/agency health care representatives. Enrollment is completed through the online enrollment process.

4. Necessary forms should be maintained in each department for use throughout the plan year.

5. Employees are encouraged to carefully review their pay check stubs and online enrollment summary for accuracy. An employee has 14 days from the date of the first pay check issued that includes a benefit change to notify Human Resources of a possible error in the election. Upon notification, HR will evaluate the error and/or request for change for compliance with IRS guidelines.

H. LEAVES OF ABSENCE / COBRA

See Section 4.5 of this policy manual for more details about leave of absence without pay.

See Section 5.3 of this policy manual for COBRA rights upon termination.

1. When an eligible employee receives approval for a leave of absence without pay, the employee is required to pay his/her portion of the monthly benefit premium to continue benefits for up to three (3) months. When an employee's leave extends beyond three (3) months, the employee may pay the full monthly COBRA premium to continue group coverage(s). An employee is only allowed three (3) months per calendar year in which the County continues coverage under this rule. Coverage will only continue when employee makes timely payments for the coverage. In the event an employee's leave of absence extends from one calendar year into a new calendar year, the employee must return to active pay status before a new three (3) month period would be permitted. For example, if an employee's

three months of approved leave is November, December, and January, the employee would need to return to active pay status in order to get a new three months leave.

2. When an eligible employee receives approval for a medical leave of absence resulting from a work-related injury covered under Workers' Compensation laws, the employee is required to pay his/her portion of the monthly benefit premium to continue benefits for up to six (6) months. When an employee's leave extends beyond six (6) months, the employee may pay the full monthly COBRA premium to continue group coverage(s). An employee is allowed only six (6) months per calendar year in which the County continues coverage. In the event an employee's leave of absence extends from one calendar year into a new calendar year, the employee must return to active pay status before a new six (6) month period would be permitted. For example, if an employee's six months of approved leave runs from August through January, the employee would need to return to active pay status in order to get a new leave.

3. Employees may enroll for health care coverage under COBRA continuation provisions upon separation from County employment and when a leave of absence without pay extends beyond three months, or six months when leave is a result of a work-related injury.

4. The Department Head or designee will inform every employee who is beginning a leave of absence, or separating from County employment, of the requirements and procedure to continue employee contributions and caution the affected employee that coverage will cease if contributions are not continued. Affected employees should be referred to Human Resources for explanation of COBRA benefits and requirements for continuation of coverage (See Section 5.3 COBRA/Continuation of Medical Insurance). However, ultimate responsibility for continuing coverage rests with the employee.

SECTION 5.3: COBRA / CONTINUATION OF MEDICAL INSURANCE

A. Employees and their covered dependents may extend employer sponsored group health coverage at the group rate in certain instances where coverage would otherwise end. There is a 2% fee added to the full group rate to cover administrative expenses, as permitted under COBRA regulations.

B. Coverage (medical, dental, vision, health care flexible spending account) may be extended when a "qualifying event," as defined by the Department of Labor, occurs. These include:

1. Loss of coverage because of reduction in hours of employment.
2. Termination of employment (excluding discharge for gross misconduct).
3. Failure to return from an approved leave of absence in accordance with the Family and Medical Leave Act.
4. Loss of coverage for a spouse and/or dependent when covered by a County employee as a result of the above; or because of divorce, legal separation, death of the employee, or when a child ceases to be eligible.

The maximum length of extended coverage is determined by the type of qualifying event.

C. Coverage under COBRA may be terminated by the County under the following circumstances:

1. The required premium is not paid in a timely manner.
2. In the event that the County no longer provides a group health plan to any employees.
3. Coverage is obtained under another group health plan that does not contain pre-existing condition limitations.
4. Coverage is obtained through Medicare.

D. Responsibility for proper implementation of this policy shall be shared between Human Resources and the Department Head or designee (typically the payroll officer) in cooperation with the Third-Party Administrator. The Department Head or designee shall affirm that all employee actions are properly recorded in the Payroll System to assure the County's COBRA responsibilities can be carried out effectively and accurately.

E. The Third-Party Administrator is responsible for mailing the initial COBRA notice and the COBRA qualifying event benefit notification based on information entered into the system by the Department Payroll Officer and/or the Employee Benefits Division.

F. Payments for coverage shall be delivered directly to the Third-Party Administrator.

Effective: November 12, 1991
Revised: 1/11/95, 12/06/00, 02/23/01, 01/01/13, 10/01/13

SECTION5.4: WORKERS'COMPENSATIONPOLICY

A. State law in Ohio provides that every County employee is entitled to Workers' Compensation for an injury, occupational illness and/or death arising out of or in the course of his/her employment. Such injury, illness or death is referred to herein (and in the SOP) as a "workers' compensation incident" or "incident."

B. The Human Resources Department is responsible for proper administration of the Workers' Compensation Program. Department Heads are responsible for ensuring the proper reporting of any incident occurring in their departments consistent with this policy and related standard operating procedure (SOP).

C. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

Effective: November 12, 1991
Revised: 12/06/00, 07/01/06, 05/01/10

This SOP implements Section 5.4 of the Policy Manual.

A. If an incident occurs in which an employee is injured during the course of and arising out of his/her employment with the County, the employee shall:

1. Immediately report the incident to his/her acting supervisor on duty at the time of the incident, but no later than twenty-four (24) hours after the occurrence.

2. Complete Box 1 **only**, (Injured Worker and Injury/Disease/Death Info.) on Ohio Bureau of Workers' of Compensation (OBWC) form 1101, FROI-1 (First Report of an Injury, Occupational Disease or Death), Hamilton County form HamCo044.

3. Return to supervisor within thirty-six (36) hours the signed **ORIGINAL** FROI-1 along with the following completed, signed, and dated ORIGINALS:

   a. Hamilton County Incident Report Witness Verification Form(s) completed by all witnesses to the incident, Hamilton County form HamCo046.

   b. Hamilton County Salary Continuation Employee Election of Compensation form, Hamilton County form HamCo048, completed by the employee. This form directs Hamilton County of the employee's wishes should he/she become eligible for compensation for time missed from work due to this work related injury.

   c. OBWC Authorization to Release Medical Information form, Hamilton County form HamCo047.

4. Should an employee be injured in a motor vehicle accident while performing his/her job duties, if able, the employee shall:

   a. Call 911 to obtain law enforcement assistance. The local law enforcement agency shall investigate and report on any motor vehicle accident involving a vehicle owned by Hamilton County or an accident resulting in injury or death to a Hamilton County employee while he/she is performing his/her job duties.

b. Supervisors shall be contacted immediately to respond to the accident according to department motor vehicle accident procedures.

c. Unless the damaged County vehicle presents a safety concern, it shall not be moved until instructed by a law enforcement officer.

d. Exit the vehicle, if able, and stand in a safe place.

e. Present the yellow card found in the glove box. Provide the other party with the following information: Motor vehicle owner, Board of County Commissioners of Hamilton County Ohio, c/o Risk Manager, 138 East Court Street, Room 707, Cincinnati, OH 45202; or interdepartmental mail at CAB-707-90.

5. Should an employee sustain an injury from a "sharp" or needle stick, while performing the employee's job duties, the employee shall:

a. Report occurrence of accident to the Human Resources Department within five business days of the occurrence;

b. Complete the Needlestick/Sharp Incident Report (SH-12) and return to the attention of the following:

Hamilton County Workers' Compensation Specialist
Human Resources Department
138 East Court Street, Room 707
Cincinnati, Ohio, 45202

or Interdepartmental mail at CAB-707-90.

c. A "sharp" may be defined as any object used in or encountered when providing health care services that can be reasonably anticipated to penetrate the skin or any other part of the body and result in an exposure incident, including objects such as needle devices, scalpels, lancets, and broken glass.

6. All needle stick/sharp injuries should be reported for all Hamilton County employees, except those employees that function as:

a. Any person employed as a correctional officer in a county correctional institution;
b. A peace officer.

B. The supervisor is responsible for sending to the:

Hamilton County Workers' Compensation Specialist
Human Resources Department
138 East Court Street, Room 707
Cincinnati, OH 45202, or
Interdepartmental mail at CAB-707-90

and ensuring arrival within seventy-two (72) hours of the occurrence the appropriately completed, signed, and dated **ORIGINALS** of the following forms:

1. FROI-1 (box 1 ONLY completed by the employee), Hamilton County form HamCo044.

2. Supervisor Verification Form (completed by the acting supervisor on duty at the time of the incident), Hamilton County form HamCo045.

3. Witness Verification Form(s) (to be completed by all witnesses to the incident), Hamilton County form HamCo046.

4. Authorization to Release Medical Information form (completed by the employee), Hamilton County form HamCo047.

5. Salary Continuation Employee Election of Compensation form (completed by the employee), Hamilton County form HamCo048.

C. **IMPORTANT NOTE:** If the incident results in a fatality or three (3) or more employees going to the hospital, a report shall be filed no later than eight (8) hours after the occurrence of the incident, as mandated by the Occupational Safety and Health Administration (OSHA) OAC 4167-6-10(C). The report shall be sent to the address in "B" above.

D. Regardless of the apparent seriousness of the injury, and regardless of whether or not medical treatment is sought, procedures in paragraphs A and B above shall be followed for **ALL** incidents, and forms shall be completed for **ALL** incidents without exception.

E. The Human Resources Department is the designated reporting representative responsible for recording incidents in accordance with OSHA requirements, as defined in OAC 4167-6-04. This includes continual maintenance of an OSHA log, annual posting of the OSHA summary, and filing a copy of the Annual Summary of Recordable Occupational Injuries and Illnesses with the Public Employer Risk Reduction Program (PERRP) for all County agencies.

F. The County works in conjunction with other parties involved in the administration of workers' compensation.

G. The OBWC is given the legislative authority to make the final decision on all allowances, issues, settlements, and/or other matters pertaining to workers' compensation claims.

H. Through the Health Partnership Program (HPP), the County selects a Managed Care Organization (MCO) to medically manage its workers' compensation claims. The MCO's duties include case management, paying of medical bills, provider referral, and education.

I. The County selects a Third Party Administrator (TPA) to act on its behalf. The TPA's duties include filing appeals for hearing with the Industrial Commission, applying for handicap reimbursement on claims, and settling claims.

J. An employee who is injured during the course of employment and who must leave work before completing his/her designated work period shall be paid at the regular rate for the balance of time remaining in the workday, without a charge to accumulated leave balances.

K. If as a result of a recognized work-related condition an employee loses additional work days, excluding the date of injury, he/she may elect to use accumulated sick leave for days one (1) through seven (7) by completing a Hamilton County Salary Continuation Employee Election of Compensation form, Hamilton County form HamCo048, and submitting a Time Off Request.

L. The Human Resources Department shall keep a record of all injuries and occupational diseases resulting in seven (7) days or more of total disability or death and shall report them to the OBWC within one (1) week of acquiring knowledge of such injury or death and within one (1) week after acquiring knowledge of, or diagnosis of, or death from the occupational disease as required by section 4123.28 of the ORC.

M. If the employee has an allowed workers' compensation claim, is certified by the attending physician to be unable to work, is not working or receiving wages or sick leave, and has missed eight (8) or more calendar days (excluding the date of injury) from work due to an injury or occupational disease as defined in ORC 4123.01 (C) (F), the following options are available:

1. **Temporary Total Compensation (TT)**:

   a. The injury must first become an allowed workers' compensation claim.

   b. Compensation will be issued beginning on the eighth (8th) calendar day following the injury.

   c. The first seven (7) days are not compensable until after fourteen (14) consecutive days of work have been missed. ORC 4123.55.

   d. Reimbursement will be based upon wages earned for the twelve (12) month period before the date of injury.

   e. The first twelve (12) weeks of TT is based upon 72% of "full weekly wages."

   f. The remaining weeks of TT will be based upon 66 2/3% of "average weekly wages." ORC 4141.01

   g. Once temporary total compensation is chosen, a change in election to sick leave compensation cannot be made for the duration of the claim.

   h. Employees are prohibited from using sick leave in conjunction with receiving OBWC compensation for the same work days lost.

2. **Sick Leave Compensation**:

   a. If an employee chooses sick leave compensation, he/she may change his/her election to temporary total compensation by submitting a completed Hamilton County Salary Continuation Employee Election of Compensation form, Hamilton County form HamCo048, reflecting the change requested.

b. Once temporary total compensation is chosen, a change in election of sick leave compensation cannot be made for the duration of the claim.

c. Compensation paid by using sick time cannot be restored.

d. Employees are prohibited from using sick leave in conjunction with receiving OBWC compensation for the same work days lost.

N. Time off for an employee's own serious medical condition may qualify for FMLA. Employees should contact their payroll office for information.

O. Upon seeking medical treatment, the employee shall present to the medical provider the Hamilton County Managed Care Organization's "Workers' Compensation Identification Card." This ID card, available in each departmental payroll office, provides detailed contact information, including billing information.

P. Upon obtaining medical treatment resulting from a work related incident, the employee shall take a copy of the signed completed FROI-1, Hamilton County form HamCo044, to the medical provider.

Q. After treating the employee, the employee's medical provider shall complete box two (Treatment Info), of the FROI-1 form and forward it to the Hamilton County Workers' Compensation Specialist, Human Resources Department, 138 East Court Street, Room 707, Cincinnati, OH 45202, or fax to 513-946-4730.

R. When an employee seeks medical treatment and the injury is filed with the OBWC, the employee shall receive a claim number from the OBWC.

S. As the Plan Administrator for Hamilton County, the Human Resources Department will decide whether to "certify" or "reject" an employee's claim, based upon guidelines provided by the OBWC established under Ohio Revised Code and Ohio Administrative Code. However, the OBWC has final authority in allowing or disallowing a claim.

T. An injured employee is responsible for maintaining ongoing contact with his/her department, medical provider, MCO, and Hamilton County Human Resources as necessary. In addition the employee is responsible for providing his/her department an expected return to work date or restricted duty information within twenty-four (24) hours of initial and all follow-up medical treatment. In turn, the employee's department is responsible for keeping Hamilton County Human

Resources informed of all issues related to an employee's claim, including any work days lost, restricted duty and return to work dates.

U. Employees who may be off work or have temporary restrictions for medical reasons may be eligible for participation in Transitional Work on a case-by-case basis.

V. ONLINE REFERENCE: The Hamilton County Workers' Compensation Handbook is available at http://www.hamiltoncountyohio.gov/hr/workerscomp.asp with forms and step-by-step instructions for filing claims.

SECTION5.5: EMPLOYEEASSISTANCEPROGRAM

A. Hamilton County provides an Employee Assistance Program (EAP) to assist its employees in coping with major personal problems that may adversely affect attendance and job performance. This program is available free of charge to all benefits eligible Hamilton County Employees and their eligible dependents.

B. Any eligible employee (or dependent of an eligible employee) may seek assistance from the EAP for a broad range of personal life management problems including marital and family discord, psychological, emotional and behavioral problems, drug and alcohol abuse/dependency, financial and legal concerns.

C. The EAP is a confidential service. No information is shared with County personnel without the employee's expressed written consent. The only exceptions to confidentiality are: 1) those cases where reporting is required by law because of a life threatening situation, child/elderly abuse, or court order; 2) formal referral as addressed below in this policy; or 3) mandatory referral as addressed below in this policy. Limits of confidentiality are discussed with the EAP counselor at the individual's initial assessment visit. **No EAP record or information shall be kept as part of the employee's personnel file.**

D. Except where stated otherwise in this policy, all employee involvement with the EAP shall be on a voluntary basis, and under no circumstances shall such involvement jeopardize any employee's job security or promotional opportunities.

E. The functions of the EAP shall be as follows:

1. to facilitate the early identification of job performance problems which may be caused by personal problems;

2. to motivate troubled employees and eligible dependents to seek and accept professional assistance as early as possible;

3. to assess the nature and scope of employee problems;

4. to develop and recommend intervention plans for resolving assessed problems;

5. to provide confidential and professional services for the resolution of personal problems and to refer to selected community resources for the delivery of needed specialized and/or long-term services; and

6. to follow-up on the progress of employee or eligible dependent(s) in delivered services and assure satisfactory problem resolution.

Effective: November 4, 1993
Revised: 10/01/95, 12/06/00, 06/28/02, 01/01/11

F. If a supervisor believes that a personal problem may be contributing to an employee's declining work performance, the following steps should be taken:

1. based upon performance evaluations, have documented examples of changes in and patterns of declining work performance with specific data regarding dates, places and events;

2. refrain from diagnosing the nature of personal problems affecting performance and refrain from recommending specific solutions other than reminding the employee of the EAP availability;

3. hold a private (no interruptions) discussion with the employee to review his/her declining work performance and recommend that the employee utilize the EAP to correct problems;

4. be sensitive to employee's needs while using the EAP and support his/her recovery plan and participation in the program.

G. Designated referral procedures include:

1. Self-Referral

Any employee, employee's spouse and/or dependent, desiring assistance for a personal problem may call the EAP for an appointment to speak with a counselor. All self-referral appointments for employees shall be scheduled for times other than the employee's assigned work hours. Appointments will normally be scheduled Monday through Friday. Weekend appointments may be available upon request.

2. FormalReferral

Any employee exhibiting a documented decline in work performance or a particular on-the-job incident that indicates the possible presence of a personal problem, may be referred to the EAP by the employee's immediate supervisor/manager and the County EAP Coordinator. **Unacceptable job performance is the sole** basis for formal referrals. Supervisors/managers wishing to initiate a formal referral must consult with the EAP Coordinator in the Human Resources Department prior to making a referral.

If the employee agrees to accept a formal referral, the County EAP Coordinator or designee shall contact the Formal Referral Coordinator at the EAP and consult about the case. The initial appointment resulting from a formal referral may be scheduled during the employee's assigned working hours without any loss in pay, sick leave or vacation leave

accumulation. **Acceptance of the formal referral is <u>voluntary</u> and no punitive actions will occur simply for refusal of the referral.**

A formal referral form (See County EAP Coordinator) shall be completed by the employee's supervisor/manager, reviewed and signed by the employee and the County EAP Coordinator or designee. Upon completion, the County EAP Coordinator or designee shall fax or mail the formal referral form to the EAP. Once the form is received by the EAP, the employee should be advised to contact the EAP to schedule an initial appointment.

3. <u>MandatoryReferral(Non-CDL)</u>

Any employee who violates Section 6.10 (Alcohol Consumption) or Section 6.11 (Drug-Free Workplace Policy) may receive a mandatory referral to the EAP. A mandatory referral will originate from Human Resources. Failure to comply with this referral may result in disciplinary action up to and including termination of employment.

A mandatory referral is reported to the EAP by Human Resources using the formal referral form with “Mandatory/Non-CDL” written in the upper right-hand corner.

4. <u>MandatoryReferral(CDL)</u>

Any driver covered under Section 6.12 (Commercial Driver’s License Alcohol and Drug Testing) who has a violation may receive a mandatory referral to the EAP for Substance Abuse Professional (SAP) services. The EAP is the sole provider of SAP services for the County. The law requires that CDL drivers complete the SAP process before they can return to Safety-Sensitive Duty (as defined by law).

A mandatory referral is reported to the EAP by Human Resources using the formal referral form with “Mandatory/CDL” written in the upper right-hand corner.

H. The EAP has been authorized to allow up to ten (10) sessions with a licensed counselor, at no cost to the employee, regardless of referral type.

I. When a formal referral is made to the EAP in accordance with the above prescribed procedure, the County EAP Coordinator or designee shall be notified in writing by the EAP:

1. that the employee did or did not keep the initial appointment; and
2. that the employee has/has not accepted and complied with the recommendations of the EAP for treatment.

J. Hamilton County recognizes that assisting employees in managing their personal problems is vital to establishing and maintaining sound work relationships. It is also vital that all employees perform their work responsibilities at acceptable levels.

When an employee accepts a formal referral to the EAP, he/she does so to assist in managing personal problems in order to resume meeting job requirements. This policy does not alter or replace existing policies or work agreements and, when performance problems persist; normal progressive corrective actions will apply. Involvement in this program shall not result in any employee receiving special privileges or exemptions from standard work policies and procedures.

SECTION 5.6: RETIREMENT PARTICIPATION / BENEFITS

A. Most County employees are required by law to participate in the Ohio Public Employees Retirement System (OPERS) which is entirely independent of the Federal Social Security System. (Elected Officials are exempt from mandatory participation, but may voluntarily participate in OPERS in lieu of the Social Security System.)

B. Upon appointment with Hamilton County, an employee shall complete an OPERS Personal History Record form and a Social Security Form SSA-1945. (The Social Security Form SSA-1945 is an acknowledgement that participation in OPERS could affect future Social Security benefits to which an employee may become entitled.) Both forms are then submitted to OPERS by the Human Resources Department.

C. If the employee is exempt from participation in OPERS, the OPERS forms acknowledging non-contributing status and requesting optional exemption shall be completed by the newly appointed employee.

D. A participating employee is required to contribute a percentage of his/her gross pay (currently 10% for most employees), which is deducted on a pre-tax basis each pay period. This amount is supplemented by a percentage contribution from the employer (currently 14% on behalf of most employees).

E. An OPERS employee who terminates public employment in Ohio may apply for and receive a refund of accumulated contributions by filing a Refund Application Form. In the event of death of a member, a qualifying beneficiary may elect to take a lump sum refund of the member's accumulated contributions instead of alternative retirement benefits which may be available.

F. An employee, who has withdrawn contributions as provided in paragraph E and returns for at least eighteen (18) months to public employment covered by OPERS, may buy back and restore the service credit lost by obtaining the refund. The cost to restore the credit will be calculated by OPERS to include the amount refunded originally, plus accumulated interest and administrative fees, if any.

G. Other circumstances, such as military service, out-of-state public service, etc. may qualify for additional service credit as well. Employees with any such circumstances should contact OPERS for more information.

H. The retirement benefit under the Ohio Public Employees Retirement System (OPERS) is based on a formula that may include salary, length of service, age, and plan of participation.

I. A retirement application form must be completed and filed with OPERS to initiate the retirement process. An employee should notify the Department Head and file the application with OPERS at least sixty (60) days prior to the effective date of anticipated retirement.

Effective: November 12, 1991
Revised: 12/06/00, 04/01/03, 08/13/04, 01/01/05, 01/01/07, 03/31/08, 04/08/09, 04/05/13

J. Upon retirement from active county service and with ten (10) years of Ohio public service, an employee will receive a lump sum payment for accrued but unused sick leave as provided at Section 5.7 (Sick Leave Conversion) of this Policy Manual.

K. Retiring employees are eligible for a lump sum payment for accrued unused vacation as provided at Section 5.0.G. of this Policy Manual. Payment under this policy shall eliminate all vacation leave at the time of payment.

L. The departmental payroll officer is responsible for processing the Certificate for Payout for Earned but Unused Sick and Vacation Leave. The form (HR001) is available in the Human Resources Department and on the County Intranet site at http://hcnet. The certificate and supporting documentation must be submitted to Human Resources for processing and approval by the County Administrator or designee.

M. Payment for unused sick leave accrual will not be made until confirmation of retirement is received from OPERS.

N. For certain positions, continuation of employment or rehire of a retiree to the same position held before becoming a retiree is subject to the following ORC requirements:

1. Public notice that the person is or will be retired and is seeking employment with Hamilton County must be given not less than sixty days before the employment as a re-employed retiree is to begin. The notice shall include the time, date and location of the public meeting described in Paragraph 2 below; and

2. A public meeting regarding the issue of the person being employed by Hamilton County is to be held between fifteen and thirty days before the employment as a re-employed retiree is to begin and after complying with Paragraph 1 above.

Please contact Human Resources to determine if the above is required when re-employing a retiree.

O. Additional requirements for the re-employment of retirees in Section 6.0 Paragraph E.11. (Ethics of Public Employment) must also be met.

P. If there is a conflict between this policy and OPERS regulations, OPERS regulations will govern. An employee having questions about participation or benefits under OPERS may contact OPERS at 277 East Town Street, Columbus, Ohio, 43215, by phone at (800)222-7377 or on the Internet at www.opers.org.

SECTION5.7: SICKLEAVECONVERSION

This policy provides for lump-sum payment of accrued sick leave credit for non-bargaining employees.

A. Upon retirement from active County Service, pursuant to Chapter 145 of the Ohio Revised Code (ORC), and with ten (10) or more years of public service with the County, the State, any political subdivision of the State, or any combination thereof, the retiring employee shall be entitled to a lump-sum payment for his/her accrued, but unused sick leave credit, on the basis of one (1) hour's pay for each two (2) hours of accrued sick leave credit. Special rules apply for employees reinstated from disability retirement and employees who have two concurrent positions with two public employers.

B. Payment shall be based on the employee's rate of pay at the time of retirement.

C. The maximum payment made under this policy shall be for seven hundred twenty (720) hours if, at the time of retirement, the employee's rate of pay is based upon a biweekly pay period of eighty (80) hours. If at the time of retirement, the employee's rate of pay is based upon a biweekly pay period of seventy (70) hours, the maximum payment made under this policy shall be for six hundred thirty (630) hours.

D. The maximum payment for all employees not covered in Paragraph C (above) shall be calculated by dividing the number of hours in their biweekly pay period at the time of retirement by ten (10) and multiplying that number of hours by ninety (90).

E. Payment under this policy shall eliminate all sick leave credit accrued but unused by the employee at the time of payment.

F. For eligible County employees retiring from active service, payroll officers shall initiate the payment process by completing the Certificate of Payout for Earned but Unused Sick and Vacation Leave form (HR001) requesting lump sum payment of accrued sick leave. The completed form is submitted to Human Resources for processing and approval by the County Administrator or designee.

G. In the event of the death of a County employee who has at least ten (10) years of service with Hamilton County (regardless of other public service credit), the accrued but unused sick leave credit of any such employee shall be paid in accordance with Section 2113.04 of the Ohio Revised Code, or to the estate of the employee. The method of compensation shall be as provided in Paragraphs A through D of this Section.

Effective: September 25,1978
Revised: 09/17/92(Paragraph G), 12/06/00, 04/08/09

SECTION5.8: TUITIONREIMBURSEMENTPROGRAM

A. POLICY

It is the policy of Hamilton County to provide reimbursement for tuition costs for an appropriate program of study at an accredited college or university. An employee may receive full or partial reimbursement based on the final grades attained.

B. RATIONALE

Hamilton County considers employees its most important resource and values personal growth, creativity, and leadership. The continuing education and training of employees serves to: provide incentive in employee recruitment and retention, enhance employee ability to perform current job responsibilities, qualify employees for critical positions, encourage/facilitate the meeting and attainment of state licensure requirements and ultimately improve delivery of services.

C. DEFINITIONS

Appropriate Program of Study: Course work at an accredited college or university sanctioned by Hamilton County and approved by the Department Head which will assist the employee in becoming more effective on the job or will increase the potential for further growth within the County organization while fulfilling the course requirements for the attainment of an Associates, Baccalaureate, Masters or Doctoral degree. To attain a degree, Hamilton County recognizes that students must take elective courses. In order to be approved under the program, elective courses must enhance the employee's ability to perform their current job responsibilities or be directly related to a current county function. Hamilton County supports education in a traditional classroom setting. However, requests for on-line courses (not degrees) will be considered on a case-by-case basis.

D. COSTPERCREDITHOUR

The cost per credit hour shall be calculated on the in-state cost per credit hour of the University of Cincinnati for the level of degree sought and shall not exceed seven (7) hours per quarter/semester. An employee choosing a college with a higher cost per credit hour shall be responsible for the difference in cost. An employee choosing a college with a lower cost per credit hour will only receive actual costs incurred. Reimbursement will not duplicate other grants, scholarships, stipends, etc. An adjustment for semester credit hour cost will be made using a factor 1.5 of the University of Cincinnati per credit hour rate which is based on a quarter system.

Effective: January 1, 2001
Revised: 10/11/02, 04/15/04, 09/01/05, 07/10/07

E. ELIGIBILITY

1. An employee shall be considered eligible for tuition reimbursement when the following criteria are met:

   a. The employee is employed full-time in a non-bargaining unit position, or in a bargaining unit position whose contract provides for this benefit, and has successfully completed his/her initial probationary period with Hamilton County. The employee shall not be on any extended leave (excluding regular sick or vacation leave) while taking the class. Application must be received and approved thirty (30) days prior to beginning a course of study. No retroactive approval shall be granted.

   b. The last annual performance appraisal is satisfactory or higher. If an employee has not received an annual performance appraisal, any reimbursement will be held until the completion of the annual performance appraisal.

   c. The attendance and punctuality of the employee is satisfactory.

   d. The employee is not currently subject to serious disciplinary action as determined by the individual Department.

   e. In the judgement of the employee's direct supervisor, the employee is able to handle his/her current workload.

2. The employee shall sign a contract which stipulates for each $100.00 reimbursed the employee will commit to one month of full-time employment with the County. The committed time will begin on the date the reimbursement is received by the employee. Voluntary termination of employment or discharge for discipline prior to meeting the reimbursement time commitment will require repayment of any outstanding debt.

3. The tuition reimbursement program is a management prerogative and denial is not grievable. There is no appeal but the applicant shall be given written explanation for the reason(s) for denial. The annual approval of this program is based on the availability of funds and may be discontinued at any time. Employees are encouraged to check on the availability of funds within their department prior to enrolling in a course of study.

F. REIMBURSEMENT

1. The employee is responsible for the initial payment of all tuition.
2. Costs associated with the chosen course of study: books, supplies, lab fees, etc., shall not be eligible for reimbursement.

3. Reimbursement shall be based on the employee's final grade as follows:

   a. Grade A = 100% Reimbursement
   b. Grade B = 90 % Reimbursement
   c. Grade C = 75% Reimbursement
   d. Grades below C, no grade, or incomplete = No Reimbursement. An incomplete that is changed will be reimbursed based on the schedule above. (Audited classes are not reimbursable.)

4. Pass/Fail classes taken as a requirement of a degree program, where no letter grade option is offered, will be reimbursed at the C Grade level if a passing mark is attained.

5. Requests for reimbursement are to be submitted within three months after completion of a class.

6. The maximum amount reimbursable to an employee under this program is $5,250.00 per calendar year.

G. APPLICATIONPROCESS

Employees shall discuss the tuition reimbursement and application process with their immediate supervisor. A completed application shall be submitted to their immediate supervisor and Department Head thirty (30) days prior to the first day of classes. (NOTE: due to the enrollment process at Cincinnati State, employees attending there are only required to submit their application seven (7) days prior to the first day of classes, rather than 30.) The application is then forwarded to Human Resources for final approval/denial.

H. QUALITYASSURANCE

1. The Human Resources Department and Program Administrator will submit to the Board of County Commissioners and the County Administrator a report detailing the annual and accumulated cost of this program, including the number of employees utilizing this program and degree or program of study being sought.

2. A periodic review of the program shall also be conducted by the County Administrator's Office.

3. Based on the preceding reports and availability of funding, the County Administrator will recommend continuation of this program.

4. Should there be any conflicts between this policy and the Tuition Reimbursement Plan Document, adopted by the Board of County Commissioners on 12/19/2001 and amended from time to time, the provisions of the Plan document shall prevail.

SECTION5.9: EMPLOYEETRANSPORTATIONREIMBURSEMENT ACCOUNT

A. The Board of County Commissioners has established an Employee Transportation Reimbursement Account for the benefit of its employees. The account allows employees to pay for certain eligible parking, mass transit, and van pooling expenses through a pre-tax payroll deduction. The Board of County Commissioners reserves the right to terminate or change this plan at any time.

B. Human Resources is responsible for providing details of the plan and for overall administration of the plan.

ELIGIBILITYANDENROLLMENT

C. An eligible employee, for purposes of this policy, is a part-time permanent or full-time permanent employee. Temporary, intermittent, and seasonal employees are not eligible to participate regardless of the number of hours worked.

D. An eligible employee may enroll at any time and enrollment remains in force until the next open enrollment period. An enrollment is effective the first of the month following receipt of the enrollment form by Human Resources.

E. Deductions will be taken on a twice a month basis (24 per year). During months that have three pay periods, the deduction will be taken from the first two pay periods.

F. An active employee may change the deduction election amount up to four times per year. Retroactive changes are not permitted. In addition to the four changes, an employee has one additional option to discontinue participation.

G. An active employee may discontinue participation at any time. An election cannot be revoked for a month that has already commenced. Anyone terminating employment with the County may still request reimbursements for expenses incurred while a participant in the plan, so long as the request for reimbursement is made within 180 days of the expense being incurred and before March 31st after the plan year.

H. Unused account balances for terminated employees are not refundable and will be forfeited.

ELIGIBLEEXPENSES

I. The following types of expenses are eligible for reimbursement.

1. Parking expenses incurred at or near work address (excluding residence),
2. Mass transit passes and tokens,

3. Commuter van pooling fares (Ride Share). The van must seat 6 adults (excluding driver) to provide travel between home and work, where at least 80% of the mileage is reasonably expected to be incurred for transporting employees to and from work.

INELIGIBLEEXPENSES

J. The following are examples of expenses not eligible for reimbursement: taxicab fares, car pooling, tolls, or vehicle operation expenses.

K. Expenses incurred prior to employee participation in the plan are not eligible. Expenses incurred after termination of employment are not eligible.

REIMBURSEMENT

L. Once an employee establishes an account with a pre-tax payroll deduction, eligible expenses may be submitted for reimbursement.

M. The employee is reimbursed from his/her account with pre-tax dollars, up to IRS limits, upon submitting a Reimbursement Request Form with required documentation of provider, amount, dates, and receipt/evidence of payment.

N. Appropriate documentation for the receipt/evidence of payment includes one of the following:

1. A copy of the check made payable to the provider (parking company, mass transit, etc.);
2. A copy of the cancelled check made payable to the provider;
3. A receipt from the provider that includes the dates of service and employee's name; or
4. In situations where a receipt is not normally given (e.g., daily parking, metered parking, etc), a signed affidavit (which includes date and amount spent) is required.

O. Employees must submit requests for reimbursements within 180 days of incurring expenses, but not later than 90 days following the last day of the employer's designated plan year (by March 31 following the plan year).

P. An employee cannot be reimbursed for any amount that exceeds his/her current account balance. No amounts above the monthly plan limits as referenced in Section Q. below will be reimbursed.

PLANLIMITS

Q. The maximum amounts of reimbursement are established by the Federal Government. To learn of the current maximum monthly benefits for mass transit

passes, van pooling, and parking, employees may contact Human Resources.

PLANYEAR/REFUNDS

R. The plan year begins January 1 and ends December 31. Any balances in accounts will be carried forward to the next plan year, unless the participant has terminated employment. No cash refunds are permitted.

SECTION5.10: ADOPTIONASSISTANCEPROGRAM

POLICY

A. It is the policy of Hamilton County to provide eligible employees with adoption benefits. An employee adopting an eligible child will choose between two adoption benefit options:

1. Be reimbursed for eligible adoption-related expenses up to a maximum of $5,000 per adoption, or
2. Receive six (6) weeks of Adoption Paid Leave.

RATIONALE

B. Hamilton County believes in offering adoptive families with comparable benefits provided to families with biological children. Hamilton County realizes the cost of adopting a child is substantial and that the adoptive family needs time to bond with the newly adopted child. Therefore, Hamilton County offers their employees a choice between financial reimbursement to make the cost of adopting a child more economical and paid leave to allow the family time to form a solid relationship with their adopted child. Hamilton County establishes this adoption assistance program with reimbursement benefits available to eligible employees pursuant to Section 137 of the Internal Revenue Code of 1986, as amended.

DEFINITIONS

C. The following definitions apply to this program:

1. Plan Year: the “plan year” is the calendar year.

2. Eligible Child: an eligible child is any individual who, at the time of the adoption, is under the age of eighteen.

3. Family: includes the employee and the employee’s spouse.

4. Adoption Assistance Plan: is a separate document known as the Hamilton County, Ohio Adoption Assistance Plan which governs the benefits available to employees under the adoption assistance plan. If there is any conflict between this policy and the Adoption Assistance Plan, the Adoption Assistance Plan will supersede the policy.

ELIGIBILITY(Employee)

D. An eligible employee, as further defined in the Adoption Assistance Plan, is a permanent, full-time employee, or one who is regularly scheduled in active pay status at least thirty (30) hours per week. The employee must be employed at Hamilton County for at least one (1) year.

E. Temporary, intermittent, part-time (less than 30 hours per week), and seasonal employees are not eligible for the adoption assistance program regardless of the number of hours worked.

F. Reimbursement under this policy is subject to the income limitations in Section 137 of the Internal Revenue Code of 1986, as amended, and any rules adopted governing this section of the Code.

G. Departments under the authority of the Board of County Commissioners shall accommodate these expenses within their existing budget.

H. Other Hamilton County Elected Officials and Appointing Authorities may adopt this policy; however, expenses incurred and reimbursed to employees in those departments will be paid by those departments.

REIMBURSEMENT

I. The employee is responsible for the initial payment of any adoption expenses and shall be reimbursed under the terms and conditions of the Adoption Assistance Plan.

J. Qualified adoption expenses as defined in the Adoption Assistance Plan shall include reasonable and necessary adoption fees, court costs, attorney's fees, and other expenses that are: (i) directly related to, and the principal purpose of which is for, the legal adoption of an eligible child by the taxpayer, (ii) not incurred in violation of state or federal law, or in carrying out any surrogate parenting arrangement, (iii) not for the adoption of the child of the taxpayer's spouse, and (iv) not reimbursed by another source (e.g., grants, another employer). Eligible employees will be reimbursed up to $5,000 per child. If the employee and the employee's spouse are both employed with Hamilton County, then the maximum reimbursement will be $5,000 per adoption. Reimbursement will only be considered for two (2) adoptions per family in any one plan year. The lifetime maximum reimbursement for any one family is $15,000.

1. Employees may request reimbursement for domestic adoptions (the child is a resident or a citizen of the United States) once the child is placed in the home or once the adoption is finalized. IRS Code Section 137 requires reimbursement for foreign adoptions (the child is not a citizen or resident of the United States at the time of adoption) be requested after the adoption is finalized.

2. To obtain reimbursement, the employee must fill out the Adoption Assistance Reimbursement Form available from the Human Resources Department. Itemized copies of the receipts for expenses incurred must be submitted along with the Adoption Assistance Reimbursement Form. A copy of the placement agreement or adoption decree must be attached to the Adoption Assistance Reimbursement Form for domestic adoptions. For foreign adoptions the employee must attach a copy of the adoption decree before reimbursements can be permitted.

3. The Adoption Assistance Reimbursement Form, along with the previously indicated documents, must be submitted no later than sixty (60) days after the adoption is finalized.

4. Reimbursement will be made to the employee by a separate check within one (1) month of the date of submission to the Human Resources Department. Human Resources may request additional documentation in connection with the reimbursement if necessary. Delay in receiving this documentation may result in delay in reimbursement.

K. If the employee chooses to be reimbursed for any amount of incurred expenses, up to $5,000 maximum per adoption, they are not eligible to receive any Adoption Paid Leave for that adoption.

PAIDADOPTIONLEAVE

L. The employee may choose to receive up to six (6) weeks of Paid Adoption Leave once the child is placed in the home or the adoption is finalized. If the employee and the employee's spouse are both employed with Hamilton County, then they can receive a maximum amount of 6 weeks of Paid Adoption Leave per adoption. The terms and conditions of Paid Adoption Leave are defined in the Adoption Assistance Plan. Families are limited to two six-week leaves in a calendar year and no more than three six-week leaves per lifetime.

M. The six weeks of Paid Adoption Leave may be taken intermittently, in as little as one day increments, for up to one year, starting from when the child is placed in the home or the adoption is finalized.

1. Employee must submit a Paid Adoption Leave Form to the Human Resources Department, along with a copy of the adoption decree or placement agreement stating that the child is in the home. Forms are available in the Human Resources Department.

2. Human Resources must receive the form one (1) week before the requested leave is to begin. Human Resources will notify the employee and the employee's immediate supervisor within three (3) business days of submission whether leave is or is not approved.

3. The employee's leave will be paid through the same method as his/her biweekly paycheck (either by check or direct deposit into a bank account) and will include normal deductions.

N. If the employee qualifies for Family Medical Leave, any qualifying Adoption Paid Leave under this policy will be counted against the employee's remaining balance of Family Medical Leave.

O. An employee taking any amount of the allotted Paid Adoption Leave is not eligible to receive any financial reimbursement from Hamilton County for expenses incurred in adopting the child.

SECTION 5.11: EARNED PERSONAL DAYS

A. POLICY

It is the policy of Hamilton County to provide earned personal days to employees who do not use sick leave as described in this policy.

B. RATIONALE

Hamilton County values employees and their contributions in the work place. The earned personal days policy was implemented to reward employees who meet the sick leave utilization described herein.

C. DEFINITIONS

1. Earned Personal Day: eight hours
2. Eligible Employee: all full-time employees who have completed their initial probationary period.
3. Tally Period: three four-month periods which include January 1 through April 30, May 1 through August 31, and September 1 through December 31.
4. Sick Leave: does not include time off for the death of an employee's immediate family.

D. An Eligible Employee who does not use any sick leave (including sick leave designated as FML) in a Tally Period shall receive one earned personal day. The employee must be in active pay status to receive credit toward earning personal days. If an employee is on non-paid leave of absence as a result of being furloughed, it will not count against the employee in earning a personal day under this policy.

E. Personal days shall be approved and scheduled in accordance with the workload requirements of the work unit and must be approved by the employee's supervisor.

F. Requests for usage of Personal Days (other than for reasons of employee illness) shall be made prior to the date the requested usage is to occur by submitting a Time Off Request. Requests for Personal Days off due to insufficient sick leave shall be made upon the employee's return to work by submitting a Time Off Request.

G. Earned Personal Days are a time-off benefit only. Earned personal days not taken as time-off within the designated time frame are forfeited. The chart below displays each tally period and the date by which the time must be taken off or be forfeited.

Effective: May 1, 2008
Revised: 12/25/08, 10/28/09, 01/01/12, 09/01/14, 07/19/17

Tally Period and Dates:		Use by Date or Forfeit:
1	January 1 through April 30	August 31
2	May 1 through August 31	December 31
3	September 1 through December 31	April 30

H. Should an employee have an Earned Personal Days balance at the time of his/her termination of employment, the time will be forfeited. Earned personal days may not be used to extend employment.

SECTION 5.12: FRINGE BENEFIT TAXATION – UNIFORMS

A. The Internal Revenue Service requires that all forms of compensation, unless specifically exempted, be taxed. Compensation can be in the form of wages, bonuses, use of vehicles, or uniforms. Most forms of fringe benefits must be taxed or procedures established which require employees to reimburse the County for any personal usage of these benefits.

B. Several departments supply certain employees with clothing/uniforms that identify them as County employees. IRS regulations state that the value of clothing/uniforms is considered gross income to the employee subject to tax, unless it meets two requirements:

1. Must be worn as a condition of employment (example: law enforcement);
2. Is not adaptable or suitable for everyday wear.

C. Safety equipment that does not leave the premises is generally excluded. Due to the wide variety of clothing/uniforms that may be provided, Department Heads should seek guidance from Human Resources as to the taxability of any County provided clothing/uniforms. Human Resources may seek additional guidance from the Prosecutor.

D. Annually, each Department that provides clothing/uniforms which are not excludable to taxation will be notified by Human Resources to provide a list of employees who received items and the cost of the items. Human Resources will review the list and provide it to the Auditor so that the value can be added to the employees' gross income. In the event of termination, the department must promptly notify HR so that the value can be reported prior to the last paycheck being issued.

SECTION 5.13: EMPLOYEE WELLNESS PROGRAM

A. BACKGROUND

The Board of County Commissioners recognizes the benefits of workplace wellness programs that support employee health and wellness; they have been shown to increase productivity, reduce absenteeism and on-the-job injuries, and improve the morale and quality of life for employees. Workplace Wellness programs can also play an important role in containing healthcare costs for both the employee and the County.

B. PURPOSE

1. To empower employees to attain their best possible health.

2. To aide in reducing preventable healthcare costs for both the employees and the County.

3. Provide a supportive work environment that promotes the health and wellbeing of its employees.

4. Commit resources to foster awareness about personal health and to build a supportive workplace environment that encourages and motivates employees to make the healthy choice and take healthy actions.

5. To be a role model for other employers within Hamilton County.

C. RESPONSIBILITIES

1. Employee: To explore options for making positive lifestyle choices assuring one's best possible health, be a wise consumer of medical care services, and to encourage and support co-workers.

2. Management: To serve as a role model, encourage and promote wellness initiatives and programs, consider employee requests to participate in county-sponsored programs, consider requests for flexible scheduling that might enable participation in physical activity during workday, within operational considerations and support health and wellness services.

3. Wellness Champions Committee: The County Human Resources Department shall lead a committee with representation from a majority of County departments. The Committee will meet several times annually, as needed, to brainstorm new programs and initiatives that reach a broad spectrum of the workforce. The Committee Members may be asked to help lead certain initiatives and help communicate the workplace wellness programming in the applicable department/agency. The Committee would

4. not discuss benefit plans/designs; rather assist the Human Resources Department with understanding the needs of employees throughout the County and assists in communicating the wellness programming messages to all County employees.

5. County HR Department: To develop a full spectrum of wellness programs and workplace challenges in partnership with the County's Wellness vendor and other benefit vendor partnerships; to develop and deliver timely marketing materials to promote wellness programming, and encourage appropriate use of health plan services; to work with wellness vendor to monitor completion of applicable programs for incentive eligibility; to monitor success of programs through surveys and specified measures.

D. PLAN ELIGIBILITY

All County employees, full-time and part-time, are eligible to participate in wellness program activities. Temporary, Seasonal, and Intermittent employees are not eligible, however, to earn the WellBucks incentives, but are welcome to participate in wellness programming.

Some programs and/or incentives may have specified eligibility. Communications for each program will designate eligibility.

Wellness programs coordinated through the County Human Resources Department may be considered sponsored wellness activities. Employees are eligible to participate in sponsored wellness activities during the workday subject to administrative approval within their department. Any allowed break time can be used for wellness activities in the workplace. Employees participating during the workday should maintain satisfactory job performance. Employees participating in wellness activities during non-work time/lunch breaks/before and after work do not require approval of the supervisor. Exceptions would be for those positions that do not have discretionary use of their lunch break time.

Management is encouraged to accommodate employee request for flexible work schedule to participate in wellness activities so long as work responsibilities would not be adversely affected.

E. PROGRAMS

1. Health Risk Assessment:

    a. The Health Risk Assessment (HRA) is a web-based questionnaire administered through a third-party wellness vendor that gathers information on variety of health parameters, including employee stress, physical activity, and nutrition. All HRA submissions are

b. completely confidential. Hamilton County will never know or have access to individual results. The County will obtain an aggregate report of all who completed the assessment, which will help define the target areas of improvement for the workforce.

c. All County employees are eligible to complete the HRA. Spouses enrolled in the medical insurance plan are also eligible to complete the HRA, but would not be eligible to earn a cash incentive, if available.

2. On-Site Health Screening:

a. The on-site health screenings are performed by a third-party wellness vendor. Representatives from the wellness vendor will gather relevant health data: cholesterol, triglycerides, glucose, BMI, etc. Participants will have an opportunity to meet with a representative from the wellness vendor to discuss their results at the conclusion of the screening.

b. To ensure employees have reasonable access to complete the health screenings, the screenings will be held at a variety of County locations, dates, and times.

c. In the event an employee is unable to participate in an on-site screenings, the employee will also have the ability to utilize a screening from their primary care physician, and provide those results directly to the third-party wellness vendor. Screenings performed by a Primary Care Physician must be submitted to the third party wellness provider no later than December 31, in order to earn an incentive, when available. All results submitted to the wellness vendor must be dated between January 1 and December 31 of the Plan Year in order to be eligible for incentives dollars awarded in February of the subsequent plan year.

d. All County employees are eligible to participate in the on-site screening process. Spouses enrolled in the medical insurance plan are also eligible to participate in the screening, but would not be eligible to earn a cash incentive, if available.

3. Additional Wellness Programming:

a. The County will offer a variety of wellness related programs, covering the physical, mental, and financial wellbeing of County employees. Programs could include: educational programming on a variety of topics including stress management, nutrition education, physical exercise programming, workplace challenges, and more.

b. Whenever feasible, the County will utilize resources already available through existing benefit vendor relationships where educational information or courses are available for little or no fee.

c. Some wellness activities may require a fee for participation. Costs for wellness activities which require a fee, such as fitness classes or weight-management classes will be paid by the employee directly to the vendor/instructor.

d. Employees must meet all requirements of specified wellness program in order to earn the applicable credit.

e. All County employees are eligible to participate in the additional wellness programming, unless specifically designated in program materials. Spouse and dependents are general not eligible to participate in the additional programming, nor eligible to earn related incentives.

F. CASH INCENTIVES

The Workplace Wellness program offers cash incentives, called WellBucks for completion of certain activities/programs.

When earned, WellBucks will be added to the employee's regular pay check, so long as the employee remains employed until the pay period in which the incentives are issued. WellBucks are considered taxable income.

Employees have two opportunities to earn WellBucks.

1. Employees who complete both the HRA and health screening, in accordance with the established guidelines, will be eligible for $150 WellBucks to be paid in February of the subsequent plan year.

2. Employees who earn three (3.0) WellBucks credits by participating in WellBucks designated programs between January 1 and June 30 of the plan year will be eligible to earn an additional $100 in incentives to be awarded in August of the plan year. Each eligible program will be designated as WellBucks eligible in applicable communications.

    a. Education programs are typically worth 1.0 WellBuck credits.

    b. Workplace Challenges are typically worth 1.5 WellBuck credits

    c. Employees should carefully review communications about wellness programming for credits available.

d. WellBucks designated programs are those specifically designated and offered through the Hamilton County Human Resources Department. Employees will typically be made aware of the programs via e-mail, website updates, and/or electronic newsletters and flyers.

G. LIABILITY and WORKERS' COMPENSATION

Employees may be required to sign a liability release, including, but not limited to, "Waiver of Workers' Compensation Benefits for Recreational or Fitness Activities," BWC form # C159 before participating in certain wellness activities. Participation in wellness activities at work is voluntary. If a release is required, an employee shall not participate in a Wellness related program or activity without executing an appropriate liability or workers' compensation release.

All Hamilton County employees are covered under the Ohio Workers' Compensation Act, Ohio Revised Code Section 4123.01 et seq. Any injury sustained while participating in a Wellness activity or program shall be evaluated on a case by case basis to determine compensability. Additional information regarding an employee's rights, duties and responsibilities may be found in the Hamilton County Workers' Compensation Handbook at http://www.hamiltoncountyohio.gov/hr/workerscomp.asp.

SECTION SIX

EMPLOYEE CONDUCT

SECTION 6.0: ETHICS OF PUBLIC EMPLOYMENT

A. The purpose of this Section is to provide rules of ethical conduct for all employees so they may carry out their duties in a manner which is compatible with the best interests of the citizens and government of Hamilton County.

Proper operation of Hamilton County requires that:

1. Actions of public employees be fair and impartial;
2. Government decisions and practices adhere to the policies and procedures outlined herein;
3. Public office not be used for personal gain; and
4. The public have confidence in the integrity of its government.

B. Ethics of Public Employment set the following goals:

1. To guide employees in protecting and preserving the public trust;
2. To ensure impartiality of services and to avoid disparate treatment of any citizen;
3. To avoid real or apparent conflicts between public duties and private concerns; and
4. To promote government integrity.

C. HAMILTON COUNTY ETHICS COMMISSION

The County Administrator shall appoint five members to serve as the Hamilton County Ethics Commission (HCEC). One member shall be designated as chair, another as vice-chair. Those appointed shall each serve until replaced by the County Administrator. The HCEC shall act as an advisory body, relative to the County's Code of Ethics, to assist appointing authorities with interpretations of the Code. The HCEC shall monitor the Code of Ethics and recommend changes as the need arises. The HCEC shall establish its own operating procedures and meet as necessary to reply to inquiries and requests for advisory opinions. Any employee may seek an advisory opinion from the Hamilton County Ethics Commission. All opinions, decisions or recommendations of the Ethics Commission shall be reported to the County Administrator or his designee.

Three members shall constitute a quorum of the Hamilton County Ethics Commission. Any member of the Hamilton County Ethics Commission who has other than a neutral interest in any matter before said Commission shall be disqualified from any discussion or disposition of said matter.

Effective: April 20, 1994
Revised: 10/19/94, 1/8/97, 12/06/00, 08/13/04, 11/30/06, 09/05/07, 10/15/14

D. TOP MANAGEMENT

Top Management employees (as defined at Section 3.6 of this manual) are restricted from engaging in partisan political activities concerning the office of the Board of County Commissioners. Specifically, Top Management may not participate in the campaign or election of any candidate for, or incumbent on the Hamilton County Board of Commissioners. Top Management must refrain from financial participation, donation of time or services to campaigns, attendance at fund raising functions, wearing campaign buttons, distributing campaign literature, affixing signs or stickers to personal, private, or public property, or making public endorsements for any candidate for election to the Hamilton County Board of Commissioners. This does not prohibit exercising the right to vote or from participating in other partisan political activities which do not impair performance as a professional administrator or otherwise violate restrictions on political activity in Ohio Revised Code Section 124.57. Department Heads shall ensure that every applicant or candidate for any top management position is aware of this provision and given a copy of this policy.

E. ETHICAL CONDUCT

Employees must adhere to the following conduct:

1. All employees are expected to conduct themselves in accordance with A and B above.

2. Employees shall not use their County positions either directly or indirectly, for personal gain, (e.g., engaging in any business or transaction, having a financial, sexual, personal, exploitative, or other interest, which is in conflict with the proper discharge of their duties).

3. Employees shall not, without proper legal authorization, disclose confidential information or documentation that is protected by law from public disclosure that concerns the property or affairs of the County, to which they have access through their employment with the County; nor shall they use such information to advance the financial or other private interests of themselves or others.

4. Employees shall not accept any gratuity (other than occasional plaques or other symbols of appreciation or honor), whether in the form of service, loan, gift, favor, honorarium, or item, directly or indirectly, in business dealings with the County; nor shall they accept anything of value or the promise or offer of anything of value that is of such a character as to manifest a substantial and improper influence upon said employees in the discharge of their duties. Employees who are offered such gratuity by any individual, firm, association, group, partnership, or corporation seeking County employment or contract(s) must inform their supervisor of the gratuitous offer.

5. Employees shall not grant any consideration, treatment, advantage, favor, service or item in the discharge of their duties beyond that which it is the general practice to grant or make available to all citizens.

6. Employees shall not represent private interests in any action or proceedings against the County in any matter in which the County is a party.

7. Employees shall not engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of their official County duties or would tend to impair their independent judgment or action in the performance of their official County duties.

8. Employees shall not use their position to unduly influence the County business concerns of a relative, friend, neighbor, or acquaintance; or to unduly influence a coworker who has responsibility for those concerns. Employees who experience such influence shall notify their supervisor immediately.

9. Employees who apply for and/or receive any County services or otherwise involved with any County agency shall not receive special consideration or treatment.

10. Employees shall not have an unlawful interest in a public contract. Nor shall employees directly or indirectly represent that they have any ability to influence the outcome of any County bid, proposal, contract or the administration or application of any policy by any County employee.

11. Employees who retire from County employment under any retirement system shall not be rehired by the County in any employment status unless specifically authorized by the Board of County Commissioners. (Please refer to Section 5.6 Paragraph N. for additional information pertaining to re-employment of retirees.)

12. The hiring of employees into the same work unit of immediate family members is prohibited. Supervisors or managers shall not hire or employ any member of their immediate family to work under their direct supervision. Employees shall not use their positions to influence hiring or altering the employment status of a family member.

13. Employees who serve on any committees, commissions, boards, or hold elected office, or serve in any capacity with any other organized entity, whether public or private, shall excuse themselves from any discussions, abstain from voting, or otherwise participating in any matter related to County programs, operations, or business concerns. Service on any committees, commissions, boards, elected office or with other organized

entities, whether public or private, shall not conflict with the performance of official County duties.

14. Employees shall not abuse, neglect, waste, or misappropriate County property. All employees are responsible for the proper care of any tools, materials, equipment or vehicles assigned for the performance of their jobs. No tools, equipment or materials shall be taken from the work site for any purpose unless specifically authorized by the employees' supervisors. No County tools, equipment, materials or vehicles shall be used for any purpose other than authorized work-related activities.

15. All employees must provide service to the County at all times while in attendance at work in a paid status. All employees shall give undivided attention to the duties of their jobs during working hours.

16. Employees shall request and take only the amount of the leave and reimbursement which they are due and entitled pursuant to the policies contained in this Manual.

17. Employees shall not endorse any commercial product or service as a representative, agent, official, or employee of Hamilton County.

18. Situations involving former County employees, who, within one year after leaving County employment, accept other employment directly related in any way to their former employment with the County, are subject to review by the Hamilton County Ethics Commission for a determination of a possible conflict of interest.

F. REPORTING REQUIREMENTS

Each member of the Top Management staff shall file a Financial Disclosure Statement with the Hamilton County Ethics Commission when hired by the Board of County Commissioners and annually thereafter. All other employees must submit an Ethics Statement when hired by the Board and annually thereafter. The form and content for the Financial Disclosure Statement and the Ethics Disclosure Statement shall be prescribed by the HCEC and approved by the County Administrator. Human Resources shall maintain the Disclosure Statements and keep on file for three years.

Every employee who is required to maintain a license, registration, or certification as a condition of County employment must verify the active status in good standing of said license, registration, or certification when hired by the Board and

annually thereafter. It is the immediate supervisor's responsibility to annually inspect and verify the active status of the required license before signing the Verification of License, Registration or Certification form. If, for any reason, the subject's license, registration, or certification lapses, or becomes inactive, suspended or revoked, employees must notify their supervisors immediately.

G. INCORPORATION BY REFERENCE

The Ohio Ethics Laws as defined in Chapter 102 of the Ohio Revised Code are incorporated by reference herein as they pertain to County employees. The Offenses Against Justice and Public Administration as defined in Chapter 2921 of the Ohio Revised Code are incorporated by reference herein as they pertain to County employees.

H. SANCTIONS

Employees who have any concerns or questions regarding possible violations of ethical standards set forth herein shall consult with their supervisors prior to engaging in any questionable activity. Ethics violations, apparent or real, shall be reported to the County Administrator or his designee, with a recommendation for appropriate corrective action. Departmental decisions on ethics violations may be appealed to the County Administrator or his designee through the grievance process.

SECTION6.1: FAIREMPLOYMENTRIGHTSANDRESPONSIBILITIES

A. RATIONALE

Hamilton County is committed to providing all employees a workplace that is free from unfair treatment based on race, sex, sexual orientation, gender identity, religion, national origin, ancestry, age or disability so employees can focus on the job tasks at hand. Each employee has a responsibility to treat co-workers, and anyone with whom they interact on the job, fairly and equally.

B. ANTI-DISCRIMINATIONPOLICY

1. The Hamilton County Board of County Commissioners is an Equal Employment Opportunity Employer. All employees shall be treated in a fair and equitable manner based solely upon merit, fitness and such other occupational qualifications as each individual might possess. Personnel actions or decisions concerning any term or condition of employment shall not unlawfully discriminate on the basis of race, sex, sexual orientation, gender identity, age, religion, color, national origin, ancestry, disability, or other non-job related criteria. This Appointing Authority will accept nothing less than zero tolerance for violations of public or employee rights, or harassment or discrimination based on any of these criteria.

2. Any employee who feels he/she has been discriminated against because of race, sex, sexual orientation, gender identity, age, religion, color, national origin, ancestry, disability or other non-job related criteria may seek redress internally by following the complaint procedure outlined in this policy.

3. The Human Resources Department (HR) shall be responsible for coordinating efforts to assure equal employment opportunity in cooperation with Department Heads and supervisors within all departments under the BCC. Similarly, Human Resources shall be responsible for coordinating efforts to assure compliance with the Americans with Disabilities Act (ADA) and for receiving and resolving complaints about discrimination against the disabled (See Section 2.6).

C. Human Resources may assist other County Appointing Authorities in meeting their EEO and ADA obligations.

D. DEFINITIONS

1. Workplace environment – The workplace environment is defined as follows: (1) County property at anytime; (2) anywhere County business is conducted; (3) County sponsored events and activities.

2. Sexual harassment – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute

sexual harassment when:

a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

c. Such conduct is sufficiently severe or pervasive so as to unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive work environment.

E. CIVILTREATMENTPOLICYANDPROHIBITEDCONDUCT

It is the goal and policy of the BCC to create and maintain a civil and professional workplace environment where employees are treated fairly by co-workers, supervisors, customers and vendors without regard to their race, sex, sexual orientation, gender identity, age, religion, color, national origin, ancestry, or disability. All employees, both supervisors and non-supervisors, are responsible for creating a work environment free from offensive behavior.

1. The following is a non-exhaustive list of examples of conduct prohibited in the workplace environment:

   a. To engage in inappropriate conduct or make jokes or inappropriate comments for which there is no business purpose, based on race, sex, sexual orientation, gender identity, age, religion, color, national origin, ancestry, or disability.

   b. To bring any item to the workplace environment for purposes of a joke, or for any other non-business purpose which may be offensive to others, based on race, sex, sexual orientation, gender identity, age, religion, color, national origin, ancestry, or disability.

   c. To use any official Hamilton County property, including bulletin boards or space in an employee's office or cubicle, for purposes of a joke, or for any other non-business purpose which may be offensive to others, based on race, sex, sexual orientation, gender identity, age, religion, color, national origin, ancestry, or disability.

   d. To deface Hamilton County property or personal property of another for purposes of a joke, or for any other purpose, which may be offensive to others based on race, sex, sexual orientation, gender identity, age, religion, color, national origin, ancestry, or disability.

2. Conduct described under this policy will not be tolerated even if the parties engage in the conduct consensually.

F. SEXUALHARASSMENTPOLICYANDPROHIBITEDCONDUCT

Sexual harassment is prohibited by federal and state law. It is also a violation of County policy for any supervisor or employee to engage in the acts or behavior enumerated in this policy.

1. The following is a non-exhaustive list of conduct prohibited in the workplace environment:

   a. Any conduct that meets the definition of "sexual harassment" above (Section D.2.).

   b. Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexually suggestive or vulgar language, suggestive or insulting sounds, leering, whistling.

   c. Sexual propositions.

   d. Sexually suggestive objects or pictures, graphic commentaries, obscene gestures.

   e. Unwelcome physical contact, including touching, pinching, brushing the body, coerced sexual intercourse.

2. Conduct described under this policy will not be tolerated even if the parties engage in the conduct consensually.

G. FILINGACOMPLAINT

1. Complaints of harassment, discrimination, or any violation of this policy shall be reported immediately (the complaint should be reported not later than five (5) work days after the alleged act of discrimination), verbally or in writing, to any one of the following individuals:

   a) an employee's immediate supervisor;
   b) any supervisor in the employee's chain of command;
   c) the HR Director or any HR Manager in Human Resources.

2. All complaints received by any supervisor also must be reported in writing within two (2) work days of the complaint) to the HR Director for investigation by the HR Director or his/her designee, as must all violations of this policy witnessed by a supervisor.

3. Once a complaint has been made under this policy, there is an affirmative duty to investigate and take appropriate remedial action, even if the employee making the complaint is resistant to pursue the matter.

4. The HR Director or designee shall meet with the complainant as soon as possible (usually within two working days) to review the allegations and shall conduct a thorough investigation of the complaint.

5. The HR Director or designee shall provide the employee with a written statement, within thirty days of receipt of the complaint, summarizing the status of the investigation and/or the findings of the investigation. If disciplinary action is required as a result of the investigative findings, management, in consultation with Human Resources, will proceed according to Section Seven of this manual.

6. Every effort will be made to preserve the confidentiality of the investigation, and records of the investigation shall be maintained separate from employee personnel files. Records of investigations are considered confidential to the extent allowed under the law (absolute confidentiality cannot be guaranteed).

7. Employees may make complaints under this policy even if the subject of the complaint is not a County employee, or if the offensive conduct occurs off-site, i.e., while the employee is conducting County business outside County-owned or operated property.

8. An employee shall not be retaliated against for exercising his/her rights under this policy, or for cooperating in an investigation under this policy. Retaliation of any kind should be reported to the HR Director immediately.

H. DISCIPLINARYACTION

1. Disciplinary action will be taken against any employee who violates this policy, up to and including removal, depending on the seriousness of the offense.

2. An employee will be disciplined for violations of this policy, even if the misconduct does not rise to the level of “harassment” or “discrimination” under Federal or State law.

3. Disciplinary action will be taken against any employee who engages in reprisals or retaliation against any employee who makes a complaint under this policy and/or cooperates in an investigation of a complaint under this policy.

4. Employees making false claims under this policy will be subject to discipline.

I. All employees are required to attend “Fair Employment Rights and Responsibilities” training provided by the Human Resources Development Division of HR. New hires are expected to attend such training within their first year of employment.

JFS EMPLOYEES ONLY | **SOP Sec. 6.1**

STANDARD OPERATING PROCEDURE | **Fair Employment Rights & Responsibilities**

This SOP implements Section 6.1 of the Policy Manual **for Job and Family Services Employees Only**.

A. Pursuant to a WIA agreement signed between the Hamilton County Department of Job & Family Services (HCJFS) and the Ohio Department of Job & Family Services (ODJFS), the HCJFS affirms current and ongoing compliance with 29 CFR Part 37, Title VII of the Civil Rights Act of 1964, The Americans With Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and all other nondiscrimination and equal employment opportunity statutes, laws, and regulations.

B. Furthermore, the HCJFS agrees not to discriminate against any employee or applicant for employment because of race, religion, national origin, ancestry, color, gender, gender identity, sexual orientation, age, disability, political affiliation or belief, or veteran status.

C. The HCJFS will ensure that all qualified applicants are hired, and all employees are considered for promotion, demotion, transfer; recruitment or recruitment advertising, layoff, termination, rates of pay, other forms of compensation, selection for training (including apprenticeship), or any other employment-related opportunities, without regard to race, religion, national origin, ancestry, color, gender, gender identity, sexual orientation, age, disability, political affiliation or belief, or veteran status.

D. The HCJFS agrees to post notices affirming compliance with all applicable federal and state non-discrimination laws in conspicuous places accessible to all employees and applicants for employment.

E. The HCJFS will affirm that all qualified applicants will receive consideration for employment without regard to race, religion, national origin, ancestry, color, gender, gender identity, sexual orientation, age, disability, political affiliation or belief, or veteran status in all solicitations or advertisements for employees placed by or on behalf of SUBGRANTEE.

F. The HCJFS will incorporate the foregoing requirements of Paragraph A. in all of its subgrants or subcontracts.

G. The HCJFS agrees to collect and maintain data necessary to show compliance with the nondiscrimination provisions of this section.

SECTION6.2: ABSENTEEISM

A. Employees are expected to work during the hours scheduled to work. Absenteeism causes a burden on coworkers and disrupts the normal operation and level of services of County departments. Good attendance is required, and violations of this policy will result in disciplinary action, which may result in termination.

B. NOTIFICATION

1. An employee who will be absent from work must report to his/her immediate supervisor or designee, as soon as possible but no later than one-half (½) hour after the employee's scheduled starting time on each day of such absence, unless: 1) other arrangements are made with the employee's supervisor, or 2) a different notification procedure is set by the Department Head. Only absences logged by the Department Head, immediate supervisor or designee will be considered for approval.

2. When an employee returns to work following an absence, such employee must immediately report to his/her Department Head, immediate supervisor or designee before he/she begins work. The employee shall submit a Time Off Request, which allows the employee to explain the reasons for his/her absence. Any written documents which substantiate the employee's reasons shall be submitted at this time. The Time Off Request and other written documentation will be reviewed by the Department Head or designee to determine whether the absence will be approved.

C. LATEARRIVAL/EARLYDEPARTURE(LostTime)

1. Absence due to late arrival or early departure (lost time) may be approved or denied by the employee's supervisor.

2. If approved for FLSA non-exempt employees, the lost time may be covered by using available vacation or compensatory time, at the employee's request. Alternatively, the employee may request to flex (i.e., alter his/her work schedule to make up the time). Flexing is subject to the approval of the supervisor.

3. If denied for FLSA non-exempt employees, the Department Head or supervisor shall document the reasons and the lost time shall result in pay reduction for each six-minute increment of lost time.

Effective: November 12, 1991
Revised: 09/17/92, 12/06/00, 01/01/12

D. Unapproved lost time for FLSA non-exempt employees shall render the employee subject to disciplinary action as provided in Section Seven of this Manual.

E. FLSA-exempt employees may not be docked for lost time. Nevertheless, exempt employees are expected to work a full schedule and may be subjected to discipline for habitual lost time.

F. ABSENCEWITHOUTLEAVE

Employees failing to report for work as scheduled without obtaining approval from their Department Head, supervisor or designee are Absent Without Leave (AWOL). Absence without leave is grounds for discipline and may result in termination.

SECTION6.3: PERSONALAPPEARANCE

A. The Board of County Commissioners reserves the right to prescribe appropriate dress and grooming standards.

B. The Board requires that an employee's clothing, grooming, and overall appearance be appropriate, in good taste, present a favorable public image, and be in conformity with regulations which may be established by departments because of the specialized nature of service provided.

Effective: November 12, 1991
Revised: 12/06/00, 12/17/04, 04/25/05

This SOP implements Section 6.3 of the Policy Manual **for Job & Family Services Employees Only**.

A. The Hamilton County Department of Job & Family Services has established an "Appropriate Business Attire" dress policy. The main objective of this policy is to create a more comfortable working environment for employees without sacrificing either the degree of professionalism required to promote Hamilton County's serious business objectives or the stature of Hamilton County in the context of its downtown and neighborhood business locations and role in the Greater Cincinnati business community.

B. Although the intention of the policy is to create a flexible and comfortable environment, "overly casual" or "sloppy" attire is not acceptable. Employees are asked to use their own judgment when determining how to dress, after considering the following factors:

1. Acceptable clothing is neat, professional and conservative. If in doubt about how to dress, choose the more conservative option.
2. Daily attire may vary from pressed slacks and blouse/collared shirts to formal business wear.
3. Employees who choose to wear formal business attire (suits, ties, jackets) everyday should feel comfortable in continuing to doing so.

C. The chart below illustrates a sample of appropriate and inappropriate business attire.

APPROPRIATE	INAPPROPRIATE
Professional, Neat, Conservative	Stains, Tears, Rips, Wrinkles
Dress Slacks / Capri Pants	Athletic footwear
Pressed Khakis / Chinos	Any jean material pants of any kind or color*
Sports Coats	Mini Skirts
Blazers	Jogging Suits / Warm-up Suits
Sweaters over shirts	T-Shirts with logos or writing on them
Vests over Shirts	Excessive Jewelry, including visible body piercing (except ears) with hardware in the piercings
Oxford Shirts	Sweatshirts
Blouses	Revealing Attire / Visible Undergarments
Turtlenecks	Shorts
Knee-length Culottes / Skorts	Sweat Suits
Denim Skirts, Jumpers and Shirts	Spandex / Leggings
Head Wear for Religious and/or Medical reasons	Shower shoes / Rubber flip flops
	Spaghetti strap tops

***** These items are appropriate for agency sponsored dress-down events.

D. Business professional attire is required for Court appearances, Commissioner meetings and meetings with outside agencies.

E. Inappropriate attire will result in the employee being sent home to change their clothes, and the time it takes for this, will be charged to the employee.

SECTION 6.4: WHISTLEBLOWER POLICY

A. Hamilton County is committed to high standards of ethical, moral and legal business conduct. In line with this commitment, and Hamilton County's commitment to open communication, this policy aims to encourage and enable employees to raise concerns internally so that Hamilton County can address and correct inappropriate conduct and actions.

B. Employees may file a written report with their supervisor or Department Head identifying a problem or violation of federal, state or local statute, rules or regulations, including County policies, rules or regulations, or misuse of public resources. Such a report should be filed with the County Administrator or Human Resources Director if the employee believes that the supervisor or Department Head is in any way involved in the violation or misuse. Such a report should be filed with the Board of County Commissioners if the employee believes the County Administrator or Human Resources Director are in any way involved in the violation or misuse. The Board of County Commissioners will refer a complaint involving the County Administrator to the Human Resources Director who with the assistance of the Hamilton County Prosecutor will determine the appropriate investigative steps. The Board will refer a complaint involving the Human Resources Director to the County Administrator who with the assistance of the Hamilton County Prosecutor's Office will determine the appropriate investigative steps.

C. Written reports filed by employees with the supervisor, Department Head or County Administrator shall be forwarded to the Human Resources Director.

D. The Human Resources Director or designee shall conduct a confidential investigation of the allegation and take the remedial action, if indicated. A confidential written response shall be issued to the employee filing the complaint by the Human Resources Director or designee within a reasonable amount of time following the investigation. The Human Resources Director or designee will make every effort to select someone the complainant is comfortable with to conduct the investigation.

E. No employee shall be subject to any corrective or other retaliatory action for making what the employee believes to be an honest report. Any person found to have committed such disciplinary or other retaliatory action shall be subject to discipline.

F. Employees shall be subject to disciplinary action for purposely, knowingly, or recklessly reporting false information. As used in this section "purposely", "knowingly", and "recklessly" have the same meanings as in Section 2901.22 of the Revised Code.

G. Employees shall be aware that they may be called upon as material witnesses in any disciplinary or criminal proceeding arising out of a report filed under Paragraph A above.

Effective: September 29, 1994
Revised: 12/06/00, 05/04/2012, 07/19/2017

H. In addition, the State Auditor's Office maintains a system for the reporting of fraud, including misuse and misappropriation of public money, by any public office or public official. The system allows Ohio residents and the employees of any public office to make anonymous complaints using the following methods:

1. Call the toll-free Fraud Hotline: 1-866-FRAUD OH (1-866-372-8364)
2. Make a report online at: http://www.auditor.state.oh.us/fraudcenter/siu/complaint/complaint.aspx
3. Mail a letter to Ohio Auditor of State's Office, Special Investigations Unit, 88 E. Broad Street, Columbus, Ohio, 43215.

I. Employees are strongly encouraged to follow the procedures outlined in this Policy. Employees who choose to contact law enforcement, private counsel, media, or others regarding incidents they believe to be true shall not be subject to disciplinary actions for such referrals.

SECTION6.5: PUBLICPOLICYANDLEGISLATIVELOBBYING

A. The Board of County Commissioners is a policy-making body for Hamilton County.

B. The following guidelines regarding public policy and legislative lobbying have been developed and shall be followed by all employees. When an employee is speaking on behalf of, or representing the County, the following shall be observed to prevent an employee from taking a position inconsistent with Board policy:

1. Support legislation which expands the Board's authority to set policy or administrative practices.

2. Support legislation which brings additional dollars to Hamilton County or which reduces General Fund obligations.

3. Support legislative efforts which reduce administrative overhead and bureaucracy.

4. Support social programs which encourage strong family units, parental responsibility, protection of children, employment, and the abatement of fraud.

5. Support legislation which encourages professional management of counties.

C. If a situation arises that is not addressed in the above guidelines, the matter shall be referred to the County Administrator, who will consult with the Board and decide the next appropriate action.

D. If an employee wants to have the Board take a position on an issue, an analysis of the topic shall be prepared and forwarded to the County Administrator. The Administrator may present the issue to the Board.

E. This policy is not intended to limit the Board from seeking input from employees, nor the staff from responding to requests for input on issues of concern to the Board.

Effective: January 25, 1995
Revised: 12/06/00, 10/11/02, 08/13/04

SECTION 6.6: TELECOMMUNICATIONS POLICY
(Computer, E-Mail & Voice-Mail Systems)

A. INTRODUCTION

The purpose of this policy is to establish guidelines to ensure the proper use of Hamilton County telecommunications systems (including e-mail, computer and voice-mail systems) by all users, including, but not limited to all employees, independent contractors, vendors and other persons or entities accessing or using county telecommunication resources and services.

The following policy, provisions, and conditions apply to all users of telecommunication resources and services, under the Board of County Commissioners, wherever the users are located. Violations of this policy may result in disciplinary action up to and including termination, and/or legal action.

B. GENERAL GUIDELINES

1. Telecommunication resources include, but are not limited to host computers, file servers, workstations, standalone computers, laptops, software, terminals, printers, telephones, faxes, and internal or external communications networks (Internet, intranet, commercial online services, social media tools, bulletin board systems, Ohio Department of Job and Family Services systems, county departmental systems, county wide area network [WAN], and e-mail systems) that are accessed directly or indirectly from county telecommunication facilities.

2. Each department shall have a designated System Administrator. The department head shall be System Administrator unless this function is specifically delegated to another employee in the department.

3. County telecommunication resources and services are property of the county and are intended for official county business purposes.

4. The BCC shall designate content managers who are authorized to post content to the BCC's social media pages and who are responsible for monitoring content broadcast via the BCC's social media channels. (Reference: Hamilton County Board of Commissioners Social Media Program Guidelines and Policies, adopted 05/25/2011, Vol. 322, Image 6745.)

5. The county has the right, but not the duty, to monitor any and all aspects of the telecommunications systems, including user e-mail, voice-mail (refer to Section C.), networks, intranet and Internet usage, to ensure compliance with this policy. This includes the right to perform manual or automated audits.

6. The telecommunications resources and services accessible to users are to assist them in the performance of their jobs. Users do not have a right to privacy in anything they create, send or receive on these systems.

7. All users have the responsibility to use all telecommunication resources and services in an efficient, effective, ethical, and lawful manner.

8. In no case shall software, unauthorized by the System Administrator, be installed or used on county equipment at any time.

9. No games are to be installed or played on county computer equipment at any time. Any games that come with the computer are to be deleted.

10. Users are not permitted to use the county network to play, “stream,” or download radio, audio (e.g., MP3), video or any multimedia files unrelated to county business.

11. A user’s ability to connect to other computer systems through the network does not imply a right to connect to those systems or to make use of those systems unless specifically authorized to do so by the operators of those systems and/or the department head.

12. The county’s Internet facilities and computing resources must not be knowingly used to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province or other local jurisdiction in any material way. Use of any of the county’s resources for illegal activity is grounds for discipline up to, and including, dismissal. The county will cooperate with any legitimate law enforcement activity.

13. E-mails and other documents and/or files that may be electronically transmitted are subject to the county’s Records Retention and Disposition Schedule.

14. To ensure policy compliance, this policy should be included in appropriate vendor contracts and professional services contracts. An annual review of this policy will be conducted with each employee during the year-end performance appraisal process.

15. Employees may use recording devices in the workplace environment only with the permission of all present.

C. E-MAIL / ELECTRONIC MAIL

1. Applicability

While this section principally applies to e-mail, the underlying principles and guidelines also apply to the voice-mail system.

2. Privacy

Users do not have a right to privacy in their work-related conduct or to the use of county-owned equipment or supplies. This includes all components of the e-mail system.

3. Management's Right to Access Information

a. The e-mail system has been installed to facilitate business communications among and between participating licensed users. While a user may have an individual mailbox and password on the system, the system, in its entirety, belongs to the county. Therefore, the contents of all e-mail messages are considered county property.

b. The county reserves the right to review contents of any user's e-mail communications at any time, for any reason, without prior notification. Users should also be aware that most e-mail messages are public records and, thus, are subject to disclosure to the general public.

Users should know that if the user deletes an e-mail message, this action does not ensure that the message has been deleted throughout the system.

c. All system passwords must be made available to the System Administrator upon demand. Users must not use passwords that are unknown to the System Administrator or install encryption programs without first receiving the approval of and then turning over encryption keys to the System Administrator.

4. Personal Use of E-Mail

The e-mail system is intended for official county business. While occasional personal use of e-mail is permitted, it must be responsible and clearly subordinate to business use. All messages are subject to management review and may be reviewed and disclosed by management, at its option, with or without cause and without regard to content. Users

should not create and/or transmit any message they would not want read by a third party.

5. Content of E-Mail Messages

a. E-mail messages should be written in a courteous, professional and business-like manner.

b. The county's e-mail system must not be used in any way that violates county policies, including e-mails that may be insulting, disruptive, harmful or offensive to other persons. Prohibited e-mail shall not be received, sent or forwarded. Prohibited e-mail includes, but is not limited to:

1.) Indecent messages, sexual innuendo, chain letters, harassing or threatening statements and material that may be hostile or offensive on the basis of age, gender, race, color, religion, national origin, or disability;

Receipt of unsolicited prohibited materials (e.g., sexually explicit, racist, etc.) does not violate this policy if the user immediately reports the receipt to his/her supervisor, does not further circulate the material and, under supervision of the System Administrator or supervisor, deletes it.

2.) Fund raising (unless consistent with the Board of County Commissioners' solicitation policy Section 6.8 and approved by the department head), commercial interests, partisan political opinions, campaigns or endorsements;

3.) Any message that encourages violation of county personnel policies (e.g., Section 6.1 Fair Employment Rights and Responsibilities), procedures, rules and/or regulations or any message that expresses knowledge or allegations of such violation.

6. Password Security and Integrity

a. Users may not intentionally intercept, eavesdrop, record, read, alter, or receive another user's e-mail messages without management's authorization. Other than the System Administrator, a user shall not use the password of another user without authorization of the System Administrator or department head.

b. Any suspected violations of this policy shall be reported to the System Administrator and department head.

7. Electronic Mailing Lists

a. Users must not subscribe to nonwork-related electronic mailing lists.

b. If users wish to subscribe to work-related mailing lists, they must notify their System Administrator of the subscription, as well as provide their password and instructions on how to remove their name from the mailing list.

D. INTERNET ACCESS

1. Purpose

The Internet provides a powerful medium for sharing a wide range of information. Through group communication, sharing of ideas and information can be accomplished with many jurisdictions to enhance public service and the business of government. The county provides Internet, intranet and network access at county expense to further county business.

2. Access

a. Users are expected to communicate in a professional manner that will reflect positively on themselves, their department/office and the county.

b. Access to the Internet is provided for official county use. Occasional and incidental personal use is permitted, subject to the limitations of this policy and subject to the operational needs of the department, as determined by the department head.

c. Restraint shall be exercised regarding the amount of time spent accessing the Internet.

d. Only authorized content managers shall post content to BCC social media sites on behalf of the BCC.

e. Users must not load/download any software that is not licensed by the county. Exceptions to this policy require the approval of the System Administrator.

f. Any software or files downloaded via the Internet into the county's network become the property of the county. Any such files or

software must be used only in ways that are consistent with their licenses or copyrights.

g. No users should knowingly use county Internet facilities to download or distribute pirated/stolen software or data.

h. No users should knowingly use the county's Internet facilities to disable or overload any computer system or network, or to circumvent any system intended to protect the network and the privacy or security of another user.

i. Access is strictly prohibited involving transmissions set forth in the above Section C.5.b.1., 2., and 3. (examples of prohibited e-mail listed on page 4 of this policy).

E. PRIVACY

1. Users are reminded that any record generated in the workplace may be a public record. Electronic records are no exception. There is no reasonable expectation of privacy with regard to the use of the wide area network, the intranet or the Internet. User files and activity may be monitored by management at any time.

2. In the event of a public records request, any request received from the public with regard to accessing computer records shall be directed to the System Administrator.

F. SECURITY

1. Users are expected to be vigilant in maintaining system security. Users must not break into or exceed authorized limits when accessing any computer network. Furthermore, the entry or distribution of any self-replicating code, any file which may cause damage to any computer system, or any computer virus is strictly prohibited. No user should log on to any system with any identification or password other than that assigned to the user. Users should also follow all account authorization processes, log-on procedures and password protection features. Any user who suspects or detects a breach of security must immediately notify the System Administrator.

2. The county's Network Administrator shall employ virus protection software. Department heads and System Administrators may make additional virus protection software available to users. Users shall take reasonable precautions to not damage or overload their system. This includes the use of virus protection software when downloading any file or

copying from a diskette, compact disc or other media. When transferring a large file that will take an extended period of time, the System Administrator should be contacted. Users are also encouraged to cancel a mailing list subscription if they will be out of the office for an extended period of time.

3. The county has installed a variety of security systems to ensure the safety and security of the county's networks. Any user who attempts to disable, defeat or circumvent any county security facility, or assists anyone else in doing the same, will be subject to disciplinary action up to, and including, dismissal.

4. Computers that use modems to create independent data connections sidestep the county's network security mechanisms. An individual computer's private connection to any outside computer can be used by an attacker to compromise any county network to which that computer is attached. Any computer used for independent dial-up or leased-line connections to any outside computer or network must be physically isolated from the county's internal networks. (Major on-line services such as CompuServe and America Online, and content providers such as Lexis-Nexis, can be accessed, via firewall-protected Internet connections, making insecure direct dial-up connections generally unnecessary.) Therefore, if any such connections as described herein are necessary, the department head shall first give approval and then the Telecommunications Division of the Communications Center should be contacted for instructions on connecting safely.

5. Department heads and System Administrators shall take reasonable measures to ensure that e-mail messages are properly handled, including archiving and disposal. Archived messages should be organized and filed with descriptive titles for easy retrieval and messages should be deleted in the shortest time consistent with laws, policies and business needs. These actions must be consistent with the county's Records Retention and Disposition Schedule.

6. The connection of any wireless network device to any computer system that accesses the county's network, no matter where the computer is located (e.g., home, work, remote office, etc.), must be first approved by the department head and then the Telecommunications Division of the Communications Center.

This SOP implements Section 6.6 of the Policy Manual **for Job and Family Services Employees Only**.

A. The Hamilton County Department of Job and Family Services' position on Internet usage is that the Internet is to be used for work related purposes. It provides a powerful medium for sharing a wide range of information. This can serve to enhance public service and the business of government. The county provides Internet access to its employees at county expense to further county business.

B. The JFS monitors the Internet usage of its employees. A report is generated on a weekly basis which outlines those employees whose usage is considered excessive. Our agency has set the standard for what is excessive usage at anything over 4,000 predominantly non work-related hits on any given day. If a supervisor reviews an employee's Internet detail summary and determines that the sites an employee visited and the number of hits credited to him/her were not incidental to their work or that extenuating circumstances were not involved, discipline may be warranted.

C. Restraint should be exercised regarding the amount of time spent accessing the Internet. Occasional personal use is permitted. However, personal usage should be incidental to work and subject to the operational needs of the department. Regardless of whether the employee was on the Internet during their lunch break, before or after work, etc., anything over 4,000 predominantly non work-related hits is the threshold for what our agency considers excessive usage of the Internet.

D. The Internet (like the office telephone) is a work tool. Although it is true that HCJFS employees are on <u>their time</u> during their lunch and other breaks, that does not include using agency provided telecommunications tools that they do not pay for. The actual time of the day when the employee accessed the Internet is not the primary issue. Using a work tool for excessively non work-related purposes is.

E. Mobile devices are tools intended to maximize the productivity of staff by providing remote access to ODJFS and HCJFS systems. In providing mobile devices, the agency assumes significant risks. To mitigate these risks, the employee is responsible for adhering to State, County and agency rules intended to protect equipment, software and systems access, as well as the confidential personally identifiable information of individuals and families served by our agency.

SECTION 6.7: TELEPHONE USAGE POLICY (Desk Phones & Mobile Communication Devices)

A. All county telephones (desk phones and mobile communication devices) are intended for official business use. While occasional personal use is permitted, it must be responsible and clearly incidental to business use.

B. Employees of Job & Family Services who have a demonstrated need, as determined by their Section Chief, to be able to be contacted via cellular telephones shall receive a monthly stipend of $30.00 (thirty dollars) per month.

C. For all other employees, cellular telephones shall be issued by Departments only to those employees with a demonstrated need for this type of communication. Each employee issued a cellular telephone shall at the time of issuance execute a Mobile Communication Device Usage Agreement.

D. At the time of issuance of a cellular telephone, employees must agree to abide by the following rules:

1. Employees must safeguard any cellular telephone in their possession.

2. The loss of any cellular telephone shall be reported to the employee's supervisor immediately. If theft is suspected, the police also shall be notified immediately.

3. Employees shall exercise extreme caution when driving and talking on a cellular telephone. In addition, in compliance with State law, employees are prohibited from texting while driving.

4. When an employee no longer has a demonstrated need for the cellular phone, or terminates employment with any County Department, that employee shall return any cellular phone issued by that Department to that Department.

E. Excessive personal use of any County telephone (desk phones and mobile phones) may be grounds for discipline and the employee may be responsible for reimbursement to the County of costs associated with personal use.

Effective: 10/07/98
Revised: 01/01/13, 01/01/16, 05/01/17

This SOP implements Section 6.7 of the Policy Manual for **Job and Family Services Employees Only**.

A. County telephones are intended for official business use only. No employee of the Hamilton County Department of Job & Family Services (HCJFS) shall make or receive personal phone calls, voice and/or text messages, or pages from any cellular or wireless telephones or communication devices which are provided by HCJFS or for which the HCJFS compensates or reimburses that employee.

B. On those rare occasions when extenuating circumstances compel an employee to do so, all costs or expenses associated with such personal use shall be the financial responsibility of the employee. The employee shall reimburse the HCJFS all such costs immediately upon receipt of the monthly billing statement in accordance with established procedures.

C. The loss of any cellular or wireless telephones or communication devices which are provided by HCJFS shall be reported to the employee's supervisor immediately. If theft is suspected, the police also shall be notified immediately.

D. All other costs resulting from abuse, misuse, or inappropriate use of cellular or wireless telephones or communication devices also shall be the responsibility of the employee.

E. Employees shall exercise extreme caution when driving and using the cellular or wireless telephones or communication devices which are provided by HCJFS.

F. When an employee no longer has a demonstrated need for the cellular or wireless telephones or communication devices which are provided by HCJFS, or terminates employment with HCJFS, that employee shall return any cellular or wireless telephones or communication devices to HCJFS.

SECTION6.8: SOLICITATIONS/DISTRIBUTIONS/POSTINGS

A. To alleviate and avoid disruption of County employees and the conduct of County business, non-employees, sales representatives or agents are not permitted to solicit, sell or distribute materials of any kind to employees on duty or in any non-public work area, without prior written authorization from this Board, the County Administrator, or his designee.

B. Solicitation by an employee of another employee is prohibited while either person is on his/her working time. Working time is all time when an employee is scheduled to work, but does not include an employee's own time, such as meal periods, scheduled breaks, time before or after a shift.

C. Employees shall report any violations of this policy to their supervisor. Violators of this policy shall be subject to disciplinary action.

D. Employees are not permitted to distribute advertising material, handbills, printed or written literature of any kind during working or non-working time in working areas. Employees may distribute material, etc., during non-working time in non-working areas.

   1. For the purpose of this policy, working areas include but are not limited to any area that is used for conducting County business and is not normally accessible to the general public except for the purpose of conducting County business, (e.g., office areas, etc.).

   2. For the purpose of this policy, non-working areas include all areas on such premises which are not primarily used for conducting County business and which are normally accessible to the general public, (e.g., lunchrooms, etc.).

E. Spouses and children of current employees, and persons conducting or engaged in County business are permitted access to working or non-working areas. All other non-employees are permitted access only to public areas of County buildings. "Public areas" means only those areas where members of the general public have unrestricted access, not internal offices or secured areas and corridors.

F. Off-duty employees are permitted reasonable access (up to 15 minutes) to the work facility for reasons of collecting a paycheck or retrieving personal items.

G. Employees may wear pins, badges, and insignia of their choosing, provided that such displays are in good taste, not defamatory or obscene, and do not exceed two (2) inches in diameter. Only one pin, badge, or other insignia may be worn at any one time.

Effective: November 12, 1991
Revised: 09/15/93, 12/06/00, 11/07/07

H. Material may be posted on County property in properly designated places, as determined by the Human Resources Director, or designee, in cooperation with the Department of County Facilities. Department Heads may determine posting arrangements within their departments. Certain areas may be restricted for the exclusive posting of County business. Prior to posting materials which are not County business related, a signed and dated copy of material to be posted shall be submitted for review and approval by the Human Resources Director, or designee.

I. Posted material and/or oral presentations must be in good taste and not defame any person, organization, or activity.

J. Annual funding campaigns not subject to the above restrictions are permitted for the United Way of Greater Cincinnati, Community Shares of Greater Cincinnati and the Fine Arts Fund, and such other campaigns as may be authorized from time to time by the County Administrator or designee, to enhance health, safety, welfare and quality of life of residents of Hamilton County.

SECTION 6.9: SMOKE-FREE/TOBACCO-FREE WORKPLACE POLICY

A. The Board of County Commissioners recognizes the health hazards posed to employees and members of the public by the use of tobacco products As owner, operator and lessee of Hamilton County buildings, facilities and vehicles, the Board of County Commissioners has therefore adopted a Smoke-free/ Tobacco-free Workplace Policy to include all tobacco products such as cigarettes, oral tobacco or nasal tobacco, as well as those devices, e-cigarettes, personal vaporizers or electronic inhalers, intended to simulate tobacco products, contain tobacco flavoring or deliver nicotine other than for the purpose of cessation.

B. No person shall use any tobacco products or use electronic inhalers intended to simulate the act of tobacco smoking in any County owned building including areas immediately adjacent to locations of ingress or egress to the building.

C. No person shall use tobacco products or use electronic inhalers intended to simulate the act of tobacco smoking in any vehicle owned or leased by the County.

D. Employees transporting persons in the course of County business and on County time shall not use tobacco products or use electronic inhalers intended to simulate the act of tobacco smoking in the transporting vehicle, whether it is a County vehicle, their own vehicle, or otherwise.

E. The Board of County Commissioners shall take all necessary and reasonable measures to enforce the Ohio Smoking Ban and ensure that Hamilton County buildings, facilities, and vehicles remain free of tobacco smoke. Any employee who smokes tobacco in violation of this policy is subject to disciplinary action. Repeat offenses may result in fines being issued as determined by Ohio Revised Code Section 3794.09.

F. An employee who observes someone smoking tobacco in violation of this policy should politely inform the person of the Ohio Smoking Ban and report the violation to a supervisor or Department Head. An employee may also report violations to the Ohio Department of Health by phone at 1-866-559-6446 or by email at NoSmoke@odh.ohio.gov.

G. An employee who violates any other portion of this policy will also be subject to disciplinary action.

Effective: *October 1, 1993*
Revised: *12/06/00, 12/07/06, 07/09/07, 04/30/2014*

SECTION6.10: ALCOHOLCONSUMPTION

The consumption of alcohol acts as a depressant and impairs the ability of persons to think clearly, to work safely and to physically function properly as required for satisfactory work performance.

A. The consumption of alcoholic beverages by Hamilton County employees immediately before or during working hours, including lunch and break periods, is prohibited.

B. The consumption or possession of alcoholic beverages on County owned or operated property, buildings or facilities is prohibited, unless specifically permitted by lease, sublease, management agreement or other such expressly written authorization by the Board of County Commissioners or County Administrator. Such written authorization shall include at a minimum the following conditions. The permitted party:

1. shall secure and maintain a valid, duly authorized Ohio Liquor License;

2. shall carry an appropriate level of liquor liability insurance coverage which names Hamilton County as an additional insured; and

3. shall indemnify and hold harmless Hamilton County from any claims or liability resulting, directly or indirectly, by any actions or omissions in connection with serving alcoholic beverages on the premises.

C. The Drug Free Workplace Policy at Section 6.11 specifically provides for drug screening under Paragraph G.2., Reasonable Suspicion Testing.

D. Any violation of the provisions of this policy may lead to mandatory referral of the employee to the Employee Assistance Program (EAP) as provided in Section 5.5 of this Policy Manual, may subject the employee to disciplinary action, and may disqualify the employee for benefits under the Workers' Compensation Act.

Effective: July 27, 1994
Revised: 12/06/00, 04/25/05

SECTION 6.11: DRUG-FREE WORKPLACE POLICY

All employees must receive a copy of this Policy and sign a statement upon receipt acknowledging that it is a condition of employment.

The following policy is established by the Hamilton County Board of County Commissioners in accordance with the Drug-Free Workplace Act of 1988 (PL 100-690, 102 Stat. 4181, Section 5151-5160). This policy is intended to establish a drug-free workplace, and will be considered as a condition of employment.

A. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance by any employee which takes place in whole or in part in the employers' workplace is strictly prohibited. The term "controlled substance" means a controlled substance in Schedule I - V of Section 202 of the Controlled Substance Act (21 U.S.C. 812).

B. Any employee convicted of any Federal, State or Local criminal drug statute within the workplace, must notify the employer in writing of that fact within five (5) calendar days of the conviction.

C. Any employer receiving Federal funds, who is notified by an employee of a workplace-related drug conviction, must report it to the Contracting Agency within ten (10) calendar days of learning of such conviction. Any conviction not reported may result in loss of Federal funds.

D. The employer must, within thirty (30) days after receiving notice of a conviction from an employee:

    1. take appropriate personnel action against such employee up to and including termination, OR

    2. require such employee to satisfactorily participate in a drug rehabilitation program.

E. Any employee who fails to report a workplace-related drug conviction:

    1. will be terminated from employment, and

    2. may be held civilly liable for any loss of Federal funds resulting from the failure to report the conviction.

F. Any employee who is referred to a drug rehabilitation program (see D.2 above) and fails to satisfactorily participate in the program will be terminated from employment.

Effective: November 12, 1991
Revised: 07/27/94, 5/13/98, 12/06/00, 04/25/05, 10/01/15

G. DRUG SCREENING

1. Pre-Employment Testing

a. All applicants for employment for certain specified positions shall be required to submit to a screen for certain controlled substances within 72 hours of receiving a job offer. Said job offer shall be contingent upon the applicant's passing the screen. Human Resources shall review the job content of each position under the Board of County Commissioners to determine the necessity of requiring pre-employment drug testing. The decision to require pre-employment drug testing will be based on the County's interest in insuring the safety of its employees and the general public. All candidates for employment in these designated positions will be informed of the necessity for pre-employment drug testing at the time of application or interview.

b. The test shall take place at a site determined by the employer, and the analysis shall be performed by a laboratory selected by the employer. The laboratory shall be certified by the Department of Health & Human Services Substance Abuse and Mental Health Services Administration. The cost of the screen shall be borne by the County, although transportation to and from the screening site shall be the responsibility of the applicant.

c. All positive screens shall be reviewed by a Medical Review Officer (MRO) who shall be a licensed physician. All decisions of the Medical Review Officer shall be final. Failure to successfully pass the drug screen shall render the applicant "not eligible for employment."

d. Individuals who refuse to consent to the drug screening procedure, or fail to appear for the testing within the prescribed time requirement, will be ineligible for employment.

2. "Reasonable Suspicion" Testing

A supervisor or Department Head may require an employee to undergo testing for alcohol or certain controlled substances based upon specific, objective facts and reasonable inferences drawn from these facts. The supervisor or Department Head should consult with another member of management or personnel staff to corroborate and document observations before ordering the test. Such facts and inferences may be based on, but are not limited to, any of the following:

a. Observable phenomena, such as direct observation of drug or alcohol use, possession, or distribution during or immediately preceding work time; or the physical symptoms of being under the influence of drugs or alcohol, such as, but not limited to, slurred speech, dilated pupils, odor of alcohol or marijuana, disorientation, dynamic mood swings, etc.;

b. A pattern of abnormal conduct, erratic or aberrant behavior, or deteriorating work performance (e.g., frequent absenteeism, excessive tardiness, recurrent accidents, etc.) which appears to be related to substance abuse or alcohol and does not appear to be attributable to other factors;

c. The identification of an employee as the focus of a criminal investigation into unauthorized drug possession, use, or trafficking;

d. A report of alcohol or other drug misuse or abuse during or immediately preceding work time provided by a reliable and credible source;

e. Repeated or flagrant violations of the Employer's safety or work rules which pose a substantial risk of physical injury or property damage and which appear to be related to substance abuse or substance use and do not appear attributable to other factors.

f. All employees are prohibited from engaging in the following:

1.) Reporting to duty or remaining on duty while having a breath alcohol concentration of .04 or greater. Note that this is consistent with C.D.L. requirements contained in Section 6.12 of this Manual.

2.) Reporting to duty or remaining on duty while using a controlled substance (including prescription drugs that impair the employee's ability to perform the assigned duties or jeopardize the safety of others;

3.) Testing positive for controlled substances. (All positive screens shall be reviewed by a Medical Review Officer (MRO) who shall be a licensed physician. All decisions of the Medical Review Officer shall be final.);

4.) Using or possessing alcohol or illegal and/or non-prescribed

controlled substances while on duty;

5.) Refusing to submit to a controlled substance or alcohol test when ordered to do so.

g. If an employee violates any of the prohibitions listed in Paragraph f. above, the employee is subject to the following consequences:

1.) The employee may be disciplined up to and including dismissal.

2.) The employee may be reassigned.

3.) The employee will be referred to the Employee Assistance Program.

4.) The employee will be subject to reevaluation, return to duty testing, and unannounced follow-up testing.

5.) The employee may be denied workers' compensation benefits.

H. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

This SOP implements Section 6.11 of the Policy Manual.

PRE-EMPLOYMENTTESTING

A. All applicants for employment in positions subject to pre-employment testing will be notified at the time of application that a pre-employment drug screen must be completed prior to beginning employment. The Human Resources Officer / Employment Staff will discuss this during the job interview. No applicant can begin work until the drug test has been completed and the results known.

B. The employment offer will be made conditional upon the applicant's negative drug test results. At the time the conditional job offer is made, the candidate will be informed of the County approved specimen collection sites. (A list of approved test sites is on file at the Human Resources Department.) The candidate will also be informed that he/she must appear for testing at the collection site within 72 hours of receiving the conditional job offer. The person making the job offer must make note of the day and time the offer was conveyed.

C. The County will assume the cost of the drug test, which consists of a five panel screen for: Amphetamines, Cannabinoids, Cocaine, Opiates, and Phencyclidine.

D. All specimens will be analyzed by a County-selected professional laboratory, certified by the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration. All positive screens are reviewed by a physician designated as the Medical Review Officer.

E. The laboratory will communicate negative results within 24 hours of testing to the designated Human Resources Officer(s). The HR Officer will then notify the appropriate hiring authority or his/her designee of the results. All positive results will be communicated first to the Medical Review Officer for resolution. The MRO will notify the HR Officer, who will explain that the conditional job offer has been withdrawn. Similarly, any applicant failing to appear for testing within 72 hours will be notified that he/she is ineligible for employment. Candidates who test negative will be notified by either the HR Officer or the hiring authority that they have been cleared to begin employment.

REASONABLESUSPICIONTESTING

F. A supervisor or Department Head may require an employee to undergo testing using the same protocol as pre-employment testing with the addition of an alcohol screen, when warranted by observations outlined in the policy. If feasible, the supervisor or Department Head should consult with another member of

management or HR Staff to review and document his/her observations prior to ordering the test. Transportation to a collection site will be provided by the County. The test must be completed within a reasonable time frame from when the initial observation was made.

G. The laboratory will provide negative results to Human Resources within 24 hours. The designated HR Officer(s) will notify the Department Head, who will in turn notify the employee. If the result is positive, or the employee refuses to be tested, then disciplinary measures may be taken as outlined in the policy.

H. Cross References Include:

Policy Section 6.10:	Alcohol Consumption
Policy Section 6.12:	Commercial Driver's License Alcohol and Drug Testing

SECTION6.12: COMMERCIALDRIVER'SLICENSE (CDL) ALCOHOLANDDRUGTESTING

A. The U. S. Department of Transportation (DOT) has issued Rules and Regulations (49CFR382) mandating that the Hamilton County Board of County Commissioners implement a Drug and Alcohol Testing Program for all employees required to have a Commercial Driver's License (CDL). All employees subject to this policy remain subject to the Board of County Commissioners' Drug Free Workplace Policy and other relevant federal, state, and local laws and regulations. In addition, employees of the Board of County Commissioners are subject to all other Board policies, including the Alcohol Consumption Policy (Section 6.10), Employee Discipline Policy (Section 7.0) and Grounds for Discipline (Section 7.1). Employees of County Agencies, other than the Board of County Commissioners, remain subject to all other policies, collective bargaining agreements, rules, and regulations established by that Agency under its independent authority. The limits constituting positive results established in this policy shall in no way detract from or be substituted for any requirements established by those policies which may be more restrictive. The Board of County Commissioners' position on the use of drugs or alcohol in the workplace remains one of zero tolerance.

B. The Hamilton County Board of County Commissioners has delegated to the Human Resources Department the implementation and administration of this CDL Alcohol and Drug Testing policy. Any questions regarding these policies or procedures should be directed to Human Resources at 946-4700.

C. The Human Resources Director shall designate one staff member to serve in the capacity as the CDL Coordinator for Hamilton County. This individual also serves as the Designated Employer Representative (DER) for departments under the Board of County Commissioners and as the contact/liaison for DER's of all other agencies. Agencies not under the Board of County Commissioners shall designate one person to act as the DER for their agency. There should only be one DER per DOT drug/alcohol violation. In order to serve as a DER, the individual must receive current DOT mandated training.

D. The DER is responsible for:

1. notifying employees of random test requirements and/or other DOT drug/alcohol testing requirements when hired,
2. notifying employees of safety-sensitive duty removal from County vehicles when positive test results are received from the Medical Review Officer (MRO),
3. notifying employees of the MRO's need to speak with them,
4. signing formal referral forms and Substance Abuse Professional (SAP) referral forms with the employee,

5. communicating with the SAP throughout the SAP process,
6. receiving written SAP reports,
7. receiving return-to-duty test results (along with the SAP),
8. receiving and maintaining follow-up testing schedules, and
9. receiving test results.

E. All employees who are required by their employment with the County to maintain a Commercial Driver's License (CDL) are considered drivers under this policy and are subject to its requirements. For purposes of this policy, drivers are defined as:

1. Full-time regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to the County or who may operate a Commercial Motor Vehicle (CMV) at the direction of or with the consent of the County.

2. For the purposes of pre-employment/pre-duty testing only, a driver includes any person applying to the County for a position or classification requiring a CDL.

F. For purposes of this policy, safety-sensitive functions include:

1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the Employer.

2. All time inspecting equipment as required or inspecting, servicing, or conditioning any commercial motor vehicle at any time.

3. All time spent at the driving controls of a commercial motor vehicle in operation.

4. All time, other than driving time, in or upon any commercial motor vehicle.

5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.

6. All time spent by the driver performing functions relating to accidents.

7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

PROHIBITIONS

G. Drivers covered by this policy are prohibited from engaging in the following:

1. Reporting to duty, remaining on duty, or performing a safety-sensitive function while having an alcohol concentration of 0.04 or greater.

2. Reporting to duty, remaining on duty, or performing a safety-sensitive function while using a controlled substance (including prescription drugs, unless the physician has advised the driver and the driver has provided the documentation to Hamilton County that the substance does not adversely affect the driver's ability to operate a CMV) or if the driver tests positive for controlled substances.

3. Possessing alcohol while on duty or operating a commercial motor vehicle.

4. Using alcohol or controlled substances while on duty.

5. Performing safety-sensitive functions within four (4) hours after using alcohol.

6. Using alcohol for eight (8) hours following any accident involving a CMV for which a driver is required to take a post-accident alcohol test under Paragraph L (2) of this policy, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

7. Refusing to submit to a post-accident, random, reasonable suspicion or follow-up alcohol or controlled substance test.

8. Any results that constitute a substituted specimen as stated in 49 CFR Part 40 of the DOT Regulations shall be considered a positive test.

H. If a driver/employee violates any of the prohibitions listed in Paragraph G of this policy, the following consequences will result:

1. The driver may be disciplined, up to and including removal, for engaging in prohibited conduct under this policy. In addition, in those instances when an employee is not terminated for the original infraction, if the employee does not successfully comply with SAP’s recommendations the employee may be subject to further disciplinary action, up to and including removal from employment.

2. The driver shall be immediately removed from the safety-sensitive duties. This action is required by law and is not subject to the grievance procedure.

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Revised: *11/01/95, 12/06/00, 04/01/03, 07/10/07, 08/25/08*

3. The driver shall be provided with the name, address and phone number of our Employee Assistance Program (EAP) for referral to a Substance Abuse Professional (SAP). Hamilton County has contracted with our EAP provider to be the sole provider of SAP service for the County. This SAP becomes the SAP of record and cannot be changed. In addition, DOT requires that the employee be given the names, addresses and phone numbers of treatment resources. This information is included on the form entitled "CDL Violation Notification Form."

4. The employee shall be evaluated by a SAP in accordance with Section H.5 below. If the employee is not terminated, the employee will be considered on a leave of absence until the SAP reports to the employer that the employee has either successfully complied with the SAP's recommendations and may be returned to safety-sensitive functions, or that the employee has not successfully complied, at which time the employee may be further disciplined in accordance with Section H.1 above. The employee may apply accumulated, unused sick leave (as allowed by law), vacation leave, and compensatory time to the time the employee is unable to work due to inability to perform safety-sensitive functions. Nothing in this policy prevents the employer from suspending the employee for all or part of the time the employee is unable to work due to ability to perform safety-sensitive functions, and during such suspension the employee may not substitute paid leave.

5. If the driver wishes to resume performing safety-sensitive duties for any employer, the law requires the driver to be evaluated by a Substance Abuse Professional (SAP). All follow-up tests are to be paid by the employee. The driver must comply with any and all recommendations for intervention by the SAP of record if the driver wishes to return to safety-sensitive duty. After completion of these recommendations, the driver must be re-evaluated by the SAP of record and have a negative result on a return-to-duty drug or alcohol test scheduled by the SAP of record. The driver is subject to a minimum of six unannounced follow-up tests at the discretion of the SAP of record within the first twelve months of returning to safety-sensitive duty. All follow up tests are to be paid by the employee.

6. Following all of the above, the driver may be returned to safety-sensitive duty at the discretion of Hamilton County. All of the above steps are necessary for the driver to return to safety-sensitive duty with any employer.

I. Any employee performing safety-sensitive functions is required to report the use of any prescription medication to his/her supervisor. At the time the medication is prescribed, the driver shall inquire as to whether the medication will impair his/her ability to perform safety-sensitive functions. The driver must also provide a signed statement from the prescribing physician that the medication was legally

prescribed, and that when used as directed, by the individual, the medication will not impair his/her ability to perform safety-sensitive functions and that the driver can safely operate a commercial motor vehicle weighing 26,001 or more pounds. The driver will not be permitted to perform safety-sensitive functions without the doctor's signed statement described above. If the impairment is not expected to be permanent or long-term, the employer, at its discretion, may allow the employee to perform light duty (non-safety-sensitive) functions, if the employer determines that such a position is available. If light duty is not an option, the employee may be required to take a leave of absence (under the FMLA, if applicable), or other action may be taken by the employer as allowed by law and/or the employer's policies. A driver is prohibited from using any medication containing alcohol while performing safety-sensitive duty.

J. It is the responsibility of the employee (or prospective employee) to notify the employer if he/she has any medical condition or develops any medical condition which interferes with his/her ability to control and operate a commercial motor vehicle safely.

K. In order to maintain a Commercial Driver's License all drivers must remain in compliance with CFR 383.51, which lists various traffic violation convictions that disqualify employees from performing CDL job functions. Any driver who is disqualified from performing CDL duties shall be placed under suspension until he/she becomes eligible to perform the duties as hired. If a driver's CDL privileges are suspended, the driver may be subject to unpaid suspension up to termination from his/her position with Hamilton County. All drivers are required to complete a CDL Driver Traffic Violation Disclosure Form annually.

TESTING

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

1. Post-Offertesting: Prior to the first time a driver performs a safety-sensitive function, the driver will be tested for controlled substances. The applicant/driver shall be disqualified for any position within the County requiring a commercial driver's license if the applicant/driver tests positive for controlled substances.

2. Post-accidenttesting: A driver operating a CMV at the time of any accident shall be tested for alcohol and controlled substances as soon as feasible following: (a) an accident in which a fatality occurs, or (b) an accident in which an injury is treated away from the scene and the driver/employee receives a citation for a moving violation arising from the accident, or (c) an accident in which a vehicle is required to be towed from the scene and the driver/employee receives a citation for a moving violation arising from the accident. In the case where the alcohol test is not

administered within two (2) hours following the observation, the employer shall maintain a record stating the reasons for the delay. Attempts to administer the test shall cease eight (8) hours following the accident for alcohol and after thirty-two (32) hours for controlled substances. It shall be the ultimate responsibility of the driver to ensure that this testing is completed within these time frames. Failure to obtain testing within these time frames shall constitute a violation of DOT Drug/Alcohol Rules, and shall result in immediate removal from safety-sensitive duty.

3. Randomtesting: Annually, a minimum number of drivers (currently 10% for alcohol testing and 50% for controlled substances testing) will be randomly selected using a scientifically valid method in which each driver will have an equal chance of being tested each time selections are made. The dates for testing shall be unannounced and spread throughout the calendar year. When a driver is selected for testing, he/she shall cease performing the safety-sensitive function and proceed to the test site immediately. A driver shall only be tested for alcohol while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

4. Reasonablesuspiciontests: A supervisor or county official who has received the required DOT training may require a driver to undergo testing for alcohol or controlled substances based upon specific, contemporaneous, articulate observations concerning the appearance, behavior, speech, or body odors of the driver. Alcohol testing is authorized by this section only if these observations are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this policy. A driver may be directed to undergo testing only while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions. If a driver is required to undergo testing under this section, the driver must immediately cease performing the safety-sensitive function and may not continue it until the driver's alcohol concentration measures less than 0.02 or twenty-four (24) hours have elapsed since the observation was made. In the case where the alcohol test is not administered within two (2) hours following the observation, the employer shall maintain a record stating the reasons for the delay, and if the alcohol test is not administered within eight (8) hours, the employer shall cease attempts to administer the test and maintain a record stating the reasons for not administering the test. Transportation to and from a testing center will be provided to all employees subject to reasonable suspicion testing.

5. Return-to-dutytesting: Before a driver who has been found to be in violation of the Prohibitions Section Paragraph G of this policy may return to duty in a position requiring the performance of safety-sensitive functions, the driver must undergo testing for alcohol and controlled substances. The results of

the alcohol test must show less than 0.02 concentration if the offense involved alcohol and the controlled substance test must be negative if the offense involved controlled substances. This test must be pre-authorized by the SAP of record. Return-to-duty drug test collections are to be conducted under direct observation as listed in 49 CFR Part 40 of the Department of Transportation's (DOT) regulations.

6. Follow-uptesting: When a driver has been found to be in violation of the Prohibitions Section Paragraph G of this policy, the driver will be subject to a minimum of six (6) unannounced follow-up tests within the first twelve (12) months as directed by the SAP of record. Follow-up drug test collections are to be conducted under direct observation as listed in 49 CFR Part 40 of the Department of Transportations' (DOT) regulations.

M. All drug screening and confirmation tests shall be conducted by a laboratory certified under the Department of Health and Human Services (DHHS) "Mandatory Guidelines for Federal Workplace Drug Testing Programs." The Employer and the laboratory shall have a clear and well documented procedure for the collection, shipment, and accessing of urine specimens. The procedures utilized by the Employer and the laboratory shall include an evidentiary chain of custody and control. The collection site person is responsible for maintaining the integrity of the specimen collection and transfer process. All procedures shall be outlined in writing and provided to Employer representatives and donors.

N. All alcohol breath tests shall be administered by a trained Breath Alcohol Technician (BAT) or a law enforcement officer certified to conduct such tests. Only Evidential Breath Testing (EBT) devices listed on the National Highway Transportation Safety Administration's (NHTSA) "Conforming Products List" that meet the Department of Transportation's (DOT) guidelines shall be used for testing. The prescribed breath alcohol testing form shall be used for every test.

O. The Medical Review Officer (MRO), a licensed physician selected by Hamilton County, is responsible for receiving and reviewing laboratory results generated by the drug testing program and evaluating medical explanations for certain drug test results. The MRO must meet the criteria established by the DOT in order to serve in this capacity.

P. The MRO's responsibilities in the DOT testing program are to:

1. Act as an independent and impartial "gatekeeper" and advocate for the accuracy and integrity of the drug testing process.

2. Provide a quality assurance review of the drug testing process for the specimen under review, i.e., providing feedback to employers, collection sites and laboratories regarding performance issues where necessary; determining whether there is a legitimate medical explanation for

confirmed positive, adulterated, substituted, and invalid drug test results from the laboratory; investigating and correcting problems where possible and notifying appropriate parties (Department of Health & Human Services, DOT, employers, service agents) where assistance is needed; ensuring the timely flow of test results and other information to employers; protecting the confidentiality of the drug testing program.

Q. Refusal to submit to any of the alcohol or controlled substance tests required by this policy will result in the driver's immediate removal from the safety-sensitive functions and may result in disciplinary action up to and including dismissal. Refusal will be treated as a positive test and the driver will be referred to a SAP, be supplied with the names and phone numbers of chemical dependency treatment programs, and subject to the SAP process as outlined in Section H. Actions constituting a refusal to submit to a test include:

1. Failing to provide adequate breath for alcohol testing without medical justification as documented by the MRO.

2. Failing to provide adequate urine for controlled substance testing without medical justification as documented by the MRO.

3. Engaging in conduct that clearly obstructs the testing procedure including any adulterated or substituted specimens as certified by the MRO.

4. Failing to remain readily available for a post-accident test, or otherwise failing to comply with timely completion of a required test.

R. Providing a diluted specimen, (a specimen with creatinine and specific gravity values that are lower than expected for human urine), will be handled as follows:

1. If the MRO notifies Hamilton County that a positive drug test was a dilute, the test must be treated as a verified positive test. The employee cannot be directed to take another test based on the fact that the specimen was dilute.

2. If the MRO notifies Hamilton County that a negative drug test was dilute, the employee must retake the test immediately. There will be minimum advance notice that he or she must go to the collection site. A retake test can only be done once.

3. If the employee is directed to take another test, the result of the second test will become the test of record.

4. If the employee takes a second test and it is also negative and dilute, Hamilton County is not permitted to make the employee take a third test. The second test will be considered a negative.

5. If the employee is directed to take another test and declines to do so, the employee has refused the test for purposes of this part and DOT agency regulations and will be subject to Section Q of this policy.

S. Drivers who have been tested for alcohol with the results showing a concentration of 0.02 but less than 0.04 will not be permitted to perform any safety-sensitive functions for twenty-four (24) hours following administration of the test.

RECORDKEEPINGANDINFORMATION

T. Information regarding the effects of alcohol and controlled substance use on an individual's health, work, and personal life, and information about drug and alcohol counseling, rehabilitation, and employee assistance programs is available through Human Resources and will be periodically provided to employees.

U. Upon written request from the driver, the County will promptly provide copies of any records pertaining to the driver's use of alcohol or controlled substances including the results of any tests. Access to this information will not be contingent upon payment for records other than those specifically requested.

V. Hamilton County will provide prospective employers of former Hamilton County employees, all information required by DOT law regarding the employee's drug/alcohol testing and/or violation history with Hamilton County. This information will be provided up to two years following an individual's separation from Hamilton County.

W. Prior to hiring an employee for a CDL safety-sensitive duty position, the Human Resources Department (for departments under the BOCC only) or the hiring agency must, after obtaining the prospective employee's written consent, obtain and review the information listed below from any employer for which the driver performed safety-sensitive functions during the previous two (2) years. The information obtained must include:

1. Information on the driver's alcohol test in which a breath alcohol concentration of 0.04 or greater was indicated.

2. Information on the driver's controlled substance test in which a positive result was indicated.

3. Any refusal to submit to a required alcohol or controlled substance test (including verified adulterated or substituted drug test results).

4. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests).

5. Other violations of DOT agency drug and alcohol testing regulations.

X. Prior to hiring an employee for a DOT safety-sensitive duty position, the Human Resources Department (for departments under the BOCC only) or the hiring agency must ask the employee whether, in the past two years, he or she has tested positive, or refused to test, on any pre-employment drug and alcohol test administered by an employer to which the employee applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules.

SECTION6.13: SAFETY

A. It is the policy of the Board of County Commissioners to provide all employees with a safe and healthy work environment and to make safety and the prevention of injuries a primary consideration in all aspects of employment. Sound safety practices, the use of safety/protective equipment, safety rules, regulations and guidelines and operational procedures shall not be compromised nor "short cuts" taken to save time or money, or for any other reason.

B. Establishing and maintaining a safe and healthy workplace is the shared responsibility of every employee, and every employee shall cooperate in promoting the following shared objectives:

1. To practice safety in all aspects of the job;

2. To prevent and reduce injuries to employees;

3. To eliminate unsafe conditions;

4. To comply with safety standards and conduct guidelines and regulations and programs applicable to the respective job, including requirements of OSHA, Ohio Bureau of Workers' Compensation and other such regulatory agencies;

5. To attend training and to learn, practice and use all safety measures pertinent to safe job conduct.

C. Employees shall exercise caution and discretion in the interest of safety to prevent injuries to themselves and others. Specifically, each employee shall:

1. Keep work areas clean and orderly at all times;

2. Report all unsafe acts or unsafe conditions to the supervisor;

3. Report all accidents immediately to the supervisor and cooperate in the investigation of all on-the-job accidents and complete the required "Hamilton County Incident Forms" and forward to the supervisor;

4. Not engage in horseplay and shall avoid alarming and distracting others;

5. Obey all safety rules and guidelines pertinent to the job, including use and proper handling of prescribed equipment, wearing of proper dress and required protective equipment, and following prescribed methods for proper lifting and handling of materials;

6. Operate only machines and equipment for which they have been certified, or otherwise authorized by the supervisor, to operate.

D. Each supervisor is responsible for safety in the area under his/her control and shall ensure that employees comply with safety rules and regulations and safe work procedures. Supervisors shall ensure that accidents are reported and investigated promptly and thoroughly and measures taken to prevent the same or similar accident in the future. (Refer to SOP 5.4 Worker's Compensation Incident Reporting for instructions.)

E. Department Heads shall cooperate with the County Risk Manager in the coordination and deployment of safety practices and programs and in implementing measures to enhance employee health and safety. Department Heads also shall implement any additional or supplemental safety programs and procedures unique to the safe operation of their departments.

F. The County Risk Manager may establish and chair an ad hoc Safety Committee, consisting of representatives of the various appointing authorities and agencies of the County, to advise and assist the Risk Manager in maintaining a safe work environment in keeping with this policy.

SECTION6.14: PREVENTINGVIOLENCEINTHEWORKPLACE

A. A safe work environment and the personal safety of employees and visitors is essential to the mission of Hamilton County. Acts or threats of violence in the workplace will not be tolerated.

B. Aggressive or violent behavior, actual or implied threats, harassment, stalking, verbal or physical abuse, and other hostile or destructive acts are prohibited on any Hamilton County property or work site. Possession of weapons or firearms when traveling in a County vehicle or engaged in County business at any location is prohibited, unless required by management as an occupational requirement.

C. Violations of this policy will be subject to disciplinary action and may include termination, arrest and criminal prosecution.

D. The County Administrator or designee shall establish a Crisis Prevention and Management Team (CPMT) consisting of the Human Resources Director, Risk Manager, representatives from the County Administration, County Facilities, Prosecutor's Office and Sheriff's Department and such other representatives as deemed appropriate. The County Administrator shall designate a team leader to assume primary responsibility in carrying out the CPMT duties. The Crisis Prevention and Management Team will:

1. establish and support programs related to the recognition, prevention and management of potentially violent situations;

2. provide strategies for prevention, education, crisis response and follow-up analysis of any crisis; and

3. communicate these programs and strategies to county agencies and employees.

E. Prevention of violence in the workplace is the responsibility of every employee. Employees shall report known threats and incidents of violence involving either visitors or employees. If danger is imminent, the threat or incident shall be reported immediately as a violence emergency by calling 911. If not a violence emergency, the threat or incident shall be reported immediately to a supervisor, manager, or a member of the CPMT. Supervisors and managers shall assure notification of the CPMT immediately after receipt of such report.

F. This policy prohibits retaliation in any form against an employee who reports such acts or threats of violence, intimidation or harassment.

G. The Crisis Prevention and Management Team (CPMT) will respond immediately to reports of threats and concerns of employees and visitors.

H. The Human Resources Department shall establish, maintain and communicate Standard Operating Procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

Effective: 6/04/99
Revised: 12/06/00, 04/15/04

This SOP implements Section 6.14 of the Policy Manual.

A. INTRODUCTION

Workplaces are a reflection of society. The same violent acts that occur in society at-large also occur in the workplace. This is to prepare supervisors and employees to act in the event of an act or imminent threat of violence in the workplace. If imminent danger of personal injury or a threat to life occurs in the workplace, employees are not expected to engage in "heroics" of any kind. Employees should take measures to protect themselves and others and to escape to safety.

B. DEFINITION AND EXAMPLES

Workplace violence is a situation that jeopardizes the life or safety of employees or citizens (including customers/vendors) in the workplace or leads to the theft, destruction or abuse of property. Workplace violence occurs when someone commits or appears ready and able to commit violent acts through behaviors such as shown in the chart. A "Violence Emergency" requires immediate emergency aid (usually law enforcement). A "Hostile Action" is a lower threshold of violence that may not require immediate emergency aid.

Violence Emergency	Hostile Action
• Physical assault (hitting, shoving, pushing, kicking, sexual assault). • Display or use of weapon. • Attempted murder and/or murder. • Attempted suicide and/or suicide. • Robbery. • Any act of terrorism. • Taking of hostages.	• Any open threat (direct or conditional). • Stalking. • Intimidation, abuse or harassment. • Bizarre and/or irrational comments or actions indicating aggression or paranoia. • Notes of planned violence or anger aimed at the organization or another person. • Graphic depictions of violence. • Sabotage/vandalism. • Reports from coworkers, or others describing violent, intimidating or stalking type behaviors.

C. ACTION STEPS

If confronted with a **Violence Emergency** do the following:

1. Dial 911, activate duress alarm and/or contact security, identify yourself and location and briefly describe situation.

    a. JFS employees call 946-1595 between 7:30 a.m. and 4:30 p.m. and 946-2000 after hours;

    b. All Other BOCC Departments call 946-5373 between 7:00 a.m. and 4:30 p.m.

2. Take whatever steps are possible to protect yourself and others including evacuation of staff to “safe room.” Remain in the “safe room” until help arrives.

3. If opportunity and time exist, contact the Risk Manager at 946-4999.

4. When safe to do so, report the act or threat to your supervisor/upper management.

If confronted with a **Hostile Action** do the following:

NOTE: If you feel danger is imminent, do the actions for a Violence Emergency.

Do not intervene in aggression or attempt to diffuse the situation by yourself. Accomplish as many of the following actions as feasible:

1. If danger is not imminent, investigate, observe and assess the situation and hostile behavior. Document your observations.

2. Inform security, upper management, and Human Resources of your observations and assessment, including the identity of any intended victim. Ask for instructions.

    a. JFS employees call 946-1595 between 7:30 a.m. and 4:30 p.m. and 946-2000 after hours;

b. All Other BOCC Departments call 946-5373 between 7:00 a.m. and 4:30 p.m.

3. Contact the Risk Manager at 946-4999 to construct a Situational Reaction Plan.

D. OTHER RESPONSIBILITIES

1. When informed of any event of workplace violence, supervisor/upper management will activate the Crisis Prevention and Management Team by calling the County Risk Manager at **946-4999**.

2. The CPMT will respond immediately to reports of threats or acts of violence, assess the situation and develop a plan to prevent and/or resolve the incident.

3. The CPMT will convene as requested or directed to implement the County Policy on preventing workplace violence.

4. The CPMT will advise and assist the Risk Manager in carrying out responsibilities to communicate and coordinate with County Agencies in the assessment, implementation, monitoring and management of on-going security measures to protect County personnel and property and the public.

5. Employees, supervisors and managers are expected to be familiar with information and guidelines produced by the CPMT; to attend training sessions as may be arranged by the CPMT; and to otherwise cooperate with the CPMT in its efforts to prevent violence in the workplace.

6. Orders of disciplinary suspension or removal will be served on employees by the Human Resources Department. The Human Resources Department will be available for pre-disciplinary conferences and grievance hearings. A secure, pre-designated area will be available for such meetings. The Sheriff's Office may be contacted to provide security as deemed appropriate.

SECTION 6.15: EMPLOYEE IDENTIFICATION

A. Upon hire, each employee will be issued a photo identification badge. The Hamilton County Sheriff's office will maintain control of the issuance of identification badges for all departments under the BCC, except Job and Family Services and the Communications Center, and may implement access and identification procedures for all County facilities. All requests for ID badges will be made using the Sheriff's forms.

B. In addition, the Sheriff's office will maintain control of the electronic key access to certain County buildings located in the downtown vicinity. BCC employees located in these facilities will have the electronic key access embedded in their ID badge. BCC employees in locations equipped with electronic key access not maintained by the Sheriff's office will maintain separate entry cards (in addition to their employee ID badge).

C. The ID badge must be visibly worn to enter County buildings and must be visibly worn whenever the employee is working outside of his/her department. At the discretion of the Department Head, the ID badge may be worn or kept on the person when the employee is working within the department.

D. Employees may be required to wear their ID badge in a conspicuous location in order to comply with Homeland Security directives.

E. Employees who are designated as Emergency or Essential to County operations will be noted as such on their ID badge.

F. All ID badges will be assigned an expiration date, as established by the Sheriff's office. It is the responsibility of each employee to renew their ID badge at the Sheriff's office upon expiration and to return the expired badge at the time the new badge is issued.

G. Employees must immediately notify their supervisor if an ID badge is lost, stolen, or damaged and follow the procedures to secure a new badge. Employees may also be issued replacement badges for name, position or department changes. All outmoded badges must be surrendered to the Sheriff's office at the time the new badge is issued.

H. Upon separation from County employment, the ID badge must be returned to Human Resources, who will then forward the badge to the Sheriff's office. All other County property must be returned to the supervisor.

I. The Department Head is responsible for compliance with this policy.

J. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

This SOP implements Section 6.15 of the Policy Manual.

OBTAINING AN IDENTIFICATION BADGE

A. All employee identification badges will be issued by the Sheriff's office. This identification badge may also include electronic building access for those employees given authorization. The Department of Job and Family Services and the Communications Center will produce identification badges for their staff. Their departmental standard operating procedures (SOPs) regarding identification badges must be consistent with this policy.

B. At the time of induction, the Human Resources Department will provide each newly hired employee with a Hamilton County Sheriff's Office - Request for New Employee I.D. Badge/Access Card form. The Director of Human Resources or designee must sign this form. The employee will be sent from the Human Resources Department to the Sheriff's office where the identification badge will be made.

C. The following persons are authorized to sign I.D. Badge Requests: 1) Human Resources Director or designee, and 2) County Facilities Director or designee. The Sheriff's office maintains the signatures of these employees on file and must be notified in writing when the persons authorized to sign are changed.

D. The Sheriff's office will determine when ID badges expire. Upon expiration, employees should report to the Sheriff's office to obtain a new ID badge. The expired ID badge must be returned at the time of issuance of the new badge. Employees should follow the procedure outlined in Section J. below on replacing an ID badge.

IDENTIFICATION BADGES FOR TEMPORARY EMPLOYEES AND INTERNS, AND NON-EMPLOYEES

E. Identification badges for non-employees (contractors, etc.) and Temporary Employees or Interns are issued by the Sheriff's office using the Hamilton County Sheriff's Office Request for Intern/Temporary Employee/Contractor I.D. Badge form.

F. Contractors and their employees, subcontractors, agents, vendors, and tenants of County buildings are required to wear identification badges while on County premises. This does not include delivery personnel, short-term hourly repair personnel, etc.

G. Most requests for ID badges for Contractors and other non-employees will be handled by the County Facilities department.

H. Visitors may also be required to wear a visitor's identification badge, at the discretion of the department being visited, while on County premises. Each Department should determine the need and type of temporary badge to be used for visitors as these are not provided by the Sheriff's office.

REPLACEMENT IDENTIFICATION BADGES

I. Replacement badges may be requested for lost or stolen badges, as well as for name changes, changes in position or department, or excessive wear or damage.

J. In order to replace an identification badge, the employee may contact Human Resources regarding the need for a replacement. Human Resources will prepare the Hamilton County Sheriff's Office Request for Replacement Employee I.D. Badge form signed by the Human Resources Director or designee. The employee will take the signed form to the Sheriff's office to have a new I.D. badge made. The Sheriff's office requires all existing badges be returned at the time of issuance of the new badge.

SURRENDER AT TERMINATION

K. The supervisor of the separating employee is responsible for securing the return of the obsolete identification badge to the Human Resources Department within 24 hours of separation. Human Resources will return the ID badge to the Sheriff's office along with the appropriate Exiting Employee Checklist form.

SECTION 6.16: PERSONAL INFORMATION

A. The Human Resources Director has responsibility for the collection and maintenance of personal information of employees.

B. Human Resources adopted a Records Retention Schedule that has been approved by the Hamilton County Records Commission, the Ohio Historical Society and the Auditor of the State of Ohio. Records are not disposed of without specific authority from the Hamilton County Records Commission according to this schedule.

C. Employees with Access to and Responsibility for Personal Information

1. Any employee granted access to the human resources records management/payroll system must complete an "Employee User Access Agreement" (Form HR040).

2. Any employee granted access to employee personnel files is advised of appropriate care of this information.

3. Employees with access to the human resources records management/payroll system and/or personnel files will take reasonable precautions to protect personal information in the system from unauthorized modification, destruction, use or disclosure.

D. Employee Information

1. Human Resources shall establish and maintain an electronic record in the human resources records management/payroll system and a personnel file for each employee. The employee is responsible for providing the following information: the employee's legal name, address, telephone number, social security number, tax exemptions, emergency contact information and any other information requested or required by policy. In addition to providing this information, the employee is also responsible for promptly reporting any change in the information.

2. In the event Human Resources must send correspondence or other documentation to an employee who is on leave, the employer will mail the document to the last known address listed in the employee's electronic record. An employee will be considered to have constructive notice of any correspondence or documentation mailed to his/her last known address.

3. Benefits and wellness information is communicated to employees via email in some instances. The email address used is maintained in the employee's electronic record. Employees may designate either a work or personal email address for these types of communications. Employees who designate a

personal email address will be considered to have received constructive notice of any such correspondence sent to the email address of record. Employees on a leave of absence will be contacted by the department representative in the event of time sensitive information sent via email, particularly annual enrollment information.

E. Release of Records

1. With the exception of certain law enforcement entities, the County, as well as its employees, is subject to the mandates of Chapter 1347 of the Ohio Revised Code regarding personal information systems. The Human Resources Department maintains records that are manually stored and records that are stored electronically. Records maintained by Human Resources include personal information (i.e. employee information required above).

2. Human Resources understands that it creates, receives and maintains sensitive and private information, and will ensure that it collects, maintains and uses only personal information that is necessary and relevant to the functions of the County. Personal information maintained by Human Resources shall not be destroyed without approval of the Record's Commission. The county will monitor the personal information system, and make necessary adjustments to ensure the system's accuracy. Employees will be trained on the use of personal information, including review of this policy. Employees who use personal information in an unauthorized manner shall be subject to the Section 7.0 Employee Discipline and Section 7.1 Grounds for Discipline.

3. Records maintained by Human Resources that are not defined as "public records" in §149.43 of the Ohio Revised Code or other applicable provisions in the law, shall not be released from an employee's personnel file unless specifically authorized by such employee in writing. Pursuant to applicable law, medical records are not public records and are maintained in a separate file. Records maintained by Human Resources that are defined as public records shall be released in accordance with law.

F. Review of File

1. Each employee shall have the right, with reasonable notice, to examine his/her personnel file. Examination of the personnel file shall be done in the presence of a Human Resources staff member, to ensure the integrity of the file. Such examination shall be made on non-work time or at some other mutually agreeable time. If an employee disputes the accuracy, timeliness, relevance, or completeness of documents in the file, he/she may submit a written request that Human Resources investigate the current status of the information. Human Resources will make a reasonable investigation and

determine the accuracy, timeliness, relevance and completeness of the file, and will notify the employee of the results of the investigation and any plans Human Resource has to take action with respect to the disputed information.

2. Employees are not permitted to alter, add or remove documents or other information contained in their personnel files absent express authorization from Human Resources. An employee who attempts to alter, add, or remove documents or information from his/her personnel file without prior approval may be subject to discipline up to and including termination. Current employees may submit a statement to be attached to any disputed document.

SECTION SEVEN

DISCIPLINE / APPEALS / GRIEVANCES

SECTION7.0: EMPLOYEEDISCIPLINE

A. Employee discipline is intended as corrective action. The purpose is to make the employee aware of how he/she has violated County policy and to persuade the employee to correct unacceptable behavior and/or improve substandard performance.

B. Discipline is to be imposed, wherever possible, in a progressive manner. If misconduct recurs, or performance problems persist, more severe levels of discipline will be progressively imposed. Normally, an oral warning shall be issued for a first offense, followed, in the instance of further offenses, by a written reprimand, 24 working hours suspension without pay (for FLSA non-exempt employees only), 80 working hours suspension without pay, and removal, if necessary.

C. While discipline will typically adhere to a progressive pattern, the Appointing Authority reserves the right to deviate from that pattern where appropriate.

D. In all cases, discipline shall be imposed in an impartial, consistent, and objective manner, based upon the circumstances of the particular case.

E. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

This SOP implements Section 7.0 of the Policy Manual.

When a supervisor determines that an employee should receive disciplinary action, that supervisor should consult with his or her superior prior to taking the action. A preliminary investigation should be conducted to amass facts pertinent to the case. At any point in the process, the supervisor may wish to contact the Human Resources Department (HR) for consultation. (In all instances where the appropriate disciplinary action may result in a suspension or removal, Human Resources should be contacted at 946-4714.)

A. ORALWARNINGSANDWRITTENREPRIMANDS

1. If the situation calls for an oral warning, the supervisor should meet with the employee in private and complete a Record of Oral Warning form. The employee is given the original document, with copies to the supervisor, all persons in the supervisory chain up to the Department Head, and to the personnel file in HR.

2. If the situation calls for a written reprimand, the supervisor should meet with the employee in private and complete a Written Reprimand form. The employee is given the original document, with copies to the supervisor, all persons in the supervisory chain up to the Department Head, and to the personnel file in HR. At any meeting with an employee, a supervisor may choose to have another supervisor or manager present as a witness.

3. The employee shall be instructed to sign the record of oral warning or written reprimand to acknowledge receipt. Refusal to comply may result in further disciplinary action for insubordination.

4. Record of Oral Warning and Written Reprimand forms are available in Human Resources (946-4700).

B. SUSPENSIONS,REDUCTIONSANDREMOVALS

1. If, as determined by a review of the employee's personnel file, the employee has a record of prior misconduct, or if the nature of the current infraction is serious, discipline greater than a written reprimand may be indicated. In such an instance, the Department Head should be notified and Human Resources should be contacted for consultation, at 946-4714.

2. A thorough, objective investigation shall be conducted to determine the facts.

3. The Department Head shall confer with the representative from Human Resources to determine the appropriate level of discipline.

4. The suspension of an FLSA exempt employee must be in increments of a full work week. However, if the suspension is imposed for serious workplace misconduct, it may be for any number of days deemed appropriate. Examples of serious workplace misconduct include, sexual harassment, workplace violence, drug or alcohol violations, and violations of law, but do not include work performance or attendance issues. A non-exempt employee may be suspended for any number of days deemed appropriate.

5. Before a suspension of more than 40 hours for an FLSA exempt employee or more than 24 hours for an FLSA non-exempt employee is imposed, the employee is entitled to a Pre-disciplinary Hearing, pursuant to Section 7.2. The hearing should be scheduled and conducted by the Department Head (or designee). The Department Head may request that the conference be held in the Human Resources Department.

6. If the appropriate level of discipline is determined to be a suspension, reduction or removal, Human Resources shall prepare and furnish the order of discipline. The Sheriff's Office may be contacted to provide non-uniformed security when deemed appropriate.

SECTION7.1: GROUNDSFORDISCIPLINE

A. Unclassified employees serve at the pleasure of the Appointing Authority and may be disciplined or removed for any lawful reason.

B. Ohio Revised Code Section 124.34 sets forth the conditions under which an employee in the classified civil service may be disciplined. These statutory grounds for discipline include:

Incompetency	*Discourteous Treatment of the Public*
Inefficiency	*Neglect of Duty*
Dishonesty	*Failure of Good Behavior*
Immoral Conduct	*Misfeasance, Malfeasance or Nonfeas*ance
Insubordination	*Violation of the Civil Service Laws of O*hio
Intoxication	*Violation of a County Policy*
	Violation of a Departmental Work Rule

(See Section 1.2 for Definitions)

C. Certain misconduct, which is of a serious and possible criminal nature, and which may result in severe disruption to the County's ability to function, and/or have a long-lasting and deleterious impact upon the organization, may result in immediate dismissal, even in the absence of a record of prior discipline on the part of the employee. Removable offenses include, but are not limited to:

1. Wanton or willful neglect in the performance of assigned duties, or in the care, use or custody of any County property or equipment. Abuse or deliberate destruction in any manner of County property, tools, equipment, or the property of employees.

2. Punching, signing or altering other employees' time cards or time sheets, or unauthorized altering of one's own time card or sheet.

3. Falsifying testimony when accidents are being investigated; falsifying or assisting in falsifying or destroying any County records, including work performance reports.

4. Making false claims or misrepresentations in an attempt to obtain any County benefit (i.e., employment, promotion, paid leave of absence, etc.).

5. Illegal gambling during workdays on County property. Workday includes regular working hours, lunch periods, cleanup time and other breaks.

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6. Stealing or similar conduct, including destroying, damaging or concealing any property of the County or of other employees.

7. The use of illicit substances or the sale of controlled substances at the worksite. (See Section 6.11)

8. Being in possession of, or drinking alcoholic beverages on the job.

9. Fighting or attempting to injure other employees, supervisors, or other persons.

10. Carrying or possessing firearms, illegal knives or weapons while engaged in County business at any location, or storing firearms, illegal knives or weapons in a vehicle being used for County business, unless required by management as an occupational requirement.

11. Misuse or removal of County records or information without prior authorization.

12. Instigating, leading, or participating in any illegal walkout, strike, sit down, stand-in, refusal to return to work at the scheduled time for the scheduled shift, or other concerted curtailment, restriction or interference with work in or about the County'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, theft and pilfering through lunch boxes, tool kits, or other property of the County or other employees without authorization; failure to report the loss of operator's license or insurance when authorized to use a county vehicle; 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 oral instruction of the supervisors.

15. An absence of more than three (3) consecutive workdays without notification of absence.

16. Any violation of County policy regarding sexual harassment. (See Section 6.1)

17. Any major violations of the policies included in this manual or any major violations of a departmental work rule.

SECTION7.2: PRE-DISCIPLINARYHEARING

A. When a Department Head determines that a classified employee may be disciplined for cause which may result in suspension of more than 24 hours for an FLSA non-exempt employee or suspension of more than 40 hours for an FLSA exempt employee, reduction or removal, a pre-disciplinary hearing will be scheduled to give the employee an opportunity to offer an explanation of the alleged conduct. The purpose of the hearing will be to determine whether there are reasonable grounds to believe that the allegations against the employee are true and support the proposed action.

B. The Department Head (or designee) will serve as Hearing Officer and conduct the hearing.

C. Not less than two business days prior to the scheduled starting time of the hearing, the employee will be provided with a Notice of Pre-Disciplinary Hearing, which will contain the date, location and time of the hearing, and a written outline of the charges which may be the basis for disciplinary action. The employee must choose to: (1) appear at the hearing to present an oral or written statement in his/her defense; or (2) appear at the hearing and have one chosen representative present an oral or written statement in defense of the employee; or (3) elect in writing to waive the opportunity to have a pre-disciplinary hearing. Failure or refusal of the employee to select and pursue one of the above three options will be considered a waiver of the employee's right to a pre-disciplinary hearing.

D. Upon written request, the Hearing Officer may grant the employee a reasonable continuance, if necessary.

E. A representative of the Human Resources Department shall attend the hearing, and the Hearing Officer may consult with this individual.

F. The Hearing Officer conducting the hearing will explain the evidence serving as the basis for the charge(s) and ask the employee or his/her representative to respond. Failure to respond or to respond truthfully may result in disciplinary action up to and including termination of employment.

G. At the hearing, the employee may present any testimony, witnesses or documents within reason that are necessary for the employee to respond to the charges as outlined in the Notice of Pre-Disciplinary Hearing. The Hearing Officer has the right to limit the testimony of witnesses to matters relevant to the allegations of misconduct, and to limit the redundancy of testimony.

H. Within seven (7) calendar days of the hearing, the Hearing Officer will prepare and forward a written report and recommendation summarizing the allegations, the employer’s evidence, the employee’s evidence and arguments, and the

Hearing Officer's recommendations, to the Human Resources Director, with a copy to the County Administrator and a copy to the employee. The HR Director may discuss the findings with the Hearing Officer before making a decision. The HR Director shall affirm, disaffirm or modify the decision of the Hearing Officer, and take the appropriate action.

I. In all cases where termination is the recommendation of either the HR Director or the Hearing Officer, the HR Director shall consult with the County Administrator. In any case the Board of County Commissioners or the County Administrator may intervene in lieu of the HR Director and independently consider the Hearing Officer's report and recommendation and take the appropriate action.

SECTION7.3: APPEALS

A. Disciplinary actions such as removals, reductions, and suspensions of more than forty hours for FLSA exempt employees and twenty-four hours for FLSA non-exempt employees, or reclassifications, layoffs, and job abolishment may be appealed by affected employees to the State Personnel Board of Review. These appeals must be received and time-stamped by the Board of Review within ten (10) calendar days following the date the employee is served the disciplinary order, or within ten (10) calendar days after the receipt of the notice of layoff or job abolishment, or within thirty (30) calendar days of receipt of notice of reclassification.

B. The State Personnel Board of Review maintains authority to determine jurisdiction. When an appeal is heard, the Board of Review may affirm, disaffirm or modify personnel decisions made by the Board of County Commissioners, the County Administrator, or the Director of the Human Resources Department.

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SECTION7.4: INTERNALGRIEVANCES

A. Employees are encouraged to bring to the attention of management complaints and concerns (grievances) about work-related situations, so they may be promptly acknowledged and resolved. Employees shall not be penalized for using the internal grievance procedure.

B. All written grievances shall be filed on the Hamilton County Internal Grievance Form, available in the employee's work unit or in the Human Resources Department.

C. Certain issues are not subject to the internal grievance process. Examples include 1) Removals or demotions during the probationary period; 2) Performance Appraisals; 3) Job Audit results; 4) Job abolishment; 5) Collective Bargaining issues; and 6) Disciplinary Action involving suspension, reduction or removal.

D. Grievances are expected to be resolved informally, wherever possible, through discussion with the immediate supervisor. If such informal resolution proves unattainable, a formal written grievance may be filed and attempt made to settle the complaint at the earliest possible step of the grievance procedure. The employee must proceed through the steps of the grievance procedure in proper order and within the prescribed time limits (see Standard Operating Procedure), except as otherwise noted herein or agreed upon by mutual consent.

E. A group of employees may submit a group internal grievance under this policy by submitting the complaint to the lowest ranking supervisor common to all employees in the group. One employee selected by the group will process the grievance on behalf of the group. A list that includes the name, classification, and signature of all affected employees must be attached to the grievance form.

F. A grievant may have one (1) personally chosen representative present during the conference at any step of the grievance process. Grievance conferences shall not interfere with operations. County employees who participate as representatives shall not lose pay for the time spent in grievance conferences that occur during normal work hours.

G. The grievance may be upheld or remedied at any step, concluding the internal grievance process. If escalated to the County Administrator level, the County Administrator's decision shall be final and binding. This does not limit any standing right to due process or appeal otherwise provided by law.

H. The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected departments and agencies.

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This SOP implements Section 7.4 of the Policy Manual.

InformalResolution

An employee having a grievance shall make every reasonable effort to resolve the problem informally with his/her immediate supervisor. If the grievance cannot be resolved informally, a written grievance should be filed with his/her immediate supervisor following the steps outlined herein below. If the immediate supervisor is the Department Head, the grievance shall start at Step 2. The employee must use the Hamilton County Internal Grievance Form available in the work unit or the Human Resources Department.

Step1 - ImmediateSupervisor

The grievant must file a written grievance with his/her immediate supervisor within seven (7) calendar days from the date of the incident giving rise to the grievance. The supervisor shall confer with the grievant within seven (7) calendar days of receipt of the grievance and thoroughly review the complaint.

The grievant may be accompanied during conference by a personally chosen representative. If the representative is employed by the Board of County Commissioners, the representative's supervisor must be notified at least two (2) hours prior to the conference so the representative may be relieved of duty.

Within seven (7) calendar days following the conference, the supervisor shall respond to the grievant in writing on the grievance form stating whether the grievance is upheld or denied, citing relevant policies, and stating what the remedy shall be, if any. A copy of the grievance, including the supervisor's response, shall be forwarded to Human Resources.

Step2 - DepartmentHeadorDesignee

If the grievant is not satisfied with the response received from Step 1 (where applicable), the grievant may present the original grievance to his/her Department Head or designee (in HR and JFS) within seven (7) calendar days of receipt of the Step 1 response. The Department Head shall confer with the grievant within seven (7) calendar days of receipt of the grievance.

The grievant may be accompanied during conference by a personally chosen representative, according to the terms set forth under Step 1 above.

After review and investigation of the facts, the Department Head shall issue a decision to the grievant on the Grievance Form within seven (7) calendar days following the conference, and copy Human Resources.

Step3 - HumanResourcesDirectororDesignee

If the grievant is not satisfied with the response received from Step 2, the grievant may pursue the matter by presenting the original grievance to the Human Resources Director within seven (7) calendar days of receipt of the Step 2 response. The Human Resources Director or designee shall conduct a conference within seven (7) calendar days of receipt of the grievance.

The grievant may be accompanied during conference by a personally chosen representative, according to the terms set forth under Step 1 above. After review and investigation of all matters of fact relative to the grievance, the Human Resources Director shall issue a recommendation in writing on the grievance form to the County Administrator within seven (7) calendar days following the conference.

The County Administrator may: a) concur with the Human Resources Department recommendation, b) modify the Human Resources Department recommendation, or c) schedule a conference with the grievant and his/her chosen representative. After review of the grievance, the County Administrator will render a decision in writing on the grievance form to the grievant. This decision shall be final and binding.

SECTION EIGHT

TRAVEL

SECTION 8.0: TRAVEL

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SECTION 8.0: TRAVEL

A. INTRODUCTION

1. Types of approved travel for county employees include the following:

   a. daily travel in a county or privately-owned vehicle (Section D.),
   b. multiple day travel in a county or privately-owned vehicle or by commercial transportation (Section E. through Section I.).

2. To facilitate the accuracy and consistency in administering the travel process, each Department Head is encouraged to designate an employee as the primary contact for travel arrangements and reimbursements. For the purpose of this policy, the Department Head or his/her designee is the "approving official."

3. Employee travel expense documentation shall be submitted by each Department to the Auditor's Office. Expenses such as registration, lodging, and/or commercial transportation may be submitted for pre-payment prior to travel. (In such circumstances the Department bears the responsibility for ensuring that if the employee does not use the items paid for, the funds are retrieved to the extent appropriate and possible from the employee and/or the vendor. When a refund is unavailable, a credit is acceptable.) Other documentation may be submitted for reimbursement after travel is complete.

4. With the exception of per diem items, employees are instructed to provide the receipts and/or other documentation acceptable to the approving official substantiating the expenses have been incurred for *all* requested payments and reimbursements, including those items pre-paid. Payment or reimbursement for any item submitted without a receipt or other proof acceptable to the approving official of the amount of the expenditure will be rejected.

5. Reimbursement shall not be made without the signature of the approving official, and submission of evidentiary material acceptable to the approving official.

6. Violation of the provisions of this Policy may subject the employee to disciplinary action which may include termination of employment.

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B. EMPLOYEE AUTHORIZATION TO TRAVEL

1. A Department Head may authorize and shall be responsible for all travel for employees under his/her direction, and may permit supervisory or administrative personnel to authorize and/or monitor such travel. The Department Head should establish internal procedures for the control of travel and related expenses for his/her employees.

2. When an employee travels on a multiple-day trip, or a one-day trip that involves expenses other than those reimbursable on the Mileage Reimbursement Voucher (mileage, parking, telephone, public transportation), approval must be obtained prior to travel.

3. To assure compliance with Section 325.20 of the Ohio Revised Code, travel at County expense to association meetings and conventions requires approval prior to travel. (Please refer to Section F. for instructions.) Travel to training seminars does not require BCC approval unless that travel is to training sessions pertaining to weights and measures for County Auditor staff and others (as noted in Section 901.10 of the Ohio Revised Code).

C. LICENSE, INSURANCE, AND VEHICLE REQUIREMENTS

1. Employees who are authorized or required to operate a County-owned vehicle or a privately-owned vehicle on authorized County business must have a valid Driver's License issued from their state of residency or, if required by the employer, a valid Ohio Commercial Driver's License. Employees must provide proof of such driving privileges upon request of the immediate supervisor or Department Head. Any employee who has such license or driving privileges suspended, revoked, or altered in any manner must immediately notify his/her Department Head in writing, stating the nature, length, and alteration.

2. Employees who are authorized or required to operate a privately-owned vehicle on authorized County business must ensure that such vehicle is properly insured and provide proof of such insurance upon request of the immediate supervisor or Department Head. Any changes in insurance status (lapse, revocation, alteration, change of carriers, etc.) must be reported in writing by the employee to the employee's Department Head or designee prior to any reimbursable travel.

3. If driving privileges or insurance are suspended, revoked, lapsed, or altered in any manner that would restrict the performance of the employee's assigned or required duties, the employee is subject to

termination of employment or being placed on leave without pay until such driving privilege or insurance is fully reinstated. During any required leave period, an employee may request and be paid for any accrued but unused vacation time, but shall not be paid for any accrued but unused sick time.

4. Employees who are authorized or required to operate a privately-owned vehicle on authorized County business shall not operate a vehicle that is mechanically unsafe, or that is a threat to the safety of the driver, other motorists, pedestrians, or any property.

5. Any employee who is involved in an automobile accident while driving a privately-owned or County-owned vehicle on authorized County business must report the accident to the County Risk Manager and follow the provisions of the Vehicle Use Policy.

6. In addition to the provisions of this section, employees who are authorized or required to operate a County-owned vehicle or a privately-owned vehicle on authorized County business must comply with all requirements of the Vehicle Use Policy (see copy in Appendix).

D. DAILY TRAVEL FOR JOB-RELATED DUTIES USING COUNTY AND PRIVATELY-OWNED VEHICLES

1. This section applies when an employee travels to any location other than the normal work location and returns to the normal work location or his/her residence within the same day, for the purpose of conducting the normal duties of his/her classification, or to attend any job related activity. (Please refer to Section F. for additional instructions on travel to association meetings and conventions.)

2. All mileage incurred on a privately-owned vehicle while traveling on County business is reimbursable. Commuting expenses are not reimbursable. Normal commute is the mileage between the employee’s home and work location.

3. In no circumstance shall an employee be reimbursed for normal commuting mileage from his/her residence to his/her normal work location nor from his/her normal work location to his/her residence.

4. Travel during on-duty hours must be by the most direct route unless an alternate route would be less time consuming and/or more effective. Variations in the normal route should be clearly documented on the record of daily travel; e.g., detours, lunch/break stops, etc.

5. When a portion of an employee's assigned duties are of an investigative nature, and it is necessary for the employee to drive in various areas

without stopping at specific destinations, the term "investigation" must be written in the appropriate areas of the Mileage Reimbursement Voucher and the general nature of the investigation indicated. Examples of investigative activities include inspectors randomly looking for violations, disciplinary surveillance or investigation, complaint or nuisance investigations, or any other activity where an exact destination or general area cannot be readily identified. All such investigative activities shall be approved in advance by the Department Head or designee.

6. Employees must request reimbursement for their daily travel expenses on the Mileage Reimbursement Voucher form. If this daily travel involves expenses other than those reported on the Mileage Reimbursement Voucher (mileage, parking, telephone, public transportation), employees must follow the instructions for multiple-day travel in Section E.

7. Employees shall sign an affidavit line on the Mileage Reimbursement Voucher attesting to the fact that they currently possess both a valid Driver's License issued from their state of residency and/or an Ohio Commercial Driver's License and vehicle insurance. Forms submitted without this affidavit signature will not be processed for reimbursement.

8. Other expenses for which employees may request reimbursement on the Mileage Reimbursement Voucher include:

   a. Parking - A receipt must be provided for all parking expenses, except parking meter expenses.

   b. Telephone - All expenses for any County business telephone use during authorized travel. When such telephone use is billed on the employee's own cellular phone bill, telephone credit card bill, or long distance phone bill, the bills must be provided.

   c. Public Transportation - Use of public transportation such as a bus, taxi, etc. A receipt must be provided for any taxi expenses and for any other public transportation when available.

E. MULTIPLE-DAY TRAVEL FOR JOB-RELATED DUTIES USING COUNTY AND PRIVATELY-OWNED VEHICLES OR COMMERCIAL TRANSPORTATION

1. This section applies when an employee travels on a multiple day trip, for the purpose of conducting the normal duties of his/her classification, or to attend any job related activity. (Please refer to Section F. for additional instructions on travel to association meetings and conventions.)

2. Any employee traveling on a multiple day trip must receive approval from his/her Department Head or designee prior to travel using the Request for

Travel form (HR013). If an employee travels to such a destination without approval, reimbursement for expenses may not be approved. Employees shall sign a statement on the Request for Travel form attesting to the fact that they currently possess both a valid Driver's License issued from their state of residency (and/or an Ohio Commercial Driver's License) and vehicle insurance. Forms submitted without this signature will not be processed for approval.

3. Employees who travel on a multiple day trip must request reimbursement for their expenses on the Employee Travel Reimbursement form. All eligible travel expenses may be itemized and reimbursed on an actual cost basis, subject to limitations set in this policy.

4. Following the approval of travel, a request may be made that a check(s) be issued in advance for registration, lodging, and/or commercial transportation expenses relative to such travel.

F. TRAVEL TO ASSOCIATION MEETINGS AND CONVENTIONS

1. To assure compliance with Section 325.20 of the Ohio Revised Code, an employee working in any department reporting to the BCC through the County Administrator, who is traveling at county expense to any job related association meeting or convention, must submit his/her request in advance and receive approval by the County Administrator or designee before actual travel occurs. The County Administrator must submit his/her travel request to the Board President or Acting Board President for approval. The County Commissioners' staff must submit their travel requests to any one member of the Board of County Commissioners or the County Administrator. All other employees working in departments not reporting to the BCC must submit the requests for approval to the BCC at a regular calendar meeting.

2. Travel to training sessions pertaining to weights and measures for County Auditor staff and others (as noted in Section 901.10 of the Ohio Revised Code) also requires BCC approval.

3. Retroactive approval may be authorized on those rare occurrences where advance authorization is not possible and the employee documents the unusual or extenuating circumstances that prevented advance authorization.

4. Prior to submitting to the County Administrator or designee such travel requests to attend association meetings or conventions, an employee must receive approval from his/her Department Head.

G. TRAVEL EXPENSES - TRANSPORTATION (TO AND FROM THE DESTINATION)

1. Employees who are authorized or required to operate a privately-owned vehicle on authorized County business shall be reimbursed in an amount which corresponds to Section 162 of the Internal Revenue Code for all miles actually driven. This mileage rate shall be considered as the total reimbursement for all operating expenses incurred, including gasoline, repair maintenance, insurance, etc.

2. When more than one County employee travels in the same privately-owned vehicle, only one employee may request mileage reimbursement. When two or more employees from the same department travel to the same destination, the Department Head or designee may require employees to travel in the same vehicle when practical in order to reduce reimbursement costs.

3. Employees operating a County-owned vehicle shall be reimbursed for out-of-pocket expenses which are necessary and directly related to the operation of the vehicle. Such items shall be listed separately and individually on the Employee Travel Reimbursement form and receipts furnished for all such items. Permission must be obtained from the Department Head or designee prior to any repairs or service other than normal daily operational needs.

4. When it is cost effective, an employee who is operating a County-owned vehicle may purchase gasoline rather than drive a longer distance to a County gasoline dispensing facility. Receipts must be submitted with the Employee Travel Reimbursement form.

5. Travel arrangements by air, rail, bus, or other commercial carrier to any authorized job related activity must be made at the lowest practical rate. Expenses claimed for travel by any commercial carrier must be supported by the ticket or other documentation acceptable to the approving official substantiating that the expenses have been incurred.

6. Employees are prohibited from accepting any “frequent flyer” benefits obtained from the purchase of airline tickets for use in official county business travel, in accordance with the Ohio Ethics Commission Advisory Opinion No. 91-010.

7. Employees may be reimbursed for all parking expenses incurred during the travel. Receipts must be obtained for all parking expenses, other than parking meter expenses.

8. Employees may be reimbursed for costs incurred during the travel to and

from his/her destination for any bus, shuttle, taxi, subway, or other local transportation, plus all tips associated with the transportation, and highway, bridge, ferry and toll charges. Receipts must be obtained for all taxi expenses and for any other public transportation or toll charges when available.

9. When an employee requests the use of a rental car, the reason for using a rental car, along with justification for the size of the rental if larger than intermediate, must be submitted on the Request for Travel approval form prior to the travel. If use of a rental car is approved, the employee may request to be reimbursed for all rental car expenses, except insurance, for all miles traveled on County business. Expenses claimed for rental cars must be supported by the invoice and rental agreement. If the use of a rental car on authorized County business results in a valid accident claim, employees must follow the provisions set forth in the Vehicle Use Policy (see copy in Appendix).

H. TRAVEL EXPENSES - LODGING

1. If travel requires that an employee remain overnight, the employee shall be reimbursed for the actual cost of lodging at the lowest practical single rate at the nearest and most reasonable lodging facility. A detailed receipt must be obtained for any lodging.

2. If overnight travel to a job related activity provides for a specified lodging facility, the employee may choose to stay at that facility and be reimbursed for the actual cost of lodging.

I. TRAVEL EXPENSES OTHER THAN TRANSPORTATION AND LODGING (ACTUAL EXPENSES VS PER DIEM)

1. When an employee is on a multiple-day trip, he/she must select one of two methods of reimbursement for all Meals and Incidental Expenses (M&IE) incurred. Incidental travel expenses include such expenses as tips, gratuities, and transportation expenses incurred after arrival at the destination.

2. The employee may:

(a) choose to use a per diem allowance, in accordance with the rates established by the Ohio Office of Budget and Management (http://obm.ohio.gov/TravelRule/, GSA Per Diem Rates) OR

(b) itemize all expenses, subject to maximum meal costs noted in the GSA Per Diem chart at the link listed above, and submit original receipts.

3. When the employee selects per diem allowance, receipts are not required and the maximum cost per meal is not applicable. **NOTE:** The per diem *does not* include lodging, parking expenses, or transportation expenses (including all tips for the transportation) incurred to and/or from the destination. These expenses are reimbursable in addition to the per diem allowance.

4. An employee is eligible for per diem allowance for each day of travel that includes an overnight stay. On the first day of travel employees may claim the full per diem amount, but on the last day of travel employees may claim per diem only when the travel extends past 6:00 p.m.

5. When reimbursement for actual expenses is selected, original receipts must be provided for all eligible expenses, except for reasonable expenses incurred for tips or gratuities in connection with the handling of baggage and luggage. The maximum amounts for meals include tips. The cost of any alcoholic beverage is not reimbursable.

6. When an employee is required to travel on a one-day trip that extends past 6:00 p.m., at the discretion of the approving authority meals may be reimbursed at the maximum meal costs listed on the GSA Per Diem chart at www.gsa.gov/perdiem. Original receipts must be provided.

7. Telephone calls to transact County business and personal telephone calls of a reasonable number and length made from the employee's hotel room may be charged to the employee's room bill and reimbursed as lodging expense. Such calls shall not be deducted from the per diem allowance.

8. County business expenses such as copy and fax service, long distance phone calls, postage, purchase of items necessary for authorized County business, etc. shall not be included in the per diem allowance, and may be claimed as an additional reimbursable expense, as long as receipts are submitted.

J. ALTERNATE TRAVEL REIMBURSEMENT PROVISION

The County Administrator or designee may authorize reimbursement for travel under special circumstances which may arise from time to time and not otherwise conform to the strict provisions of this policy. Department Heads wishing to request an alternate travel reimbursement must submit the request in writing to the County Administrator for approval. (Even when alternate provisions are authorized, receipts, where required by provisions of this policy, must be provided to support expenses.)

K. TRAVELING WITH NON-EMPLOYEES

When an employee travels on County business pursuant to the provisions of Sections G. through I. above, a non-employee(s) may accompany the employee. All expenses of the non-employee(s) for food, transportation, etc., must be paid by the employee. When lodging expenses are necessary, the employee must pay any additional lodging costs above the single occupancy rate.

L. EXTENDING A MULTIPLE-DAY TRIP

If air or other travel fare can be reduced by extending a multiple-day trip to include additional day(s) at the beginning and/or ending of such trip, and such extension results in a cost savings to the County, the employee may elect to extend his/her multiple-day trip. The per diem or actual cost provisions of Section I. may be applied to any additional days as long as the total expense results in a cost savings to the County.

M. COMBINING COUNTY TRAVEL WITH VACATION

When an employee travels under the provisions of this policy, he/she may extend such travel at the beginning and/or ending of County business for his/her own pleasure as long as such extension does not result in additional expense to the County.

N. STANDARD OPERATING PROCEDURE

The Human Resources Department shall establish, maintain and communicate standard operating procedures (SOPs) for effectively administering this policy in accordance with applicable laws and regulations and in cooperation with affected County departments and agencies.

This SOP implements Section 8.0 of the Policy Manual.

A. FORMS PROCESSING

1. When an employee must travel on a multiple-day trip, or a one-day trip that involves expenses other than those reimbursable on the Mileage Reimbursement Voucher (mileage, parking, telephone, public transportation), a Request for Travel form (HR013) must be completed and approval obtained prior to travel. Request for Travel approval forms (Form No. HR013) are available from the departmental payroll officer or the County Human Resources Department. Questions may be directed to HR at 946-4700.

2. All travel expenses are reported on the two forms listed below. These forms are available from the office of the County Auditor, Room 504.

    a. Mileage Reimbursement Voucher - used for expenses incurred for daily travel (mileage, parking, telephone, or public transportation). See Section D. of the policy.

    b. Employee Travel Reimbursement form - used for expenses incurred for multiple-day travel or expenses incurred during daily travel that are not covered on the Mileage Reimbursement Voucher. See Sections E. through I. of the policy for a complete description.

3. Requests for reimbursement should be submitted within 120 days of the travel. Failure to submit reimbursement requests within 120 days may result in denial of the request. (NOTE: JFS employees must submit requests for reimbursement within 60 days of the date of travel.)

4. All information requested on any Mileage Reimbursement Voucher or Employee Travel Reimbursement form must be provided. Failure to provide all requested information will result in the denial of reimbursement until such information is satisfactorily provided and approved.

Effective: 5/09/01
Revised: 06/19/01, 01/23/02, 01/01/03, 09/15/03, 01/01/04, 08/13/04, 12/17/04, 09/01/05, 01/01/06, 01/01/07, 01/01/08, 07/01/08, 01/01/09, 01/01/10, 01/01/11, 07/01/11, 01/01/13, 01/01/14, 01/01/15, 03/02/16

5. With the exception of per diem items, employees must provide receipts and/or other documentation acceptable to the approving official substantiating that the expenses have been incurred for *all* requested payments and reimbursements, including those items pre-paid. Payment or reimbursement for any item submitted without a receipt or other proof of the amount of the expenditure will be rejected.

6. When purchasing airfare over the Internet, the electronic receipt/e-mail confirmation, along with the original boarding pass, may be submitted as evidence for reimbursement of airfare. Employees must obtain an original receipt from the vendor for other expenses such as hotel, rental car, etc. **If the original receipt, or copy of the electronic receipt for airfare, is not available** then the original copy of the employee's credit card statement indicating the purchase must be submitted to the Auditor.

7. When more than one employee travels to the same destination, each individual must submit the appropriate forms. Each individual employee must request reimbursement for expenses that only he/she actually incurred. When more than one County employee travels in the same privately-owned vehicle, only one employee may request mileage reimbursement.

8. After completion of Mileage Reimbursement Vouchers and/or Employee Travel Reimbursement forms, employees must submit them to their Department Head or designee for review and approval.

9. When the traveler is a Department Head or an employee who reports directly to the County Administrator, all such forms shall be submitted to the County Administrator or designee for approval.

10. When the County Administrator is the traveler, all such forms shall be submitted to the President of the Board of County Commissioners for review. In the absence of the President of the Board, such forms may be submitted to another member of the Board for review.

11. When the traveler is a member of the Board of County Commissioners other than the President, all such forms shall be submitted to the

President of the Board for review. When the traveler is the President of the Board, all such forms shall be submitted to another member of the Board for review.

B. APPROVAL TO ATTEND ASSOCIATION MEETINGS OR CONVENTIONS

1. Travel to association meetings or conventions *at county expense* (i.e., the employee incurs travel expenses reimbursable by the county), must be approved by the County Administrator. (The County Administrator should submit his/her request to the Board President or Acting Board President for approval. The County Commissioners' staff should submit their request to any one member of the Board of Commissioners or the County Administrator.) If no travel expenses reimbursable by the county are incurred, or the expenses are reimbursed by an organization other than the County, approval by the County Administrator (or Board President or other Board member) is not required.

2. Association meetings and conventions are defined as events in which any business of the organization is conducted during the event. Business may include, but not be limited to, election/selection of officers, establishment/ planning of policy, goals, or initiatives, etc. Training sessions/seminars that are sponsored by such associations and do not include any of the preceding activities are not considered "meetings or conventions" as defined in this section and do not require approval by the County Administrator.

3. Employees who are planning on attending such association meetings and/or conventions as described above should first complete a Request for Travel form and submit it to their Department Head/designee. Once the Department Head/designee approves the Request for Travel, a separate letter is also sent to the County Administrator requesting approval for the travel (a sample letter is available in Human Resources). This letter must list the name of the employee, the name of the association, anticipated expenses, plus the Department's total annual travel budget and a total of the travel expenditures to date. (The County Administrator should submit his/her request to the Board President or Acting Board President for approval. The County Commissioners' staff should submit their request to

any one member of the Board of Commissioners or the County Administrator.)

4. Employees may submit a blanket request to the County Administrator or designee to attend multiple association meetings scheduled throughout each calendar year.

C. MILEAGE RATE

Employees operating a privately-owned vehicle on authorized County business shall be reimbursed in an amount of 54 cents per mile, effective 01/01/16 as the total reimbursement for all operating expenses.

D. INSTRUCTIONS FOR COMPUTING MILEAGE

1. When travel requires the use of a privately-owned vehicle, reimbursement to and/or from an alternate work location will be determined in the manner listed below.

2. Each employee who requests reimbursement must determine the one way travel distance via the shortest or most practical route from his/her residence to his/her normal work location. This one way distance is the employee's "commute mileage".

3. When an employee begins his/her work day by traveling from his/her residence to any alternate work location(s), and then continues to his/her normal work location, the employee shall record, by odometer reading the actual distance from his/her residence to the alternate work location(s) and also record the mileage from any alternate work location(s) to his/her normal work location. The employee may request reimbursement for the actual total mileage driven less his/her commute mileage.

4. When an employee ends his/her work day by traveling from his/her normal work location to any alternate work location(s), and then continues to his/her residence, the employee shall record by odometer reading the actual distance from his/her normal work location to the alternate work location(s), and also record the mileage from the alternate work location(s)

to his/her residence. The employee may request reimbursement for the actual total mileage driven less his/her commute mileage.

5. When an employee travels from his/her residence to any alternate work location(s) and returns to his/her residence at the end of the work day without traveling to his/her normal work location, the employee may request reimbursement for all miles actually driven.

6. Employees who are temporarily assigned to an alternate work location for a specific number of days or on a regular basis are not eligible for mileage reimbursement.

E. INSTRUCTIONS FOR DETERMINING MEALS AND INCIDENTAL EXPENSES (M&IE) RATE (PER DIEM OR ITEMIZED EXPENSES)

To Determine Meals and Incidental Expense (Per Diem) Rate

1. Go to the Ohio Office of Budget and Management's website: **http://obm.ohio.gov/TravelRule/**

2. Click on the "**GSA Per Diem Rates**" **icon** (bottom center of page)

3. Select the Fiscal Year (the year in which travel will occur)

4. Enter the State/City or ZIP Code of the travel destination

5. Click "**Find Rates**"

6. The "**M&IE**" rate (**last column on the right**) is the per diem rate for your destination.

To Determine the Maximum Meal Allowance for Itemized Expenses

1. Follow steps 1 through 6, above.

2. Scroll down to the bottom left section of the page and click on "***Additional Per Diem Topics***" then click on "***Meals and Incidental Expense Breakdown (M&IE)***"

3. This table shows the six tiers for the continental United States. Find the corresponding M&IE rate for your location (as determined in Step 6, above). The columns to the right show breakdown of each meal along with the Incidental Expense total per day.

F. RENTAL VEHICLE REIMBURSEMENT

1. If travel includes a rental vehicle, employees must submit their request to the approving official on a Request for Travel form (HR013) and must receive approval before the travel begins.

2. The approving official must determine that use of a rental vehicle is most advantageous to the County. When evaluating approval, the approving official must consider the total cost to the County, including per diem, overtime, lost work time, actual transportation cost, total distance of travel, number of points visited, and the number of travelers. Approval will not be granted on the basis of personal preference to the traveler.

3. When approved, the most practical and economical size vehicle must be selected.

4. The original receipts for the vehicle rental and any fuel costs must be submitted to the Auditor with the Employee Travel Reimbursement form.

5. The original Request for Travel form documenting approval for use of the rental vehicle is maintained by the approving official.

APPENDIX

VEHICLEUSEPOLICIESANDPROCEDURES

Below is a reorganized edition of the Vehicle Use Policies and Procedures adopted by the Board of County Commissioners on June 5, 1990. Captions are provided for clarity and organization only. The Vehicle Use Policies and Procedures applies only to employees under the Board of County Commissioners.

VehicleGeneralRequirements

No person shall use or drive any automobile, motorcycle, or other conveyance owned, hired, or leased by the Board of County Commissioners for any purpose other than the transaction of official business. (Reference: ORC307.43)

Vehicles will not be provided as a means of compensation.

Passengers not on official County business and hitchhikers are not permitted in County-owned vehicles.

CountyVehicleUse

Vehicles may be provided for those County employees who require transportation in the course of their duties. Vehicle assignments and appeals to the commuting restriction will be made based on written request setting forth the justification. Approval will be based on transportation needs, emergency requirements, call out availability, after hour meetings, cost effectiveness, or as otherwise determined by the Board of County Commissioners.

Vehicle assignments are to be reviewed annually by the County Administrator or designee, or more frequently at the Administrator's discretion.

CountyVehicleOperatingRules

Vehicles will not be used for commuting to and from work (including having passengers in a vehicle), except as permitted by the Board of County Commissioners through the appeal process.

Any County employee for whom a vehicle is provided will file travel forms quarterly with the Chief Purchasing Agent. The travel forms shall contain the name of the individual using the vehicle, the department, the purpose, and the mileage use.

All operators of County vehicles must have a valid operator's license for the specific type vehicle being operated. If the employee's operator's license is suspended or revoked, the employee must notify his/her supervisor the day of the suspension or revocation or no later than the next working day. Failure to report a suspension or revocation of an employee's operator's license, or loss of insurance may be cause for disciplinary action. Suspension or revocation of an employee's operator's license, or loss of insurance shall result in termination of County vehicle driving privileges and in those cases where an employee's job class requires driving a County vehicle, may result in reassignment or dismissal.

County gasoline credit cards shall be used only to purchase gasoline, oil, repairs, etc. for County vehicles on official County business.

Employees who are required to use their personal monies to service County vehicles are to be reimbursed subject to approval. A report, stating the reason for the transaction and appropriate receipt(s), is to be submitted by the employee.

Alcoholic beverages, controlled substances and/or drugs of abuse are not to be used or transported in or on County vehicles. No person under the influence of alcohol controlled substances and/or drugs of abuse is to drive a county vehicle. Legally prescribed medications are permissible where their use does not adversely affect one's driving ability.

SafetyandAccidentReporting

As required by ORC 4513.99, all front seat occupants of a county or privately owned vehicle will wear all of the available elements of a properly adjusted occupant restraining system.

Accident reports are to be completed and submitted to the Chief Purchasing Agent within twenty-four (24) hours of the event or, if the accident occurs on a holiday or weekend which makes it impossible to report the accident within twenty-four (24) hours, the accident is to be reported on the next working day. Failure to report accidents are subject to appropriate disciplinary action. The vehicle operator is responsible to contact the appropriate police agency.

Parking, moving violations and other fines received during the operation of a County vehicle are the responsibility of the operator.

Operators of County vehicles who establish poor driving records (accidents or traffic citations while driving County equipment), may have their County driving privileges revoked.

CountyVehicleServiceandMaintenance

Department Heads who are assigned vehicles are responsible for required maintenance and service. Any user noting service, safety, or maintenance requirements is responsible for notifying his/her department head or supervisor immediately. The supervisor is, in turn, responsible for securing any necessary maintenance and service.

Operators are responsible for the appearance (interior and exterior cleanliness) of the County vehicle which is assigned to them.

Employees with assigned vehicles will assure that annual safety and pollution inspections are performed and that noted problems are corrected.

A vehicle use policy statement should be affixed to the driver's side sun visor so as to be visible when in the upright position. A clipboard with travel form to include name, department, purpose, and mileage shall be provided for each vehicle.

Vehicle operators shall immediately notify their supervisor should they detect any unsafe or hazardous condition in or on any county vehicle. The supervisor in turn is responsible for correction of the defect.

PrivatelyOwnedVehicleUse

Employees who are required to use their personal vehicles will be reimbursed on a mileage basis at the authorized County rate. (See Board of County Commissioners' Travel Policy - Section 8.0).

CountyVehiclePurchase

Whenever the Board of County Commissioners determines it necessary to purchase or lease motor vehicles, it shall adopt a resolution setting forth the necessity for such purchase or lease, together with a statement of the kind and number of vehicles required and the estimated cost of purchasing or leasing each. (Reference: ORC307.41)

Vehicle specifications, as prepared by the Chief Purchasing Agent, shall be approved by the Board of County Commissioners in the resolution authorizing the purchase.

Requests to purchase or replace vehicles will be submitted in writing to the County Administrator. Based on mechanical condition, use data, service reports, and established need, the County Administrator is to determine if a vehicle should be retained or disposed of and so recommend to the Board of County Commissioners.

When determined to be more cost effective, or if requirements justify, vehicles may be leased or rented.