

**THE BOARD OF STARK
COUNTY COMMISSIONERS**

EMPLOYEE POLICY MANUAL

Board of Commissioners

Alan Harold
Richard Regula
Bill Smith

County Administrator
Brant Luther

Director of Management and Budget
Chris Nichols

Departments and Department Heads

Building Inspector
Angela Cavanaugh

Emergency Management Agency
Tim Warstler

Facilities
Tom Serra

Human Resources
Michael Kimble

Job and Family Services
Jerry Coleman

Records
John Runion

Sanitary Engineer
James Troike



**DEPARTMENT OF HUMAN RESOURCES
110 CENTRAL PLAZA SOUTH
SUITE 101
CANTON, OHIO 44702**

Approved: 04/06/2016
Revised: 08/02/2017
08/22/2018
03/02/2022
12/20/2023
05/30/2025
12/10/2025

TABLE OF CONTENTS

DEFINITIONS	5
SECTION I. GENERAL PROVISIONS	
1.01 Introduction	11
1.02 Applicability	11
1.03 Dissemination of Manual	12
1.04 Management Responsibility	12
SECTION II. EMPLOYMENT LAW	
2.01 Equal Employment Opportunity Statement (EEO)	15
2.02 Americans with Disabilities Act (ADA) and ADA Amendments Act (ADAAA)	15
2.03 Protected Health Information (PHI)	15
2.04 Family Medical Leave Act (Partial)	15
2.05 Genetic Information Nondiscrimination Act (GINA)	16
SECTION III. EMPLOYMENT WITH THE COUNTY	
3.01 Employee Categories	19
3.02 Nepotism	20
3.03 Probationary Period	21
3.04 Transfers	22
SECTION IV. PERSONNEL POLICIES	
4.01 Attire and Grooming	25
4.02 Attendance and Tardiness	25
4.03 Clock-In/Clock-Out	26
4.04 Bulletin Boards	27
4.05 Departmental Discretion	27
4.06 Ethics Policy	28
4.07 Whistleblower Policy and Fraud Hotline	29
4.08 Expense Reimbursements	30
4.09 Due Care of Facilities, Equipment and Information	31
4.10 Media Releases and Use of Social Media	31
4.11 Computer, Internet and Electronic Mail Acceptable Use	32
4.12 Performance Expectations	34
4.13 Performance Evaluations	34
4.14 Personnel Files	35
4.15 Political Activities	35
4.16 Solicitation (Posting Materials)	36
4.17 Travel Policy	36
4.18 Nursing Mothers	44
4.19 Use of County Vehicles	45
4.20 Procurement Cards	46
4.21 Identification Badges	53
4.22 Public Records Policy	54
4.23 Generative Artificial Intelligence (GAI)	56

SECTION V. SECURITY AND SAFETY

5.01	Anti-Harassment Policy	61
5.02	Workplace Security	63
5.03	Workplace Violence	63
5.04	Workplace Safety	64
5.05	Severe Weather and/or Other Emergency	65
5.06	Workers' Compensation	65
5.07	Drug-Free Workplace	65
5.08	Alcohol/Drug Testing	66
5.09	Fit(ness) for Duty	73
5.10	Prohibited Use of Electronic Devices (Cell Phones) While Driving	74

SECTION VI. WAGES, HOURS AND BENEFITS

6.01	Pay Period and Electronic Funds Transfer	77
6.02	Longevity Pay	77
6.03	Annual Pay Increases	79
6.04	Hours (Shifts, Lunch/Breaks, On-Call, Overtime, and Compensatory Time)	79
6.05	Holidays	81
6.06	Vacation	82
6.07	Vacation Conversion/Cash Out	84
6.08	Health Insurance	84
6.09	Tuition Reimbursement	86
6.10	Pension	87
6.11	Employee Assistance Program (EAP)	88

SECTION VII. LEAVES OF ABSENCE

7.01	Sick Leave	93
7.02	Personal Leave and Sick Leave Incentive	94
7.03	Family and Medical Leave Act (FMLA)	95
7.04	Military Leave	99
7.05	Court Leave	100
7.06	Bereavement Leave	100
7.07	Poll Worker Leave	100
7.08	Administrative Leave (Paid and Unpaid)	101

SECTION VIII. EMPLOYEE COMPLAINTS AND PROGRESSIVE DISCIPLINE

8.01	Grievance Process	105
8.02	Corrective Action	106

SECTION IX. SEPARATION FROM EMPLOYMENT

9.01	Resignation and Retirement	115
9.02	Layoff and Recall	115
9.03	Exit Interview	115
9.04	Sick Leave Conversion/Cash Out	115

DEFINITIONS

For the purpose of this manual, the follow definitions apply:

Absence—any time an employee is not at work as scheduled, directed or assigned.

“Active Pay Status”—the conditions under which an employee is eligible to receive pay, including but not limited to vacation, bereavement, paid sick leave, personal days, etc.

Appointing Authority—the Board of Stark County Commissioners, or such other authority designated by law to make appointments.

“Board of Commissioners” or “Board”—Board of Stark County Commissioners

Classification—one or more positions with similar duties, requirements, qualifications and designated by a common descriptive title.

Classified Employees—Classified Civil Service employees are employed in a position in which the incumbent has tenure in his/her employment and can only be removed, suspended or demoted in accordance with [Section 124.34](#) of the O.R.C.

Collective Bargaining Agreement—the written agreement(s) entered into between the Board of Commissioners and an exclusive representative of employees of the Employer pursuant to [Chapter 4117](#) of the O.R.C.

Continuous Service—the uninterrupted service of an employee with a department where no break in service occurs.

County—the County of Stark in the state of Ohio.

Deadly Weapon— Deadly weapons are defined as any instrument, device or thing capable of inflicting death, and designed or specially adapted for use as a weapon.

Employee—any person holding a position within the hiring authority of the Board of Commissioners.

Employer—the Board of Stark County Commissioners, or the Board’s designee authorized by law to make appointments to positions.

Exempt Status Employee—see Section 3.01.C for full description.

“Extended Work Hours”—time approved in advance by employee’s supervisor during which the employee works more than eight hours in a work day.

Insubordination—the state of being unwilling to perform the duties and responsibilities required of an employee; refusal to obey an order issued by the employee’s administrative superior (supervisor); act of verbally abusing an employee’s supervisor.

Management—direct supervisor(s), department head(s), County Administrator and the Board of Stark County Commissioners.

Non-Exempt Status Employee—see Section 3.01.C for full description.

“No Pay Status”—an employee who is not on “Active Pay Status”

Off-Duty Hours—the time an employee is not scheduled to be at work or on duty. Time not designated as “On Duty” or “On-Call.”

On-Duty Hours—all time, regardless of locale, when an employee’s duties require him/her to engage in work related tasks.

O.P.E.R.S.—the [Ohio Public Employee Retirement System](#).

O.R.C.—the [Ohio Revised Code](#).

Overtime—time worked in excess of forty (40) hours in a work week by non-exempt employees.

Position—group of duties and responsibilities assigned and/or delegated by the supervisor or management to be performed by one person/employee.

Probationary Period—the period of time (180 days) served by a classified employee following an original or promotional appointment during which the employee is responsible to learn, be trained and be tested in the proper performance of required job duties.

Promotion—placement in a classification which has a higher wage than that previously held, excluding reassignment or reclassification.

S.E.R.B.—the [State Employee Relations Board](#).

Service—continuous employment with the employer unbroken by death, resignation, retirement or discharge from employment.

Solicitation—any act of requesting another to purchase goods, materials and/or services, and/or a plea or request for financial contribution or participation of any kind.

S.P.B.R.—the [State of Ohio Personnel Board of Review](#).

Supervisor—someone authorized by the appropriate authority to oversee and direct the work-related activities of others, recommend disciplinary action, and conduct performance evaluations.

Suspension—relieving an employee from duty with or without pay, usually for a period of time, as a disciplinary measure aimed at improving the employee’s behavior, performance or attendance.

Tardiness—any time an employee reports or returns to work later than scheduled or directed by management.

Transfer—movement from one position to another resulting in no change in rank, classification, level of responsibility or wages.

Unclassified Employees—Unclassified employees serve at the pleasure of the Board. An unclassified employee may be dismissed by the Board at will.

Vendor—any person/entity engaged in supplying goods, materials and/or services to the County.

Workday—a period of twenty-four (24) consecutive hours with start and quit times determined by management. Unless determined otherwise, the workday usually corresponds to the calendar day.

Workweek—seven (7) consecutive workdays with start and quit times determined by management. Unless determined otherwise by management, the workweek corresponds to 12:01 a.m. Thursday through 12:00 a.m. (midnight) the following Wednesday.

“Work Area”—any public or private area or locale, including but not limited to: buildings, offices, rooms, cubicles, workstations and any other physical location, where activities properly related to the conduct of County business may occur.

Year—any twelve (12) consecutive months and does not necessarily correspond to the calendar year unless so specified.

SECTION I

GENERAL PROVISIONS

1.01 INTRODUCTION

A. Purpose

This Policy Manual is a guide to ensure uniformity and non-discriminatory application of the conditions of employment under the hiring authority of the Board of Stark County Commissioners. This Manual is not, and should not be considered, an employment contract. Your employment may be terminated pursuant to applicable policies and procedures in this Manual and/or your bargaining unit agreement. In the event that there is a conflict between a matter expressed in this Manual and any applicable laws, the higher legal authority will take precedence and the policy(ies) will undergo immediate amendment.

There will be situations which shall require administrative interpretations of the policies set forth herein. Every effort must be made to ensure that such decisions are made objectively, with the general intent of the policy in mind.

As conditions shift, it may be necessary to add, delete, or revise policies affected by such change. The Board of Stark County Commissioners reserve the right to change, revise or make additions to this Policy Manual as it deems necessary. Every attempt will be made to inform you of any changes, revisions or additions as they occur. However, it is the employee's responsibility to keep current of all County policies and procedures, remain well informed and to request any clarification needed from their supervisor(s) or the Department of Human Resources.

B. Policy Manual Coordinator

The Human Resources Director will serve as the Policy Manual Coordinator, the duties of which shall include:

- Maintaining and updating all changes, additions or deletions;
- Providing each Department Head with updated copies of any amendments;
- Soliciting feedback from Appointing Authorities, Directors, Supervisors, Managers and all other employees, as appropriate for consideration of revisions; and
- Conducting periodic reviews of this Manual to ensure that it remains consistent with actual practices and in compliance with all legislation relating to the personnel function and the relationship between the employer and the employee.

1.02 APPLICABILITY

A. Departments and Employees

The policies set forth in this Manual apply to all management and employees under the hiring authority of the Board of Commissioners. All personnel should be thoroughly knowledgeable with its contents. In addition to the Commissioners' Office, the following Departments are under the hiring authority of the Board of Commissioners:

- | | | |
|-------------------------------|-------------------|------------------------|
| • Facilities | • Human Resources | • Sanitary Engineer |
| • Job and Family Services | • Records | • Building Inspections |
| • Emergency Management Agency | | |

B. Bargaining Unit Employees

Bargaining unit employees are expected to adhere to the rules, policies and procedures outlined in this Manual, unless the rule, policy or procedure clearly states that it applies to non-bargaining employees only. In cases where rules, policies and procedures in this Manual are contradictory to already negotiated and agreed upon terms in a bargaining unit agreement, the bargaining unit agreement takes precedence and is to be followed.

1.03 DISSEMINATION OF MANUAL

A master copy of this Manual will be maintained by the Department of Human Resources and will also be available to all employees via the [Department of Human Resources' web page](#). It is the employee's responsibility to keep current of all County policies and procedures and remain well informed.

1.04 MANAGEMENT RESPONSIBILITY

A. Appointing Authority (Board of Commissioners), Directors, Supervisors and Managers

The Board of Commissioners, directors, supervisors and managers are ultimately responsible for effective management within their departments. Management maintains the ultimate right to establish policies governing the work force. These policies may include, but are not limited to, the right to:

1. Maintain order to ensure the efficient operation of government;
2. Hire, direct, assign, and transfer employees;
3. Evaluate employee performance, promote, demote and lay off employees;
4. Discipline, suspend and discharge employees for just cause;
5. Promulgate and enforce work rules and regulations;
6. Determine classifications of positions;
7. Determine appropriate staffing levels and patterns/shifts, and the necessity of overtime;
8. Determine duties, work methods, and performance standards;
9. Determine appropriate materials and equipment;
10. Assign and allocate work;
11. Reorganize, discontinue or enlarge facilities or departments;
12. Determine and implement changes to methods and means by which operations are carried out; and
13. All other ordinary and customary functions of management.

SECTION II

EMPLOYMENT LAW

2.01 EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATEMENT

The Board of Commissioners provide equal employment opportunities to all applicants for employment and employees without regard to race, color, religion, gender, national origin, age, disability, genetic information, marital status, or status as a covered veteran in accordance with applicable federal, state and local laws. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

The Board expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, national origin, age, disability or veteran status. See Section 5.01 Anti-Harassment Policy for more information.

2.02 AMERICANS WITH DISABILITIES ACT (ADA) AND THE ADA AMENDMENTS ACT (ADAAA)

It is the policy of the Board of Stark County Commissioners not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The Board will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to the County. Employees seeking a reasonable accommodation should complete [Request for Accommodation and Documentation of Disability forms](#) and submit to the Director of Human Resources for consideration. Hard copies of these forms are also available in the Department of Human Resources.

Contact the Department of Human Resources with any questions or requests for accommodation.

2.03 PROTECTED HEALTH INFORMATION (PHI)

The Board abides by all provisions of the [Health Insurance Portability and Accountability Act \(HIPAA\)](#) to uphold the privacy of [Protected Health Information \(PHI\)](#). An employee's confidential health information will never be disclosed to anyone, except with the employee's authorization or as otherwise permitted by law.

2.04 FAMILY AND MEDICAL LEAVE ACT (FMLA)

Upon hire, the Human Resources Department will provide all new employees with notices required by the U.S. [Department of Labor](#) on [Employee Rights and Responsibilities Under the Family and Medical Leave Act](#).

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

For more information on the Commissioner's FMLA policy, please see Section 7.02 Family and Medical Leave Act of this Policy Manual.

2.05 GENETIC INFORMATION NONDISCRIMINATION ACT

The Board of Stark County Commissioners is committed to following the [Genetic Information Nondiscrimination Act \(GINA\)](#).

Pursuant to GINA, it is illegal to discriminate against employees or applicants because of genetic information. Departments under the hiring authority of the Board shall not use genetic information in making employment decisions, or make any unauthorized requests requiring or purchasing genetic information. Unauthorized disclosure of genetic information is also prohibited.

SECTION III
EMPLOYMENT WITH THE COUNTY

3.01 EMPLOYEE CATEGORIES

A. Employment Categories

1. Classified Employees:

Classified Civil Service employees are employed in a position in which the incumbent has tenure in his/her employment and can only be removed, suspended or demoted in accordance with [Section 124.34](#) of the O.R.C.

2. Unclassified Employees:

Unclassified employees serve at the pleasure of the Board. An unclassified employee may be dismissed by the Board at will.

3. *Bargaining Unit Employees:

Employees who have a position represented by a bargaining unit.

4. *Non-Bargaining Employees:

Employees who are not represented by a bargaining unit.

*The Department of Administrative Services has issued [guidelines](#) to determine what positions qualify for collective bargaining.

B. Employment Regarding Hours Worked

Your employment status is determined by the number of hours you are regularly scheduled to work, the expected duration of your employment, and the nature of the work performed with the County.

1. Full-Time Employees—Employees whose regular hours of duty total eighty (80) hours per pay period*.

2. Part-Time Employees—The County has limited part-time employees to under sixty (60) hours per pay period* or thirty (30) hours per week.

3. Casual Employees—Employees who work less than one-thousand (1,000) hours per year, on an irregular, infrequent, “as needed” basis. These employees are not members of a bargaining unit.

4. Temporary Employees—Employees hired for a definite time period not to exceed 120 days. Per [Section 124.30](#) of the O.R.C., successive appointments are not permitted. Temporary extensions can be made, but only when certain, rare conditions are met.

5. Seasonal Employees—Employees hired for an indefinite and temporary time period performing work consistent with a season of the year (e.g. mowing grass in the Summer season).

*A pay period is the fourteen (14) days in which payroll is accumulated.

C. Exempt or Non-Exempt Status

1. Non-Exempt Status:

Employees are classified as either exempt or non-exempt based upon the nature of the duties performed and compensation level. The [Fair Labor Standards Act \(FLSA\)](#) requires that certain employees be paid overtime (one and one-half the regular time rate of pay) for all hours worked in excess of forty (40) hours per week (seven (7) days) or however otherwise determined in collective bargaining agreements. These employees are considered **non-exempt**.

2. Exempt Status:

Employees who do not fall under the provisions of the FLSA are called **exempt**. They are paid an established regular weekly wage for all hours worked. Generally, exempt employees in the County include the Elected Officials and select professional employees and administrative personnel. Exempt employees do not receive overtime for hours worked over forty (40), no matter how many hours worked.

3.02 NEPOTISM

A. Definition of Relative

For purposes related to this policy, and consistent with Ohio Ethics Law, a relative is defined to include, but not limited to spouse or domestic partner, parent, step-parent, child, step-child, sibling, grandchild or grandparent (including biological, step or adoptive); the sibling or parent of the employee's spouse; the spouse of the employee's child; any relationship where the person acts/acted in the place of a parent; and uncles, aunts, nieces, nephews and first cousins.

B. Hiring and Employment

1. The Board of Stark County Commissioners

Consistent with Ohio Ethics Law, The Board of Stark County Commissioners, collectively or individually, shall not hire or use the authority or influence of their position(s) to secure employment of anyone to whom he or she is related and who is also residing in the same household with the official.

2. Department Heads and Management

No employee serving as a department head/executive director/director; assistant or deputy director or any person of equivalent rank shall have in the employ of that person's department any relatives or anyone who is also residing in the same household.

3. Application for Employment

The Board of Stark County Commissioners will receive employment applications from relatives of current employees. However, the following situations shall prevent the County from hiring a relative of a current employee.

- a. If one relative would have supervisory or disciplinary authority over another;
- b. If one relative would audit the work of another;

- c. If a conflict of interest exists between the relative and the employee or between the relative and the County; and
- d. If the hiring of relatives could foreseeably result in a conflict of interest.

4. Employment of Relatives

Employees that are related shall not work in the same division or department together without approval of the Department Head and County Administrator. The circumstances of these potential working arrangements will be evaluated on a case-by-case basis.

C. Marriage of Employees

If, during the course of employment, two employees marry, they may not work in a supervisor-subordinate relationship with their spouse and/or any other immediate family member as set forth above resulting from the marriage, and if necessary change(s) in work assignment cannot reasonably be made, one must separate from employment. If the parties fail to decide within a reasonable time who shall separate from employment, the person with lesser public agency service will be separated.

3.03 PROBATIONARY PERIOD

A. New Hire

Each newly hired, classified, full and part-time employee shall serve a 180 calendar day probationary period during which time they will receive, at minimum, [90 day and 180 day performance evaluations](#).

1. Irregular Work Schedule

Employees who work an irregular, and/or intermittent work schedule usually serve a probationary period of seven hundred (700) total hours in active pay status, but may be longer, as determined by the Board of Commissioners or designee consistent with applicable law, but shall not exceed 1000 hours. Time spent in non-pay status does not count toward the probationary period for these employees.

B. Promoted Employee

A newly promoted employee shall also be subject to a probationary period. Probationary periods for a newly promoted employee shall usually be set at 180 calendar days, but may differ, as determined by the Board of Commissioners or designee. Such employee shall be returned to his/her former classification when, in the sole judgment of the Employer, the employee's fitness for duty and/or quality of work are not such as to merit continuation in the higher level position. Such action shall not be considered disciplinary or eliminate the employee from consideration for later promotion.

C. Dismissal

A newly hired employee may be removed from his/her position at any time during the probationary period when, in the judgment of Management, the employee's fitness for duty, behavior and/or quality of work are not such as to merit continuation in the position. Probationary removal is not subject to appeal by the employee and must be approved by the County Administrator.

D. Unclassified Employees

Unclassified employees are exempt from serving a probationary period.

3.04 TRANSFERS

Transfers may be temporary or indefinite (meaning presumptively permanent) and are made at the discretion of Management. Employees may request transfer to a more favorable position, location, shift, etc. by making a written request through his/her immediate Supervisor.

SECTION IV

PERSONNEL POLICIES

4.01 ATTIRE AND GROOMING

A. Departmental Discretion

Departments may determine appropriate workplace attire and grooming for their areas. Supervisors should use the guidelines included in this policy to determine appropriate attire and grooming standards and communicate these expectations to staff during orientation and probationary periods.

B. Professional/Neat Appearance

Workplace attire and grooming must be clean and appropriate for the work being performed and the setting in which the work is performed. Staff are expected to present a professional, neat, businesslike image to clients, visitors, customers and the general public at all times. Certain staff may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing.

C. Weather Conditions

At its discretion, a department may alter dress codes to accommodate for extreme hot or cold weather conditions. On these occasions, employees are still expected to present a neat appearance.

D. Failure to Comply

Any employee who does not meet the attire or grooming standards set by his or her department will be required to correct the behavior by leaving the premises to change clothing. Non-exempt (hourly-paid) staff will not be compensated for any work time missed because of failure to comply with attire and grooming requirements. Continued failure to comply with these requirements shall result in corrective action.

4.02 ATTENDANCE AND TARDINESS

A. Attendance

Dependability, attendance, punctuality and a strong commitment to perform at a high level are essential at all times. Employees are expected to work on all scheduled work days, during all scheduled work hours and to report to work on time. A record of all absenteeism and tardiness becomes part of the employee's personnel record. To the extent permitted by law, absenteeism and tardiness lessen an employee's chances for advancement and may result in corrective action, up to and including termination. See Section 7.01 of this Policy Manual for more information regarding excessive or patterned abuse of Sick Leave.

B. Reporting Off

An employee must notify their immediate supervisor, as far in advance as possible, but no later than thirty (30) minutes before their scheduled starting time, if they expect to be absent. This policy applies to each day of an employee's absence, unless expectations of an extended absence are communicated to the employee's immediate supervisor. The employee shall state the employee's name, reason for absence, expected length of absence and phone number where the employee may be reached. An employee who becomes sick during working hours shall report such illness to their immediate supervisor who may then release the employee on leave.

An employee who fails to contact their immediate supervisor for three (3) consecutive work shifts/days may be considered as having voluntarily resigned.

C. Tardiness

Employees are expected to be at work on time, prepared and ready to perform the responsibilities of their position. An employee is considered tardy when he/she fails to report for duty at the time scheduled and/or fails to return to duty promptly during their normal schedule.

1. Excused Tardiness

a. Emergency

Tardiness may be excused for a bona fide emergency. If an emergency causes an employee to be tardy, the employee should notify their immediate supervisor prior to the start of the shift or as soon as reasonably possible. Upon reporting for duty, an employee may be required to provide satisfactory evidence or documentation of emergency at the request of the employee's supervisor.

b. Inclement Weather

Tardiness may also be excused in cases of mitigating circumstances such as inclement weather or hazardous driving conditions. In any event, the supervisor has the discretion to determine if tardiness is excused or unexcused.

2. Corrective Action

Employees who are tardy may be subject to corrective action. Instances of tardiness may also be reflected on an employee's annual performance review and may have an impact on final rating and future promotional opportunities.

a. Classified Employees

An employee's compensation may be docked for tardiness. An employee may request to use accrued leave time (vacation, personal days, compensatory time) for a period of tardiness in lieu of loss of pay. Accrued sick leave shall not be used in lieu of loss of pay. The use of accrued leave does not excuse an employee from being considered tardy or corrective action.

b. Unclassified Employees

Unclassified, overtime exempt employees shall not be reduced in pay for tardiness, but may be subject to other means of corrective action for tardiness.

4.03 CLOCK-IN/CLOCK-OUT

A. Departmental Discretion

In accordance with the laws pertaining to [Recording Hours Worked](#), Departments may require all classified, non-exempt employees to clock-in to begin their work shift, and clock-out when they have completed their work day.

B. Established Start and End Times

Supervisors should establish regular start and end times for their employees. Employees who fail to follow the clock-in/clock-out procedure shall be subject to corrective action, as are supervisors who fail to enforce the clock-in/clock-out procedure. Furthermore,

employees who do not clock out within the allotted time after their scheduled end time without prior authorization from their immediate supervisor shall be subject to corrective action.

Departments under the hiring authority of the Board may adjust the allotted time before clock-in and after clock-out to account for large numbers of employees delaying the process as they wait their respective turn to clock-in. In any case, this time cannot be more than fifteen (15) minutes.

C. Time Adjustments

Departments under the hiring authority of the Board may manually alter clock-in/clock-out times for employees who are required to start or end their workdays at a worksite or “work area” that is not their home department. Examples include maintenance personnel who may be required to perform snow removal duties or personnel responding to an emergency.

D. Lunch Break Clock-in/Clock-out

Departments under the hiring authority of the Board may require employees to clock-in/clock-out for their lunch breaks. Employees that are not required to clock-in/clock-out for their lunch breaks are expected to adhere to the predetermined lunch times they have agreed to with their immediate supervisor.

4.04 BULLETIN BOARDS

A. Employer Board

Employer bulletin boards are reserved exclusively for Employer use. Only employer-related materials may be posted in common areas and/or on surfaces other than the posting surfaces of bulletin boards. Employees are encouraged to check Employer bulletin boards frequently for important and useful information.

B. Employee Board

Employee bulletin boards, where existing, are reserved exclusively for employee use subject to management approval and regulation.

C. Union Board

Union bulletin boards, where existing, are reserved exclusively for official union business. Postings that are not in keeping with the bulletin board’s purpose, or that are vulgar, offensive, defamatory, critical of management and/or the Employer, or are likely to incite violence are not permitted and shall be removed.

4.05 DEPARTMENTAL DISCRETION

Departments may adopt, amend, modify, rescind and/or suspend policies, practices, procedures, rules and/or regulations that are not otherwise inconsistent with the terms of the policies in this Manual and which management deems necessary for the day-to-day conduct of the department’s affairs. It is the responsibility of departmental management to make reasonable efforts to inform employees of such matters and any changes thereto. For their part, employees are expected to acquaint themselves with and abide by all departmental policies, practices, procedures, rules and/or regulations along with any changes thereto.

4.06 ETHICS POLICY

A. Purpose

As an employee under the hiring authority of the Board of Commissioners, you hold a position of trust. All employees are expected to maintain the highest of ethical standards. The following examples reflect possible conflicts that confront public officials and employees. They are not intended to represent the entire scope of conflicts of interest or ethics issues. The [Ohio Ethics Laws and Related Statutes](#), including penalties and fines and imprisonment for violation, are contained in [Chapter 102](#) and [2921.43](#) of the O.R.C.

B. Compliance with State Ethics Laws

The [State of Ohio Ethics Commission](#) has specific laws governing the conduct of public employees, which are distributed to new employees upon their hire. Employees are expected to comply with those laws. The following is a summary of the important expectations for ethical conduct:

1. Misuse of Official Position

You may not use your position as a public employee to gain personally as a result of decisions you make or have an influence on at work. You may not use your position as a public employee to secure anything of value for persons or entities with whom you have a relationship, which would impair your objectivity, such as your family members, business associates, employer or others.

2. Revolving-Door Policy

You may not represent another person or business before any public agency (including your employer or former employer) in any matter in which you had dealings as an employee. This is effective while you are a public official or employee and for one (1) year or more after you leave public employment.

3. Sale of Goods and Services

You may not be paid by anyone other than your employer for services rendered in any matter pending before a County agency. If you want to sell goods or otherwise do business with a government agency, contact the State Purchasing, County Purchasing, and the Ohio Ethics Commission to be sure the proper bidding and selection requirements are met.

4. Confidential Information

You may not use or release information you acquired as a result of your public service if it is confidential by statutory provision or officially designated as confidential.

5. Licensing and Rate Making

You may not participate in license or rate-making proceedings if you have a personal interest in the matter.

6. Interest in a Public Contract

You are prohibited from having any interest in a public contract of the Board of Commissioners. You may not use your authority or influence to get approval of a public contract or secure investment of public funds if you, your family, or any business associate has an interest in the transaction.

7. Soliciting or Receiving Improper Compensation

You may receive no additional compensation or any other thing of value to perform your duties. You may not solicit or accept anything of value in exchange for appointing, promoting, or transferring any person to any public position.

C. Duty to Avoid the Appearance of Impropriety

County employees have a duty to disclose to their immediate supervisor any information which creates a possible appearance of improper dealing even if there is no actual ethical violation.

D. Duty of County Employees to Report Charge for Crime of Dishonesty

Any County employee who has been charged with a crime of dishonesty, including but not limited to: theft, forgery, or misuse of a credit card, shall report the charge to their immediate supervisor within five (5) days of the charge being filed. Failure to report the charge is grounds for discipline, up to and including termination of employment.

E. Failure to Comply with Investigation

Employees are required to fully and honestly comply with any request of an investigation into alleged violations of this policy.

F. Attempt to Obstruct Investigation or Induce Another to Obstruct Investigation

No employee shall attempt to obstruct, or induce another to obstruct an investigation conducted pursuant to this policy. Any employee who knowingly attempts to obstruct an investigation pursuant to this policy is subject to disciplinary action, up to and including termination.

G. Investigatory Records

Except for written documentation of disciplinary action, the file/record related to any investigation into an alleged ethics violation will be maintained separately from the employee's personnel files. Upon the completion of the investigation, the records will be made available in accordance with the County's public records policy.

H. Acknowledgement of Receipt

The Ohio Ethics Law requires that new public officials and employees receive a copy of the [Ohio Ethics Laws and Related Statutes](#) within fifteen (15) days of beginning the performance of their official duties. A copy of the law must be provided by the public agency or the appointing authority that the public official or employee serves. The new public official or employee must acknowledge receipt of the law in writing.

4.07 WHISTLEBLOWER POLICY AND FRAUD HOTLINE

A. Definition and Purpose

A whistleblower, as defined by this policy, is an employee under the hiring authority of the Board of Commissioners who reports an activity that he/she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

B. Required Action

If an employee has knowledge of, or a concern of illegal or dishonest fraudulent activity, the employee shall contact his/her immediate supervisor or the Department of Human Resources. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to corrective action up to and including termination.

C. Whistleblower Protections

Ohio law provides whistleblowers with several protections including confidentiality and a prohibition against retaliation.

1. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.
2. The Board will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Department of Human Resources immediately. The right of a whistleblower to protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

D. Fraud Hotline

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

Complaints can be made via:

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

U.S. Mail: **Ohio Auditor of State's Office
Special Investigation Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215**

Website: www.ohioauditor.gov

4.08 EXPENSE REIMBURSEMENTS

A. Purpose

Employees shall, with prior management approval, be reimbursed for usual and customary expenses incurred while conducting official County business. Please see Section 4.17 Travel Policy for information regarding travel and lodging.

B. Reimbursable Expenses

Reimbursable expenses include, but are not limited to, cost of commercial transportation, mileage, parking, tolls, meals and lodging. In order to obtain reimbursement, employees must complete applicable forms and provide receipts and other documentation deemed necessary by management.

C. Non-Reimbursable Expenses

Non-reimbursable expenses include, but are not limited to, personal telephone calls, laundry, entertainment, alcoholic beverages, room service charges, and expense of a spouse traveling with an employee.

4.09 DUE CARE OF FACILITIES, EQUIPMENT AND INFORMATION

A. Facilities

It is the responsibility of management and employees alike to act responsibly to maintain clean, neat and sanitary facilities and work areas. To that end, the following items apply:

- 1. Designated areas with restrictions** are to be properly obeyed.
- 2. Food and beverages** may be consumed in an employee's work area with approval of departmental management. All other on-site consumption of food and beverages must take place in designated lunchrooms/cafeterias. Management may use a conference room or like-area in a non-public area for the consumption of food and drink for a special event. It is recommended that beverages be kept in lidded or spill-proof containers when around computer equipment.
- 3. Smoking, Vaping, or the Use Electronic Cigarettes** is prohibited except in areas identified by "Smoking Permitted" signs. Locations which may be considered as "Smoking Permitted" include designated outdoor areas and infrequently used areas. Employees should maintain a distance of twenty (20) feet from any doors, windows, or HVAC units. Smoking is not permitted in any County-owned or -leased vehicle.
- 4. Work areas** are to be kept neat, clean and uncluttered.

B. Equipment and Information

Employees are expected to exercise due care and proper stewardship with regard to access to, and/or use of County-provided equipment, tools, supplies and/or information that comes into the employee's custody. Such items are for official use only, and any misuse, abuse, unauthorized access to or duplication of is prohibited.

4.10 MEDIA RELEASES AND SOCIAL MEDIA

A. Media Releases and Communications

All news releases and public comments made concerning any official activities within the hiring authority of the Stark County Board of Commissioners must be approved in advance by the Board of Commissioners or their designee.

B. Use of Social Media

Social media websites (e.g. Facebook, Twitter, Instagram, etc.) are in the public domain. Employees engaging in the following prohibited activities, on-duty or off-duty, may be subject to corrective action, up to and including termination.

1. Prohibited Behavior

Prohibited behavior includes, but is not limited to the following activities:

- a. Employees shall not divulge any confidential information or information that is not subject to disclosure as a public record under any circumstance;
- b. Employees shall not claim or imply that they are speaking on behalf of the County;
- c. Employees may not engage in conduct that reflects negatively on their employer or impacts their ability to perform their job duties;
- d. Employees must comply with the terms of service of the respective social media website.

2. **Protecting Your Privacy**

As public employees, our names and likenesses are widely available to the general public. The Board strongly urges all employees with social media profiles to adjust privacy settings accordingly. Use discretion and caution when “friending” others or allowing others to “follow” you on social media sites.

4.11 **COMPUTER, INTERNET AND ELECTRONIC MAIL USE**

A. **Definitions**

1. **Computing Resources** are all County-owned controlled computer and network systems, internet connections, intranet, electronic mail, voicemail, facsimiles, telephones and other information systems used for the transmission of electronic communications.
2. **Electronic Mail (E-Mail)** is an office communication tool whereby electronic messages are prepared, sent, and retrieved on personal computers, workstations or hand-held electronic devices (i.e. cell-phones).
3. **The Internet** is an online service communication tool whereby business information, reference material and messages are sent and received electronically.
4. **Network** is defined as all the servers, PCs, laptops and the infrastructure of the County’s electronic storage system.
5. **Software** is defined as any computer program.

B. **Function and Use**

The County’s Electronic Mail, Internet and Computer Resources enable employees to send and receive messages, as well as store information electronically. These systems are provided by the County to the employees for the sole purpose of assisting employees in conducting official business within the County. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the system’s use for their business purposes. However, employees are expected to demonstrate a sense of responsibility and not abuse this privilege.

Additionally:

1. All Electronic Mail, electronic documents and files, the County Network, Computer Resources, hardware and software are property of the County. Additionally, all messages

- composed, sent, received and stored on these systems are and remain the property of the County. They are not the private property of any employee;
2. No employee should have any expectation of privacy concerning any electronic communications, including but not limited to: Electronic Mail, file storage and Network or Internet use;
 3. The County has the right to monitor the use of all electronic communications at its discretion;
 4. All users of Software shall adhere to copyright laws;
 5. Employees may not install any hardware or Software product on computer equipment until approval has been given by the Information Technology (IT) Department;
 6. Employees may not install County-owned Software on their personal home computers unless given approval by Management and the Information Technology (IT) Department.

C. Unacceptable Activities

Employees may not use their computer, internet or email for the following activities:

1. Performing work unrelated to their employment with the County. Use of the Internet and Electronic Mail is intended for the transmission of business-related transactions;
2. Entering data under another person's computer identification/account or permitting another person to enter data under your identification/account;
3. Performing any activity meant to foster personal gain;
4. Soliciting others for commercial ventures, religious or political causes or other non-job-related solicitations;
5. Sending Electronic Mail that may be disruptive, offensive or threatening. This includes messages or images that contain sexually explicit/oriented, defamatory, obscene, threatening, pornographic, profane, racially offensive, discriminatory or any other material otherwise construed as harassment;
6. Creating, distributing, forwarding or copying Electronic Mail chain letters, jokes, advertisements or other "junk" Electronic Mail;
7. Downloading any non-business related material from the Internet without prior approval from your supervisor and/or the County IT Department;
8. Intentionally seeking information about, obtaining copies of, or modifying contents of electronic files, other data, or passwords belonging to other users, unless explicitly authorized to do so by other users;
9. Attempting to impair or subvert County Computers or bypass restrictions set by the administrators or assisting others in such activity;
10. Performing any action relating to illegal drugs, gambling, pornography, prostitution, the spread of viruses or any other illegal criminal activity;
11. Attempting to hide activity or records of activity;
12. The bypassing of any and all security measures to gain access to voice or electronic information or systems that the employee has not been specifically authorized to view or use is prohibited;
13. Attaching unauthorized devices to the County's Computer Resources;
14. The destruction of any record except in accordance with Ohio Public Records Law or Ohio Sunshine Laws.

D. Passwords, Access and Security

Log-on identifications and passwords may not be shared with anyone. It is the responsibility of each user to safeguard access to the internet and Electronic Mail via their computer by unauthorized users. An employee shall only access those Computing Resources for which

he/she is authorized by the County to use. An employee's ability to access other Computing Resources does not grant authorization to do so.

If an employee suspects or knows of activities by any individual or entity that are in violation of the aforementioned unacceptable activities, he/she is obligated to report it to their immediate supervisor, IT Department and the Department of Human Resources as soon as possible.

E. Disclosure and Consent

The County reserves the right to access and disclose the contents of Internet and Electronic Mail activity for any purpose without prior notice to, or approval of law enforcement, government officials or other third parties, without notification or permission from the employee sending or receiving the messages.

Internet records and Electronic Mail messages are to be treated like shared paper files, with the expectation that anything in them is available for review by authorized representatives of the County or by members of the public in accordance with public records laws.

Use by an employee of the County's computer, internet and email communications systems shall constitute express consent of the employee to monitoring and/or disclosure by the County of all activity or contents of messages.

F. Account Disabling

Upon termination of employment, an employee's electronic accounts are immediately disabled. Data associated with disabled accounts should be removed according to the County's records retention policies.

4.12 PERFORMANCE EXPECTATIONS

All employees are expected to conduct themselves at all times with the highest standards of honesty, ethics and professional behavior. Failure to meet any of the following expectations may result in corrective action, up to and including termination of employment. Every employee is expected to:

1. Maintain an appropriate appearance;
2. Report for work consistently and on time;
3. Work such hours as scheduled and/or directed;
4. Perform all assigned duties in a diligent, safe, efficient and competent manner so as to produce timely, accurate and complete work product or service that is of a satisfactory quantity and quality;
5. Exercise proper stewardship of property and/or information entrusted to the employee;
6. Maintain a courteous and professional demeanor and behave in a cooperative manner;
7. Immediately report accidents, injuries and unsafe working conditions; and
8. Abide by all policies, practices, procedures and rules outlined in this manual.

4.13 PERFORMANCE EVALUATIONS

A. New Classified Employees Probationary Evaluations

New classified employees will be subject to 90 and 180 day probationary performance evaluations. Departments may opt for more evaluations during the probationary period, but not less than the mandatory 90 and 180 day evaluations.

B. Permanent Part—and Full—Time Employees

Daily, informal exchanges between employees and their supervisors regarding job performance are encouraged. Departments may adopt formal appraisal systems with approval of the Board of Commissioners. Where a formal appraisal system is used, appraisal of each employee shall occur not less than once a year.

4.14 PERSONNEL FILES

County employees are public employees and, as such, personnel files are public record and subject to public records requests. Departments under the hiring authority of the Board may maintain the personnel files for their respective employees. As a courtesy, the Department of Human Resources will house personnel files for Departments that do not wish to maintain the personnel files of their employees.

4.15 POLITICAL ACTIVITIES

A. Political Activity

Political activity refers to partisan activities, campaigns, and elections involving primaries, partisan ballots, or partisan candidates.

Classified employees (Section 3.01 (A.) (1.)) may participate in select political activities but are prohibited by [Section 123:1-46-02 of the OAC](#) and [Section 124.57](#) of the O.R.C. from engaging in others.

B. Permissible Activities

The following are examples of permissible activities for employees in the classified service:

1. Registration and voting;
2. Expression of opinions, either oral or written;
3. Voluntary financial contributions to political candidates or organizations;
4. Circulation of nonpartisan petitions or petitions stating views on legislation;
5. Attendance at political rallies;
6. Signing nominating petitions in support of individuals;
7. Display of political materials in the employee's home or on the employee's property;
8. Wearing political badges or buttons, displaying political stickers on private vehicles; and
9. Serving as a precinct election official under [Section 3501.22](#) of the O.R.C.

C. Prohibited Activities

Employees in the classified service, found to engage in any of the following prohibited activities are subject to corrective action, up to and including termination. The following are examples of prohibited activities for employees in the classified service:

1. Candidacy for public office in a partisan election;
2. Candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;
3. Filing of petitions meeting statutory requirements for partisan candidacy to elective office;

4. Circulation of official nominating petitions for any candidate participating in a partisan election;
5. Service in an elected or appointed office in any partisan political organization;
6. Acceptance of a party-sponsored appointment to any office normally filled by partisan election;
7. Campaigning by writing for publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
8. Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in-kind, for any political party or political candidate;
9. Solicitation of the sale, or actual sale, of political party tickets;
10. Partisan activities in the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
11. Service as, 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; and

D. Unclassified Employees

Employees in the unclassified service, who serve at the pleasure of the appointing authority are not prohibited from engaging in political activity, unless specifically precluded by law.

4.16 SOLICITATIONS (POSTING MATERIALS)

A. Purpose

The County prohibits the solicitation, distribution and posting of materials on or at County property by any employee or non-employee, except as may be permitted by this policy. The sole exceptions to this policy are activities supported by the County and County-sponsored programs and charitable causes (e.g. Girl Scout cookies) with approval from the Board of Commissioners or their designee.

B. Provisions

1. Non-employees may not solicit employees or distribute literature of any kind on County premises at any time without approval from the Board or their designee;
2. Employees may only admit non-employees to work areas with management approval or as part of a County-sponsored program. These visits should not disrupt workflow;
3. Employees may not solicit other employees during work times, except in connection with a County-approved or sponsored event without approval;
4. Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a County-sponsored event;
5. The posting of materials or electronic announcements on employee bulletin boards are permitted with prior approval from departmental management.

4.17 TRAVEL POLICY (TRAVEL, VEHICLE, MEAL, CONFERENCE/SEMINAR AND LODGING REIMBURSEMENT)

A. Purpose

This policy is intended to provide employees who are duly authorized to travel on behalf of the County with adequate levels of transportation, lodging, meals and other services necessary to conduct the County's business. The County intends that employees travel in

reasonable comfort when away from home on business. However, accommodations, meals, transportation and services used should be in keeping with those to which the individual is accustomed in normal circumstances and should never be lavish or extravagant. County employees who are traveling at the County's expense, and/or for County business, are expected to exercise the same care in incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds.

B. General Requirements

This policy, while comprehensive, does not address every issue, exception or contingency that may arise in the course of an employee's travel. While the County recognizes the need for flexibility in administering travel guidelines, few exceptions will be allowed. Requests for reimbursement or payment of expenditures which appear to be in conflict with the intent of the following guidelines will be submitted to the Stark County Board of Commissioners or the appointing authority and/or their designee for review, who may use their sound judgment provided they do not contradict any specific provision herein.

1. The following are general requirements for the County's Travel Policy:

- a. Prior approval of an appointing authority must be granted in order for employees to travel at County expense;
- b. Each employee shall be responsible for his/her own travel expenses and submitting proper documentation to the County for reimbursement;
- c. The Board of Commissioners, or the employee's appointing authority must approve the [Travel Authorization Request Form](#) before the submission of the [Reimbursement Form](#) to the Auditor's Office;
- d. Travel requests should be submitted a minimum of seven (7) days prior to the date of travel. Failure to submit a request timely may result in the request being denied;
- e. If multiple employees are traveling to the same destination, the appointing authority may require them to carpool or share other accommodations;
- f. Receipts must be presented for all reimbursement requests. If it is proven that a receipt is unobtainable, then the appropriating authority may request payment by the Auditor if an affidavit is obtained from the employee explaining the charges and the reason the receipt is unobtainable;
- g. Expense paperwork should be submitted to the County Auditor's Fiscal Administration Department on the Travel Reimbursement Form;
- h. Include a copy of the approved Travel Authorization Request Form with your receipts attached to the Travel Reimbursement Form;
- i. All requests for reimbursement MUST be received by the County Auditor's Office within sixty (60) days of travel. Any requests more than sixty (60) days old will not be reimbursed;
- j. County employees will be held responsible for unauthorized costs and additional expenses incurred for personal preference or convenience; and
- k. The Internal Revenue Service (I.R.S.) imposes specific requirements for business expenses. Therefore, travel expenses must be adequately documented and accounted for. In the absence of proper accounting and documentation, I.R.S. regulations require that expense reimbursements be considered taxable wages.

2. Prohibited Expenses include:

- a. Alcoholic beverages;

- b. Entertainment;
- c. Videos;
- d. Movies;
- e. Dry Cleaning or Laundry; and
- f. Personal phone calls (only phone calls related to official County business will be reimbursed).

C. Mode of Travel

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

1. County-Owned Vehicle

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

- a. Employees having access to County vehicles must possess and show proof of a valid State of Ohio driver's license;
- b. Is authorized only for County employees and for other parties who are properly designated by the Board of Commissioners, or the appointing authority, and endorsed onto insurance coverage through the Board of Commissioners;
- c. Reimbursement is authorized for incurred service expenses when necessary for the efficient and safe operation of a County-owned vehicle;
- d. Non-County employees are not permitted as passengers or drivers in County vehicles used for travel, except for;
 - i. Bona-fide reasons related to official County business; or
 - ii. Employees of other government entities to assist in cost sharing.
- e. The names of all persons traveling in the same County-owned automobile and names of their respective County agencies shall be listed on the [Travel Expense Report](#).

2. Privately-Owned Vehicle

- a. Employees operating their own private vehicle while on County business must possess a valid State of Ohio driver's license;
- b. Employees operating their own private vehicle while on County business must be insured, personally and for the vehicle, under a policy of liability insurance that complies with the requirements of [Section 4509.51](#) in the ORC;
- c. Reimbursement of mileage expenses incurred on County business paid out of the County General Fund is established at the [Internal Revenue Service's business standard mileage rate](#);
- d. Appointing authorities, and departments under the appointing authority of the Board of Commissioners that have funds separate from the County General Fund may establish their own rate for reimbursement of mileage, provided it receives prior Board approval and does not exceed the business standard mileage rate established by the I.R.S. If a different rate is not established, the rate shall default to the rate established by the Board of Commissioners;

- e. Rates established in Collective Bargaining Agreements shall be followed in lieu of rates established by the Board of Commissioners, or department;
- f. Reimbursement shall be made for actual miles driven;
- g. Reimbursement shall be made to only one of two or more County employees traveling in the same privately owned automobile, and the names of their respective County agencies shall be listed on the Travel Expense Report;
- h. A County employee shall not be reimbursed for mileage commuting from his/her residence to his/her headquarters, nor from his/her headquarters to his/her residence; and
- i. The costs and expenses to operate a privately owned vehicle including, but not limited to gasoline, damages, necessary service, or repairs are the sole responsibility of the County employee, as those costs are included in the per mile cost reimbursement.

3. County and Privately-Owned Vehicles

- a. In the event an appropriating authority approves the use of a private or County-owned vehicle, reimbursement shall not exceed the airfare rate, plus commercial transportation at the destination;
- b. Travel Expense Reports shall indicate all intermediate destinations (i.e. specify intermediate towns and cities, but not stops within a town or city) between the commencement and termination of travel as well as all vicinity mileage after arrival at destination;
- c. Charges for parking and other reasonable travel expenses directly related to authorized travel are reimbursable with receipts;
- d. During business hours, mileage reimbursement for travel within Stark County is calculated for miles between the employee's headquarters and the destination, unless the mileage is less from an employee's home;
- e. Outside of business hours, mileage will be calculated from the employee's home;
- f. Charges for parking while on County business are reimbursable with receipts;
- g. The County is not responsible for any costs incurred as a result of an employee's illegal actions, including vehicular violations, even if the employee is conducting County business.

i. Traffic Violations

Traffic violations and/or tickets given to an employee, while on duty, are to be reported to the Board of Commissioners, appointing authority or designee.

ii. Vehicle Accident

If an employee is involved in a vehicle accident while on duty, a written report shall be submitted to the Board of Commissioners, appointing authority or designee. The accident then needs to be reported to the Commissioners' Office to ensure that all necessary insurance paperwork on behalf of the County can be completed for the Commissioners.

4. Airline Travel

- a. In any instance where airfare is less expensive than using a private or County-owned vehicle or other modes of travel, then air flight by common carrier shall be used;

- b. To maximize discount fare possibilities, air travel arrangements should be reserved as far in advance of the travel date as possible. Restricted fares provide opportunities for saving funds, but the traveler should weigh the savings potential against the risk of change or cancellation. To be a cost effective traveler, one should plan early. Advance purchase is governed by the Prepayment of Travel Expenses provision, which is set forth herein;
- c. **Airport Transfers**—The airport to downtown limousine/bus service should be the preferred method of transportation to a hotel or meeting site. Taxis and private limousines should be used only when they represent a more reasonable alternative or are essential due to time constraints.

5. Taxi Services

- a. Taxis may be used if public transportation is unavailable or inadequate;
- b. Trips should be of minimal length, and each trip separately identified on the Travel Expense Form.

6. Car Rental

- a. Reimbursement is authorized if car rental is more economical than any other mode of transportation, or if the employee's destination is not easily accessible by any other available mode of transportation;
- b. Reimbursement is authorized for car rental at a destination after arrival if it can be shown that for an employee (or group) the aggregate cost for local ground transportation (e.g. taxi to and from airport) or a combination of air flight and car rental is less expensive than alternative options.

7. Other

Travel by other alternative methods, such as bus or train, is authorized if it is more economical than other modes of travel when all related costs are taken into consideration.

D. Conference or Seminar Registration

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

E. Lodging

1. Employees shall use the "government rate" or lowest single-room rate available within a hotel, unless sharing the room with another County employee, in which case it shall be the lowest applicable room rate available;

2. Employees shall take advantage of tax exemptions whenever possible;
3. Lodging shall be reimbursed at a rate per calendar day at actual cost when such cost is reasonable as determined by the Board of Commissioners or the appointing authority or their designee;
4. Lodging at the conference site or lodging at a hotel identified in the conference registration materials as one of the conference hotels may be reimbursed at actual cost, provided such cost is reasonable as determined by the Board of Commissioners or the appointing authority or their designee;
5. Lodging shall not be reimbursed if the distance is less than:
 - a. Forty-five (45) miles from both the employee's headquarters and home;
 - b. Exceptions may be made by the Board of Commissioners for department retreats or conferences and conventions hosted by professional organizations.
6. If sharing a room, the appointing authority shall designate one of the employees as the employee responsible for billing/payment;
7. Receipts should be obtained before leaving the hotel;
8. The County may pre-pay a hotel directly;
9. The employee is responsible for any changes in the room reservations or cancellations. Any "no show" charges will be the employee's responsibility.

F. Meal Reimbursement

Meal reimbursement will be:

1. For a Full Day of Travel

- a. The actual cost of meals to a maximum of \$50.00 per day, per person;
- b. A full day of travel is a day is both preceded and followed by an overnight stay;
- c. A full day of travel does not require an allocation for breakfast, lunch and dinner. Meal reimbursement in that amount may be allocated for meals as the employee chooses.

2. For Less Than a Full Day of Travel

For less than a full day of travel, reimbursement for meals on the day of departure and day of return is limited to:

- a. Actual cost up to a maximum rate of ten (10) dollars if the employee is on travel status any time after midnight, but no later than 8:00 a.m.;
- b. Actual cost up to a maximum rate of fifteen (15) dollars if the employee is on travel status any time after 9:00 a.m. but no later than 3:00 p.m.;
- c. Actual cost up to a maximum rate of twenty-five (25) dollars if the county employee is on travel status any time after 6:00 p.m. but no later than midnight.

Breakfast	Lunch	Dinner	Full Day
\$10.00	\$15.00	\$25.00	\$50.00

- d. On the day of departure or return, if the employee is on travel status for more than one of the above specified time periods, meal reimbursement is authorized in the amount of the total of the individual amounts specified for those time periods.
- e. Reimbursement does not require an allocation for breakfast, lunch, and/or dinner. Meal reimbursement may be allocated for meals as the employee chooses for a full day, or multiple meal periods during a partial day.

3. Conference Meals

- a. Meals that are not included in the registration fee, but are an integral part of the conference may be reimbursed at actual cost, provided such cost is reasonable as determined by the Board of Commissioners or the appointing authority and/or their designee.
- b. Meals are considered to be an integral part of the conference when the meals are provided at the conference site as an organized activity for all conference participants.
- c. If a conference includes or provides a meal, the employee shall not be reimbursed for that same meal, and any amount reimbursed to the employee for meals shall be adjusted.

4. All Meals

- a. The County recognizes that meal costs vary widely throughout the country. Therefore, with prior approval from the Board of Commissioners, appointing authority or their designee, the County may reimburse meal expenses which exceed the per diem allowance, provided a maximum per diem is established in writing prior to travel on a case by case basis.
- b. Must be either associated with an overnight stay or the meal is farther than 45 miles from both the employee's headquarters and home (or an approved exception for an annual conference or convention for a professional association).
- c. Reimbursement will not be provided for meals that are provided in registration fees.
- d. The County depends on its employees to exercise prudence in selecting restaurants. The County will not reimburse meal costs deemed lavish or otherwise extravagant.
- e. Actual receipts are required for reimbursement of all meal expenditures.
- f. Gratuities for meals shall not exceed 20%. The amount of the gratuity shall count against the maximum reimbursement amount and the applicable meal rate. Any gratuity in excess of 20% shall not be reimbursed and shall be the sole responsibility of the employee.
- g. There will be no reimbursement for alcoholic beverages.

G. Prepayment of Travel Expenses

1. Air Travel

In order to obtain the lowest available rate for air flight by common carrier, an employee, with the approval of the Board of Commissioners, appointing authority or designee may authorize advance purchase or prepayment of airline tickets.

If advance purchase or prepayment of airline tickets is authorized, the employee may be reimbursed in advance for said purchase provided that the employee is personally liable for any charges assessed for unused travel reservations, which are not reimbursed within the time limits specified by the airline.

2. Failure to Cancel

County funds may be expended to pay for unused reservations on common carriers if the Board of Commissioners, appointing authority or designee determines that failure to cancel within the time limit specified was unavoidable (e.g. death or serious illness/injury in family).

- a. If it is determined that failure to cancel was unavoidable, the County shall receive any and all refunds or credits (e.g. air travel credit).
- b. If it is determined that failure to cancel was avoidable, then the employee shall reimburse the County for any and all expenses.

H. Receipts

County employees must substantiate travel expenses with original itemized receipts.

1. Itemized receipts are required for:

- a. All service expenses incurred in connection with the operation of county-owned vehicles;
- b. All common carrier expenses;
- c. All miscellaneous transportation expenses exceeding one dollar, including taxicab, parking and car rental;
- d. All lodging expenses;
- e. Meals; and
- f. Conferences receipts, to include: registration fees, meals not included in registration fees, lodging, and all miscellaneous expenses exceeding one (1) dollar.

2. Receipts are not required for:

- a. Road tolls;
- b. Bus;
- c. Boat;
- d. Ferry; and
- e. Subway

3. Retention of Report and Required Receipts

The Stark County Auditor's Fiscal Office shall retain the original "Travel Expense Report" and the original receipts required by this policy. Electronically imaged or paper copies of the "Travel Expense Report" may be submitted to the Auditor's Fiscal Office. The Auditor's Fiscal Office may specify the manner in which receipts shall be submitted.

I. Spousal Accompaniment

The County does not reimburse for spousal accompaniment. Under no circumstances will expenses for spousal travel be reimbursed. If a spouse accompanies an employee for personal purposes, the difference in hotel charges (if any) for a double room must be deducted before the expense report is submitted. If meals are charged to one's hotel account, only the employee's meal amount can be charged to the County.

J. Frequent Flyer Miles, Credit Card Points and Other Reward Programs

In accordance with [Ethics Commission opinion 91-010](#):

- 1. Divisions (D) and (E) of [Section 102.03](#) of the Ohio Revised Code prohibit a state official or employee from accepting, soliciting, or using the authority or influence of his/her position to secure, for personal travel, a discounted or free "frequent flyer" airline ticket or other benefit from an airline if he/she has obtained the ticket or other benefit from the purchase of airline tickets, for use in official travel, by the department, division, agency, institution, or other entity with which he/she serves, or by which he/she is employed;

2. Division (A)(4) of [Section 2921.42](#) and Division (A) of [Section 2921.43](#) of the Ohio Revised Code prohibit a state officer or employee from accepting or using, for personal travel, a discounted or free “frequent flyer” airline ticket or other benefit from an airline if he/she has obtained the ticket or other benefit from the purchase of airline tickets, for use in official travel, by the department, division, agency, institution, or other entity with which he/she is connected.

4.18 NURSING MOTHERS AND LACTATION AREAS

A. Purpose

The Board of Stark County Commissioners will provide reasonable break times for nursing mothers to express breast milk for one year after the child’s birth, each time the employee has a need to express breast milk. The Board shall provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk (hereinafter called “lactation area”).

B. Guidelines and Leave Time

1. Nursing mothers should provide their respective supervisors with the date of the child’s birth, the approximate times during the day when the nursing mother anticipates needing to express breast milk, and which of the following methods the nursing mother prefers to account for the time.
 - a. Nursing mothers are encouraged to use already available break times for the purpose of expressing breast milk.
 - b. Nursing mothers may use accrued leave (vacation, personal, and compensatory time) for their reasonable break time.
 - c. If a nursing mother does not have accrued leave available, unpaid leave may be taken.

C. Lactation Area

1. Possible Locations

A lactation area must be made available whenever a nursing mother has a need to express breast milk. Agencies and departments are not required to, but may designate a chosen location exclusively as a lactation area.

Agencies and departments shall consider the following possible locations as designated lactation areas, provided that the area is shielded from view and free from intrusion from co-workers and the public:

- a. The nursing mother’s work area, provided the work area is shielded from view and is free from intrusion from coworkers and the public;
- b. An empty or unused office; or
- c. A lounge area (but not in a restroom).

2. Location Requirements

Agencies and departments shall ensure the following requirements are met when designating a space as a lactation area:

- a. The area is equipped with an electrical outlet;

- b. The area has comfortable seating and a table or flat surface to hold the breast pump; and
- c. A sign that says “DO NOT DISTURB” is available when the room is in use as a lactation area.

4.19 USE OF COUNTY VEHICLES

A. Purpose

In accordance with [Section 307.41](#) and [307.42](#) of the Ohio Revised Code, the Board of Commissioners has established the following regulations regarding the use of motor vehicles purchased or leased while performing the duties associated with an employee’s position. For information regarding use of County vehicles while traveling, please see the Commissioners’ Travel Policy in Section 4.17 of the Policy Manual.

B. Prohibited Use

1. No County Official or employee shall use or permit the use of any County vehicle except in the transaction of County business. If an accident occurs during such prohibited use, the County Official and/or employee may be required to reimburse the County’s associated expenses.
2. Non-County employees are not permitted as passengers or drivers in County vehicles used for travel, except for:
 - a. Bona-fide reasons related to official County business; or
 - b. Employees of other government entities to assist in cost sharing.

C. Traffic Laws

No County Official or employee shall violate any of the traffic laws of the State of Ohio while operating a vehicle owned or leased by the County. Any fines or costs associated with a traffic violation will be the responsibility of the employee.

D. Accident

In the event that an Official or employee is involved in an accident while operating a vehicle owned or leased by the County, the accident must be reported in writing, along with a copy of the police report, to their immediate supervisor, department head and County Administrator within two (2) business days following the day of the accident.

E. Reporting Driving Record

Any Official or employee who drives a vehicle owned or leased by the County must immediately report, in writing, to their immediate supervisor, department head and County Administrator if their driving record is charged with four (4) or more points in the Ohio Bureau of Motor Vehicles Point System.

F. Suspended or Revoked License

Any Official or employee who drives a vehicle owned or leased by the County must immediately report, in writing, to their immediate supervisor, department head and County Administrator if their driver’s license is suspended or revoked, or if they do not have a valid Ohio driver’s license for any other reason.

G. Corrective Action

Any Official or employee who violates any of the above regulations may be prohibited from driving County vehicles and subject to penalty provisions outlined in [Section 307.99](#) of the O.R.C., as well as corrective action up to and including termination.

4.20 PROCUREMENT CARDS

A. Background

Procurement cards are designed to make purchases in a manner that reduces paperwork and processing time. This program is an alternative to the traditional purchasing process and can significantly reduce the number of purchase orders and payments processed. The program can also help minimize or eliminate the need for the use of personal funds reimbursed by expense report.

Benefits include an expanded list of merchants from whom purchases can be made, accelerated payment to the vendor, expedited delivery of goods, reduced paperwork, lower overall transaction processing costs per purchase, and the ability to set and control purchasing dollar limits.

B. Authority

Ohio Revised Code (ORC) Section 301.29 permits counties to use procurement cards. The Board of County Commissioners of Stark County ("Board"), with the advice of the Stark County Auditor ("Auditor"), shall formulate the policy for the use of the cards. The policy, which will be adopted by the Board through resolution, shall set limits for, among other things, spending, card activity and allowable expenditures. It shall also establish administrative controls that the Board determines, after consulting with the County Auditor, will be sufficient for use of a procurement card. The County Auditor shall develop internal accounting controls in consultation with the Auditor of State.

C. Policy Statement

The procurement card program is not intended to, and, pursuant to ORC 301.29(E)(3), shall not be used to, avoid or bypass the competitive bid requirements of ORC 307.86. Further, the procurement card program is not intended to avoid or bypass the appropriation of funds process, approval process (including Data Board approval, as applicable), or payment process. Rather, the program complements the established and existing processes. Expenditures may not exceed appropriations under any circumstances. Billings for authorized purchases made within the limits of appropriated amounts will be paid using County funds.

Items and/or services purchased through the procurement card program are only for the official use of Stark County. The card can be used for in-store purchases as well as mail, e-mail, Internet, telephone and fax orders. It is not, and under no circumstances is to be used as, an ATM (automated teller machine) card, a debit card, or for cash advances. The card is not to be used for personal or non-work-related purchases.

The card program carries corporate (County) liability, not individual liability; however, **individual liability is imposed for inappropriate use.** Pursuant to the procedure established in ORC 301.29(G)(4), if the Auditor determines that the cardholder has used the procurement card beyond the appropriated or authorized amount or for an inappropriate or unlawful purpose, the Auditor shall immediately notify the Board. When the Board determines that the County Treasury should be reimbursed for procurement card

expenditures beyond the appropriated or authorized amount as provided in this policy or ORC 301.29, it shall give written notice to the Auditor, the appointing authority who authorized the card, and the cardholder. If within thirty (30) days after issuance of this written notice the County Treasury is not reimbursed for the full amount shown on the written notice, a referral will be made to local law enforcement to recover that amount from the cardholder by civil action in a court of competent jurisdiction.

The cardholder's personal credit history is not impacted in any way by participating in the program; however, the cardholder's personal credit shall be examined by the Auditor in advance of issuing the card. Any derogatory findings, as determined by the Auditor and Board including, but not limited to, previous collections, delinquencies, or material outstanding balances, may preclude the issuance of a procurement card.

D. Definitions

1. Agency

Pursuant to ORC 301.29(F)(2), an Agency shall be any County elected official, the Board of a County Agency, or any agency that utilizes the County Auditor as its fiscal agent. The Agency may apply to the Board of County Commissioners for authorization to have an employee under its authority use a procurement card held by that Agency to pay for specific classes of work-related expenses or to use a specific procurement card for any work-related expenses, as further defined herein, without submitting a monthly estimate of the employee's work-related expenses. The Agency must first adopt a formal policy concerning use of the procurement card that is specific to its needs. Copies of such policies shall be provided to the Board and the Auditor.

2. Coordinator

Each Agency that participates in the procurement card program will name a program coordinator. The Coordinator will be responsible for resolving disputes with merchants and reviewing and reconciling card activity for the agency's card(s). The Coordinator will be designated when the application for the card is approved by the Board. If the Coordinator is also a cardholder, another employee must serve as an alternate coordinator to approve any transactions involving the Coordinator's card.

The Auditor's Fiscal Office will be the primary point of contact for the procurement card program. The Auditor's office will be responsible for the certification of funds, the ordering and distributing of cards, processing cardholder applications, limit adjustments, suspensions, cancellations, program compliance, troubleshooting problems encountered with card use or vendor authorization and following up on lost or stolen cards. The Auditor's office will provide training for department coordinators and cardholders.

E. Card Limits

The maximum limit of credit exposure at any given time will not exceed \$200,000.

Individual procurement cards are subject to the following maximum limits, as determined by the Board upon initial approval of the card:

	<i>Range</i>
1. Card Limit	\$500 to 10,000
2. Daily spending per card:	\$500 to 10,000
3. Monthly spending per card:	\$500 to 10,000
4. Single transaction limit:	\$10,000
5. Daily number of transactions per card:	10
6. Monthly number of transactions per card:	50

Exception: Pre-approval by the County Administrator and County Auditor, or their respective designee, is required for any purchase or use in excess of an established limit.

Purchases may not be split to bypass the single transaction limit.

Through the cardholder application process, Agencies will define limits for specific cardholders, not to exceed the limits established above.

F. Designation of Allowed/Prohibited Transactions and Additional Rules Regarding Use

1. Allowed Transactions

The card may be appropriately used to purchase the following:

- a. Office Supplies, furniture and equipment
- b. Meals, including reasonable gratuity not to exceed 20%.
- c. Computer supplies,
- d. Building maintenance materials and supplies
- e. Authorized travel expenses including sales tax for dine in meals and lodging tax, if hotel will not accept the county's sales tax exemption.
- f. Room Service (requires an itemized breakdown/billing)
- g. Fuel purchases approved as part of travel expenses
- h. Capital equipment with express written permission provided by the Board of County Commissioners
- i. Information Technology hardware, software, and technical support as permitted by the Data Board and its policies
- j. Postage
- k. Items related to wards in the care of the State of Ohio

2. Prohibited Transactions

The card may not be used to pay for the following:

- a. Services that are 1099 eligible
- b. Entertainment/recreation
- c. Adult publications/entertainment
- d. Alcoholic beverages
- e. Any merchant, product, or service normally deemed not consistent with county policy or the Ohio Revised Code
- f. ATM, cash advances, and all other cash-related transactions are strictly prohibited

3. Additional Rules Regarding Use

- a. No late charges or finance charges shall be permitted as allowable expenses.
- b. Purchases cannot be used in any manner to circumvent competitive bidding requirements for purchases and contracts as determined by the Ohio Revised Code.
- c. In the event an Agency does not have its own procurement card, either the Commissioners' Office or Auditor's Office may make a purchase on its procurement card on behalf of another Agency. The Agency must have a purchase order opened

prior to any purchase being made. Additionally, this arrangement must be approved by the County Administrator and County Auditor prior to any purchase being made.

- d. Any use of a procurement card outside of, or inconsistent with, the above defined appropriate uses will be considered an unauthorized use of the card unless the procedures outlined in ORC 301.29 are followed (ie: nature and estimate of amount of purchase are submitted and pre-approved by the Board).

G. Sales and Use Tax

Except as otherwise noted elsewhere in this policy, purchases made with the County procurement card are tax-exempt. The name of the County and the words “tax-exempt” will be on each card.

If tax is charged inappropriately, the Agency should present a tax exemption certificate to the vendor, and receive a credit for the unnecessary tax.

H. Application for Procurement Card and Subsequent Profile Changes

The Coordinator will prepare the application, obtain written approval of the proposed cardholder, approval from the Agency head or board, and forward it to the County Administrator for his pre-approval. Consistent with sections 4 and 5 above, the application will specify and new or modified monetary and transaction limits, as well as approved merchant commodity codes for the individual cardholder.

After the application is pre-approved by the County Administrator (or designee), the Auditor’s office will review the application for compliance with program limits, inquire the cardholder’s credit, and recommend either approval or denial to the Board.

The Board will then act by resolution approving any new cards or modifications to existing cards. Upon approval by the Board, the Auditor’s office will have a new card issued or act on any modifications.

I. Cardholder Acknowledgment and Responsibilities

The cardholder is responsible for the physical custody of the card, and for maintaining confidentiality of all information relating to the card such as the account number and expiration date.

A cardholder is responsible for any and all improper, fraudulent, or inappropriate use of the card. Use of a county procurement card for any use other than an authorized or permitted use allowed under ORC 309.29(B) is a violation of law for purposes of ORC 2913.21.

No late charges or finance charges shall be permitted as allowable expenses.

After the card is issued, the cardholder and the Coordinator will meet with the Auditor’s office to acknowledge receipt of the card, to assure that the cardholder understands the intent of the program, and to agree to adhere to the policy and guidelines established by the Board as well as those established by the cardholder’s Agency. The cardholder will be required to sign a written acknowledgment of receipt of the card and understanding of the applicable policies. The Auditor’s office will retain the signed acknowledgment and will forward a copy to the Agency.

J. Making Purchases and Record-Keeping

1. Purchase Orders

An encumbrance must be established for each card through a purchase order. The purchase order amount should be set based on the monetary and transaction limits established for the card and projected spending. This helps ensure that expenditures do not exceed available appropriations.

2. Original Receipts

When making a purchase, the cardholder shall obtain and forward to the Auditor the original receipt. Every effort should be made to ensure that the receipt contains the vendor's name, date of purchase, itemized description of purchase, per unit price and extended price. The cardholder will match and attach receipts to billing statements as part of the account reconciliation. **A cardholder will be held personally liable for missing receipts and may be required to reimburse the County for those billed purchases for which a receipt is not present or cannot be produced.**

3. Email, Internet, Telephone and Fax Purchases

Procurement cards may be used to purchase goods over email, the internet, telephone, or fax. These purchases must be evidenced by written order confirmation along with an original itemized receipt or invoice.

a. Internet Purchases

When using the Internet, the cardholder must make sure the web site where the card information is being placed is secure and that all account numbers are encrypted while being passed electronically. A cardholder can determine if the web site address is secure in two ways:

- i. An Internet web site is secure when the address changes from <http://www> to <https://www>. The "s" stands for secure.
- ii. The symbol resembling a "lock" will appear at the bottom of the browser. The "lock" symbol signifies that the web site is secure and that all card numbers will be encrypted when passed.

Cardholders will be held responsible for all orders placed, even those with vendors that turn out not to be legitimate businesses.

The cardholder should inform the vendor that the purchase will be paid through the County procurement card and that the purchase is tax exempt. The cardholder should also ensure the vendor will comply with the requirements of items 3. (above), and 5. and 6. (below).

4. Declined Attempts

The procurement card will be declined if one of the embedded limits is exceeded, if the merchant commodity code is blocked, if the card issuer has a security concern because of a spending pattern, or, sometimes if the "bill to" address does not match the "ship to" address. The Coordinator and Auditor's office should be notified if a purchase is denied.

5. Agent, Acceptance or Service Fees

Some companies charge an agent, acceptance or service fee in order to process a credit card charge. If the fee is disclosed upfront, the allowable dollar limit on the fee is five

percent of the total bill, not to exceed \$25.00. If the fee is **not** disclosed upfront, the fee needs to be disputed immediately, regardless of the fee amount. If the purchase is being made on state term or countywide contract, the vendor is prohibited from charging additional fees for use of a procurement card. The Coordinator and Auditor's office should be notified immediately of this breach of contract.

6. Vendor Invoices

The card issuer will pay the vendor and the Auditor's office will pay the card issuer. Vendors should not invoice the cardholder for purchases made with the procurement card; however, the cardholder must always receive an itemized receipt or order confirmation.

7. Purchasing Log

Each cardholder will maintain a purchasing log. The log records the transaction date, vendor name, the merchandise purchased, dollar value of sale, how the order was placed (via email, internet, phone, fax, mail or in person). A separate line is required for each purchase. The receipt for each purchase must be stapled to the log to expedite reconciliation with the billing statement. The log must be reviewed and signed by a supervisor or someone designated by the appointing authority. Cardholders cannot review and authorize their own purchasing logs.

8. Monitoring Card Activity

The Auditor's Fiscal Office shall serve as administrator for the procurement card program with the County Administrator (or designee) having similar access and approval rights. Elected officials, department heads, Coordinators, and cardholders shall have viewing access for their respective area and cards.

K. Account Reconciliation and Payment of Procurement Card Billing

Each cardholder or Coordinator will receive a statement identifying all transactions made during the billing cycle. The cardholder will reconcile the statement's accuracy against the purchasing log and receipts. Payment cannot be made until the cardholder confirms receipt of the goods or services. A quote or backorder notice is not substantive evidence of the occurrence of the transaction.

The Agency head or its designee is responsible for reviewing the log for the appropriateness of purchases made with the card and for approving each statement for each cardholder under their supervision. The approval must be evidenced by the approver's signature. Once approved for payment, the Agency must submit the original statement, purchasing log and supporting receipts to the Auditor's office. The County will issue payment, either by warrant or electronically, to the card issuer.

Timely completion of the reconciliation by the coordinator is imperative to avoid interest charges and late fees. The reconciliation process must be completed within five business days of receiving the cardholder statement. If this time frame cannot be met for any reason, the Coordinator must notify the Auditor's office.

L. Returns, Credits and Dispute Resolution

Sometimes, there is a problem with a purchased item or service. Examples include, but are not limited to, broken merchandise, the billed amount does not match the quote, the billed amount includes sales tax, the statement contains a charge not recognized by the

cardholder, or the statement contains duplicate charges from a vendor. In these instances, the Coordinator or cardholder should try to resolve the dispute with the supplier or merchant. If the purchased item needs to be returned to the supplier for any reason, a credit should be given to the procurement card account. The Coordinator should be notified so they can verify that the credit appears on a subsequent statement. The cardholder cannot accept cash, rain check or house credit; credit must be returned to the card.

If the dispute cannot be resolved, the cardholder should contact the Auditor's office, who will work with the card issuer to resolve the dispute.

M. Late Fees or Finance Charges

No late fees or finance charges shall be paid unless authorized by the Board.

N. Lost or Stolen Cards

If the card is lost or stolen, the cardholder must notify the card issuer immediately. Upon receipt of the phone call, further use of the card will be blocked. Prompt action will reduce the liability for fraudulent charges. The cardholder must confirm the phone call by written notification to the card issuer via mail or fax, with copies to the Coordinator and the Auditor's office. The date and time of the phone report of the lost or stolen card should be included in the written notification. The Auditor's office will initiate issuance of a replacement card.

O. Suspension or Cancellation of Card

The Commissioners' office reserves the right to cancel a cardholder account at any time. Cardholders who terminate their employment or whose job duties change and no longer include purchasing must surrender the card immediately. The Coordinator must obtain the cards and forward them to the Auditor's Office for cancellation. Cardholders on extended leave or reassignment may have their card suspended. Intentional use of the card for personal purchases or for purchases made in violation of County policy will result in immediate card cancellation and may result in departmental disciplinary action. When and if necessary, the Auditor's office will initiate suspension or cancellation of the card, and will notify the Board and Agency coordinator.

P. Penalties for Improper Use of Card

The card is to be used by the cardholder to pay for authorized, work-related expenses. The card may not be used to pay for personal transactions. Improper use of the card can be considered misappropriation of County funds. This may result in disciplinary action up to and including termination of employment. Improper use can result in immediate cancellation of the cardholder's account. In addition, the cardholder is personally liable for payment of improper purchases and subject to criminal prosecution. ORC 309.12, 301.29(G)(4), 2913.21

Q. On-going Training and Acknowledgement

Annually, the Auditor will distribute the policies and procedures to all cardholders and coordinators. The cardholders and coordinators shall sign and acknowledge receipt of the same. The Auditor may conduct training sessions from time-to-time for both cardholders and coordinators.

4.21 IDENTIFICATION BADGES

A. Purpose

The Board of Stark County Commissioners recognize the importance of maintaining employee safety and building security. To better assure this safety and security, all employees under the hiring authority of the Board of Commissioners who are employed in the County Office Building, and select other employees who frequent the County Office Building to do business, are provided an employee identification badge. This badge, in addition to providing photographic identification for each employee, also has the ability to serve as a “key card” for additional building access.

B. Obtaining the Identification Badge

All employees who are employed in the County Office Building, and select other employees who frequent the County Office Building to do business, are provided an employee identification badge by the Department of Human Resources.

1. New Employees

Upon hire, new employees will receive an employee identification badge on their first day of employment during new employee orientation.

2. Temporary Staff and Interns

Temporary staff and interns will receive an identification badge with the anticipated limited dates of employment.

3. Contractors and Hired Workers

Contractors and other hired workers performing work in the building will receive a standard issue badge from the Facilities Department. If building access privileges are needed, the Department of Human Resources may issue cards with building access capabilities upon approval from the Board, or its designee.

C. Building Access

Building access (location and times) is granted based on the demands, responsibilities and needs of the individual employee as determined by the Board of Commissioners, or designee.

D. Upon Discipline and/or Termination of Employment

The identification badge is property of Board of Stark County Commissioners. As such, upon termination of employment, the identification badge must be returned to management. In the event that an employee’s employment is suspended or placed on leave with pay due to a disciplinary investigation, the employee must return their identification badge. The identification badge will be returned upon the employees return to work.

E. Badge Replacement

1. Lost or Damaged Badges

The Board of Stark County Commissioners will replace one (1) lost or damaged card per employee. Beyond the first incident, employees who lose, misplace or damage their photo identification badge will be required to pay for a replacement badge at the cost of five dollars (\$5.00) per incident.

2. Routine Replacement

On a five (5) year cycle, cards will be replaced at no cost to the employee. This routine replacement is to ensure that cards remain in good condition and current.

F. Employee Responsibilities

While the identification badges are property of the Board of Commissioners, each employee is responsible for the stewardship of their respective badge. Further, because the identification badges are intended to provide safety and security, failure to comply with the following responsibilities may result in disciplinary action.

1. Identification badges are expected to be worn, or on your person at all times;
2. Do not lend your identification badge to anyone for purposes of gaining access through a secure gate, door or elevator;
3. Do not lend your identification badge to anyone for purposes of falsifying identification;
4. Do not fold, bend or otherwise mutilate your identification badge;
5. Do not leave your identification badge unattended;
6. Do not leave your identification badge on the dash of your vehicle or other locations where it may be exposed to extreme temperatures; and
7. *Immediately notify* your supervisor and the Department of Human Resources if you believe your identification badge has been lost or stolen.

4.22 PUBLIC RECORDS POLICY

A. Purpose

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

B. Public Records

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

1. Organization and Maintenance

It is the policy of the Board of Stark County Commissioners that, as required by Ohio Law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and kept accessible.

C. Records Request

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

1. **Sufficient Clarity**—Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and

should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.

2. **Requestor Information**—The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. If a request involves sending records to the requestor, staff may inquire about contact information to facilitate the delivery of the records.
3. **Availability for Inspection**—Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. “Prompt” and “reasonable” take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.
4. **Time to Fulfill a Request**—Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. If fewer than twenty (20) pages of copies are requested or if the records are readily available in an electronic format that can be emailed or downloaded easily, these should be made as quickly as the equipment allows.

All requests for public records must either be satisfied or be acknowledged in writing by the Board of Stark County Commissioners within three (3) business days following the office’s receipt of the request. If a request is deemed significantly beyond “routine,” such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

- a. An estimated number of business days it will take to satisfy the request;
 - b. An estimated cost, if copies are requested; and
 - c. Any items within the request that may be exempt from disclosure.
5. **Denial of Request**—Any denial of a public records request must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by supporting explanation, including legal authority.

D. Costs for Public Records

Those seeking public records will be charged only the actual cost of making copies at the following rates:

1. **Paper Copies**—Paper copies will be charged 5 cents (\$0.05) per page;
2. **Compact Discs**—Downloaded files to compact disc will be charged at one (1) dollar (\$1.00) per disc;
3. **Mail**—Requestors may ask that the documents be mailed to them at the actual cost of the postage and mailing supplies; and
4. **Email**—There is no charge for documents to be emailed.

E. Email

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

1. Private Email Accounts

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the Board of Stark County Commissioners are instructed to retain their e-mails that relate to public business and to copy them to their business e-mail accounts and/or to the office's Record Custodian.

The Records Custodian is to treat e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

F. Failure to Respond to a Public Records Request

The Board of Stark County Commissioners recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the Stark County Board of Commissioners' failure to comply with a request may result in a court ordering the Stark County Board of Commissioners to comply with the law and to pay the requestor attorney's fees and damages.

4.23 GENERATIVE ARTIFICIAL INTELLIGENCE (GAI) POLICY

A. Purpose

The Board of Stark County Commissioners recognizes the potential of Generative Artificial Intelligence (GAI) to enhance productivity, streamline operations and foster innovation in county operations. The purpose of this policy is to provide general guidance on the use of GAI technologies by departments and agencies operating under the hiring authority of the Board of Stark County Commissioners. This policy is not intended to address every use of GAI in the workplace.

B. Definition of Generative Artificial Intelligence (GAI)

Generative Artificial Intelligence (GAI) is a subset of artificial intelligence (AI) that refers to deep-learning models that can generate high-quality text, images, audio, video and other content based on patterns learned from existing data. GAI algorithms create outputs that mimic human-like creativity and decision-making processes.

Examples of GAI interfaces include but are not limited to: ChatGPT (OpenAI); Copilot (Microsoft); Gemini (Google); and Grok (xAI)

C. Subject Matter Expertise

1. Subject Matter Expertise

Employees are generally authorized to utilize GAI interfaces for purposes consistent with their job duties and responsibilities provided the following guidelines are adhered to:

- a. *Employees using a GAI system must have expertise in the subject matter for which the GAI is used. GAI is to be utilized as a tool and not a substitute for expertise.*
- b. All GAI generated content (writing, datasets, graphs, pictures, etc.) must be thoroughly reviewed by an individual with subject matter expertise to evaluate for accuracy. GAI created content should be used as a starting point, not as the finished product.
- c. Employees are responsible for the accuracy and appropriateness of GAI-generated content they use or share.

D. Acceptable and Prohibited Uses of GAI

1. Acceptable Uses of GAI

The following are examples of acceptable uses of GAI. This is not intended to be an exhaustive list.

- a. Automating routine administrative tasks to improve efficiency;
- b. Generating first drafts of policies, reports, emails, social media posts, etc.;
- c. Idea generation and brainstorming;
- d. Creating customized training materials;
- e. Enhancing data analysis;
- f. Assist developers with code generation;
- g. Improving constituent services through the use of chatbots or digital assistants; and
- h. Assisting in fraud detection or eligibility reviews for county-administered programs.

2. Prohibited Uses of GAI

The following are examples of prohibited uses of GAI. This is not intended to be an exhaustive list.

- a. Legal advice;
- b. Performance Reviews or assessment of employee performance;
- c. Making final employment decisions (e.g., hiring or terminating) without human oversight;
- d. Approving or denying services or benefits solely based on AI-generated decisions;
- e. Entering sensitive information about an individual into any GAI system;
- f. Misrepresenting GAI-generated work as your own.

E. Data Privacy and Security

Any GAI conversations, including transcripts, outputs, and related data may need to be retained in accordance with any applicable public records policies (e.g., Ohio's Sunshine Laws) and/or applicable retention schedules. Employees should not enter in any confidential or personally identifiable information about any individual into a GAI system.

F. Copyright or Theft Concerns

Employees should be aware that information generated from a GAI platform could contain copyrighted data or data from other protected sources. Employees should not pass off any information as their own without double-checking sources. GAI platforms should be used for generating ideas, not for replacing content creations.

G. Policy Review and Updates

This policy shall be reviewed annually or as-needed to address advancements in GAI technology, changes in legal requirements, or operational needs. Updates shall be approved by the Board of Stark County Commissioners.

H. Compliance

Violation of this policy could result in disciplinary action up to and including termination. Employees should report any potential violations to their immediate supervisor or the Department of Human Resources.

SECTION V

SECURITY AND SAFETY

5.01 ANTI-HARASSMENT POLICY

I. Purpose

The Board is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, the Board expects that all relationships among employees be cordial, professional, and free of bias, prejudice and harassment.

J. Definitions of Harassment

1. Sexual Harassment

Sexual Harassment constitutes discrimination and is illegal under federal, state and local laws. For the purpose of this policy, sexual harassment is defined, using the [Equal Employment Opportunity Commission guidelines](#), as the unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle, or not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexuality; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

2. Harassment on the Basis of any Other Protected Characteristic

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that:

- a. has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- b. has the purpose or effect of unreasonably interfering with an individual's work performance; or
- c. otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that

denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace via email, phone or text, on County time or using County equipment.

K. Persons Covered

The Board's non-harassment policy applies to all job applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the County (e.g. an outside vendor, consultant or customer).

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside of the workplace, such as during business trips, meetings and business related social events.

L. Complaint Process

Individuals who believe that they have been affected by conduct prohibited in this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor or another member of management. Supervisors will then bring the complaint to the Department of Human Resources. If an employee, for any reason, is uncomfortable approaching management with the complaint or concern, the employee may bring the complaint or concern directly to the Department of Human Resources.

When possible, individuals who believe they are being subjected to such inappropriate conduct should advise the offender that his or her behavior is unwelcome and request that it be discontinued immediately.

The Board encourages the prompt reporting of complaints or concerns so that constructive action can be taken before relationships become irreparably damaged. Therefore, although no fixed reporting period has been established, early reporting and intervention are strongly recommended as they have proven to be the most effective method of resolving actual or perceived incidents of harassment.

When reporting an allegation, please provide the following information:

1. the date(s), time(s), and location(s) of the incident(s) which took place;
2. a description of the incident(s), including what was said and/or done; and
3. the name(s) of witness(es) present during the incident(s).

All reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved, and where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

M. Retaliation

Under no circumstance shall the complainant be subjected to retaliation for having registered the complaint or reporting the conduct. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to corrective action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

However, false or malicious complaints of harassment, discrimination or retaliation will be subject to appropriate corrective action.

5.02 WORKPLACE SECURITY

A. Reasonable Precautions

The Board of Stark County Commissioners are committed to providing a safe and secure work environment for all employees and visitors. While the County makes every attempt to provide for the safety of employees, each employee is also responsible to take reasonable precautions which include, but are not limited to:

1. Keeping valuable items and documents secure;
2. Reporting any unusual incidents;
3. Questioning any unusual activity or unknown visitors;
4. Controlling access to office areas;
5. Securing offices when not occupied;
6. Avoiding isolated areas when alone; and
7. Knowing what to do and where to go in an emergency.

B. Access to Facilities

Appropriate management must be informed of any visitors to areas other than those designated as public areas. Visitors shall be subject to reasonable regulation as determined by the department management.

5.03 WORKPLACE VIOLENCE

A. Purpose

The Board of Stark County Commissioners are committed to providing a safe and secure work environment for all employees and visitors. To that end, the Board has outlined behavioral expectations of employees, as well as provide guidance to employees in determining, responding, and reporting prohibited behavior.

B. Expectation of Behavior and Conduct

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Acts of violence, or conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate, will not be tolerated. County resources may not be used to threaten, stalk or harass anyone inside or outside of the workplace.

C. Prohibited Behavior and Reporting

1. Prohibited Behavior

The following list, while not exhaustive, offers examples of prohibited behaviors:

- a. causing physical injury to another person;
- b. making threatening remarks;
- c. aggressive or irrational behavior that creates reasonable fear of injury to another person, or subjects others to emotional distress; and
- d. intentionally damaging County property or facilities, or the property of other County employees.

2. Reporting

Direct or indirect threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, the Department of Human Resources or any member of the County's senior management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident. The identity of the individual making a report will be protected as much as possible.

D. Weapons in the Workplace

1. Prohibition

Employees are prohibited from the carrying or possession of firearms, explosives or deadly weapons on County property at any time without proper authorization except as otherwise provided in this policy.

2. Deadly Weapons

Deadly weapons are defined as any instrument, device or thing capable of inflicting death, and designed or specially adapted for use as a weapon. Examples include, but are not limited to: firearms (guns), explosives, ballistic knives (switchblades, butterfly, daggers, etc.).

3. Exceptions

a. **Parking Areas**—This policy does not prohibit the lawful possession or carrying of a concealed weapon in private vehicles in a County parking area ***excluding the garage located in the County Office Building, or any other courthouse,*** provided the owner has obtained the appropriate permit(s) required, under law, and stores the weapon in their own locked vehicle, either in a locked glove compartment (or other locked compartment), in the trunk, or locked inside a gun case.

b. **Any persons exempt pursuant to [ORC 2923.123](#).**

5.04 WORKPLACE SAFETY

A. Responsibility

The County requires that every person assumes the responsibility of individual and organizational safety. It is the responsibility of each employee to conduct all tasks in a safe and efficient manner; complying with all local, state and federal safety and health regulations and program standards with any special safety concerns for use in a particular area or with a client/citizen.

Although most safety regulations are consistent through each department and program, each employee has the responsibility to identify and familiarize himself/herself with the emergency plan and regulations for his/her working area. Failure to follow County safety and health protocols, or engaging in conduct that places the employee, other County employees, citizens or County property at risk, can be subject to corrective action.

B. Reporting

It is the responsibility of the employee to immediately report when they have been involved in, or witnessed a workplace accident. Employees must also complete an [Incident and Injury Report](#) for each accident or incident that results in an injury. Failure to do so may result in corrective action.

5.05 SEVERE WEATHER AND/OR OTHER EMERGENCY

If a weather and/or other emergency is declared by the President of the United States, the Governor of the State of Ohio, or a Resolution of the Stark County Board of Commissioners requiring the official closure of operations, employees will receive straight time pay for the hours they were otherwise regularly scheduled to work.

Non-exempt employees required to work during a declared emergency will receive straight time for all hours worked in addition to straight time pay for the hours they were otherwise regularly scheduled to work for the duration of the declared emergency.

Employees absent from work and on “active pay status” (i.e. vacation, paid sick leave, etc.) during a declared emergency will be charged the time off as if operations were continuing.

Declaration of a weather related emergency by any authority other than those listed above is not sufficient to trigger payment under this provision, including declaration of “Level 3” road conditions by the Sheriff or other authorized authority.

5.06 WORKERS' COMPENSATION

A. Report of Injury

On-the-job injuries shall be handled in accordance with the present rules and regulations set forth by the [Ohio Bureau of Workers' Compensation](#). All employees who are injured or who are involved in an accident during the course of their employment shall file [all related paperwork](#) furnished by the Department of Human Resources. No matter how slight the incident, all such injuries are to be reported before the end of the employee's shift, or as soon as possible to the employee's immediate supervisor. Employees who fail to report injuries within twenty-four (24) hours shall be subject to corrective action.

B. Medical Attention

Any necessary medical attention shall be arranged by the County. The County shall provide assistance to employees in completing all necessary forms when requested with copies of accident and physician reports attached.

5.07 DRUG-FREE WORKPLACE

A. Drug Free Workplace Policy Statement

The Board of Commissioners recognize that the use of illegal/unauthorized drugs or alcoholic beverages on the County premises, or while on County business, poses a serious threat to the safety of our employees and our citizens and compromises the quality and reliability of our work. The County has adopted a Drug Free Workplace Policy to eliminate the threat of alcohol and drug abuse by County employees, and its ensuing effects in the workplace. This policy applies to all employees and applicants for positions under the hiring authority of the Board of Commissioners.

The use, possession, manufacture, dispensation or distribution of drugs and/or alcohol is strictly prohibited:

- at the workplace;
- on County time;
- in or operating a County vehicle; and
- prior to reporting to work.

Violation of these prohibitions will result in corrective action up to and including termination of employment.

B. Lawful and Prescribed Medications and Medical Marijuana

1. Lawful and Prescribed Medications

With the exception of medical marijuana, lawful medications are permissible provided that the employee's ability to safely and efficiently perform his/her regular duties is not compromised. Employees are responsible for notifying their supervisor if they are taking a prescribed medicine that would inhibit their ability to perform the duties of their position.

2. Medical Marijuana

Irrespective of the provisions of House Bill 523, the use of medical marijuana is prohibited.

C. Employees of Other Entities

Employees of other entities, including contractors and personnel of vendors, determined to be in violation of the County's Drug Free Workplace Policy will not be allowed on County property and/or will be denied access to County property.

D. Notification of Drug Related Conviction

Employees must notify the County of any criminal drug related conviction in accordance with the [Drug Free Workplace Act](#). Failure to report a conviction or to abide to the terms of this Policy statement may result in corrective action including termination of employment.

E. Program Administrator

The Director of Human Resources is designated as the drug and alcohol policy program administrator. This includes the administering of the policy, as the liaison between the County and the testing facilities, Medical Review Officer, and Employee Assistance Program (EAP) provider (if applicable). The administrator is also the contact person for employees with complaints, questions, or requests for a referral to an EAP.

All drug and alcohol testing results shall be maintained in a confidential fashion, in so far as possible under state law.

5.08 ALCOHOL/DRUG TESTING

A. Purpose

The purpose of the Drug and Alcohol Testing Policy is to promote safety for all employees, citizens, contractors, customers, and others on or near our worksite. "Worksite" means any office, building or property owned or operated by the employer or at any other site at which an employee is to perform work for the employer.

B. Definitions

Alcohol—alcohol or any beverage containing more than one-half of one percent of alcohol by volume that is capable of use for beverage purposes, either alone or when diluted.

Alcohol Testing—means the use of a breath alcohol monitoring machine.

Approved Laboratories—certified by the Substance Abuse and Mental Health Services Administration (SAMHSA). They will analyze urine specimens to meet federal drug testing requirements.

Breath Alcohol Technician (BAT)—The BAT shall be responsible for collection of breath samples for alcohol testing. The BAT shall be trained in the operation of the device used to conduct the test equivalent to the Department of Transportation's (DOT) program.

Collection Agency—qualified collection site with qualified personnel and shall follow DOT collection procedures.

Drug—controlled substance as defined by Chapter 3719 of the Ohio Revised Code, entitled "Controlled Substances," and/or Section 202, Schedules I through V of the Federal Controlled Substance Act, including but not limited to marijuana, hashish, "crack," cocaine, heroin, morphine, codeine, opiates, amphetamines, "ice," barbiturates and hallucinogens.

Drug Testing—collection of urine specimen by medical personnel and a laboratory analysis of that specimen by the most current an appropriate technology. No other testing procedures or methods may be utilized unless mandated by Federal Regulations.

Drug Testing Facility—to the extent possible, collection of urine and breath samples for such testing shall be performed by the collection sites whose sample collection protocol has been approved by the County and conforms to Federal regulatory requirements. The procedures and methodology in such testing shall be in accordance with governing Federal regulations.

Medical Review Officer (MRO)—the MRO interprets the laboratory results of the drug tests and reports positive results to the Employer after verifying that there are no valid medical explanations for the positive results. This individual shall be a licensed doctor with appropriate credentials. A Medical Review Officer's duties and determinations shall fully comply with the Mandatory Guidelines for Federal Workplace Drug Testing programs issued by SAMHSA.

Reasonable Cause/Suspicion—based upon observation and good faith belief that an employee is under the influence of drugs or alcohol while on the job. Such belief may be based upon the smell of alcohol, slurred speech, staggering gait and/or other abnormal physical or psychological behavior typically associated with drug or alcohol intoxication or impairment. Whatever the observation, it shall be made by two supervisors, if possible, and documented in writing.

Substance Abuse Professional (SAP)—the SAP will evaluate the employee's situation, prescribe an appropriate treatment program, if necessary, and schedule unannounced follow-up testing once the employee has returned to duty. SAP duties and determinations will fully comply with the Mandatory Guidelines for Federal Workplace Drug Testing programs issued by SAMHSA.

C. Types of Testing

1. New-Hire/Pre-Employment Screening

Unless otherwise required by law, all applicants considered for employment may be required to consent to, take and pass a pre-employment post-offer drug screening test and to release the laboratory results for such tests to the County as a condition of employment. A licensed testing facility, designated by the County, will administer the drug testing. Any applicants refusing to take the drug screening test will not be considered for employment. Any applicants who fail the drug screen will not be hired or will have their employment terminated if they have already commenced work.

2. Reasonable Cause/Suspicion

If management has reasonable cause to believe that an employee is under the influence of drugs or alcohol while on County premises or while working, the County reserves the right to require the employee to submit to a drug and/or alcohol screening. Arrangements will be made to transport the employee to a designated medical facility identified by the Employer for testing. After testing, arrangements should be made for safe transportation to the employee's residence or a place selected by a relative or friend of the employee.

a. Determination

A reasonable cause determination will generally be made by a supervisor. The supervisor must be able to cite specific physical, behavioral, or performance indicators of probable drug use. Instinct or intuition are not to be considered. Generally, more than one factor must be observed before such testing will be initiated.

Factors which may give the County and its supervisor such suspicion include, but are not limited to the following:

- i. The observed use, purchase, sale, possession, receipt or distribution of any and all illegal drugs or alcohol while working or on County premises.
- ii. Any physical appearance and/or behavior including but not limited to the following:
 - a) Suspicious odor;
 - b) Slurred speech;
 - c) Dilation of pupils;
 - d) Staggering or uneven posture or walk;
 - e) Obnoxious or bizarre behavior;
 - f) Abnormal or abrupt changes in mood or attitude; and
 - g) Dozing off.
- iii. Excessive tardiness or absenteeism.
- iv. Unusual job performance reflective of impairment.
- v. Reliable complaints or reports of drug or alcohol usage by coworkers corroborated by supervisory observation. Employees who observe suspicious behavior, such as those listed herein, may report to their immediate supervisor or to a supervisor with whom they are most comfortable.
- vi. Possession of any illegal drug related paraphernalia or equipment.
- vii. Any other factor which may give rise to suspicion by Management of drug or alcohol use.

b. Procedure

A Supervisor/Manager who has probable cause that an employee is unfit for duty must:

- i. Prohibit the employee from working or continuing to work.
- ii. Transport the employee, or make arrangements for transportation, to the designated medical facility identified by the Employer for testing. After testing, arrangements should be made for safe transportation to the employee's residence or a place selected by a relative or friend of the employee.
- iii. Prepare appropriate documentation.
- iv. Supervisors/Managers are prohibited from demanding or encouraging drug or alcohol testing that does not follow the guidelines established in this policy. Willful disclosure of test results to persons not involved in the procedure may merit corrective action, up to and including termination.
- v. If the employee refuses to submit to the test, warn the employee that he/she may not return to his/her covered position until he/she passes a test, and explain to him/her that a refusal to test will result in termination of employment.
- vi. No alcohol may be consumed within four (4) hours prior to performing the employee's duties.

3. Post Accident/Injury Testing

a. Industrial/Motor Vehicular Accident

"Industrial/Motor Vehicular Accident" means an unplanned, unexpected or unintended event that occurs on the employer's property, during the conduct of the employer's business, or during working hours, or that involves employer-supplied motor vehicles/machinery or motor vehicles/machinery used in conducting the employer's business, or within the scope of employment. An employee involved in an industrial/motor vehicular accident shall be tested at the management's discretion under the following circumstances:

- The employee responsible for the accident/injury causes an injury to him/herself or to others requiring medical attention;
- A fatality of anyone involved in the accident;
- An injury is treated away from the scene;
- An accident in which a vehicle or machinery is required to be towed from the scene.

b. Management Discretion

The decision of whether or not to administer a post-accident test shall be made by the employee's Supervisor/Manager provided that he/she was not involved in the accident. If the Supervisor/Manager is unavailable, the Director of Human Resources will make this decision. The determination shall be based on the best information available at the time. At the discretion of the Supervisor/Manager, testing may not be required if the employee's performance can be completely discounted as a contributing factor in the accident.

c. Time Limitations

An alcohol test should be administered within two (2) hours following the accident and the Employer shall cease attempts to administer the test after eight (8) hours. Failure to submit to a test within eight (8) hours shall be deemed a refusal to comply.

The urine sample for a post-accident drug test shall be collected as soon as possible and the Employer shall cease attempts to administer a post-accident drug test twenty four (24) hours following the accident. Failure to submit to a test within eight (8) hours shall be deemed a refusal to comply.

d. Implementation Procedures

Any driver involved in a reportable accident as defined by this policy, shall notify his Supervisor/Manager at the first available opportunity after the accident, at which time the driver will be advised to report to an appropriate collection site in order to provide the appropriate samples. To the extent possible, the driver should not transport himself to the collection site, but should arrange for someone else to transport him. However, if local law enforcement officials are on the scene of the accident and request the driver to undergo urine, and/or breathe tests, the driver shall simply comply with those demands.

In the event that the driver is seriously injured and unable to provide the necessary samples, he/she shall authorize the health care provider to release to the Employer any information necessary to indicate the presence of any controlled substance or alcohol in his/her system.

e. Required Paperwork

Prior to such testing, employees shall be required to sign a form acknowledging testing and to sign for chain-of-custody. Failure or refusal to sign the acknowledgment form or to submit to these tests shall be presumed as a positive test, subjecting the driver to removal from service, which is cause for a charge of insubordination and will result in disciplinary action, which could include discharge.

The Employer shall obtain and retain a copy of the completed [Incident and Injury Report Form](#), including a notation of the citation, for any accident, and state whether testing is/is not required. This Accident Report Form will be kept in the Human Resources department. The Employer shall retain a copy of results from the MRO. The Employer shall retain a copy of the letter from an employee requesting a retest of the original sample.

f. Employee Seeking Medical Treatment After Work Hours or On the Weekend

If the employee seeks medical treatment after work hours or on the weekend, and files an Accident Report, he/she will be required to take a drug test immediately upon employer notification of the injury. Persons refusing to take a test when instructed to do so, by their supervisor, shall be subject to corrective action for insubordination up to and including discharge from employment.

4. Random Testing

The rules surrounding random testing vary between non-bargaining employees and bargaining unit employees. Bargaining unit employees should consult their respective collective bargaining unit agreements for details.

The County reserves the right to conduct an unannounced drug test that occurs at a pre-determined frequency among randomly selected employees who are required to operate machinery or an automobile as part of their job duties, or hold safety sensitive positions.

Employees who have tested positive and completed an alcohol or drug rehabilitation program may be subject to random unannounced testing during the first twelve (12) months as determined with input from the rehabilitation clinician, after completion of the program.

D. Testing Procedures

The following test procedure shall apply to all employees:

1. Urine specimens shall be collected at the approved laboratory or at an accredited medical facility when necessary after an accident. The employee shall not be observed when the urine specimen is given.
2. All specimen containers, vials or bags used to transport the samples shall be sealed with evidence tape and labeled in the presence of the employee.
3. The testing shall be done by a laboratory certified as a medical and forensic laboratory which complies with the scientific and technical guidelines for Federal drug testing programs and Standards for Urine Drug Testing for Federal Agencies issued by the Substance Abuse and Mental Health Services Administration of the U.S. Department of Health and Human Services. (53 Fed. Reg. 11970 4/11/88; as revised in 59 FR 29908 6/9/94, 62 FR 5118 9/30/97 and 66 FR 162 8/21/01).
4. The Employer may choose the laboratory to be utilized for toxicology testing on a yearly basis.
5. The following standards shall be used to determine what levels of detected substances shall be considered positive. NOTE: These are current levels subject to change by Federally Mandated Regulations. Current Federal Regulations shall be controlling in case of change or conflict:

DRUG	SCREENING TEST	CONFIRMATION
Amphetamines	1,000 ng/ml	500 ng/ml G-MS
Marijuana Metabolites	50 ng/ml Delte-THC	15 ng/ml G-MS
Cocaine Metabolites	300 ng/ml Metabolites	150 ng/ml G-MS
Opiates Morphine	300 ng/ml *25 ng/ml if immune specific for free morphine	300 ng/ml G-MS
PCP	25 ng/ml PCP	25 ng/ml G-MS
Alcohol	.04 Breathe .02--.039 Breath will be removed from driving for 24 hours	

6. Tests which are below the levels set forth above shall be determined as negative. If test results are negative, all non-required documentation regarding supervisor's observations and testing will be designated as unsubstantiated.
7. At the time the urine specimen is collected two (2) samples will be taken. One (1) sample will be sent to the laboratory to be tested at the Employer's expense. If the first sample tests positive then upon written request by the employee within 72 hours, the second sample shall be tested separately at an approved laboratory chosen by the test facility. All test results are to be reviewed by the MRO before being released.
8. Breathe alcohol testing for covered employees, using the EBT device, with any result less than .02 alcohol concentration shall be considered a "negative" test. If any results test between .02 and .039, the operator shall not be permitted to operate a vehicle on behalf of the Employer for twenty-four (24) hours. A test result of .04 or greater shall be considered a "positive" test.

E. Testing Results

1. Employees Who Refuse to Test

Employees who refuse to submit to drug and alcohol testing shall be terminated.

2. Employees Who Test Positive

If the results of the tests administered by the Employer on the sample shows that the employee while on duty was under the influence of or drank, smoked, inhaled or injected alcoholic beverages, marijuana, cocaine, PCP, non-prescribed amphetamines or any other controlled substances, appropriate disciplinary action may be administered after the following procedure has been followed.

The employee shall be given a copy of the laboratory report of the specimen sample before discipline is administered. The employee, within seventy-two (72) hours of receipt of actual notice from the MRO must request that the split sample be forwarded by the first laboratory to another independent and unrelated SAMHSA approved laboratory for conformity testing of the presence of the drug. Failure of the employee to have a second test performed shall not be used against the employee as a basis for discipline or in an arbitration proceeding. For a first offense of the Drug and Alcohol Policy (alcohol over .04, drug any positive test) an employee will be given an opportunity to participate and successfully complete a rehabilitation program. For failure to participate in or successfully complete a rehabilitation program or for a subsequent offense, an employee will be subject to discipline up to and including discharge. A Substance Abuse Professional can be mutually selected by the employee and the Employer.

If an employee who has tested positive for drug or alcohol abuse under this policy is referred to an inpatient or outpatient treatment program, said employee shall sign a release of medical information statement and all drug test results, records of admission progress, discharge and after care will be forwarded to the Employer. Records regarding rehabilitation will be kept in confidential files separate from personnel files. The employee will be permitted to work provided the recommended treatment program does not prevent the employee from working. Work continuation is dependent upon documentation of the employee's continued, successful participation in the recommended after care programs.

Employees who follow the recommendations of the counseling and rehabilitation program as established by the SAP will be required to provide a negative drug and/or alcohol test prior to returning to work. An alcohol test of over .02 is a positive test for these purposes. The employee is subject to unannounced testing that consists of at least six (6) tests in the first twelve months following the employee's return to duty. Based on the recommendation of the SAP, the Employer may continue follow-up testing for an additional two (2) years.

3. Employees Who Test Negative

Following a negative test result, no additional tests will be conducted on the employee at that time. However, if circumstances arise under this policy, additional testing may be conducted at that time.

5.09 FIT(NESS) FOR DUTY

A. Purpose

Management has the right to require a job related physical or psychological fitness for duty examination in order to:

1. Determine an employee's ability to perform the essential functions of the job;
2. Identify limitations or restrictions;
3. Provide a reasonable accommodation, and/or
4. Determine if an employee poses a significant health or safety risk to the employee or others.

B. Determining Necessity of Fit for Duty Examination

Departmental management, in consultation with the Director of Human Resources, shall determine when a fitness for duty examination is warranted, and shall schedule all fitness for duty examinations with the appropriate certified medical professional. Human Resources shall notify the employee, in writing, that a fitness for duty examination is required and provide the date and time of the examination and the name and address of the medical provider. Absent extenuating circumstances, failure to attend the medical examination as scheduled will result in corrective action, up to and including termination. The findings of the examination shall be sent directly to the Director of Human Resources.

C. Administrative Leave

An employee shall be placed on paid administrative leave if they become unfit for duty at that point. In such instances, the employee will be required to obtain a fitness for duty examination and shall remain off the job until such time as it has been determined that the employee is fit for duty. The employee shall remain on paid administrative leave pending the outcome of the examination. The cost of the examination shall be the responsibility of the County. If the employee is determined to be unfit for duty as a result of the examination, the paid leave status shall terminate.

D. Findings; Further Review

In the event that the employee disagrees with the conclusion of the Employer's physician, the employee may, at their own expense, submit to an examination by a physician of their choice in the same field of specialization as the Employer's physician. Within fourteen (14) calendar days of being notified that the employee has been determined to be unfit for duty, the employee must notify the Director of Human Resources of their intent to submit to an

examination by a physician of their choice. The examination must take place within thirty (30) calendar days of the employee's notification to the Director of Human Resources. If the Employer's and the employee's physicians agree, their decision shall be final. If the Employer's and the employee's physicians disagree, the dispute may be referred to a neutral physician agreed upon by the Employer and the employee. The neutral physician shall be in the same field of specialization as the previous physicians, but shall not be affiliated with either physician. The cost will be divided equally between the Employer and the employee. The opinion of the neutral physician shall be final. The employee may use sick leave, or vacation during this period.

5.10 PROHIBITED USE OF ELECTRONIC DEVICES (CELL PHONES) WHILE DRIVING

For reasons of personal safety and the safety of others, the use of cellular phones and or similar devices, either personally owned or County issued, while driving County vehicles or personal vehicles on County business, is prohibited. This prohibition includes hands-free phones or devices. This prohibition includes any use, to include dialing, talking, texting, e-mailing, reading texts, reading e-mails or using web sites. If use of a cellular phone or similar device is necessary, the employee shall stop the vehicle in a safe location (from traffic) prior to using the phone or similar device for any purpose. Employees who violate this policy will be subject to corrective action, up to and including termination of employment.

Specially trained emergency response personnel are excluded from strictly adhering to this policy.

SECTION VI
WAGES, HOURS AND BENEFITS

6.01 PAY PERIOD AND ELECTRONIC FUNDS TRANSFER (DIRECT DEPOSIT)

A. Pay Period

The pay period consists of two (2) consecutive workweeks beginning Thursday at 12:01 a.m. and ending on Wednesday at midnight, 12:00 a.m. two (2) weeks later.

There are normally twenty-six (26) pay periods in a year. Paychecks are issued bi-weekly for the pay period ending two weeks prior. Payday typically occurs on a Wednesday, but may be adjusted depending upon the timing of certain holidays such as Christmas.

Pay advances are not allowed.

Pay stubs may be viewed on the [Stark County Employee Self Service intranet](#).

B. Electronic Funds Transfer (Direct Deposit)

All employees shall be paid by direct deposit. Each employee shall complete a written authorization for direct deposit payment form prior to appointment, or on the very first day of appointment. The authorization shall include the designation of a financial institution equipped to accept direct deposit and the number of the account into which the deposit is to be made.

C. Payroll Deductions

The following deductions are made from an employee's paycheck as required by law, in accordance with employee the employee benefit plan, or as requested by the employee. All deductions are itemized on the employee's bi-weekly pay statement.

1. Mandatory Deductions Include:

- a. Pension Fund (OPERS)
- b. Income Taxes (Federal, State, Municipal where applicable)
- c. Medicare Tax
- d. Child Support
- e. Garnishments

2. Miscellaneous/Voluntary Deductions—Examples Include:

- a. Health Insurance
- b. Supplemental Insurance
- c. Deferred Compensation
- d. Parking
- e. Charity Pledges

6.02 LONGEVITY PAY

A. Policy Statement

Non-bargaining, full-time employees under the hiring authority of the Board of Stark County Commissioners are eligible for longevity pay increases in five (5) year increments, commencing on the employee's date of hire. Increases do not accumulate.

B. Eligibility

Non-bargaining, full-time employees under the hiring authority of the Board of Stark County Commissioners are eligible for longevity pay increases in five (5) year increments, commencing on the employee's date of hire through the completion of the fifth (5th) year.

Eligibility for longevity pay increases is determined by an employee's years of service to their respective department or agency of employment under the hiring authority of the Board.

1. Should an employee resign from their position and accept a position in a different Department; calculation of longevity would reset to zero.

Example: John Doe is currently employed by the Commissioners' Office and has seven (7) years of service. John Doe resigns from his position and accepts a position with the Department of Job and Family Services. For purposes of calculating longevity, John Doe's years of service would restart at zero (0). John Doe's previous years of service with the Commissioners' Office would not be considered for longevity pay.

2. Should an employee assume a new position within the same department through a promotion, job reassignment, job audit or transfer; calculation of longevity would continue.

Example: John Doe is currently employed in the Stark County Sanitary Engineering Department and has seven (7) years of service. John Doe is promoted and assumes a new position with more responsibility within the Sanitary Engineering Department. For purposes of calculating longevity, John Doe's seven (7) years of service would be considered for longevity pay.

C. Calculation of Longevity Pay

Longevity pay increases are calculated in accordance with the following schedule of consecutive years of service to the employee's respective department or agency, commencing upon the employee's date of hire. Longevity increases will be awarded as follows:

Upon the Completion of:	Hourly Increase
Five (5) years of service	\$0.50 per hour
Ten (10) years of service	\$0.70 per hour
Fifteen (15) years of service	\$0.90 per hour
Twenty (20) years of service	\$1.10 per hour
Twenty-five (25) years of service	\$1.40 per hour
Thirty (30) years of service	\$1.60 per hour

6.03 ANNUAL PAY INCREASES

A. Board Discretion

The Board of Stark County Commissioners may award annual pay increases at its sole discretion.

B. Eligibility

1. Classified

All classified, non-bargaining, full-time and permanent part-time employees who have successfully completed their 180-day probationary period prior to the date the increase would go into effect are eligible.

2. Unclassified

Unclassified employees who are not subject to a probationary period, must have been employed for 180 days prior to the date the increase would go into effect to be eligible.

C. Further Considerations

Management may consider an employee's performance, attendance and disciplinary actions from the previous year when determining what, if any, pay increase will be given to an employee.

6.04 HOURS

A. Typical Shift Hours

The typical daily shift consists of eight (8) consecutive hours. The typical workweek schedule consists of five (5) consecutive workdays, Monday through Friday. Departments may alter work schedules to meet departmental needs. When a change of schedule is decided, management will make every reasonable effort to inform employees with reasonable advance notice. Employees are expected to work all hours as scheduled and/or directed.

B. Lunch and Break Periods

1. Lunch

Full-Time Employees are permitted a paid lunch period of up to one (1) hour scheduled consistent with departmental needs and advance approval of management. This lunch period is considered a "use it or lose it" benefit.

2. Breaks

Break periods may be scheduled at management discretion but shall not exceed two (2) fifteen (15) minute breaks per eight (8) hour shift.

C. On-Call Duties

Certain positions may require on-call duties. When on-call, the employee is free to pursue his/her own activities with the only restriction being that he/she must be available when called. If an on-call employee is needed to perform work, he/she will be compensated for all time spent performing such needed work from the time the employee leaves his/her residence or other location, until his/her return. On-call time during which the employee is not performing work will not be compensated and/or counted as time worked.

D. Overtime

Overtime is to be avoided wherever possible. Management must approve all overtime and in advance where circumstances permit. Employees are expected to work all overtime hours as directed. Management will make reasonable efforts to distribute the opportunity for overtime equitably among employees qualified to perform the available work

1. Non-Exempt Employees

Non-exempt employees are paid one-and-one-half (1 ½) times their regular rate of pay for all hours *actually worked* (including recognized paid holidays) in excess of forty (40) hours per workweek. *Vacation, sick leave and compensatory time will not be counted as time worked in the calculation of overtime.*

2. Exempt Employees

Exempt employees do not receive overtime pay.

E. Compensatory Time (Comp Time)

With management approval, employees may earn compensatory time only for work hours which are *immediately necessary to the operation of the office/department*. The terms of accrual and usage are as follows:

1. Non-Exempt Employees

In lieu of overtime pay, non-exempt employees may accrue and use compensatory time according to the following guidelines:

- a. Compensatory time is accrued at a rate of one-and-one-half (1 ½) times *actual time worked* in excess of forty (40) hours per week. *Vacation and sick leave will not be counted as actual time worked for purposes of calculating compensatory time;*
- b. The maximum amount of compensatory time which a non-exempt employee may accrue is 240 hours; any additional time worked shall be paid as overtime compensation if:
 - i. The time is not used within 365 days of being granted, or
 - ii. A change in status exempts the employee from the payment of overtime compensation.
- c. Compensatory time must be used prior to any available vacation time;
- d. Use of compensatory time requires prior approval by a supervisor and must be taken at a mutually convenient time;
- e. Compensatory time use must be documented on a leave form signed by the employee and the employee's supervisor prior to the leave being taken;
- f. Upon termination, a non-exempt employee will be paid for unused compensatory time accrued at the rate that is the greater of:
 - i. Employee's final regular rate of pay, or
 - ii. Employee's average regular rate of pay during the last three years of employment with the County.

[Reference: Ohio Revised Code, Section 124.18.](#)

2. Exempt Employees

The Ohio Department of Administrative Services' (DAS) [Directive HR-D-08](#) encourages all agencies to adopt a compensatory time policy which complies with the [Fair Labor](#)

[Standards Act](#), Ohio Revised Code ([Section 124.18](#)) and the Ohio Administrative Code ([Chapter 123:1-43](#)) for employees who are exempt from collective and overtime pay.

Exempt employees under the hiring authority of the Board of Commissioners work a standard forty (40) hour work week. Any exempt employee who is required by a supervisor to perform work duties for more than forty (40) hours in any calendar week may accrue and use compensatory time according to the following guidelines:

- a. Compensatory time accrues on an hour-for-hour basis and may be accrued in one-fourth of one hour (15 minutes) increments;
- b. No compensatory time can accrue during an employee's lunch hour, or for work completed at home;
- c. Use of compensatory time requires prior approval by a supervisor and must be taken at a mutually convenient time. Compensatory time may be used in intervals of one-fourth of one hour (15 minutes);
- d. Compensatory time must be used prior to any available vacation time;
- e. Compensatory time use must be documented on a leave form signed by the employee and the employee's supervisor prior to the leave being taken;
- f. The maximum amount of compensatory time, which an exempt employee may accrue, is 120 hours. Any compensatory time accrued must be used within 180 days after accrual. Any compensatory time not used within 180 days after accrued will be forfeited;
- g. Cash payment for accrued compensatory time is not permitted. Employees may not convert compensatory time to any other form of leave. All compensatory time balances will be forfeited upon termination of employment. Compensatory time may not be used to extend an employee's date of resignation, or date of retirement;
- h. Compensatory time accrued in another County department or agency is not transferable.

6.05 HOLIDAYS

A. Holiday Schedule

All employees shall be granted time off with pay for the following holidays:

- January 1st (New Year's Day)
- Third Monday in January (Martin Luther King Jr.'s Birthday)
- Third Monday in February (President's Day)
- Last Monday in May (Memorial Day)
- June 19th (Juneteenth)
- July 4th (Independence Day)
- First Monday in September (Labor Day)
- Second Monday in October (Columbus Day)
- November 11th (Veteran's Day)
- Fourth Thursday in November (Thanksgiving Day)
- Fourth Friday in November (Day After Thanksgiving Day)
- December 25th (Christmas Day)
- Employees will be allowed reasonable time off with pay to attend religious services on Good Friday.

B. Observance

For full-time employees, not regularly scheduled to work on a Saturday, holidays celebrated on a Saturday will be observed on the previous Friday. For employees not regularly scheduled to work on a Sunday, holidays celebrated on a Sunday will be observed on the following Monday.

C. Rate of Holiday Paid Time Off

For full-time employees, paid holidays not worked are paid eight (8) hours at straight time. For other than full-time employees, paid holidays not worked are paid at straight time for the time the employee would have normally worked not to exceed eight (8) hours. Non-exempt employees required to work on the observance of a paid holiday will receive time-and-one-half wages for actual time worked in addition to straight-time holiday pay.

Those other than full-time employees are entitled to holiday pay only if the holiday is observed on a day that they are normally scheduled to work. Employees must be on active pay status both the regularly scheduled work day immediately before and immediately following the day the holiday is observed in order to receive holiday pay.

6.06 VACATION

A. Effective Date

Employees shall be entitled to use vacation time after they have completed one (1) year of “public agency service.”

B. Prior Service and Public Agency Service

Employees are afforded paid vacation time determined by bi-weekly pay period accrual scheduled in accordance with years of “prior public agency service.” “Public agency service” includes “prior service” with the State of Ohio, Ohio counties, municipalities, boards of education, libraries, townships, universities or any political subdivision of the State of Ohio. Such service shall be used in determining service credit for purposes of vacation accumulation. No prior service shall be given to any employee who has retired in accordance with the provision of any retirement plan offered by the State of Ohio for the purpose of computing vacation leave.

Documentation—Any non-bargaining employee claiming prior service from the County, the State of Ohio or a political subdivision of the State of Ohio, shall provide a signed document, from previous employer(s), setting forth the dates of service, the number of hours worked and whether such service was part-time, full-time, seasonal or as an elected official.

C. Accrual and Usage

1. Accrual

- a. Non-bargaining, full-time employees accrue paid vacation according to the following bi-weekly pay period accrual schedule, based on years of “public agency service.” As permitted by the Board, permanent part-time employees accrue vacation on a prorated basis of the same schedule.

Years of Public Agency Service	Amount of Vacation	Accrual Rate
After One (1) year	10 Days (80 hours)	3.1 hours

After Seven (7) years	15 Days (120 hours)	4.6 hours
After Fourteen (14) years	20 Days (160 hours)	6.2 hours
After Twenty-one (21) years	25 Days (200 hours)	7.7 hours
After Twenty-eight (28) years	30 Days (240 hours)	9.3 hours

- b. Upon completion of an employee's seventh (7th), fourteenth (14th), twenty-first (21st) and twenty-eighth (28th) years of service, the employee is given a credit of one (1) week/forty (40) hours of vacation added to his/her vacation balance. This is effective the first day of the pay period after that year of service has been completed.
- c. Employees shall forfeit vacation leave in excess of the accrual for three (3) years.

2. Usage

- a. **Eligibility for usage**—Classified employees with at least one (1) year of “prior public agency service” are eligible for vacation pay upon hire. Classified employees without “prior public agency service” must successfully complete their probationary period before being eligible for vacation pay. All Unclassified employees are eligible for vacation pay upon hire.
- b. Vacation shall be requested at least three (3) days in advance of the requested vacation time;
- c. Management may request employees schedule vacation times weeks in advance to prepare for anticipated “busy seasons” or upcoming events (i.e. Holiday Season, Hunting Season, etc.);
- d. Scheduling of vacation shall be done so as to hold overtime hours to a minimum;
- e. Management may deny a request for vacation if the requested vacation time prohibits the department from being adequately staffed;
- f. Vacation may be taken in increments of not less than 1/4 hour (15 minutes);
- g. Advances of vacation time off is prohibited;
- h. Vacation time is accrued while an employee is in active pay status;
- i. Additional vacation is not accrued by working overtime;
- j. Recognized paid holidays are not charged against paid vacation;

D. Vacation Payout (Resignation, Layoff, Termination, Retirement and Death)

Accrued, unused vacation time is paid out at straight time at the employee's current rate of pay upon:

- 1. **Resignation, Layoff, Termination or Retirement**—in the case of a resignation, layoff, termination, or retirement, all vacation time earned, up to and including the date of separation, shall be paid upon separation from employment.
- 2. **Death**—in the case of death of an employee during employment, unused vacation time shall be paid to the employee's spouse, next of kin, or, if no survivors, the employee's estate.

E. Bargaining Unit Employees

Bargaining unit employees should consult their respective collective bargaining agreements for vacation allotment and accrual rates.

6.07 VACATION CONVERSION/CASH OUT

A. Program Overview

At the discretion of the Board of Commissioners, one time per year, non-bargaining, eligible full-time employees may be afforded the opportunity to convert either forty (40) or eighty (80) hours of vacation for cash payment at the employee's current rate of pay.

B. Eligibility

Non-Bargaining, full-time employees under the hiring authority of the Board of Commissioners with a minimum of one hundred twenty (120) hours of accumulated vacation leave at the time of conversion request are eligible. Employees who convert vacation hours must have at least forty (40) hours of vacation remaining after requested hours are deducted.

C. Procedure

The Commissioners will notify employees by November 1 if this benefit will be made available. Eligible employees who wish to convert vacation time for cash payout must complete a [vacation conversion request form](#) by December 1 and submit it to their department. The payment for such vacation will be in the final payroll of December via a separate electronic payment. The total hours converted will be deducted from the employee's vacation leave balance.

D. Board Discretion

1. Individual Departments

The Board may extend or restrict the Vacation Conversion to any or all departments under its hiring authority, based upon the individual Department Head's request and recommendation, and the department's budget capacity to support the Vacation Conversion expense.

2. Termination of Vacation Conversion Program

The Board of Stark County Commissioners may cease to offer this program at its sole discretion.

6.08 HEALTH INSURANCE

A. Eligibility

All regular full-time employees who are employed for at least 30 (thirty) hours a week shall be eligible to elect for single or family coverage health insurance benefits (medical, dental, vision and prescription) on the first day of the month *upon completion of a waiting period of one-full calendar month following date of hire* (example: An employee whose first day of employment is June 7th, would be eligible for health insurance coverage on August 1st).

B. Cost and Terms

Eligible employees receiving health insurance benefits shall be required to pay for a portion of the cost of their coverage. Terms and conditions of coverage are governed by individual plan documents, policies, procedures, practices and guidelines.

C. Change in Status

Employees are responsible for keeping insurance records up-to-date regarding marital status, name change, address change, dependent coverage, etc.

D. Cash Out / Opt Out Benefit

Employees who are covered under a non-County health plan may elect to enroll in the Stark County Government Cafeteria Plan's Cash-Out/Opt-Out program and receive a monthly stipend in lieu of enrollment in our health plan (provided the other plan allows them to be covered). Proof of the other coverage is required. The stipend is \$100 per pay for employees not subject to a collective bargaining agreement (CBA), and \$100 per month for employees under a CBA. Group term life and voluntary benefits are available to employees in the Cash-Out program.

[Cafeteria Plan Election Form, Per Pay Stipend](#)
[Cafeteria Plan Election Form, Per Month Stipend](#)

E. Administration for Employees Not Actively at Work

Coverage on the health plan for employees who are not actively at work can be maintained as follows:

1. Leave with Pay

Employees may use paid leave (sick, vacation) to maintain health plan benefits. By using paid leave, employees are considered to be in Active Pay status and will continue to receive their normal compensation. Deductions for payments towards their health plan will be taken as usual from the first and second paychecks of each month to cover the employees' regular contributions.

2. Leave without Pay

a. Upon Exhaustion of All Paid Leave While on Approved Family Medical Leave Act (FMLA) Leave

Employees who have exhausted paid leave while on an approved FMLA leave will continue on the health plan for the duration of FMLA leave, as required by law, subject to payment of their regular contributions. Contributions for the month for health and group term life insurance are due in the Department of Human Resources on or before the first of the month. Checks should be made payable to the Stark County Treasurer.

b. Upon Exhaustion of All Paid Leave and FMLA Coverage

Should an employee exhaust his/hers twelve (12) weeks of FMLA coverage and exhaust all of his/her available paid time off, he/she may be granted up to three (3) months extension of health plan coverage as follows:

- i.** The employee requests and is granted an unpaid administrative leave from his/her respective Appointing Authority.
- ii.** The Appointing Authority sends a letter to the Board of Stark County Commissioners requesting an extension of benefits with a brief description of the particular circumstances under which the extension is being requested, along with the beginning and ending dates for the extension.
- iii.** The Board will either approve or deny the request via resolution, and the decision will be communicated to the Appointing Authority.
- iv.** If the request is granted, the employee assumes responsibility of the total cost of the full premium (employee and employer portions). Payment is due in the Department of Human Resources on or before the first of the month. Checks should be made payable to the Stark County Treasurer.

3. COBRA Continuation

At the end of the approved extension, or at the end of paid time off if extension is not approved, employees no longer meet the definition of Active Full-Time Employees under the plan's eligibility requirements. At this point, they will be offered coverage under COBRA and may continue on the health plan for up to 18 months as COBRA participants.

6.09 TUITION REIMBURSEMENT

A. Program Overview

Departments under the hiring authority of the Board of Commissioners shall request an appropriation in the budget process to allocate money for the purpose of reimbursing up to 75% of actual tuition costs (excluding books, miscellaneous fees, etc.) for a college class or course, not to exceed \$3,200 (three thousand two hundred dollars) per year, to full-time, non-bargaining employees who, upon being granted prior approval by the Board, successfully complete coursework in an employment related field of study in a two (2) year, four (4) year, or graduate level program at an accredited institution. Approval is at the sole discretion of the Board.

B. Eligibility

All non-bargaining, full-time employees who have successfully completed their new hire probationary period under the hiring authority of the Board of Commissioners are eligible for the program. Coursework must be in an employment related field in a two (2) year, four (4) year, or graduate level program at an accredited institution.

C. Procedure

Eligible employees who wish to take part in the tuition reimbursement program must complete a Tuition Reimbursement Request Form and submit it to their department at least three (3) weeks prior to the start of the semester. A letter will be sent to the employee either granting or denying the employee's request.

Employees must receive a grade of "C" or better for undergraduate courses and "B" or better for graduate courses. Employees may be required to complete any applicable forms and/or provide such evidence/documentation as is satisfactory to the employer. Once all requirements are successfully met, the County will issue a reimbursement payment to the employee.

D. Withdraw From Course(s)

An employee will not be eligible for tuition reimbursement if they withdraw from an approved course. The employee is required to notify their supervisor and Department Head immediately in writing if they withdraw from an approved course.

E. Incomplete Course

If the employee receives an incomplete in a course for cause shown, the employee will have until the end of the following semester in which to complete the work and have the incomplete removed. Failure to complete the work will prohibit the employee from participating in the tuition reimbursement program and any advance payment received shall be repaid to the employer.

F. Termination

- 1. Involuntary**—If an employee is terminated by the Board, eligibility for tuition reimbursement ends immediately, whether the class is completed or not. If an employee is laid off or terminated due to a non-performance related issue, the employee maintains eligibility for reimbursement at the completion of the course, provided the class began prior to the layoff or termination.
- 2. Voluntary**—If an employee terminates employment, for any reason other than retirement, prior to the completion of an approved course, the employee will not receive tuition reimbursement.

G. Repayment After Voluntary or Involuntary Termination

If an employee leaves the County for any reason other than a layoff or retirement, the employee shall be required to reimburse the County the cost of payments made towards the employee's tuition at the following rates:

- **One hundred percent (100%) of all payments made on behalf of said employee's tuition during the last twelve (12) months of employment; and**
- **Seventy-five percent (75%) of all payments made during the last thirteen (13) through twenty-four (24) months of employment.**
- **Fifty percent (50%) of all payments made during the last twenty-four (24) through thirty-six (36) months of employment.**

H. Required Documentation of Payment

Upon approval, an employee claiming this benefit shall submit evidence to the Employer via a paid receipt showing payment in full of all charges and evidence that the employee has successfully completed the course with the required grade. The employee shall not be reimbursed for any charges for which the employee is entitled reimbursement from any other entity.

I. Termination of Tuition Reimbursement Program

The Board of Stark County Commissioners may cease offering this program at its sole discretion. In this event, the County will fulfill all current obligations and give appropriate advance notice so employees can plan their future academic endeavors accordingly.

6.10 PENSION

All employees are required, by law, to participate in the [Ohio Public Employees Retirement System \(OPERS\)](http://opers.org). OPERS is independent of the federal Social Security system.

Employees are required to contribute a percentage of their income to their pension system at the current rate established by that system. Terms and conditions of coverage and benefits are determined by OPERS. Employees with questions regarding their pension, they may contact OPERS directly at the following:

Ohio Public Employee Retirement System (<http://opers.org>)
277 East Town Street
Columbus, Ohio 43215-4642
1-800-222-PERS (7377)

6.11 EMPLOYEE ASSISTANCE PROGRAM (EAP)

A. Purpose

The Board of Stark County Commissioners recognize that a wide range of personal problems may adversely affect an employee's job performance. The Board believes it is in the best interest of the employee, the employee's family, and the County to provide access to services to assist in the resolution of such problems. The Employee Assistance Program (EAP) is designed to identify and resolve problems and restore the employee to full efficiency in his/her job.

B. Eligibility

EAP services are available to all Stark County employees and their dependent family members.

C. Provider and Program Services

1. Provider

The County's EAP is administered by:

AllOne Health
24 Hour Access:
1.800.822.4847
www.lifeserviceseap.com

2. Program Services Include:

- a. Six (6) face-to-face confidential counseling sessions per episode for every participant provided by local, licensed counselors;
- b. Twenty four (24) hours a day, seven (7) days a week accessibility to a call center staffed live;
- c. Online and Telephonic WorkLife Services such as webinars, research and learning/training materials;
- d. Legal and financial consultations for participants;
- e. Critical Incident Debriefings and on-site counseling following traumatic occurrences; and
- f. Orientation seminars for supervisors and employees conducted on-site to acquaint personnel with the EAP.

D. Confidentiality

The guarantee of complete confidentiality is essential for the success of an EAP. All Counselors are pledged to their professional ethics and sworn to complete client confidentiality. EAP records are the property of the EAP contractor and access is limited to EAP staff. All records adhere to applicable laws and regulations relating to alcohol and drug prevention treatment and rehabilitation; HIPAA requirements; and all other laws and regulations governing confidentiality of counseling and medical records.

E. Self Referral/Voluntary EAP

Employees are encouraged to use the Employee Assistance Program voluntarily when they need professional counseling, assistance or guidance.

1. Documenting Leave

Sick leave may be used for use of EAP counseling/rehabilitation services. When utilizing the EAP for legal, financial or other services not related to mental/emotional wellness, sessions should be scheduled on the employee's own time, or vacation leave.

F. Supervisory/Management Referral

There are two (2) types of supervisory/management referrals that a supervisor can make, depending on the nature and severity of the job related problem.

- 1. Informal Supervisory Referrals** occur when the supervisor becomes aware of an employee's personal problem but there is minimal impact on job performance. In this instance, the supervisor may remind the employee that the County's EAP program is available as a free and confidential resource that may be of assistance in resolving the problem and provide the employee with appropriate literature and/or contact information. There is no written documentation of an informal supervisory referral.
- 2. Formal Supervisory Referrals** are a supervisor's formal response to a *well-documented* decline in job performance, attendance or unacceptable behavior. Formal Supervisory Referrals should only be used when an employee's personal problem(s) have made an impact on their job performance, attendance or behavior in the workplace. For instructions on how to make a Formal Supervisory Referral, please see the EAP provided [Supervisor's Manual](#) and [Management Referral Form](#).

SECTION VII

LEAVES OF ABSENCE

7.01 SICK LEAVE

A. Accrual Rate

Per [Section 124.38](#) of the O.R.C., all employees (full- and part-time) shall earn sick leave at the rate of four and six tenths (4.6) hours for every eighty (80) hours worked or compensated, and shall accumulate without limit.

B. Acceptable Use

Sick leave may be used by an employee for only the following reasons:

1. Illness, injury or pregnancy-related condition of the employee;
2. Exposure of the employee to a contagious disease or virus which could be communicated to and jeopardize the health of other employees;
3. Examination of the employee—including medical, psychological, dental or optical;
4. Illness, injury or pregnancy-related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member;
5. Examination—including medical, psychological, dental, or optical examination of a member of the employee's immediate family where the employee's presence is reasonably necessary.

C. Protocol for Reporting Off

An employee who will be absent for sick leave shall report such absence to the employee's immediate supervisor. Such report shall occur as soon as possible, but in no event later than thirty (30) minutes before the start of the employee's shift, absent extenuating circumstances. The employee shall state the employee's name, reason for absence, expected length of absence and phone number where the employee may be reached. An employee who becomes sick during working hours shall report such illness to their immediate supervisor who may then release the employee on leave. *Before an absence may be charged against accumulated sick leave, Management or the Human Resources Director may require proof of illness or injury (i.e. Physician's report).*

D. Excessive or Patterned Use of Sick Time

Excessive or patterned use of sick time as determined by Management, may be just cause for corrective action. In response to such excessive or patterned use, Management may:

1. Require a report from the employee's personal physician to be eligible for paid sick leave; or
2. Require the employee to be examined by a designated physician, scheduled and paid for by the County.

An employee may be subject to corrective action if, upon direction of Management:

3. the employee fails to submit written proof of illness, injury or death (for cases of funeral leave); or
4. the employee fails to submit to a medical examination at the cost of the County; or
5. the documentation or proof, as submitted and attained through examination, is insufficient to justify the employee's absence; or
6. the documentation or proof is determined to have been falsified.

E. Return to Work Examination

Management may require an employee who has been absent due to personal illness or injury, prior to and as a condition of the employee's return to duty, be examined by a physician, designated and paid for by the County. Such examination shall establish that the employee is able to perform the normal duties of the employee's job and that the employee's return to duty will not jeopardize the employee's health and safety, or the health and safety of other employees. If the employee disputes the result of the examination, the employee may obtain a second opinion from a physician of the employee's own choosing paid for by the employee. If a dispute still exists due to conflicting medical opinions, a third examination shall be conducted by a physician mutually selected and paid for by the County and employee.

F. Immediate Family

When the use of sick leave is due to illness or injury in the immediate family, "immediate family" shall be defined as the employee's spouse, children, stepchildren, grandchildren (if the employee is the primary caregiver as the grandparent), parents, or foster children.

7.02 PERSONAL LEAVE AND SICK LEAVE INCENTIVE

A. Personal Leave Day

Upon adoption of this Policy Manual, all non-bargaining, full-time employees under the Board of Stark County Commissioners' hiring authority, with at least one (1) full year of service under the hiring authority of the Board are afforded one (1) personal leave day with pay every year. New employees will be afforded one (1) personal leave day upon completion of their first year of service. Opportunity to earn more personal days are provided as described below.

B. Sick Leave Incentive and Terms

In addition to the one (1) personal day explained above, non-bargaining, full-time employees can earn a maximum of three (3) additional days of personal leave with pay to be used in the following calendar year. Personal days will be earned based on the employee's use of sick leave (both paid and unpaid) not designated as Family and Medical Leave Act.

During the period of January 1 through December 31 of each year, eligible non-bargaining, full-time employees may earn personal leave in accordance with the following terms:

Sick Leave Hours Used Per Year	Personal Days Earned
Zero (0)—Eight (8) hours	3 days
Greater than Eight (8)—Twenty four (24) hours	2 days
Greater than Twenty four (24)—Forty (40) hours	1 day
Greater than Forty (40) hours	0 days

C. Eligibility

For the purpose of accruing personal leave days the following rules apply:

1. Only non-bargaining, full-time employees with at least one (1) year of service under the hiring authority of the Board of Stark County Commissioners are eligible to accrue personal days with pay through the sick leave incentive program;
2. New employees will be eligible to use any earned leave on the January 1st following the completion of their first full year of service with the County.

Example: John Doe is hired in the Job and Family Services Department on May 15, 2016. John Doe will not be eligible to begin earning personal days through the sick leave incentive until January 1st, 2017. John Doe will be able to use any personal days that he earned in 2017 beginning on January 1, 2018.

3. Employees with unexcused absences in the year, or absences due to disciplinary action are not eligible.
4. For the purpose of this section, the following shall be credited as time worked and will not affect an employee's eligibility:
 - a. vacation leave;
 - b. personal leave;
 - c. workers' compensation leave of seven (7) or less days supported by medical documentation;
 - d. funeral leave; and
 - e. designated leave under the Family Medical Leave Act shall be credited as time worked.

D. Availability

Any personal days that an employee accrues will be credited to the employee's leave balance by the second (2nd) pay period of the following year. Once credited, the leave is available for use.

E. Usage

1. Personal leave days must be taken with advance approval from the employee's immediate supervisor and shall be scheduled in accordance with the workload requirements of the department;
2. Management reserves the right to deny personal day requests if workload requirements so mandate;
3. In no instance may an employee use personal leave days in the year in which the days were earned;
4. Personal leave days may not be carried over into the next year. Any personal leave days not used by the end of the last pay period of the year will be eliminated from the employee's record;
5. There shall be no monetary reimbursement payable to the employee in lieu of time off; and
6. Personal days are not considered vacation. Therefore, unused personal days are not payable upon separation.

7.03 FAMILY AND MEDICAL LEAVE ACT (FMLA)

A. Policy Statement

All departments under the Commissioners' hiring authority are required to post notices by the U.S. Department of Labor (DOL) on [Employee Rights and Responsibilities under the Family and Medical Act](#) in employee common areas, such as break rooms. Employees should inquire with management where these are posted in their respective department.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

B. General Provisions

Under this policy, the Commissioners will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

The benefit year may be the calendar year, or a rolling twelve (12) month period, as determined by departmental management. The Board of Commissioners recommend management adopt a rolling twelve (12) month period.

C. Eligibility

To qualify to take family or medical leave under this policy, the employee must meet the following conditions:

1. The employee must have worked for the County for twelve (12) months or fifty-two (52) weeks. The twelve (12) months or fifty-two (52) weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven (7) years. Separate periods of employment will be counted if the break in service exceeds seven (7) years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. The employee must have worked at least 1,250 hours during the twelve (12)-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave shall not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

D. Types of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1. The birth of a child and in order to care for that child.
2. The placement of a child for adoption or foster care and to care for a newly placed child.
3. To care for a spouse, child or parent with a serious health condition (Under the FMLA, a "spouse" means a husband or wife as defined under the law in the state where the employee resides).
4. The serious health condition of the employee that makes the employee unable to perform the functions of the employee's position.
5. Covered Active Duty—Qualifying exigency leave for families of members of the National Guard or Reserves, or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.
 - a. An employee whose spouse, son, daughter or parent has been notified of an impending call or order to covered active military duty, or who is already on covered active duty, may take up to 12 weeks of leave for reasons related to or

affected by the family member's call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment, b) military events and activities, c) child care and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities, and h) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

6. Military caregiver leave (also known as Covered Service Member Leave) to care for an injured or ill service member or veteran. An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to care for that service member. *Next of kin* is defined as the closest blood relative of the injured or recovering service member.

E. Amount of Leave

An eligible employee may take up to twelve (12) weeks for the first six (6) FMLA circumstances above (under heading "Type of Leave Covered") under this policy during any twelve (12) month period. The County will measure the twelve (12) month period as a rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy in the last twelve (12) months and subtract it from the twelve (12) weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single twelve (12) month period. For this military caregiver leave, the County will measure the twelve (12) month period as a rolling twelve (12) month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the County and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the County and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

F. Employee Status and Benefits During and After Leave

1. During leave the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If the employee exhausts all available leave, the employee will be responsible for paying their contribution of the monthly premium.
2. After leave, an employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

G. Use of Paid and Unpaid Leave

All paid vacation and sick leave, as applicable, shall run concurrent with FMLA leave. Leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

H. Intermittent Leave

The employee may take FMLA leave in twelve (12) consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year, when recommended by the health care provider). In all cases, the leave may not exceed a total of twelve (12) workweeks (or 26 workweeks to care for an injured or ill service member over a twelve (12) month period).

I. Required Certification

The County will require certification from the health care provider for:

1. employee's serious health condition;
2. employee's family member's serious health condition;
3. qualifying exigency for Military Family Leave; and
4. serious injury or illness of covered service member for Military Family Leave.

The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of leave or denial in continuation of leave.

J. Recertification

The County may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the County receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the County may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

K. Procedure for Requesting FMLA Leave and Designation of Leave

All employees requesting FMLA leave must provide management with verbal or written notice of the need for the leave. Within five (5) business days after the employee has provided this notice, management will provide the employee with the Department of Labor (DOL) [Notice of Eligibility and Rights and Responsibilities](#), accepting or denying the request.

When the need for the leave is foreseeable, the employee must provide the County with at least thirty (30) days' notice. When an employee becomes aware of a need for FMLA leave less than thirty (30) days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the County's usual and customary notice and procedural requirements for requesting leave.

L. Intent to Return to Work from FMLA Leave and Job Restoration

The County may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Upon return from leave, an employee will be restored to his or her job, or to an equivalent job with equivalent pay, benefits and other employment terms and conditions.

7.04 MILITARY LEAVE

A. Reservist

All regular employees who are reserve members of the Ohio National Guard, defense corps, naval militia, or members of other reserve components of the armed forces of the United States, are entitled to military leave of absence from their County duties without loss of pay, for such time as they are in the military service of field training, active duty or emergency leave when so ordered by the Governor of the State of Ohio, for a period not to exceed twenty-two (22) eight (8)-hour work days or one hundred seventy-six (176) hours for each calendar year. The Commissioners may, by resolution, extend the leave without loss of pay.

1. Compensation

Except as otherwise provided, any regular employee who is entitled to the leave provided herein and who is called or ordered to the uniformed services, as defined in [Section 5923.05](#) of the ORC, for longer than a month, for each calendar year in which the employee performed service in the uniformed services as amended, because of an executive order issued by the President of the United States, an act of congress, or an order to perform duty issued by the governor pursuant to [Section 5919.29](#) of the ORC is entitled, during the period designated in the order or act, to a leave of absence, the lesser of the following:

- a. The difference between the regular employee's gross monthly wage or salary as a regular employee and the sum of the regular employee's gross uniformed pay and allowances received that month;
- b. Five hundred dollars.

2. Limitation of Compensation

No regular employee shall receive payments if the sum of the employee's gross uniformed pay and allowances received in a pay period exceeds the employee's gross wage or salary as a regular employee for that period or if the regular employee is receiving pay under Section 7.03 (A)(1) of this Policy Manual.

3. Request for Leave

Employees are required to submit to their management a published order authorizing the call or order to the uniformed services or statement from the appropriate military commander as evidence of military duty before military leave shall be granted. This evidence shall accompany the standard County leave request form.

4. Health Insurance

Employees will continue to be covered by the County's health insurance during an approved military leave, if the employee was covered while employed, until such employee is eligible for military health insurance.

If an employee has opted out of the County's health insurance plan, once eligible for military health insurance, he/she will no longer receive the opt out stipend.

5. Accrual of Leave Time

Employees on approved leave of absence for reserve military service for field training or active duty shall continue to accrue vacation and sick leave at their current rates for a period not to exceed twenty-two (22) eight (8)-hour work days or one hundred seventy-

six (176) hours within each calendar year. If leave is extended beyond one month, the employee will no longer accrue vacation and sick leave.

B. Full-Time Active Duty

All full-time employees who have held a position with the County for at least ninety (90) days shall be granted a military leave of absence without pay to be inducted or otherwise enter full-time military duty and shall be considered as a separation from County service with reinstatement rights.

1. Reinstatement

The terms and conditions of reinstatement are governed by the [Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#).

2. Health Insurance

Employees will continue to be covered by the County's health insurance during an approved leave, if the employee was covered while employed, until such employee is eligible for military health insurance.

7.05 COURT LEAVE

Employees required to perform a) jury duty, or b) court witness service under summons or subpoena where the employee is not a party to the action, shall receive full pay for time away from regularly scheduled work. Payment received for such service must be submitted for payment into the County Treasury and employees must provide such documentation and complete such forms as required by management to receive their pay. Employees dismissed from jury or witness service before the end of a regularly scheduled workday are expected to report for the remainder of their workday.

7.06 BEREAVEMENT LEAVE

Employees may take paid leave of absence for up to five (5) regularly scheduled workdays, counted against sick time, because of the death of the member of the employee's immediate family.

"Immediate Family" includes the employee's:

- a) Spouse;
- b) Parent (including step, biological or adoptive);
- c) Child (including step, biological or adoptive);
- d) Sibling (including step, biological or adoptive);
- e) Grandchild (including step, biological or adoptive);
- f) Grandparent (including step, biological or adoptive);
- g) All permutations of in-law to include: mother, father, brother, sister, son and daughter;
- h) Legal guardian, or individual over whom an employee has a legal guardianship; and
- i) Any relationship where the person acts/acted in the place of a parent.

Management may request proof of guardianship or power of attorney to verify leave request.

7.07 POLL WORKER LEAVE

[Per Section 3501.28](#) of the O.R.C., employees may serve as a precinct election official of elections on the day of an election without loss of the employee's regular compensation for that day in accordance with the terms and conditions set forth as follows:

- a) Service as a precinct election official is voluntary;
- b) Requests for leave for this purpose shall be submitted in writing to the employee's department head well in advance of the Election Day for which the paid leave is requested. Written approval must be received from the appropriate department head in a timely fashion;
- c) Approval by department heads shall be administered in an equitable manner while maintaining sufficient number and classification of employees within the department to assure that service to the public remains uncompromised;
- d) Each department shall develop an equitable standard procedure for deciding which employees are permitted to receive leave with pay if more employees request such leave to serve as a judge of elections on Election Day than can be permitted while maintaining appropriate levels of service to the public. Items for consideration could include seniority, attendance record, taking turns, excessive backlog of work, etc.;
- e) Employees will not be paid or compensated for leave to attend training required to be a poll worker; and
- f) Poll worker leave will not constitute active pay status for purposes of overtime or compensatory time calculation.

7.08 ADMINISTRATIVE LEAVE

A. Purpose

An employee may be placed on paid or unpaid administrative leave in circumstances where health and safety could be adversely affected or where corrective action is considered under Section VIII of this Manual.

B. Paid Administrative Leave

1. Administrative Review or Investigation

Management, with the approval of the County Administrator, may place an employee on Paid Administrative Leave in situations where the employee poses a potential safety or health risk to others or themselves, or is the subject of an investigation. Such leave shall be authorized for the period of time necessary to conduct the internal administrative review or investigation.

2. Threat to Health and/or Safety

Employees shall be placed on Paid Administrative Leave when immediate action must be taken to remove an employee from the work site because of a threat to the health and/or safety of an employee, or a threat to property entrusted to that employee. Examples would include a fire, bomb threat or a utility failure.

C. Unpaid Administrative Leave (Leave Without Pay)

The Board reserves the right to afford an employee an extended unpaid administrative leave on an individual, case by case basis. Commonly, employees are placed on leave without pay when they have exhausted all available sick, vacation and compensatory time and are in need of additional time off or for new employees who have planned vacations prior to being hired.

SECTION VIII
EMPLOYEE COMPLAINTS AND
PROGRESSIVE DISCIPLINE

8.01 GRIEVANCE PROCESS

A. Purpose

The Board recognizes that from time to time employees will have questions and the occasional grievance stemming from their employment. When questions or grievances arise, employees should first attempt to resolve the matter through informal discussion with their immediate supervisor. The following process has been established to be used by non-bargaining employees. Bargaining unit employees should consult their respective bargaining unit agreements for negotiated processes.

B. Employee Representation

A grievant may have an employee representative of his or her choosing present at any step of the procedure. The employee and his/her employee representative shall not lose pay or benefits for time spent in any meetings, interviews, hearings, etc. convened by management.

When a group of employees desire to file a grievance involving a situation affecting each employee in the same or substantially similar manner, only one person selected by such group may file the grievance.

C. Process for Filing Grievance

1. Step One (1)

If an employee and his/her immediate supervisor cannot resolve a matter informally, the employee may file his/her grievance in writing with the employee's supervisor or other representative designated by management. In order for a grievance to be recognized, it must be filed within five (5) consecutive regularly scheduled workdays after the date of the alleged incident giving rise to the grievance.

2. Step Two (2)

If within five (5) consecutive regularly scheduled workdays after submitting the grievance to his/her supervisor or other representative the matter is not resolved to the employee's satisfaction, the employee may submit the written grievance (along with any written response received from management) to the appropriate department head or his/her designee.

3. Step Three (3)

If within ten (10) consecutive regularly scheduled workdays after submitting the grievance to his/her department head, the matter is not resolved to the employee's satisfaction, the employee may submit the written grievance (along with any written response(s) received from management) to the Board of Commissioners or its designee.

4. Step Four (4)

Within twenty (20) consecutive regularly scheduled working days after submitting the grievance to the Board of Commissioners or its designee, the Board will cause relevant inquiries to be made and issue a written decision to the employee which shall be final and binding on the parties.

In each step of the process, the employee's written grievance should clearly state which step in the process their formal complaint is in.

D. Extension of Deadlines

In order to ensure the prompt resolution of employee grievances, the prescribed time limits for each step of the grievance procedure should be followed as closely as possible. However, in the event of extenuating circumstances, the established time limit for a given step of the grievance procedure may be extended by mutual agreement of the parties.

E. Failure to Proceed or Respond

Grievances not processed to the next step of the procedure within the specified time limits, or any agreed upon extension thereof, shall be considered resolved on the basis of the decision at the previous step. Grievances not answered by management within the prescribed time limits shall be considered to have been answered in the negative and may be advanced to the next step in this procedure.

F. Non-Grievable Items

1. Issues that are pending or that have been concluded;
2. Relocation or transfer of an employee within the department that results in no change of pay, benefits, and/or classification;
3. Temporary work assignments;
4. Budget and organization structure, including the number of assigned employees within any organizational unit;
5. The manner and method of performing work assignments, including performance evaluations, unless in the case of discrimination; and
6. Benefits.

G. State Personnel Board of Review

Where the alleged complaint is of a nature that qualifies for appeal under the rules of the [State Personnel Board of Review](#) for non-bargaining unit employees, the complainant must appeal through the State Personnel Board of Review in accordance with the rules of that body and may not avail himself/herself of the complaint procedure set forth herein. Employees who are members of a certified bargaining unit and subject to the terms and conditions of a bargaining agreement that includes a dispute resolution mechanism may not avail themselves of the complaint procedure set forth herein.

8.02 CORRECTIVE ACTION

A. Policy Statement

Clearly written policies tend to minimize misunderstandings and prevent minor infractions from developing unchecked into major problems. To this end, the Board of Commissioners has adopted this policy of progressive, corrective discipline for all classified employees.

Each disciplinary incident is unique. Management, therefore, retains the right to deal individually with the merits of each matter, without creating any precedents for the treatment of any other incident which may arise in the future. Examples given in any rule do not limit the generality of that rule. These rules and regulations are not to be construed as a limitation upon the rights of management, but are merely a guide to aid the employee in knowing what types of behavior are not permitted.

These rules and regulations provide typical penalties for specific offenses. However, a different penalty (either more or less severe) may be issued than that which appears in the

standard procedure, if appropriate. This approach gives recognition to the impartiality of consistent application tempered with good judgment, without losing sight of the unique individual nature of each infraction.

B. Criteria For Corrective Action

Every employee has the duty and responsibility to be aware of, and abide by, rules and policies outlined herein. Employees will be assessed and held accountable for their respective job performance, behavior and attendance. For purposes of this manual, these criteria are defined as:

1. **Performance**—Conducting the duties of the job, as detailed in the job description, to the highest standard.
2. **Behavior**—Adhering to the rules of conduct as outlined in this Policy Manual; displaying a proper respect for other people and belongings; and showing proper and appropriate respect to supervisors.
3. **Attendance**—Displaying consistent and predictable attendance. This includes arriving on time, adhering to clock-in/clock-out rules, and being available for call-in and overtime when assigned.

C. Means of Corrective Action

1. Documented Verbal Warning

A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion in the form of a memo, or [Department of Human Resources supplied document](#), are placed in the employee's file for future reference.

2. Written Warning

Written warnings are used for violations that a supervisor considers serious in nature, or in situations when a verbal warning has not corrected the unacceptable behavior. Written warnings, in the form of a memo, or County supplied document, is placed in the employee's file for future reference.

3. Suspension

a. With Pay

Otherwise known as "in-house" suspension. An employee will report to work as usual, but it shall be documented in the employee's personnel file that they served a suspension.

b. Without Pay

Employment is suspended for a period of time without pay. The employee does not report to work. Dates of suspension are decided by employee's management.

4. Demotion

Employee is removed from his/her current position and placed in a lower job classification and appropriate pay grade.

5. Deduction in Accrued Time Off

Generally used to offset an abuse of sick time or tardiness. In such cases, time shall be deducted from an employee's vacation time or compensatory time.

6. Final Warning and Last Chance Agreement (L.C.A.)

An employee may be given a final warning and presented with a Last Chance Agreement. The Last Chance Agreement will detail the necessary improvements, as determined by the employee's immediate supervisor, which need to be made by the employee. The Last Chance Agreement will last for a predetermined amount of time. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct, attendance and/or work requirements as specified in the Last Chance Agreement. At the end of the conclusion of the time period, if the established goals are not met, it may be determined that the employee has failed to meet the terms of the Last Chance Agreement and termination may occur.

D. Pre-Disciplinary Conference (a.k.a Loudermill Hearing)

Whenever an employee, in the classified civil service is alleged to have committed an offense warranting suspension or discharge from employment, the employee shall be provided with advance notice of the allegation(s). Attached to the notice shall be copies of all evidence to be used in support of the allegation(s) or summaries of such evidence.

1. Notification of Conference and Preparation

The employee shall be afforded the opportunity to prepare his/her defense and examine the evidence to be used against him/her. In order to afford such opportunity, the notice to the employee must include a date and time for the conference which shall not be less than three (3) regularly scheduled working days from the date the employee receives the notice unless otherwise agreed upon by both the employee and management.

The employee has the right to voluntarily waive a conference. Absent extenuating circumstances, failure to appear at the conference will result in an automatic waiver of the employee's right to a conference.

2. Conference Administrator and Conference Process

The conference shall be conducted by a Conference Administrator not involved in the events giving rise to the allegation(s). The Commissioners recommend that the Director of Human Resources serve as the Conference Administrator.

The employee may present evidence and call witnesses on his/her behalf. The employee must provide copies of all evidence, identify all witnesses and summarize the expected testimony of each to Management at least forty-eight (48) hours in advance of the conference. The Conference Administrator shall limit witnesses' testimony to matters relevant to the allegation(s) and limit redundant testimony. The Conference Administrator may question witnesses. Cross-examination of witnesses by an opposing party is not allowed. Unless otherwise agreed in advance by the Conference Administrator and both parties, the employer and employee shall be limited to a total of twenty (20) minutes each to present their respective cases and any rebuttal evidence.

Any employee who elects to proceed with a pre-discipline conference shall not suffer a reduction in pay for the time spent at the conference. Likewise, witnesses who are required or allowed to testify shall not suffer a reduction in pay.

3. Response from Conference Administrator

Within five (5) regularly scheduled working days after the conference, the Conference Administrator shall provide to the employee and the hiring authority a written statement

limited to affirming or disaffirming whether there is reasonable cause to believe each allegation. If the statement of the Conference Administrator affirms that there is reasonable cause to believe any allegation(s), it shall be left to Management to determine what disciplinary action, if any, to impose.

4. Determination of Discipline

When imposing discipline on a current charge, management will consider the severity of the violation as well as prior disciplinary action.

For disciplinary actions resulting in employee suspensions, the County Administrator may reject the Conference Administrator's statement regardless of whether it affirms or disaffirms any allegation(s). The County Administrator may then proceed with, or reject management's proposed disciplinary action.

For disciplinary actions resulting in a proposal to terminate, the Board of Commissioners may reject the Conference Administrator statement regardless of whether it affirms or disaffirms any allegation(s). The Board of Commissioners may then proceed with, or reject management's proposal for termination.

5. Appeals Process

For non-exempt employees, an order of suspension of more than twenty four (24) hours or dismissal may be appealed to the State Personnel Board of Review according to its rules and regulations. For exempt employees, an order of suspension of more than forty (40) hours or dismissal may be appealed to the State Personnel Board of Review according to its rules and regulations. Members of a certified bargaining unit may access the grievance procedure provided in the applicable collective bargaining agreement.

E. Typical Offenses and Disciplines

The following lists serve as a guide to inappropriate conduct that will result in an employee corrective action and a *recommendation* for discipline. These lists are not exhaustive and do not indicate every possible violation. Ultimately, management reserves the right to discipline any employee that fails to meet acceptable standards of performance, behavior or attendance as well as determine the appropriate degree of discipline.

1. Group I Offenses

Recommended Disciplines	
First Offense	Instruction or documented verbal.
Second Offense	Written reprimand.
Third Offense	Minimum one (1) day's suspension without pay.
Fourth Offense	Minimum three (3) days' suspension without pay.
Fifth Offense	Termination
Typical Offenses	
1. Discourteous treatment of the public. 2. Failure to properly report off work for any absence. 3. Failure to commence duties at the beginning of the work period, unexcused tardiness, or leaving work prior to the end of the work period without authorization.	

4. Leaving the job or work area during regular working hours without authorization for a brief period (off task). Prolonged absence could be considered a more severe violation and subject to more severe discipline.
5. Making preparations to leave work without specific prior authorization before the lunch period, or for any official break time, or before the specified quitting time.
6. When operations are continuous, employees shall not leave their post at the end of their scheduled shift until relieved by an employee on the incoming shift.
7. Neglect or carelessness in clocking in or out.
8. Unauthorized and/or excessive absence from work.
9. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping.
10. Distracting the attention of others, or causing confusion by unnecessary shouting, demonstration or any other disruptive behavior on the job.
11. Malicious mischief, horseplay, wrestling, or other undesirable conduct, including use of profane or abusive language, gestures and/or graphics.
12. Failure to cooperate with other employees as required by job duties.
13. Failure to use reasonable care of County property or equipment.
14. Use or possession of another employee's equipment without authorization.
15. Neglect or carelessness in observance of official safety rules, or disregard for common safety practices.
16. Failure to observe department rules.
17. Failure to comply with attire and grooming rules.
18. Misuse and/or abuse of County telephone privileges.
19. Obliging the County for minor expenses or services without authorization.
20. Failure to report:
 - Accident, injury or unsafe condition, no matter how small.
 - Equipment damage.
21. Disregarding job duties by neglect of work or being "off task" (i.e. reading for pleasure during working hours, playing computer games on computer, phone or tablet, etc.).
22. Use of cell phone or other electronic device while operating a vehicle (personal or County-owned) in the performance of County business.
23. Unsatisfactory work or failure to maintain required standards of performance.

2. Group II Offenses

Recommended Discipline	
First Offense	Instruction, Documented Verbal and minimum one (1) day suspension.
Second Offense	Minimum three (3) days' suspension
Third Offense	Termination
Typical Offenses	
1. Sleeping during work hours (i.e. dozing off at your work station/desk). 2. Reporting for work or working while unfit for duty. 3. Conduct violating morality or common decency. 4. Unauthorized use of County property or equipment. 5. Performing private work on County time. 6. Violation of unacceptable activities as described in Section 4.11, C. pertaining to the inappropriate use of employee computer, email, or internet. 7. Willful failure to clock-in or out when required.	

8. Willful failure to make required reports.
9. Failure to report for overtime work or when scheduled for "standby" without good reason after being directed to work according to overtime policy.
10. Violation of the county policy on solicitation and distribution.
11. Violation of prohibited political activities as described in Section 4.15, B.
12. The making or publishing/distribution of false, vicious, malicious, or misleading statements or photos concerning any employee, supervisor, or the County.
13. Refusing to give testimony when questioned during an investigation into potential employee wrongdoing or an accident.
14. Giving false testimony during an investigation or hearing.
15. Unauthorized posting or removal of notices or signs from bulletin boards.
16. Divulging confidential information; claiming to speak on behalf of the County when not authorized or otherwise engaging in conduct that reflects negatively on their employer via social media sites, internet discussion boards and the like.
17. Unauthorized presence on County property.
18. Willful disregard of Department Rules.
19. Use of abusive or threatening language.

3. Group III Offenses

Recommended Discipline	
First Offense	Termination
Terminable Offenses	
1. Wanton or willful neglect 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. Wanton or willful neglect in the performance of assigned duties (i.e. sleeping during working hours, walking off premises without permission or notification, purposely not performing assigned tasks, etc.). 3. Harassing (sexual or otherwise), threatening, intimidating, or coercing subordinates or other employees or engaging in any prohibited behavior described in Section 5.02, A and 5.03 B. 4. Signing or altering another employee's time card, or unauthorized altering of his/her own time card. 5. Falsifying time worked for the gain of a County benefit (i.e. reporting overtime worked for the purpose of gaining compensation time or overtime pay). 6. Falsifying testimony when accidents are being investigated or falsifying an injury report. 7. Falsifying or assisting in falsifying or destroying any County record, including work performance reports. 8. Giving false information or withholding pertinent information called for in making application for employment except as modified under the application section. 9. Making false claims or misrepresentation to obtain any County benefit. 10. Falsifying travel and lodging records for personal gain. 11. Sale of tickets for pools, or bookmaking, or gambling of any nature. 12. Stealing or similar conduct, including destroying, damaging or concealment of any property of the County or of other employees. 13. Use of drugs (controlled substance as defined by law); the sale of drugs; or the abuse of non-schedule drugs.	

14. Failure of drug or alcohol test as described in Section 5.08.
15. Being in possession of or consuming drugs or alcohol on the job.
16. Fighting or attempting to injure another person.
17. Carrying or possession of firearms, explosives or weapons on County property or while acting in the course and scope of their employment either on or off County property, regardless of whether the employee has a permit to carry a deadly weapon, except as otherwise provided in Section 5.03.C.(2).
18. Knowingly harboring a communicable disease such as TB which may endanger other employees.
19. Misuse or removal of County records or information of any nature, or revealing such information without prior authorization.
20. Any acts of retribution towards an employee who makes and accusation of harassment or wrongdoing that would be considered covered as a Whistleblower.
21. 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.
22. Obligating the County for significant sums of money for expenses or services without authorization.
23. 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, opening lunch boxes, tool kits, or other property of the County or other employees; inserting slugs in vending machines without paying the proper charge therein; 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".
24. Obtaining, attempting to obtain or assisting another employee in obtaining or attempting to obtain a benefit of employment by way of misleading
25. Insubordination by refusing to perform work assigned or to comply with verbal and/or written instruction of a supervisor.
26. Patient/Client/Customer/Co-worker abuse – regardless whether physical, verbal or mental.
27. Conviction of a felony; or any imposed legal restriction(s) that would prohibit you from performing an essential function of your job.
28. Willful disregard for official safety rules, or disregard for common safety practices.

SECTION IX

SEPARATION FROM EMPLOYMENT

9.01 RESIGNATION AND RETIREMENT

A. Notification

An employee choosing to retire or voluntarily resign from employment shall notify his/her immediate supervisor, in the form of a formal letter of resignation or retirement *at least*:

- a) two (2) weeks in advance of the effective date of resignation, or
- b) two (2) *months* in advance of effective date of retirement.

The letter shall include the effective date of the resignation or retirement and shall be signed and dated by the employee.

B. Failure to Notify

Failure to comply with the notification requirements may result in ineligibility for rehire.

C. Acceptance of Retirement

All retirements must be formally approved by the Board of Commissioners or County Administrator.

9.02 LAYOFF AND RECALL

A. Non-Bargaining Employees

Layoff and recall of non-bargaining employees shall be in compliance with the applicable provisions set forth in [Chapter 123](#) and [Chapter 123:1-41](#) of the Ohio Administrative Code.

B. Bargaining Unit Employees

Layoff and recall of bargaining unit employees shall be in compliance with the terms and conditions set forth in applicable collective bargaining unit agreements. Where the collective bargaining agreement is silent, the aforementioned provisions of the O.R.C. and rules and regulations of the Department of Administrative Services shall apply.

9.03 EXIT INTERVIEW

Persons voluntarily separating from employment may be asked to participate in an exit interview with the Director of Human Resources. Participation in the interview will take place during regular working hours. Supervisors should notify the Department of Human Resources when an employee announces resignation or retirement and arrange for the exit interview.

9.04 SICK LEAVE CONVERSION/CASH OUT

A. Policy Statement

Pursuant to [Section 124.39](#) of the Ohio Revised Code, employees with at least ten (10) years of “prior public agency service” who retire under the Public Employees Retirement System shall be paid one-fourth (1/4) of the value of the accrued, but unused sick leave credit to a maximum of thirty (30) days.

B. Upon Retirement

For purposes of this policy, retirement means disability or service retirement under any state or municipal retirement system in this state.

Payment shall be made at the employee's rate of pay on the effective date of retirement and eliminates all sick leave credit accrued by the employee. Such payment shall only be made once to an employee.

If an employee who retires under a public retirement system intends to return to public service and therefore elects not to take a payment under this policy at the time that he or she retires in order to preserve his or her sick leave balance, the employee will not be eligible for a payment under this policy at a later date or a subsequent separation from public employment. Payments under this policy shall only be made at the time an employee separates from employment for the purpose of retiring to a state or municipal retirement system.

C. Upon Resignation

Employees with less than ten (10) years of service credit **or** who are leaving for reasons other than retirement as defined above are not eligible for a payout under this policy.

The previously accumulated leave balances of an employee who has been separated from the service with the county, who is ineligible for a payout under this policy or has elected not to receive a payout pursuant to this policy, shall be placed in the employee's credit upon reemployment in the public service, provided that such reemployment occurs within ten (10) years of the employee's separation from the county.



EMPLOYEE POLICY MANUAL ACKNOWLEDGMENT OF RECEIPT

The Board of Stark County Commissioners' Employee Policy Manual is available in both hard copy and electronic format. The electronic format may be accessed at the following web address:

www.starkcountyohio.gov/human-resources

I have read and understand that:

- This policy manual replaces all previously issued editions;
- It is my responsibility to become familiar with the contents of this policy manual;
- I have the opportunity to ask questions and seek clarifications about the content through my supervisor or the Department of Human Resources; and
- The Board of Stark County Commissioners' retains the right to modify, suspend, interpret or cancel any of the policies contained in this policy manual.

Further, I acknowledge that I have received a copy of the The Board of Stark County Commissioners' Employee Policy Manual in either hard copy or electronic copy form, and understand that this manual is not an employment contract and in no way guarantees my employment under the hiring authority of the Board of Stark County Commissioners.

Name of Employee (print name): _____

Signature of Employee: _____

Date: ____/____/____
Month Day Year

THIS FORM MUST BE COMPLETED, SIGNED AND RETURNED TO YOUR DEPARTMENT HEAD.