



ATHENS, HOCKING, VINTON ALCOHOL, DRUG
ADDICTION AND MENTAL HEALTH SERVICES BOARD

317 BOARD

PERSONNEL POLICY
AND PROCEDURES
MANUAL

2024

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**CHAPTER 1
INTRODUCTION**

- 1.01 INTRODUCTION
- 1.02 OBJECTIVES
- 1.03 DEFINITIONS
- 1.04 SCOPE OF COVERAGE
- 1.05 DISSEMINATION
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INTRODUCTION

**SECTION 1.01
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- A. This manual outlines personnel policies set forth for the Athens-Hocking-Vinton 317 Board employees. The policies herein supersede all previous policies and procedures.
- B. Every employee will receive a copy of this personnel policy manual, and subsequent revisions. Every employee will sign a form stating that they have read and understood the Board's Personnel Policies and Procedures. A copy of that form will be kept in their personnel file. Upon termination, the manual is to be returned to the supervisor.
- C. The Athens-Hocking-Vinton 317 Board Personnel Policy Manual does not constitute a contract with 317 Board employees. It is a guide for administering defined policies fairly and consistently as an Equal Opportunity Employer.
- D. The Executive Director and supervisors should be thoroughly familiar with the personnel policies contained herein so as to administer the policies in a systematic, fair, and impartial manner.
- E. When it becomes necessary to add, delete, or change policies, updates will be issued to all departments for distribution and insertion in this manual.
- F. This policy manual is a guide to be utilized by management to ensure uniformity and nondiscriminatory application of the conditions of employment. In the event there is a conflict between the policies expressed in this manual and any applicable laws, the applicable law will prevail.
- G. The Executive Director has the right and may need to establish policies to meet the specific needs of the departments. The Athens-Hocking-Vinton 317 Board and the Executive Director adopting these policies reserve the right to modify, revoke, suspend, terminate, or change any and all such plans, policies, procedures, in whole or in part, with or without notice, as permitted by law, and as they deem best serves the citizens. It is hoped that any conflict with the policies of this manual can be avoided by reviewing the policies and suggesting changes as needed.

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OBJECTIVES

**SECTION 1.02
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- A. The Athens-Hocking-Vinton 317 Board (“Board” or “317 Board”) recognizes that a personnel system which recruits and retains competent, dependable personnel is indispensable.

- B. The policies and procedures set forth in this manual are designed to:
 - 1. aid in the consistent and equitable treatment of employees and to ensure that all employees fully understand the terms and conditions of their employment;
 - 2. promote high morale and foster good working relationships among 317 Board employees by providing uniform personnel policies, equal opportunities for advancement, and consideration for employee needs;
 - 3. maintain recruitment and internal promotional practices which will enhance the attractiveness of a career with 317 Board and encourage each of its employees to give his/her best effort to the office;
 - 4. encourage courteous and dependable service to the public;
 - 5. provide fair and equal opportunity for qualified persons to enter and progress in the 317 Board service based on merit and fitness and fair and effective personnel management methods;
 - 6. ensure that all 317 Board operations are conducted in an ethical and legal manner so to promote the Board’s reputation as an efficient, progressive body in the community and the state.

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DEFINITIONS

**SECTION 1.03
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Unless otherwise indicated in these policies or other legally adopted documents, the following definitions shall apply:

Absenteeism: the practice of a worker failing to report for work for a period of one (1) or more days or failure to report within the prescribed time when he/she has been assigned to or scheduled for work. Misuse or abuse of sick leave regulations can be considered absenteeism.

Absent Without Leave (Unexcused Absence): being absent from work without any authorization.

Active Pay Status: the conditions under which an employee is eligible to receive pay and includes, approved vacation, sick leave, and holidays.

Board: The Athens-Hocking-Vinton 317 Board, as provided in ORC 340.02, or the designee of the 317 Board is authorized by law to make appointments to positions.

Classification (Class): a group of positions sufficiently similar in respect to duties, responsibilities, authority, and qualifications so that the same description title may be used for each, and the same pay grade assigned. A class may include only one (1) position in some circumstances.

Classified Employee: all persons in the employ of the 317 Board who are not specifically included in the unclassified service.

Compressed Workweek: allows an employee to work a traditional 35-40 hour workweek in less than five workdays.

Days: calendar days unless otherwise specified.

Dishonesty: to knowingly or recklessly misrepresent information

District: The Athens-Hocking-Vinton Alcohol, Drug Addiction and Mental Health Services District (317), as provided in ORC 340.01.

Drunkenness: the condition of a person whose mind is affected by the immediate use of intoxicating drinks; the state of one who is “drunk”; the effect produced upon the mind or body by drinking intoxicating liquors to such an extent that the normal condition of the subject is changed and his/her capacity for rational action and conduct is substantially lessened.

Employee: any person working directly for the Athens-Hocking-Vinton 317 Board.

Employer: the 317 Board, or the designee of the 317 Board.

Excused Absence: being absent from work with the approval of the Employer (i.e., vacation, holiday, comp time, unpaid leave of absence).

Exempt Employee: exempt from overtime provisions of the Fair Labor Standards Act (“FLSA”).

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DEFINITIONS

**SECTION 1.03
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Flexible Work Arrangements: alternate arrangements or schedules from the traditional working day and week.

Flex Time: flexible hours worked to accommodate fluctuating workload and personal schedule at the discretion of the Department Head or designee.

Forms: may be either paper or electronic.

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

Inefficiency: quality of being incapable or indisposed to perform tasks required of an employee.

Insubordination: unwilling to perform job duties; refusal to obey either a written or verbal order issued by the employee's superior.

Malfeasance: the commission of some act which is wrong or unlawful; engaging in an act the employee ought not to perform.

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

Neglect of Duty: to omit or fail to perform an act the employee should reasonably perform under the circumstances; an absence of care or attention to duty.

Non-Exempt Employee: an employee entitled to earn minimum wage and qualify for overtime pay under the FLSA.

Nonfeasance: failure to perform an act the employee is required to or reasonably should perform.

Position: any specific employment or job calling for the performance of certain duties, the exercise of certain authority, and for the exercise of certain responsibilities by an individual'

Salaried Employees: means those employees who are paid a salary within the meaning of the FLSA, rather than an hourly wage. The mere fact that a person's salary is computed from or expressed as an hourly amount for data processing purposes does not mean a person is hourly rather than salaried.

Sick Leave Abuse: the use of sick leave for any purpose other than as provided by applicable law or this policy; calling in sick when the employee is able to work; reporting illness in the immediate family when such illness does not exist; reporting off sick to participate in some other activity or to take care of personal business; setting a pattern of reporting off sick on certain days of the week or following regular days off, over an extended period of time; failure to follow the rules and regulations regarding use of sick leave and reporting procedures.

Suspension: relieving an employee from duty with or without pay as a disciplinary measure aimed at improving the employee's conduct or for medical or psychological evaluation.

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Supervisor: an individual who has been authorized by the Executive Director to oversee and direct the work of subordinate employees.

Tardiness: lack of punctuality in arriving at the place of work at the employee's designed start or return time.

Telecommuting: an employment arrangement in which the employee works outside of the employer's office.

Unclassified: the status of employees who are exempt from the classified service by statute, because of a fiduciary or administrative relationship to the Board or who have otherwise been personally exempted by the Board. These include but are not limited to executive directors, deputy directors, program directors, and secretaries of executive directors, deputy directors, and program directors.

Unethical: harmful or adverse to public welfare according to the standards of a given community, as expressed in law or otherwise.

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

Verbal Warning: the discussion a supervisor and/or Executive Director holds with an employee in which he or she disciplines him/her for his/her conduct and impresses upon him/her the need for improvement. This method of discipline can eliminate misunderstandings immediately and set and maintain desired standards of conduct and performance.

Written Reprimand: This is the written record of disciplinary action, usually issued after an oral reprimand has failed to improve the employee's conduct or when the employee is guilty of a more serious violation. It is placed in the employee's personnel file and remains part of the employee's record.

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SCOPE OF COVERAGE

**SECTION 1.04
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These policies, with primary origin in Ohio and federal law, apply to all employees, supervisors, and administrators of the 317 Board. In the event there is a conflict between the matters expressed in this manual and any other applicable laws or regulations, the applicable law or regulations shall prevail, except where the 317 Board may lawfully supersede them and has intentionally done so.

Some policies may reference more specific documents, in which case the more specific documents will control. Every effort shall be made to interpret policies objectively, with the general intent of the policy in mind. To that extent, the Executive Director may issue directives that clarify these policies.

From time to time, it will be necessary to add, delete, or revise specific policies. Updated policies will be issued to all manual holders and communicated to all affected employees.

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DISSEMINATION

**SECTION 1.05
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All personnel will be given a complete copy of the Personnel Policies during orientation. Employees will be expected to know and comply with their content.

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POLICY AMENDMENTS

**SECTION 1.06
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These policies may be amended, revised, or deleted by resolution of the 317 Board. Such revisions, amendments, or deletions will be published in a conspicuous place and a copy given to each employee on or prior to their effective date.

If any article or section of this manual is restrained or held invalid by operation of law, the remainder of this manual will remain in full force and effect.

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**CHAPTER 2
EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION**

- 2.01 EQUAL EMPLOYMENT OPPORTUNITY
- 2.02 DISABILITY AND REASONABLE ACCOMMODATIONS
- 2.03 DISCRIMINATORY HARASSMENT AND RETALIATION
- 2.04 EQUAL EMPLOYMENT OPPORTUNITY / ANTI-DISCRIMINATION
PROCEDURE
- 2.05 COMMUNICATION WITH PEOPLE WITH LIMITED ENGLISH
PROFICIENCY
- 2.06 AUXILIARY AIDS POLICY

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EQUAL EMPLOYMENT OPPORTUNITY

**SECTION 2.01
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- A. The Board is an Equal Opportunity Employer. All employees and applicants for employment will be hired, promoted, transferred, demoted, laid off, terminated, suspended, evaluated, or otherwise treated in a fair and equitable manner based solely upon job performance and/or qualification. No personnel decisions shall be based on any protected class as defined by state and federal law. The protected classes are race, color, ethnicity, religion, sex (including pregnancy, sexual orientation, and gender identity), national origin, military/veteran status, genetic information (including family medical history), age (40 or older), or disability, except where such criteria constitute a bona fide occupational requirement, and the Board has lawfully designated them as such.

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DISABILITY AND REASONABLE ACCOMMODATIONS

SECTION 2.02

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- A. The Board shall comply the Americans with Disabilities Act (ADA), Section 403 of the Rehabilitation Act of 1973, and Ohio Civil Rights Act (R.C. Chapter 4112), and will not discriminate against applicants and employees with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

- B. Both the ADA and Ohio Civil Rights Act require employers to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would create an undue hardship.

A reasonable accommodation is defined by the Equal Employment Opportunities Commission (“EEOC”) as any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. There are three categories of “reasonable accommodations”:

- (i) modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires; or
- (ii) modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or
- (iii) modifications or adjustments that enable a covered entity’s employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.

When an individual with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

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, or if the accommodation creates an undue hardship to the Board.

- C. Individuals who are currently using illegal drugs are excluded from coverage of this policy.

- D. An employee who needs a reasonable accommodation shall contact the Executive Director to discuss his or her needs. The Executive Director or designee shall engage in an

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DISABILITY AND REASONABLE ACCOMMODATIONS

SECTION 2.02

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interactive conversation with the employee to determine what if any reasonable accommodations may be implemented. The Board is not required to implement the employees' choice of accommodation, so long as the selected accommodation is otherwise effective and lawful.

- E. Documentation containing employee personal health information shall be maintained in a file separate from the personnel file in a locked cabinet. Supervisors are prohibited from discussing employee personal health information unless such discussion is required under this policy.
- F. As used in this policy, the following terms are defined as follows:
1. Disability: A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment.
 2. Major life activities: Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, and other major life activities.
 3. Major bodily functions: Physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability, organic brain syndrome, emotional or mental illness and specific learning disabilities.
 4. Substantially limiting: The determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include epilepsy, hypertension, asthma, diabetes, Autism Spectrum Disorder, major depressive disorder, bipolar disorder, and schizophrenia. An impairment, such as cancer that is in remission but that may possibly return in a substantially limiting form, is also considered a disability.
 5. Direct threat: A significant risk to the health, safety, or well-being of individuals with disabilities or others when this risk cannot be eliminated by reasonable accommodation.
 6. Qualified individual: An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

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DISABILITY AND REASONABLE ACCOMMODATIONS

SECTION 2.02

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7. Reasonable accommodation: Includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

8. Undue hardship: An action requiring significant difficulty or expense by the employer. In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include:
 - a. The nature and cost of the accommodation.

 - b. The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation, the number of persons employed at such facility, the effect on expenses and resources, or the impact of such accommodation on the operation of the facility.

 - c. The overall financial resources of the employer; the size, number, type, and location of facilities.

 - d. The type of operations of the company, including the composition, structure, and functions of the workforce; administrative or fiscal relationship of the particular facility involved in making the accommodation to the employer.

 - e. Essential functions of the job: Term refers to those job activities that are determined by the employer to be essential or core to performing the job; these functions cannot be modified.

The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities, impairments or reasonable accommodations covered by this policy.

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DISCRIMINATORY HARASSMENT AND RETALIATION

SECTION 2.03

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- A. This policy applies to employees, applicants for employment, vendors, contractors, clients of the agency, and any other third party who interacts with Board employees.
- B. Harassment on the basis of any protected class is 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 or her race, color, religion, sex (including pregnancy, sexual orientation, or gender identity or expression), national origin, age, disability, military/veteran status, genetic information, or any other characteristic protected by law. Harassment also includes such treatment of a colleague because of a protected class of his or her relatives, friends, or associates.
- C. Harassing conduct **includes but is not limited to** 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 that is circulated in the workplace using company e-mail, phone (including voice messages), text messages, social networking sites, or other means.
- D. Conduct that occurs outside the workplace (such as socializing or communicating in any way off work property or outside typical working hours) that impacts functioning within the workplace is subject to this policy.
- E. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (c) such conduct 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 and 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, sexual prowess, or sexual deficiencies; 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. Sexual harassment also includes behavior that manifests a bias against an individual because of his or her sex.

- F. The Board requires all employees to report and document any and all perceived incidents of discrimination, harassment, or retaliation. Reporting is required even if the employee witnesses, rather than is the subject of, discrimination, harassment, and/or retaliation. Employees who fail to report discrimination, harassment, and/or retaliation in accordance with Board policy will be subject to discipline up to and including termination. The Board will promptly investigate such reports in accordance with Section 2.04 of this manual.

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DISCRIMINATORY HARASSMENT AND RETALIATION

SECTION 2.03

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- G. Retaliation: Retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports is strictly prohibited. It is a violation of this policy to retaliate against applicants or employees for the following non-exhaustive reasons:
1. filing or being a witness in an EEO charge, complaint, investigation, or lawsuit;
 2. communicating with a supervisor or manager about employment discrimination, including harassment;
 3. answering questions during an employer investigation of alleged harassment;
 4. refusing to follow orders that would result in discrimination;
 5. resisting sexual advances, or intervening to protect others requesting accommodation of a disability or for a religious practice; and/or
 6. asking managers or co-workers about salary information to uncover potentially discriminatory wages.

Participating in a complaint process is protected from retaliation under all circumstances. Other acts to oppose discrimination are protected as long as the employee was acting on a reasonable belief that something in the workplace may violate EEO laws, even if he or she did not use legal terminology to describe it. Engaging in EEO activity, however, does not shield an employee from lawful discipline or discharge.

What follows is a non-exhaustive list of conduct that may constitute retaliation:

1. reprimand the employee or give a performance evaluation that is lower than it should be;
2. transfer the employee to a less desirable position;
3. engage in verbal or physical abuse;
4. threaten to make, or actually make reports to authorities (such as reporting immigration status or contacting the police);
5. increase scrutiny;
6. spread false rumors, treat a family member negatively (for example, cancel a contract with the person's spouse); or

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DISCRIMINATORY HARASSMENT AND RETALIATION

SECTION 2.03

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7. make the person's work more difficult (for example, punishing an employee for an EEO complaint by purposefully changing his or her work schedule to conflict with family responsibilities).

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**EQUAL EMPLOYMENT OPPORTUNITY/
ANTI-DISCRIMINATION PROCEDURE**

**SECTION 2.04
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- A. Procedure: Any employee who believes that he/she has been subjected to or has witnessed discrimination, harassment, or retaliation must immediately report the alleged act(s) to his/her supervisor, or the Executive Director.

If the Executive Director is the subject of the complaint, the employee should report to the Chair of the Executive Committee of the 317 Board.

- B. Documentation requirement: Any supervisory employee who receives a complaint of discrimination, harassment, or retaliation shall direct the employee to put the complaint in writing. If the employee fails to or refuses to put the complaint in writing, the supervisor is required to reduce the complaint to writing.
- C. Action requirement: No supervisor is permitted to fail to act on a complaint, even if the employee or witness requests that the supervisor take no action. Supervisors who fail to take action upon receipt of a complaint will be subject to discipline up to and including termination.
- D. Investigation: The Executive Director or his/her designee will promptly initiate an investigation into the complaint(s). The investigation will be completed as expeditiously as possible under the circumstances. The investigation will remain as confidential as possible under the circumstances, but employees are advised that revelation of information to the individual accused of a policy violation, witnesses, and/or supervisors may be necessary to conduct a thorough investigation.

Employees are required to be honest during the investigation and answer each question fully and truthfully. Lying by omission, which occurs when relevant information is omitted to foster a misconception, is prohibited. Employees involved in an investigation are prohibited from discussing the investigation unless otherwise directed by a supervisor.

The subject of the investigation may be placed on paid administrative leave during the investigation. Such leave is not disciplinary in nature but rather protects all parties involved by ensuring the integrity of the investigation.

At the conclusion of the investigation, both the complainant and subject of the investigation will be notified whether the complaint was substantiated or unsubstantiated. No employee will be disciplined for making a good faith but unsubstantiated complaint. If a complaint has been substantiated, the Board will take prompt and effective remedial action designed to stop inappropriate conduct and prevent future misconduct.

- E. Discipline: Any employee who has been found to have violated this policy will be subject to discipline up to and including termination. This includes employees who fail to report discrimination, retaliation, and/or harassment, and/or employees who are dishonest during the investigatory process. Employees who are found to have discussed the investigation will be subject to discipline up to and including termination if such discussion was intended to or actually did interfere with or obstruct the investigation.

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**COMMUNICATION WITH PEOPLE WITH
LIMITED ENGLISH PROFICIENCY**

**SECTION 2.05
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- A. The Board shall provide for communication with people with limited English proficiency including current and prospective patients/clients, family, interested persons, etc., to ensure them an equal opportunity to benefit from services.
- B. The Executive Director is authorized to obtain a translator.
- C. Family members or friends of the person with limited English proficiency may not be used as translators unless specifically requested by that individual after an offer of a translator has been made by the Board. Such an offer and the response must be documented in the person's file. Other patients/clients may not be used to translate. These restrictions are to ensure confidentiality of information and accurate communication.

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AUXILIARY AIDS POLICY

**SECTION 2.06
PAGE 1 OF 1**

- A. It is the policy of the Board to provide qualified sign-language interpreters and other auxiliary aids to sensory-impaired people and individuals with communication disabilities when possible to afford such persons an equal opportunity to benefit from the services provided and that such interpreters and auxiliary aids will be provided at no cost to the client.
- B. Some examples of auxiliary aids include sign language interpreters, flash cards, communication boards, telephone amplifiers, a TTD/TTY, Braille, taped and large print materials, and reading to the client. Lip reading, note writing, and the use of gestures may also aid communication but are not a replacement for interpreters.
- C. All staff will ensure that individuals with communication disabilities or his/her designee will be asked to indicate how they communicate most effectively. It is understood that no payment needs to be made by the Board when the person volunteers his/her own resources.
- D. Any request to use family or friends by an individual with a communication disability following the offer by the Board to provide an auxiliary aid or interpreter will be documented and will be honored unless the Board concludes the person selected is not sufficiently qualified and elects to provide another aid or interpreter. Documentation will include a written statement signed by the client or responsible party.
- E. The Board may exercise discretion as to when an interpreter is necessary, as routine visits may require extensive communication.

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CHAPTER 3 EMPLOYMENT

- 3.01 REQUIREMENTS FOR EMPLOYMENT
- 3.02 CLASSIFIED AND UNCLASSIFIED EMPLOYMENT
- 3.03 EMPLOYEE STATUS
- 3.04 EMPLOYEE STATUS UNDER FLSA (EXEMPT OR NONEXEMPT)
- 3.05 JOB CLASSIFICATIONS
- 3.06 RECRUITMENT AND SELECTION
- 3.07 DISQUALIFICATION
- 3.08 IMMIGRATION REFORM AND CONTROL ACT POLICY
- 3.09 MEDICAL EXAMINATION
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REQUIREMENTS FOR EMPLOYMENT

**SECTION 3.01
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- A. The Executive Director appoints, employs, determines annual compensation, disciplines, and establishes office policies and procedures and other conditions of employment for Board employees. Employment with the Board is employment in a public agency, subject to federal, state, and local laws and the requirements that employees recognize and agree to abide by all applicable laws, policies, and procedures as a condition of employment.

- B. The Board or the Executive Director may require applicants to submit to reference checks, medical examinations, background checks, and other job-related screening procedures to determine whether applicants can perform the essential functions of the job.

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CLASSIFIED AND UNCLASSIFIED EMPLOYMENT

**SECTION 3.02
PAGE 1 OF 1**

- A. All employees of the Board are presumed to be classified civil servants unless the position an employee occupies has been exempted from the classified service by operation of law. Classified employees may only be disciplined for cause. Exceptions include probationary employees, who may be removed or reduced in hours, pay, or position for unsatisfactory service during the probationary period without a showing of cause (see Section 3.11 – Training and Probationary Periods). Classified status restricts an employee’s ability to participate in partisan politics (see Section 7.05 – Political Activity).

- B. Some Board employees serve in the unclassified civil service or occupy positions which have been exempted from the classified service. Such employees are “at will” and serve at the pleasure of the Executive Director.

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EMPLOYEE STATUS

**SECTION 3.03
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- A. The following are definitions of full time and part time employees:
1. Full-time employee: an employee who works forty (40) hours per week or more on a regularly scheduled basis or a standard full-time workweek as designated by the Executive Director.
 2. Part-time employee: an employee who works less than forty (40) hours per week, or less than full-time as designated by the Executive Director, but on a regularly scheduled basis (see (B) below).
 3. Student (Intern) employee: denotes a person employed to work in a nonprofessional position requiring little or no skill. The person must be a student at an educational institution; however, their assigned position need not be directly related to the content or level of the person's education.
- B. These categories apply for civil service purposes, such as order of retention in the event of layoff for full-time, part-time, and seasonal employees. However, these categories may not apply to certain benefit programs, such as eligibility for health care coverage, especially where eligibility and categories of employee status are established by those benefit programs.
- C. Generally, full-time permanent employees shall be entitled to all benefits as provided by the Board. Part-time employees who work over twenty (20) hours or more per week may be entitled to certain benefits as specified in this manual and approved by the Board. Student employees shall not be entitled to any fringe benefits unless otherwise specified in this manual and approved by the Board.

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**EMPLOYEE STATUS UNDER FLSA
(EXEMPT OR NONEXEMPT)**

**SECTION 3.04
PAGE 1 OF 1**

1. Non-Exempt: Non-exempt employees are workers who are entitled to earn the federal minimum wage and qualify for overtime pay, which is calculated as one-and-a-half times their hourly rate, for every hour they work, above and beyond a standard 40-hour workweek.

2. Exempt: Administrative, executive, professional, and certain other employees paid on a salary basis are exempt or fall into one of the specific categories of “non-covered” employees under the FLSA. Salaried employees determined to be exempt from overtime requirements of the FLSA shall not be eligible for overtime pay as defined in the FLSA. Exempt employees are expected to normally work their established office schedule of work hours unless additional work time is required to fulfill the responsibilities of their position.

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JOB CLASSIFICATIONS

**SECTION 3.05
PAGE 1 OF 1**

- A. Positions in the service of the Board are classified in accordance with titles established by the Board.

- B. Classifications are based on an analysis of the employee's duties and responsibilities. Class specifications include a class title, nature of work, examples of duties, minimum qualifications, and content-related worker characteristics.

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RECRUITMENT AND SELECTION

**SECTION 3.06
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- A. If the job to be filled is a new position, a job description shall be written by the relevant supervisor and approved by the Executive Director. Applicants are required to submit to reference checks, interviews, background checks, performance test results, and/or other job-related screening procedures.
- B. If the job to be filled is the result of a vacancy in an existing position, the job description should be reviewed by the relevant supervisor to assure that the job requirements are still pertinent and approved by the Executive Director.
- C. If a determination is made by the Executive Director that additional personnel are needed, a position title, job description, and advertisements shall be drafted by the relevant supervisor, and approved by the Executive Director. The authorization for an increase in personnel numbers shall be presented to the Executive Committee for approval, and then to the Board for authorization.
- D. Recruitment: All vacancies will be posted internally and externally and shall be posted in an area including but not limited to the immediate catchment area.
- E. Applicants will be informed in writing if they were not selected.
- F. Selection: After all candidate(s) are interviewed, the Executive Director will make the final selection(s).
- G. Offer of Employment: The Executive Director shall notify, in writing, the successful applicant of the job offer and of the conditions, if any, which apply. These documents will be kept in the newly hired employee's personnel file.

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DISQUALIFICATION

**SECTION 3.07
PAGE 1 OF 1**

- A. The Executive Director may eliminate an applicant from consideration if the applicant:
1. does not possess the knowledge, skills, and abilities necessary to effectively perform the duties of the vacant position;
 2. has made a false statement of material fact on the application form or supplements thereto;
 3. has committed or attempted to commit a fraudulent act at any stage of the selection process;
 4. is not legally permitted to work;
 5. is eliminated from consideration for the position by the Director of the Ohio Department of Administrative Services, due to poor work habits and performance with previous employers; or
 6. cannot meet compliance with state law (O.R.C. 5153.11, et al.), providing that candidates for employment by the Department of Human Services, for positions involving Child Protective Services, Child Care, Child Custody, or control of a child are subject to a criminal records check completed by the Ohio Bureau of Criminal Identification and Investigation. A candidate's refusal to participate in the criminal records check shall be grounds for immediate disqualification. If the criminal records check indicates the candidate has been convicted or pled guilty to the violations listed in O.R.C. 5153.11(B)(1)(A) or other pertinent violations adopted by the Ohio Department of Human Services, said candidate shall be immediately disqualified.
- B. An applicant may be eliminated from consideration upon other reasonable grounds relating to job requirements (e.g., inability to perform essential functions with or without reasonable accommodation).
- C. If an applicant is hired and it is subsequently discovered that any of the above disqualifying criteria apply, the Executive Director may terminate the employee for dishonesty, incompetence, nonfeasance, or malfeasance.

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PERSONNEL POLICY MANUAL**

IMMIGRATION REFORM AND CONTROL ACT POLICY

SECTION 3.08

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- A. In General: In accordance with the provisions of the Immigration Reform and Control Act of 1986, as amended by the Immigration Act of 1990, the Executive Director has adopted the policy set forth below.
1. The Executive Director shall not knowingly hire or recruit or continue employment of any individual hired after November 6, 1986 without substantiating and documenting that individual's eligibility in accordance with provisions established by this policy.
 2. The Executive Director has established an employment verification system and shall retain appropriate records establishing that each employee hired after November 6, 1986 is lawfully authorized to work in the United States as either a U.S. citizen or as documented immigrant.
 3. As a condition of continued employment, the Executive Director shall verify both the identity and the employment eligibility of all applicants considered for employment, by following the steps outlined in (B) below.
- B. Preemployment Requirement:
1. All applicants to be hired, as a condition of employment, shall be required to complete the biographical information requested by Form I-9 (refer to Form AB36, Section 11). The applicant shall attest that he/she is eligible for employment and has presented authentic, original documentation of identity and employment eligibility by placing an "X" in the appropriate box in Part 1 of the form. The applicant shall sign the signature space of Part 1 of the form and shall submit the form to the Executive Director for review and verification.
 2. The Executive Director shall require the applicant to furnish an original of one (1) of the documents listed below in order to substantiate both the applicant's identity and employment eligibility:
 - a. United States passport (unexpired or expired);
 - b. Certificate of United States Citizenship (INS Form N-560 or N-561);
 - c. Certificate of Naturalization (INS Form N-550 or N-570);
 - d. Unexpired foreign passport which contains (1) an unexpired endorsement of the United States Attorney General authorizing the individual's employment in the United States (an unexpired stamp that reads, "Processed for I-551. Temporary Evidence of Lawful Admission for permanent residence. Valid until_____. Employment authorized."); or (2) has attached thereto a Form I-94 bearing the same name as the passport and contains an employment authorization stamp, so long as the period of endorsement has not yet expired, and the job does not conflict with restrictions or limitations identified on the Form I-94;

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IMMIGRATION REFORM AND CONTROL ACT POLICY

SECTION 3.08

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- e. An Alien Registration Receipt Card (INS Form I-551);
 - f. An unexpired Temporary Resident Card (INS Form I-668), or unexpired Employment Authorization Card (INS Form I-668A);
 - g. An unexpired Refugee Travel document (INS Form I-571), or unexpired reentry permit (INS Form I-327);
 - h. An unexpired employment authorization document issued by the Immigration and Naturalization Service which contains a photograph (INS Form I-688B).
3. In lieu of any of the documents specified in (B)(2) of this policy, the applicant may submit to the Executive Director an original of one of the documents outlined below to establish employment eligibility and an original of one of the documents outlined below to verify the employee's identity:

Acceptable Documents for
Verifying Employment Eligibility:

- 1. Social Security card, unless stamped "not valid for employment purposes"
- 2. A birth certificate issued by the Dept. of State (Form FS-545)
- 3. A certificate of birth abroad issued by the Dept. of State (Form DS-1350)
- 4. An original or certified copy of a birth certificate issued by a state or by a political subdivision
- 5. Native American tribal document
- 6. U.S. Citizen ID Card (INS Form I-97)
- 7. ID card for use of resident citizen in the United States (INS Form I-179)
- 8. An unexpired employment authorization document issued by the Immigration and Naturalization Service

Acceptable Documents for
Verifying Employment Identity:

- 1. State driver's license*
- 2. State identification card*
- 3. School identification card with a photograph
- 4. Voter's registration card
- 5. U.S. military card or draft record
- 6. ID card issued by federal, state, or local government*
- 7. Military dependent's ID card
- 8. Native American tribal documents
- 9. U.S. Coast Guard Merchant Marines Card
- 10. Canadian driver's license

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IMMIGRATION REFORM AND CONTROL ACT POLICY

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*A driver's license, state identification card, or government ID shall be accepted by the Executive Director only if the card bears a photo of the applicant or contains personal identifying information including the applicant's name, date of birth, sex, height, weight, eye color, and address.

4. If the applicant cannot produce the documents the applicant must produce a receipt for an application for replacement documents within one week of hire.
5. Individuals who are disabled may establish identity through certain other documents if they are being placed into employment by a nonprofit organization, association, or as part of a rehabilitation program.
6. Minors under the age of 18 who are unable to produce one of the identity documents listed under (3) of this section may provide other acceptable documents to establish identity.
7. If an immigrant attests to the Executive Director that he/she intends to apply or has applied for legalization or amnesty, the Executive Director need not require evidence of work authorization as specified in (c) above, the applicant must, however, provide to the Executive Director evidence of the applicant's identity.

C. Post-Hiring Requirements:

1. Within 3 business days after the appointment of the applicant, the Executive Director or designee shall examine the documentation presented by the new employee, ensure that the documents presented appear to be genuine and relate to the individual, then complete the remaining portions of Form I-9.
2. The Executive Director shall retain Form I-9 and photocopies of the supporting documentation for 3 years after the effective date of hire or for 1 year from the date of the employee's separation from service, whichever is later.
3. Form I-9 and copies of supporting documentation shall not be used for any purpose or provided to any agency or person other than for the purpose of complying with the requirements of the Act.
4. Should an employee be rehired or reinstated by the Executive Director within 1 year of the date of separation, the Executive Director may use the original I-9 form and supporting documentation for the purpose of complying with the Act.
5. If an employee's authorization to work expires the Executive Director must immediately reverify that the employee is still authorized to work, based on the

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IMMIGRATION REFORM AND CONTROL ACT POLICY

SECTION 3.08

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employee's documentation of continuing eligibility or new authority to work. The Executive Director must review the document and verify on the I-9 Form, noting the document's ID number and expiration date.

- D. Anti-Discrimination Policy: It is the intention of the Executive Director not to discriminate in hiring on the basis of national origin and citizenship status except as otherwise provided by law. The Employer will not unlawfully discriminate against any citizen or national of the United States or against any immigrant authorized to work in the job at issue.

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MEDICAL EXAMINATION

**SECTION 3.09
PAGE 1 OF 1**

- A. A physical and/or mental examination by a qualified physician may be required by the Executive Director, following a conditional offer of employment, to ensure that selected job applicants are physically and mentally able to perform the essential functions of the positions for which they are applying. Examinations may include any job-related examination determined to be a preemployment requirement. No medical examination, except screening for use of illegal drugs, will be conducted until after the Appointing Authority has made the applicant a conditional offer of employment.
- B. The Executive Director shall select the physician to administer the examination and shall pay the cost. Applicants may obtain a waiver of the medical examination requirement for the following reasons:
1. Religious opinion or affiliation, or
 2. Reinstatement within 1 year or separation.
- Any applicant choosing to waive the examination requirement shall submit a written affidavit from a qualified physician describing his/her state of health at the time of employment.
- C. After hire, employees may be required to submit to medical examination for certain purposes conducted by a licensed physician, to determine the employee's physical or mental capability to perform the duties of his/her position. Examples include examination to certify continued eligibility for Family and Medical Leave, examination to assess eligibility for Workers' Compensation, examination required by Occupational Safety and Health Administration, etc. If found not qualified, the employee may be placed on sick, disability, or other appropriate leave.
- D. All provisions under this section shall be implemented in compliance with the ADA and relevant state law.

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ORIENTATION

**SECTION 3.10
PAGE 1 OF 1**

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

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TRAINING AND PROBATIONARY PERIOD

**SECTION 3.11
PAGE 1 OF 1**

- A. Each new classified employee is hired on a 6-month probationary basis. This time begins with the first day of employment. During this time every effort will be made by the supervisor or Executive Director to orient the employee to his/her job and to the procedures and expectations of the Board.

- B. Prior to the end of the probationary period, each employee's work record and general adaptability to the Board's needs will be reviewed. Immediate supervisors will evaluate new hire probationary employees. If the performance of the employee during the training and probationary period is found to be unsatisfactory, the employee has not been able to reach a reasonably competent level of performance, it appears unlikely that such a level will be reached, or any other reason as determined by the Executive Director, the employee may be removed at any time during the period. Such a termination can be performed without granting the employee right of appeal.

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PERFORMANCE APPRAISAL

**SECTION 3.12
PAGE 1 OF 1**

An annual appraisal of each employee's job performance will be conducted. However, the annual review is just one component of assessment of employee performance. Most coaching and assessment will occur informally on-the-job.

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PROMOTION

**SECTION 3.13
PAGE 1 OF 1**

- A. Any current employee who is promoted to a higher position shall serve a training period of 90 calendar days from the date of promotion. If the employee's performance is considered unsatisfactory, he/she will be returned to the position formerly held, or another similar to it, if there is a vacancy, depending on the circumstances.

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CONTINUOUS SERVICE

**SECTION 3.14
PAGE 1 OF 1**

- A. Continuous service is generally defined as the uninterrupted service of an employee with the Board. Seniority has a different meaning for certain specific purposes, for example, layoff, vacation, or retirement. An authorized leave of absence does not constitute a break in service and is to be considered continuous service time providing the employee complies with the rules and regulations governing leaves of absence and the employee is reinstated from the leave.

- B. Break in service shall be considered a separation from service which includes, but is not limited to, resignations, removals, failures to return from authorized leaves of absence, or disability separations. Any separation lasting 30 days or less, or an authorized leave of absence from which the employee returns, shall not constitute a break in service. Any other separation lasting more than 30 days shall be considered a break in service unless the employee who separates is later reinstated within 1 year of the separation date. An employee reinstated following a period of separation or a leave of absence may retain seniority and status for all purposes except that the time the employee was separated will not count towards the calculation of retention points for continuous service in the event of a layoff.

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LAYOFF

**SECTION 3.15
PAGE 1 OF 1**

- A. An employee may be laid off because of a reorganization of the department, or for lack of work or funds. At least 14 days' notice shall be given an employee prior to layoff.
- B. A person who was laid off may be recalled to work at any time within 1 year provided the person remains qualified to perform the duties of the position.
- C. Layoffs shall be accomplished in accordance with the appropriate sections of the Ohio Revised Code and the Rules of the Department of Administrative Services.

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VOLUNTARY SEPARATION

**SECTION 3.16
PAGE 1 OF 1**

- A. All employees are required to notify the Executive Director, in writing, of their intent to leave their position at least 2 weeks (10 working days) prior to the effective date of their resignation. The notice will include the expected last day of work and the reason(s) for the resignation.
- B. The Executive Director reserves the right to accept a resignation immediately upon receiving it from the employee. In such instances, the employee's position with the Board is terminated effective immediately, and the employee will receive two weeks' compensation plus any vacation payments due.
- C. The employee is required to participate in an exit interview upon submittal of the notice of separation. Exit interviews will be conducted by the Executive Director. In addition, all employees voluntarily leaving their position will be asked to complete an Exit Questionnaire. At the exit interview, the employee shall surrender all office keys, another Board property.

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NEPOTISM

**SECTION 3.17
PAGE 1 OF 1**

- A. Except as provided in subsection C below, all public officials and employees are prohibited from authorizing or using the authority or influence of his/her position to secure authorization of employment or benefit for a person closely related by blood, marriage or significant relationship including business association.

- B. For purposes of this policy, a member of the immediate family shall include the following: parent, sibling, child, spouse, domestic partner, grandparent, aunt, uncle, in-law, steps, and other persons related by blood or marriage who reside in the same household.

- C. Section A above shall not apply in circumstances in which a marital or other significant relationship develops subsequent to both the public officials' and/or employees' employment with the Board. In this instance, the Executive Director and/or Board should make reasonable attempts to avoid supervisory conflicts.

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**CHAPTER 4
COMPENSATION AND HOURS OF WORK**

- 4.01 COMPENSATION
- 4.02 PAYROLL DEDUCTIONS
- 4.03 HOURS OF WORK
- 4.04 TIME SHEETS
- 4.05 STARTING/QUITTING TIMES
- 4.06 OVERTIME ASSIGNMENT
- 4.07 OVERTIME AND COMPENSATORY TIME
- 4.08 FLEXIBLE WORK ARRANGEMENTS

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COMPENSATION

**SECTION 4.01
PAGE 1 OF 1**

- A. The Board must give its approval to an annual budget plan for salaries and employee benefits. However, the Executive Director maintains full responsibility for administration of the plan and determination of individual salaries based upon performance evaluations.
- B. Employees of the Board shall receive an annual cost of living adjustment to their current salary, effective January 1st of each year, the lesser of 3 percent or the change in the consumer price index during the last federal fiscal year.

The Executive Director, in consultation with supervisory personnel, may delay the effective date or deny the cost-of-living adjustment for any employee in a probationary status, any employee subject to active disciplinary actions, or any employee receiving an unsatisfactory performance evaluation.

In addition, the Board may provide, based upon available funding, a merit raise pool above the cost-of-living adjustment to Board employees. Such funds would be available for distribution at the discretion of the Executive Director based on annual performance evaluations, in consultation with supervisory personnel.

This policy shall not apply to the compensation of the Executive Director.

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PAYROLL DEDUCTIONS

**SECTION 4.02
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Certain deductions are made from an employee's paycheck as required by law, in accordance with employee benefit plans, or as requested by the employee and authorized by law. These deductions are itemized on the employee's pay statement or electronic pay stub. Deductions include:

1. Retirement Systems: All Board employees, unless specifically exempted by the Ohio Revised Code, are required to participate in the Ohio Public Employees Retirement System ("PERS"). State law requires that the employees' contribution to the retirement system be withheld from each paycheck.

2. Income Taxes: The federal, state, and some municipal governments require that taxes be withheld from each salary payment. The amount of tax to be withheld is determined from tables furnished to the Board by the Ohio Department of Taxation and varies according to the amount of salary and number of dependency exemptions. Employees are required to complete withholding tax certificates upon initial employment and to inform the Fiscal Designee of any dependency change whenever such change occurs.

3. Miscellaneous: Examples include garnishments, hospitalization insurance, deferred compensation, child support, etc. The Board and/or Athens County Auditor may refuse to make deductions not required by law which are below certain prescribed minimum amounts, which occur at irregular intervals, or for other cause which the Board deems not in the best interest of the Board and/or Athens County. Other than those deductions required by law, the Auditor may decline to make a deduction that the employee's check is insufficient to cover.

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HOURS OF WORK

**SECTION 4.03
PAGE 1 OF 1**

- A. Forty hours shall be the standard workweek for full-time employees. Part-time employees are those employed for less than forty (40) hours per week.
- B. All employees are to be paid every two weeks for the two week pay period immediately preceding payday. Payday shall be each alternate Thursday. The biweekly payroll for all employees is from 12:01 a.m. Saturday through 12:00 midnight the second Friday (overtime is evaluated on a weekly basis).
- C. The Board office shall be open to the public Monday through Friday except on holidays. Normal hours of work for employees are between 8:00 a.m. to 5:00 p.m. and for regularly scheduled Board meetings and other meetings as required by job responsibilities.
- D. All employees work on a schedule determined by their immediate supervisor. No established schedule shall be construed as a guarantee of work hours.
- E. For those employees whose responsibilities require them to attend meetings or other activities which may extend beyond the normal working day, some additional flexibility in their work schedules within the same workweek to accommodate the extra hours may be allowed or directed by their immediate supervisor.
- F. Rest Periods/Breaks: If an employee elects to take breaks, one break may be taken in the morning and one in the afternoon. No more than two breaks shall be taken during the workday. Individual breaks shall not exceed fifteen minutes in length. Employees electing to take breaks shall notify their immediate supervisor and adjust their work schedules accordingly.
- G. Lunch Hours: All employees are entitled to have a one hour paid lunch period. For purposes of calculation of overtime, lunch hours are not included as part of the workday and are, therefore, not counted as part of the forty-hour work week. Therefore, each employee shall be completely relieved from work duty for that period of time.

Lunch periods which are interrupted with the approval of the supervisor must be counted as compensable time.

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TIME SHEETS

**SECTION 4.04
PAGE 1 OF 1**

- A. The Fair Labor Standards Act (“FLSA”) has specific overtime compensation provisions that apply to all non-exempt employees. Therefore, non-exempt employees are responsible for recording their start and end times and immediately providing written documentation to the Executive Director or designee of any time worked in excess of their normal hours.
- B. Failure to properly report in a timely manner, or misrepresentation of the time worked will result in remedial action.
- C. Time sheets are to be approved electronically on the EES System by the immediate supervisor and approved by the Executive Director or designee. The Executive Director’s time sheet will be approved by the Deputy Director or designee; a monthly summary will be reviewed and approved by the Board Chairperson.

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STARTING/QUITTING TIMES

**SECTION 4.05
PAGE 1 OF 1**

Full-time and part-time non-exempt employees are not permitted to commence work or sign-in more than seven minutes before their scheduled starting time or continue working or signing-out more than seven minutes after their scheduled quitting time without the advance approval of the Executive Director or designee, except in emergency situations where advance approval cannot be obtained.

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OVERTIME ASSIGNMENT

**SECTION 4.06
PAGE 1 OF 1**

All employees are expected, as a condition of employment, to perform reasonable amounts of overtime when and where the Executive Director determines the need exists. While the request to work overtime should be on a voluntary basis first, the Executive Director may require employees to work overtime as necessary.

The Executive Director should strive to distribute opportunities to work overtime among qualified employees when the need for overtime arises.

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OVERTIME AND COMPENSATORY TIME

**SECTION 4.07
PAGE 1 OF 2**

- A. Overtime work must come from the Executive Director or his/her designee before the overtime is worked. No overtime will be paid until it is authorized by the Executive Director or his/her designee.
- B. All employees except:
1. any employee employed in a bona fide executive, administrative (supervisory), or professional capacity; or
 2. any employee of a public agency who is employed in fire protection or law enforcement activities,
- shall be entitled to overtime compensation at 1.5 times their regular rate of pay for time actually worked in excess of 40 hours per week.
- C. The FLSA requires employers to designate a “work period” for purposes of calculating overtime. The work period usually corresponds with a workweek but need not do so. The work period for purposes of payroll and for the calculation of overtime is specified in 4.03 B.
- D. For the purposes of this section, paid sick leave, paid legal holidays, paid vacation, and compensatory time shall be considered time worked. When an employee incurs an overnight stay on Board business, time spent overnight on official Board business shall not be considered time worked for purposes of calculating overtime, except to the extent that time intersects normal working time or to the extent the employee is doing actual work. Travel time during overnight stays may or may not be overtime-eligible depending on the circumstances.
- E. Scheduled overtime which is subsequently canceled for any reason shall not entitle the employee to that overtime compensation.
- F. Non-exempt employees may elect to take compensatory time off in lieu of overtime pay for overtime worked. Compensatory time off shall be computed at 1.5 times the employee’s base rate. Compensatory leave use shall be granted by the Executive Director at a time mutually convenient to the employee and the Executive Director within a time to be specified by the Executive Director.
- G. Request for compensatory time accumulation in lieu of overtime pay must be made in writing to the Executive Director prior to the end of the payroll period, otherwise the employee will be paid for any authorized overtime. The Executive Director may establish limits on the amount of compensatory time which may be accumulated, the manner in which it may be used, and the procedures for requesting to accumulate or use compensatory time.
- H. Once the employee has submitted a written request to accumulate compensatory time during a pay period he/she may not thereafter transfer the compensatory time into an overtime payment except in the event of the employee’s termination of employment.

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PERSONNEL POLICY MANUAL**

OVERTIME AND COMPENSATORY TIME

**SECTION 4.07
PAGE 2 OF 2**

- I. In no case should an employee's compensatory time accumulated in lieu of overtime pay be forfeited. If an employee's compensatory time accumulated in lieu of overtime pay cannot be utilized as compensatory leave for any reason, such pay will be converted to an overtime payment.

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PERSONNEL POLICY MANUAL**

FLEXIBLE WORK ARRANGEMENTS

**SECTION 4.08
PAGE 1 OF 2**

- A. The Board is committed to ensuring that all employees have flexibility in their work arrangements to the maximum extent possible, within the context of their job duties and the operations of their department/unit. This includes, and is not limited to, remote work arrangements, alternative scheduling, and other adjustments to the work environment.
- B. The Executive Director is responsible for determining the appropriateness of alternate schedules and must consider the impact on the effectiveness of Board operations. Alternative work schedules are special arrangements; approval is granted only when the Executive Director believes that the change in working hours will not interfere with the efficient operation of the Board. Alternative work schedules are to be considered on a case-by-case basis. It is not required that alternative work schedules be uniformly available to all positions at the Board. The decision is the sole discretion of the Executive Director and is not subject to the grievance procedure.
- C. Flexible Work Arrangements: alternate arrangements or schedules from the traditional working day and week.
- D. Flex Time: Flexible hours worked to accommodate fluctuating workload and personal schedule at the discretion of the Department Head or designee. A reasonable amount of flex time will be granted to employees. Flex time hours may include variable time of day, weekends, and evening/early morning hours.
- E. Compressed Work Week: allows an employee to work a traditional 40-hour work week in less than five workdays.
- F. Telecommuting: an employment arrangement in which the employee works outside of the employer's office.
- G. Additionally, the Board may authorize or require employees to work a flexible schedule in a work week. For overtime eligible employees, flextime must occur within a single forty (40) hour work week.
- H. In general, Board employees will not work more than forty (40) hours in a single workweek. Flextime will be used to cover services within regularly scheduled hours. When overtime work cannot be avoided, employees will be compensated in the form of compensatory time. The Appointing Authority may, at his/her discretion, compensate an employee in the form of overtime pay.
- I. The Executive Director may approve a flexible work arrangement to meet a specific need. (e.g., working a short day on Thursday to accommodate a job requirement on Friday). Flexing of time for work schedule adjustments must occur within the same work week for hourly employees and should be within the same pay period for exempt staff.

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FLEXIBLE WORK ARRANGEMENTS

SECTION 4.08

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PROCEDURE

- A.. An employee requesting to utilize a flexible work arrangement shall notify the Executive Director of the request and complete a Request for Flexible Arrangement Form.

- B. Any employee who has accrued flex time may make a request for the use of the time. Use of such time will be at the discretion of the Executive Director or designee.

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CHAPTER 5 EMPLOYEE BENEFITS
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HOLIDAYS

**SECTION 5.01
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- A. All employees are entitled to twelve paid holidays per year.
1. New Year's Day – January 1
 2. Dr. Martin Luther King, Jr.'s Birthday – third Monday in January
 3. President's Day – third Monday in February
 4. Memorial Day – last Monday in May
 5. Juneteenth – June 19
 6. Independence Day – July 4
 7. Labor Day – first Monday in September
 8. Columbus Day – second Monday in October
 9. Veteran's Day – November 11
 10. Thanksgiving Day-Fourth Thursday of November
 11. The Friday after Thanksgiving
 12. Christmas Eve afternoon – December 24 after 12:00 pm
 13. Christmas Day – December 25
 14. New Year's Eve – December 31 after 12:00 pm
- B. Holidays falling on a Saturday will be observed on Friday. Those falling on Sunday will be observed on Monday. When Christmas falls on Monday, Christmas Eve will be observed on the preceding Friday.
- C. If a holiday occurs while an employee is on vacation, such vacation day will not be charged against his/her vacation leave.
- D. A holiday falling on a part-time employee's scheduled workday will be paid at the normal rate for the number of hours the employee would have worked. A holiday falling on a day that is not a scheduled workday will not be paid. A contract employee will be paid as stipulated in his/her contract.
- E. Every reasonable effort will be made by the Board to accommodate the religious preferences of employees through authorization of personal leave for religious holidays.

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PERSONNEL POLICY MANUAL**

VACATION

**SECTION 5.02
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- A. All full-time (including probationary) employees shall begin accrual of vacation with pay after two full weeks of continuous service with the Board. Upon accrual, the employee shall be eligible to use the accrued vacation balance. The amount of vacation leave an employee shall accrue is based upon length of service as follows:

Paid vacation is earned by all employees hired after January 1, 1996, according to the following schedule:

During the first 5 years of service	2 weeks
After 5 years of service	3 weeks
After 15 years of service	4 weeks
After 20 years of service	5 weeks

Accrual is cumulative but may not accrue over 45 days (360 hours). Any accrual above the 45-day limit is lost.

- B. Requests for vacation of 1-3 days are to be submitted no less than two days in advance of the planned leave. Exceptions of any of the above may be waived by the Executive Director.
- C. Part-time employees are eligible for vacation benefits at a prorated rate, based on the number of hours worked divided by 80 hours, multiplied by the appropriate hours earned per pay period.
- D. Employees hired by the Board who have previous employment covered by the Public Employees Retirement System of Ohio or its equivalent are entitled to credit for length of service. The extent of the service credit shall be limited by the Board's accrued vacation schedule. The Fiscal Designee will verify all prior benefits with the employee and his/her previous employer(s).

Notwithstanding any of the above, if any person removed for conviction of a felony within the meaning of R.C. 124.34 is "subsequently reemployed" by the Board, such person is only qualified to accrue vacation as if he/she were a new employee receiving no prior service credit.

- E. Vacation leave is accumulated based on pay periods, and additional vacation leave is not accrued through the accumulation of paid overtime. No vacation is accrued while an employee is not in active pay status.

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PERSONNEL POLICY MANUAL**

VACATION

**SECTION 5.02
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- F. Upon separation from the Board's payroll an employee shall be entitled to compensation at his/her current rate of pay for all lawfully accrued but unused vacation leave, not to exceed a maximum of 3-years' accumulation or 360 hours, whichever is less.
- G. In the case of death of an employee such unused vacation leave shall be paid in accordance with Section 2113.04 of the Ohio Revised Code to the employee's survivors or his/her estate.
- H. Independent contract employees are not eligible for vacation benefits.

* Lawfully accrued vacation shall mean vacation accumulated with the written permission of the appointing authority within the preceding 3 years.

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SICK LEAVE

**SECTION 5.03
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In order that employees understand their rights and responsibilities regarding the use of sick leave, the following rules have been established:

- A. Crediting of Sick Leave: Sick leave credit shall be earned at the rate of 4.6 hours for each 80 hours of service in active pay status, up to a maximum accrual of 15 days each year. Part-time employees shall be credited with sick leave on a prorated basis as a percentage of a full-time equivalent position. There is no provision to advance paid sick leave.

- B. Retention of Sick Leave: An employee who transfers from another public agency to the Board, or who has prior service with a public agency, as defined in R.C. 124.38, shall retain credit for any sick leave earned in accordance with that section, so long as he/she is employed by the Board except that deduction shall be made for any payment or credit given by the previous agency in lieu of taking sick leave. The employee shall provide documentation of prior used sick leave to the Board as soon as is practicable. The previously accumulated sick leave of an employee who has been separated from the public service shall be placed to his/her credit upon reemployment with the Board provided that such reemployment takes place within 10 years of the date on which the employee was last terminated from public service. Notwithstanding the above or Section 5.04, Sick Leave Conversion, if any person removed for conviction of a felony within the meaning of R.C. 124.34 is subsequently reemployed by the Board, such person is only qualified to accrue sick leave as if he/she were a new employee receiving no credit for prior service.

- C. Expiration of Sick Leave: If illness or disability continues beyond the time covered by earned sick leave, the employee may utilize other accumulated and authorized paid leave or may be granted unpaid leave in accordance with the appropriate policy covering such leaves. It is the employee's responsibility to request a leave of absence in writing. The employee must submit a written request since leaves of absence are not granted automatically when the employee's sick leave expires.

- D. Charging of Sick Leave: Sick leave will be granted to an employee only upon approval by the Executive Director or designee for those reasons outlined in Paragraph E below. An employee shall be charged for sick leave only for days upon which he/she would otherwise have been scheduled to work. Sick leave payment shall not exceed the normal scheduled workday or workweek earnings, or a maximum of 80 hours per pay period.

- E. Uses of Sick Leave: Sick leave may be granted for the following reasons subject to the approval of the Executive Director:
 - 1. Illness, injury, or a pregnancy-related condition of the employee or a member of the immediate family.

 - 2. Medical, dental, or optical examination or treatment of employee or a member of the immediate family where the presence of the employee is reasonably necessary, and which cannot be scheduled during nonworking hours Employees should make

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PERSONNEL POLICY MANUAL**

SICK LEAVE

**SECTION 5.03
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every effort to schedule medical appointments during nonworking hours. If this is not possible, the employee shall notify his/her immediate supervisor twenty-four (24) hours in advance of the appointment when possible.

3. When the employee's presence on the job would jeopardize his/her health or the health of others.
4. Donation of leave to co-worker in accordance with leave donation programs established pursuant to O.R.C. 124.391.
5. Death of a member of the employee's immediate family.

For purposes of this policy, the definition of "immediate family" shall be: domestic partners, spouse, child, mother, mother-in-law, father, father-in-law, sister, sister-in-law, brother, brother-in-law, son-in-law, daughter-in-law, grandparent, grandchild, step-parents, step-children, step-siblings, a legal guardian or other person who stands in place of a parent (in loco parentis).

- F. Evidence Required for Sick Leave Usage: The employee shall be required to complete a Request for Leave Form generally explaining justification for use of the sick leave. This form shall contain sufficient facts to satisfy the Executive Director that the use of sick leave is justified and shall be completed as soon as possible. If medical attention is required, the Executive Director may require a certificate stating the nature of the illness signed by an appropriate medical provider to justify the use of sick leave and to determine if the employee is medically capable to return to work.

Application for sick leave should be filed in advance for scheduled appointments or immediately upon the employee's return to work. Employees shall not be entitled to sick leave payment unless and until they have submitted the above form and it is approved by the Executive Director. Falsification of either a written, signed statement or a medical provider's certificate shall be grounds for disciplinary action including dismissal.

- G. Notification by Employee (Call-In Procedure): When an employee is unable to report to work, he/she shall notify his/her immediate supervisor or other designated person prior to the time he/she is scheduled to report to work on each day of absence, unless emergency conditions make it impossible or other arrangements are made with the employee's immediate supervisor.

Employees failing to follow the above notification procedures will be considered absent without leave (A.W.O.L.), will be subject to disciplinary action, and will not be paid for such absence. Employees who have exhausted paid sick leave benefits must notify their supervisor of absences in accordance with this provision.

- H. Abuse of Sick Leave: The Executive Director may initiate investigations of any employee's absence. The employee may be required to submit to a medical examination, visit, or other inquiry which the Executive Director deems necessary to justify the use of

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PERSONNEL POLICY MANUAL**

SICK LEAVE

**SECTION 5.03
PAGE 3 OF 3**

sick leave. Employees intentionally failing to comply with sick leave policy shall be subject to discipline, including denial of sick leave payment or termination. Application for sick leave with intent to defraud may result in termination and refund of salary or wage paid.

- I. Medical Statement: Employees with an illness or disability exceeding 3 days may be required to furnish a statement from his/her medical provider notifying the Executive Director that the employee was unable to perform his/her duties. Where sick leave is requested to care for a member of the immediate family, the Executive Director may require a medical provider's certificate to the effect that the presence of the employee is necessary to care for the family member.

- J. Physical Examination: The Executive Director may require an employee to take an examination conducted by a medical provider to determine the employee's capability to perform the duties of the employee's position. If found not qualified, the employee may be placed on sick leave, disability leave, or other appropriate leave, or make application for disability retirement. This provision will be applied in compliance with the ADA, Section 504 of the Rehabilitation Act of 1973, and Ohio Civil Rights Act.

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PERSONNEL POLICY MANUAL**

SICK LEAVE CONVERSION

**SECTION 5.04
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- A. Any employee who retires from active service with the Board through a disability or service retirement under PERS who has five or more years of service, shall be eligible to receive payment for 25% of his/her accrued but unused sick leave figured on a maximum accumulation of 120 days (960 hours). The maximum payment shall be for 30 days (240 hours) and shall be based on the employee's rate of pay at the time of retirement.
- B. Payment of sick leave in the above manner shall be considered to eliminate all sick leave accrued by the employee at the time. Such payment shall be made only once to any employee.
- C. Eligible employees, retiring from active service, shall request such payment in writing in order to initiate the payment process.
- D. An employee may receive one or more payments under R.C. 124.38(B), but the aggregate value of accrued but unused sick leave credit that is paid shall not exceed the value of 30 days (240 hours) of accrued but unused sick leave.
- E. In the case of death of an employee, they shall be eligible for such sick leave payment for which they would otherwise have qualified. Such leave shall be paid in accordance with Section 2113.04 of the Ohio Revised Code to the employee's survivors or his/her estate.

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PERSONNEL POLICY MANUAL**

SICK LEAVE DONATION

**SECTION 5.05
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- A. Athens-Hocking-Vinton 317 Board hereby establishes a leave donation program.
- B. The leave donation program applies to all Board employees.
- C. Any employee who has accumulated unused sick leave may donate that leave, subject to the conditions stated herein, to another employee who is in critical need for sick leave due to serious illness or injury or the serious illness or injury of a member of the employee's immediate family.
- D. A critical need for sick leave is not present if the employee has any accumulated but unused sick, personal, vacation, or compensatory time.
- E. The Sick Leave Donation Application form must be completed. The donation of unused sick leave is final upon approval of the Executive Director.
- F. The donation of unused sick leave is irrevocable except that any amount of sick leave which is donated and unused shall revert back to the donating employees upon receiving employee's return to work.
- G. No employee shall donate more than 500 hours of sick leave to any one employee or any one critical event.

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PERSONNEL POLICY MANUAL**

PERSONAL DAYS

**SECTION 5.06
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- A. All full-time employees are entitled to 3 personal days a year. New employees who are hired on or after July 1, are entitled to 2 personal days. Personal days must be used between January 1 and December 31 and cannot be rolled over from year to year.
- B. Upon separation, an employee shall not be entitled to compensation of unused personal days.
- C. Requests for personal days must be submitted in writing to the Executive Director or designee for approval prior to the employee taking the time off.

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PERSONNEL POLICY MANUAL**

FUNERAL LEAVE

**SECTION 5.07
PAGE 1 OF 1**

- A. An employee may be granted usage of funeral leave for a maximum of 3 working days in the event of a death of an immediate family member. For the purpose of this policy, “immediate family” is defined in Section 5.03 – Sick Leave of this manual. Such leave shall be for the purpose of attending the funeral, making funeral arrangements, and performing other such duties.

- B. Funeral leave shall not be deducted from accumulated sick, vacation, or personal leave.

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PERSONNEL POLICY MANUAL**

MILITARY LEAVE

**SECTION 5.08
PAGE 1 OF 1**

Military leave will be granted in accordance with state and federal law.

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JURY DUTY LEAVE

SECTION 5.09

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- A. The Executive Director shall grant full pay when an employee is subpoenaed for any court or jury duty by the United States, the State of Ohio, or a political subdivision. All compensation for court or jury duty must be signed over to the Board unless such duty is performed totally outside the employee's normal work hours.

- B. An employee released from court or jury duty prior to the end of his/her scheduled workday shall report to work for the remaining hours.

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PERSONNEL POLICY MANUAL**

LEAVE OF ABSENCE WITHOUT PAY

SECTION 5.10

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A. The Board is not required to provide Family and Medical Leave because the Board has less than 50 employees in a 75-mile radius. However, at the discretion of the Executive Director, the Board may provide eligible employees up to 12 weeks of unpaid, job-protected leave per year for the same reasons establishing eligibility under FMLH listed below.

1. Employee must care for employee's child after birth, adoption, or foster care.
2. Employee must care for a spouse, son, daughter, or parent who has a serious health condition.
3. Employee has a serious health condition that makes the employee unable to perform his/her job.

B. Employees who desire to take unpaid leave for reasons outside the eligibility of the FMLA may contact the Executive Director and the Executive Director may grant such at the Director's discretion.

C. Eligibility of Unpaid Leave

1. Employees may request up to twelve (12) weeks of unpaid leave per year if they have worked for at least one (1) year and for 1,250 hours in actual time worked over the previous twelve (12) months.
2. The twelve (12) month period is measured forward from the employee's first approved leave of absence.
3. The Executive Director shall require that the employee utilize and exhaust his/her allowable sick, vacation or personal leave for all or part of the twelve (12) week period.

D. Requesting Leave

Upon the written request of a permanent employee, the Executive Director may grant the employee a leave of absence without pay. The written request shall state the reasons for requesting the leave of absence and the dates for which such leave is being requested. All approved leaves of absence shall be confirmed in writing to employee by the Executive Director with a copy to the employee's file.

1. Authorization for Leave. The authorization of a leave of absence without pay is solely a matter of administrative discretion and each request will be decided by the Executive Director based upon its own merits. No leave of absence shall be granted for the purpose of working another job.
2. Duration of Leave. The maximum duration of a leave of absence without pay for personal reasons of the employee shall not exceed twelve (12) weeks every

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PERSONNEL POLICY MANUAL**

LEAVE OF ABSENCE WITHOUT PAY

**SECTION 5.10
PAGE 3 OF 3**

365 days. This policy will be applied in compliance with the ADA and Ohio Civil Rights Act.

3. Advance Leave Notice and Medical Certification. When the leave is "foreseeable," the employee must provide thirty (30) days advance leave notice and medical certification to the Executive Director. Medical Certification is required to support a request for leave because of a serious health condition. A second or third opinion at the Board's expense may be required at the option of the Executive Director. A "fitness for duty" report to return to work may also be required at the option of the Executive Director. The Executive Director may designate that an employee's leave qualifies for and will be counted as unpaid leave. The Executive Director must make such designation prior to the starting of the leave unless sufficient information as to the reason for the leave is not available until after the leave began.

E. Job Benefits and Protection

1. For the duration of the unpaid leave, the Board will maintain the employee's health coverage under its group health plan. If an employee fails to return to work at the end of the unpaid leave, the Board may sue to recover the cost of the premium, unless failure to return is due to a serious health condition or circumstance beyond the employee's control.
2. The employee is responsible for the health care premium for all other types of unpaid leave.
3. Employees shall accrue seniority while on leave. An employee on leave of absence without pay does not earn sick leave or vacation credit. However, the time spent on authorized leave of absence is to be counted in determining length of service for purposes of extended vacation eligibility or other purposes where tenure is a factor.
4. Reinstatement from Leave. Upon completion of a leave of absence, the employee is to be returned to the position formerly occupied, or to a similar position if the employee's former position no longer exists.
5. If the employee is laid off or bumped during leave and the Executive Director shows just cause, the employee is therefore not entitled to reinstatement from leave.
6. The Executive Director does not need to reinstate an employee who fails to provide a fitness for duty certificate.
7. The Executive Director may require periodic status reports during the leave no more often than thirty (30) days.

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PERSONNEL POLICY MANUAL**

LEAVE OF ABSENCE WITHOUT PAY

**SECTION 5.10
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8. If an employee fails to return to work within on working day of completion or valid cancellation of leave without pay, without prior explanation to the Executive Director or his/her designee, and does not submit a resignation, the employee will be considered “absent without leave” and may be subject to termination. This may be done in accordance with the disciplinary policies outline in Section 8 herein and with Section 124.34 of the Ohio Revised Code.

9. Abuse of Leave. If it is determined that an employee is abusing the leave of absence and not using the leave for the purpose specified, the Executive Director may cancel the leave and provide the employee with a written notice directing the employee to return to work. Employee who engage in abuse of unpaid leave may be subject to discipline up to and including dismissal

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PERSONNEL POLICY MANUAL**

ABSENT WITHOUT LEAVE

**SECTION 5.11
PAGE 1 OF 1**

1. Any absence by an employee must be covered by some form of approved leave: and, if it is not, it will be considered “absence without leave” (AWOL).
2. Any employee who is absent from duty without authorization is subject to disciplinary action up to and including termination at the discretion of the Executive Director.
3. Any employee who is absent without leave for more than 3 consecutive working days shall be deemed to have voluntarily resigned as of the first day of the absence without leave.
4. The Board does not recognize, nor can the Executive Officer or any designee ever authorize, a “leave without pay” other than leave of absence mentioned in Section 5.10

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PERSONNEL POLICY MANUAL**

INCLEMENT WEATHER GUIDELINES

**SECTION 5.12
PAGE 1 OF 1**

- A. During periods of extreme inclement weather conditions, the Board may be declared closed at the discretion of the Executive Director. Employees scheduled to work the day of closure will be paid without need for use of vacation, personal, compensatory, or any other kind of leave. In general, the Board will align with the policy of Athens County.

- B. The Board recognizes that on certain days it may be difficult or impossible for an employee scheduled to work to report for duty due to inclement weather caused by excessive snow, ice, or other weather conditions. In order to clarify how such situations will be handled, the following policy and procedures have been adopted:
 - 1. When snow, ice, or other weather conditions make travel to and from work difficult but are not severe enough to require the closing of Board facilities, employees are encouraged to make every reasonable attempt to report to work as scheduled. Employees will be compensated in the following manner when these types of weather conditions exist:
 - a. Employees reporting for work as scheduled will be paid their regular rate of pay for all hours actually worked.
 - b. Employees scheduled to work who make a reasonable attempt to report to work but are unable to report due to the weather conditions shall notify their immediate supervisor regarding their situation as soon as possible. Such employees have the following options:
 - 1. request to use accrued vacation or personal leave time to cover the period of absence, subject to the approval of the Executive Director; or
 - 2. request a personal leave of absence without pay to cover the period of absence, subject to the approval of the Executive Director; or
 - 3. request for flexible work arrangement in accordance with Section 4.08;
 - 4. employees who fail to report during bad weather conditions without notifying their immediate supervisor of their situation will be charged as being absent without approved leave as stated in Section 5.11.

- C. Employees who make a concerted effort to report to work during bad weather or during a declared weather emergency will be given reasonable consideration should they arrive late due to weather conditions.

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PERSONNEL POLICY MANUAL**

INSURANCE COVERAGE

**SECTION 5.13
PAGE 1 OF 1**

- A. The Board provides a comprehensive hospital/medical insurance plan for those employees whose standard workweek is over 20 hours per week.
- B. Details of the coverage provided will be made available to those who are eligible to enroll. Employees enrolling in the plan will receive group insurance booklets and an identification card.
- C. Group Life Insurance: Full-time employees are provided with group life insurance coverage. Those employees who work less than full-time may buy into this coverage at their own expense, if the group policy will allow such buy-in.
- D. COBRA: Generally speaking, an employee who is covered under the Board's group health care insurance and who loses coverage due to a reduction in hours or a termination of employment (for other than gross misconduct) is entitled to purchase continuing coverage at his/her own expense. The employee's spouse and dependents have the right to continued coverage as well. This continued coverage is typically called COBRA coverage. The Executive Director can provide additional information regarding COBRA coverage and also regarding continued coverage during FMLA eligible leave.

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PERSONNEL POLICY MANUAL**

WORKERS' COMPENSATION

**SECTION 5.14
PAGE 1 OF 2**

Workers' compensation is a mandatory type of insurance that compensates employees for accidents that result in medical costs or a loss in earnings because of injuries that occur while on the job.

- A. Workers' compensation benefits are payable to all employees who are injured "in the course of and arising out of employment." Certain occupational diseases are also compensable.

Claims are of three general types:

1. Claims for medical-related purposes;
 2. Claims for time lost on the job resulting in reduced earnings by the employee; and
 3. Death benefits payable to dependents.
- B. Employees have the right to choose between Workers' Compensation or sick leave and/or vacation pay for lost time claims. Employees are prohibited, however, from receiving payment for sick leave while simultaneously receiving payment from Workers' Compensation.
- C. Should an employee be injured during the course of employment with the Board, his/her supervisor shall notify the Executive Director and shall complete an injury report. This report shall be completed regardless of the lack of apparent seriousness of the injury and regardless of whether medical attention is required. Such report shall be forwarded to the Executive Director no later than forty-eight (48) hours after the accident (see subsection E below regarding the immediate reporting of serious accidents).
- D. Should an employee's injury require medical attention, the supervisor or Executive Director shall assist the injured employee with information on the forms and procedures necessary to file a Workers' Compensation claim. All forms and notices shall be forwarded to the Executive Director at the earliest possible date.
- E. In the event of serious injury, the injured employee's supervisor shall immediately notify the Executive Director so that, if necessary, an investigation may be initiated.
- F. The Executive Director must be advised and continually updated if an employee continues to be absent due to a work-related injury. Employees are responsible for requesting an unpaid leave of absence if they do not desire to use their accumulated sick leave and for informing the Executive Director of their expected date of return to work (if known).
- G. Any documents received from the injured employee, his/her physician, hospital, or the state regarding Workers' Compensation claims must be immediately forwarded to the Executive Director.

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PERSONNEL POLICY MANUAL**

WORKERS' COMPENSATION

**SECTION 5.14
PAGE 2 OF 2**

- H. Employees who are injured in the line of duty and who must leave work before completing their workday shall be paid at their regular rate of compensation for the balance of time left in their scheduled workday.

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RETIREMENT/P.E.R.S.

**SECTION 5.15
PAGE 1 OF 1**

- A. All employees of the Board except for those specifically exempted by statute are required to participate in the Ohio Public Employment Retirement System.

- B. If employees should have any questions regarding this program, they should call or write to the address below and include their Social Security number. The address is:

opers.org
Public Employment Retirement System
277 E. Town Street
Columbus, OH 43215
614-466-2085

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UNIFORM

**SECTION 5.16
PAGE 1 OF 1**

- A. At the discretion of the Executive Director, Board employees may be provided with an annual clothing item, valued at less than \$100, that can be worn at Board or Network of Care community events. The purpose of the clothing is to make the Board staff visible to the public and to promote the Network of Care.
- B. The fair market value of any item of clothing must follow applicable Internal Revenue Service (IRS) rules that pertain to the tax treatment of employer-provided clothing and uniforms and may be treated as taxable income.
- C. Board provided clothing items should only be worn when performing official work duties.

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**CHAPTER 6
PERSONNEL PROCEDURES**

- 6.01 REIMBURSABLE EXPENSES
- 6.02 SAFETY AND HEALTH
- 6.03 PERSONNEL FILES
- 6.04 NOTIFICATION OF PERSONNEL CHANGES
- 6.05 BULLETIN BOARDS
- 6.06 WHISTLEBLOWER PROTECTION
- 6.07 PROFESSIONAL DEVELOPMENT

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PERSONNEL POLICY MANUAL**

REIMBURSABLE EXPENSES

**SECTION 6.01
PAGE 1 OF 1**

- A. Expenses incurred by employees for authorized activities and/or for actual and necessary expenses shall be reimbursed by the Board. Expenses shall be documented by receipts and shall be reimbursed in the following manner:
 - 1. When it is necessary for an employee to use his/her personal automobile, the employee shall be reimbursed for actual miles, at the Board-approved rate.
 - 2. An expense report must be completed by the employee and approved by the Executive Director or designee.

- B. At the discretion of the Executive Director, the Board will pay individual membership dues to professional organizations, not to exceed \$250 annually for an employee.

The activities of such professional organization must be directly related to the employee's job duties.

- C. The policy shall not apply to a group membership fee, such as Community Service Council.

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PERSONNEL POLICY MANUAL**

SAFETY AND HEALTH

**SECTION 6.02
PAGE 1 OF 1**

Work safety and health are of primary concern to the Board. The safe and healthful performance of all work assignments is the responsibility of all supervisory and non-supervisory personnel. It is the responsibility of each to ensure that all safety equipment is used, and all safety procedures and practices observed.

- A. Any employee found to be negligent in the performance of his/her duty, resulting either in damage to equipment or injury to another individual, shall be disciplined according to the discipline policy outlined herein.
- B. All employees are charged with the responsibility for reporting the existence of any hazardous conditions or practices in the workplace.
- C. Any accident occurring during normal working hours shall be reported to the immediate supervisor at once.

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PERSONNEL FILES

**SECTION 6.03
PAGE 1 OF 1**

- A. The Executive Director is responsible to assure that personnel files shall be maintained on all employees. Such files shall include, but are not limited to, individual employment data; payroll information; work time schedules; records of additions or deductions paid; application forms; records pertaining to hiring, promotion, demotion, transfer, layoff, and termination; etc. Personnel files access is governed by O.R.C. 149.43 and Chapter 1347.
- B. Nothing herein shall prevent the dissemination of non-personal statistical information.
- C. Employees shall have access to their individual personnel folders for review during normal business hours under the following conditions:
 - 1. The employee shall request an appointment with the Executive Director or his/her designee.
 - 2. An appointment shall be granted by the end of the next regular workday. The employee shall be permitted to view his/her file in the office of the Executive Director or his designated representative.
 - 3. No items in the personnel file shall be removed from the file by the employee.
 - 4. An employee may be provided with a copy of any item in his/her file at the normal cost for duplication.
 - 5. Employees who believe that any material found in their personnel file is not accurate, relevant, or complete may attach a brief statement to the material.
- D. The Executive Director will be responsible for maintaining personnel files. However, it is the responsibility of individual employees to notify the Fiscal Designee of any changes in name, address, marital status, telephone number, number of exemptions claimed for tax purposes, citizenship, selective service classification, or association with any government military service organization.

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PERSONNEL POLICY MANUAL**

NOTIFICATION OF PERSONNEL CHANGES

**SECTION 6.04
PAGE 1 OF 1**

- A. The Fiscal Designee shall notify in writing the Athens County Auditor of all personnel actions which affect payroll. Examples of such personnel actions may include but are not limited to the following:
1. hiring new employees
 2. promotions
 3. demotions
 4. pay increases
 5. probationary period completion
 6. reclassification of existing job
 7. resignations
 8. retirements
 9. layoffs
 10. recalls following layoff
 11. suspensions without pay
 12. terminations
 13. leaves of absence without pay
 14. death of the employee

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PERSONNEL POLICY MANUAL**

BULLETIN BOARDS

**SECTION 6.05
PAGE 1 OF 1**

Bulletin boards are provided for employees to post information of general interest to other employees and to provide an additional means of communication between management and the employees.

The supervisor should periodically check this bulletin board to see that notices are kept current and that no undesirable materials have been posted.

Employees should check this bulletin board to keep updated on changes in department procedures and for general information of interest.

No materials shall be posted on any bulletin board without prior approval of the immediate supervisor or the Executive Director. No materials shall be posted which contain any of the following:

1. Personal attacks upon any employee or public officer;
2. Scandalous, libelous, scurrilous, or derogatory attacks upon Board officials, administrators, supervisors, or other personnel, named or unnamed;
3. Attacks on, opposition to, or promotion of a candidate for public office; and
4. Vulgar or distasteful pictures or comments.

**ATHENS/HOCKING/VINTON 317 BOARD
PERSONNEL POLICY MANUAL**

WHISTLEBLOWER PROTECTION

**SECTION 6.06
PAGE 1 OF 2**

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

General Policy and Procedure:

- A. If an employee becomes aware, in the course of his/her employment, of a violation of any state or federal statute, or any ordinance or regulation of the county, city, or township that the Board has authority to correct, or the misuse of public resources, and the employee reasonably believes that the violation either is a criminal offense that is likely to cause an imminent risk of physical harm to persons, or a hazard to public health or safety, or is a felony, the employee shall notify his supervisor, Executive Director or designee, of the violation. Subsequently, the employee shall immediately, with his supervisor, Executive Director, or designee, prepare a written report that provides sufficient detail to identify and describe the violation. The report must specify the date and time of its filing. The Board or designee shall be responsible for investigating and correcting such violation if one exists. The Board or designee shall endeavor, with reasonable and good faith effort, to correct such violation within twenty-four (24) hours after the oral notification or receipt of the written report, whichever is earlier. Therefore, in order to facilitate timely response, the Board or designee encourages employees to file a written, detailed report as close as possible, if not the same time, as the oral notification. Supervisors or the Executive Director or designees shall document immediately following any oral notification the details and time of the notification and shall immediately contact the Board.
- B. If an employee makes a report under Part "A" of this section, the Board or designee, within twenty-four (24) hours after the oral notification was made, or the report was received, or by the close of business on the next regular business day following the date on which the oral notification was made or the report was received, whichever is later, shall notify the employee, in writing, of any effort of the Board to correct the alleged violation or hazard, or of the absence of the alleged violation or hazard.
- C. If the Board does not correct the violation or make a reasonable and good faith effort to correct the violation within twenty-four (24) hours after the oral notification of the receipt of the report, whichever is earlier, the employee may file a written report that provides sufficient detail to identify and describe the violation with the county Prosecuting Attorney's office, a peace officer or any other appropriate public official or Agency that has regulatory authority over the Board and the services it provides.
- D. If an employee becomes aware, in the course of his/her employment, of a violation of the Ohio Revised Code that is a criminal offense, the employee may directly notify either orally

**ATHENS/HOCKING/VINTON 317 BOARD
PERSONNEL POLICY MANUAL**

WHISTLEBLOWER PROTECTION

**SECTION 6.06
PAGE 2 OF 2**

or in writing, any appropriate public official or Agency that has regulatory authority of the Board and its services.

- E. If an employee becomes aware in the course of his/her employment of a violation by a fellow employee of any state or federal statute, any ordinance, regulation of the county, city, or township, or any work rule or Authority policy, or the misuse of public resources, and the employee reasonably believes that the violation either is a criminal offense that is likely to cause an imminent or physical harm to persons, or is a felony, the employee shall commence notification as outlined in Part "A" above.
- F. An employee shall make a reasonable and good faith effort to determine the accuracy of any information reported under part "A" or "D" of this section. Proof, although not necessarily absolute proof, of a "reasonable and good faith effort" may include researching the pertinent law, ordinance, or regulation violated; records of conversations with, or documents from knowledgeable authorities; date(s), time(s), place(s), and person(s) involved when violation occurred, etc.

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

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

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PERSONNEL POLICY MANUAL**

PROFESSIONAL DEVELOPMENT

**SECTION 6.07
PAGE 1 OF 1**

- A. The Board supports on-going employee development and education through successful completion of educational opportunities mutually beneficial to the employee and the Board.
- B. The Executive Director is empowered to grant paid or unpaid leave to any employee for education and training.
- C. The Board, at the discretion of the Executive Director, may reimburse some or all tuition expenses after satisfactory completion of the approved coursework. There shall be no reimbursement for courses not completed or for which a failing grade is received. Travel expenses incurred to and from classes and the cost of textbooks will be paid by the employee.
 - 1. To apply for tuition reimbursement, the employee is to complete a Request for Education Form and submit it to his/her immediate supervisor. The form will then be forwarded to the Executive Director. Once the request is approved by the Executive Director, it is sent to the Fiscal Designee for processing and notification to the applicant. The Request for Education Form must be submitted at least one month before the enrollment deadline for the course(s) under consideration.
- D. The applicant will be notified of the approval or disapproval of the request within two weeks after submission to the immediate supervisor. To be included in the notification are the reasons why the request was approved or disapproved.
- E. The Board recognizes that for development purposes, employees may need to attend training seminars or workshops conducted off-site or join professional associations that will enable them to remain abreast of best practices in their respective fields. Thus, the purpose of this policy is to outline company parameters for attending external training functions and joining/renewing memberships in professional associations. Please note that this policy is subject to annual company budgets established for external training and memberships.
- F. The Board reserves the right to determine which training functions and association memberships are in the best interests of the Board, its future planning and direction.

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PERSONNEL POLICY MANUAL**

**CHAPTER 7
CONDUCT AND EXPECTATIONS**

- 7.01 ETHICS IN EMPLOYMENT
- 7.02 DRESS
- 7.03 TARDINESS
- 7.04 NOTIFICATION OF ABSENCE
- 7.05 POLITICAL ACTIVITIES
- 7.06 CONFIDENTIAL INFORMATION
- 7.07 ALCOHOL & DRUG-FREE WORKPLACE
- 7.08 SMOKING/USE OF TOBACCO PRODUCTS
- 7.09 GAMBLING
- 7.10 GARNISHMENTS
- 7.11 USE OF TELEPHONES
- 7.12 SUPPLIES, INSTRUMENTS, AND OTHER EQUIPMENT
- 7.13 USE AND ABUSE OF COMPUTERIZED DATA FILES
- 7.14 COMPUTER/INTERNET/ELECTRONIC MAIL POLICY
- 7.15 WORKPLACE VIOLENCE
- 7.16 EMPLOYEE CONVICTION IN A COURT OF LAW
- 7.17 OUTSIDE EMPLOYMENT
- 7.18 OFF-DUTY CONDUCT
- 7.19 WORK FROM HOME / TELEWORK
- 7.20 FRAUD REPORTING

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PERSONNEL POLICY MANUAL**

ETHICS IN EMPLOYMENT

**SECTION 7.01
PAGE 1 OF 2**

- A. All employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the State of Ohio and other rules and regulations as may be set forth by the Board.
- B. Each employee assumes the responsibility to serve the public honestly, effectively, and in a friendly manner.
- C. Conduct that is illegal or may bring discredit to the Board will not be tolerated. In recognition of this responsibility and in accordance with ORC 102 and 2921.42, no Board member or employee of the Board shall:
 - 1. Authorize or employ the authority or influence of his/her office to secure authorization of any public contract in which he/she, a member of his/her family, or any of his/her business associates has an interest;
 - 2. Authorize or employ the authority or influence of his/her office to secure the investment of public funds in any share, bond, mortgage, or other security, with respect to which he/she, a member of his/her family, or any of his/her business associates either has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees;
 - 3. During his/her term of office or within one year thereafter, occupy any position of profit in the prosecution of a public contract authorized by him/her or by the Board at the time of authorization, unless the contract was let by competitive bidding to the lowest and best bidder;
 - 4. Have an interest in the profits or benefits of a public contract entered into by or for the use of the Board;
 - 5. Have an interest in the profits or benefits of a public contract that is not let by competitive bidding, if required by law and that involves more than one hundred fifty dollars (\$150).
- D. In the absence of bribery or a purpose to defraud, a Board member or employee of the Board, member of his/her family, or any of his/her business associates shall not be considered as having an interest in a public contract or the investment of public funds, if all the following apply:
 - 1. The interest of that person is limited to owning or controlling shares of the corporation, or being a creditor of the corporation or other organization, that is the contractor on the public contract involved, or that is the issuer of the security in which public funds are invested;
 - 2. The shares owned or controlled by that person do not exceed five percent of the outstanding shares of the corporation, and the amount due that person as creditor does not exceed five percent of the total indebtedness of the corporation or other organization;

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PERSONNEL POLICY MANUAL**

ETHICS IN EMPLOYMENT

**SECTION 7.01
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3. That person, prior to the time the public contract is entered into, files with the Board an affidavit giving his/her exact status in connection with the corporation or other organization.
- E. This section does not apply to a public contract in which a Board member or employee of the Board, a member of his/her family, or any of his/her business associates, has an interest, when all of the following apply:
1. The subject of the public contract is necessary supplies or services for the Board;
 2. The supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the Board as part of a continuing course of dealing established prior to the Board member or employee of the Board's becoming associated with the Board;
 3. The treatment accorded the Board is either preferential to or the same as that accorded other customers or clients in similar transactions;
 4. The entire transaction is conducted at arm's length, with full knowledge by the Board of the interest of the Board member or employee of the Board, member of his/her family, or business associate, and the Board member or employee of the Board takes no part in deliberations or decision of the Board with respect to the public contract.
- F. As used in this policy, "Public Contract" means any of the following:
1. The purchase or acquisition, or a contract for the purchase or acquisition, of property or services by or for the use of the Board;
 2. A contract for the design, construction, alteration, repair, or maintenance of any of the Board's property.
- G. No Board member or employee of the Board shall serve as a member of the Board of any agency with which the Board has entered into a contract for the provision of services or facilities. No Board member shall be an employee of any agency with which the Board has entered into a contract for the provision of services or facilities. No employee of the Board shall be employed both by the Board and such an agency unless the Board and agency both agree in writing.
- H. No person shall serve as a member of the Board whose spouse, child, parent, brother, sister, grandchild, stepparent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law serves as a member of the Board of any agency with which the Board has entered into a contract for the provision of services or facilities. No person shall serve as a member or employee of the Board whose spouse, child, parent, brother, sister, grandchild, stepparent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law serves as a county commissioner of Athens, Hocking, or Vinton County.

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PERSONNEL POLICY MANUAL**

DRESS

**SECTION 7.02
PAGE 1 OF 1**

- A. The Executive Director reserves the right to prescribe appropriate dress and grooming, and to set standards which are in the best interest of the Board.
- B. The Executive Director requires that an employee's clothing and overall appearance be clean, appropriate, in good taste, and present a favorable public image.
- C. Clothing shall be conducive to the safe, practical, and effective performance of required job duties.

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PERSONNEL POLICY MANUAL**

TARDINESS

**SECTION 7.03
PAGE 1 OF 1**

- A. Each employee must complete his/her time sheet each pay period to designate that the hours worked, and absences coded are correct. At the end of the pay period, each supervisor must review his/her employees' time sheets for completeness and correctness and indicate approval after all discrepancies are resolved. A time sheet must be electronically submitted for each employee each pay period. If an employee is absent from work for an entire pay period, his/her supervisor must complete the time sheet by designating absence codes as required.
- B. Employees shall be at their work location ready to begin work no later than their scheduled starting time and shall not end their workday prior to their scheduled quitting time. The Executive Director shall designate the scheduled starting and quitting times for his/her employees in accordance with Section 4.03, Hours of Work herein.
- C. Employees violating this policy shall be subject to disciplinary action, as provided in Section 8, Discipline herein, and/or pay deductions as follows:

AMOUNT OF TARDINESS
OR ABSENCE FROM WORK

AMOUNT OF DEDUCTION

1 to 5 minutes	No deduction
6 to 11 minutes	.1 hour deduction
12 to 17 minutes	.2 hour deduction
18 to 23 minutes	.3 hour deduction
24 to 29 minutes	.4 hour deduction
30 to 35 minutes	.5 hour deduction
36 to 41 minutes	.6 hour deduction
42 to 47 minutes	.7 hour deduction
48 to 53 minutes	.8 hour deduction
54 to 59 minutes	.9 hour deduction

- D. Supervisors will log the time of employees arriving late and will be responsible for initiating the appropriate disciplinary action for excessive tardiness.
- E. Leaving work before the scheduled quitting time may be considered a similar violation and treated as tardiness or may be considered as neglect of duty depending on circumstances associated with the violation.

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PERSONNEL POLICY MANUAL**

NOTIFICATION OF ABSENCE

**SECTION 7.04
PAGE 1 OF 1**

- A. The employee must report all absences from work that are not approved in advance to the employee's immediate supervisor, Executive Director, or the Board's receptionist, within the one (1) hour prior to the employee's scheduled starting time. Employees must make every reasonable effort to contact the supervisor, or the person designated to take such notifications of absence. Merely reporting through a co-worker is noncompliance. Only absences logged by the immediate supervisor, Executive Director or designee will be considered for approval. No absence is approved until the proper form has been submitted and the absence has been reviewed and approved by the Executive Director.

- B. Under certain circumstances, the Executive Director, supervisor, or designee may require an employee to provide documentation before an absence, for example military leave or foreseeable leave provided in accordance with Section 5.08 and 5.10 of this policy manual.

- C. When an employee returns to work following an absence, such employee must immediately report to his/her immediate supervisor or designee. The employee may be issued a form to complete which allows the employee to further explain the reason for his/her absence, unless such form was required to be completed prior to the absence (i.e., vacation, leave of absence). The employee may also be required to submit additional written documents which substantiate the employee's reason for absence. The form and other written documentation will be reviewed by the Executive Director to determine whether the absence will be approved.

- D. Proper notification of absence and the underlying reasons is a serious matter, especially for FMLA eligible leave administrative purposes. Consequently, noncompliance may subject an employee to serious disciplinary action.

**ATHENS/HOCKING/VINTON 317 BOARD
PERSONNEL POLICY MANUAL**

POLITICAL ACTIVITIES

**SECTION 7.05
PAGE 92 OF 3**

- A. Board staff are citizens, and like other citizens, are free to engage in political activities so far as they are able to do so consistent with their obligations as staff members and the constraints of the laws of the State of Ohio.

- B. Staff members who are members of the classified civil service are prohibited from engaging in partisan activities, campaigns, and elections involving primaries, partisan ballots, or partisan candidates.
 - 1. The following are examples of permissible activities for staff members in the classified civil service:
 - a. Registration and voting;
 - b. Expression of opinions, either oral or written;
 - c. Voluntary financial contributions to political candidates or organizations;
 - d. Circulation of nonpartisan petitions or petitions stating views on legislation;
 - e. Attendance at political rallies;
 - f. Signing nominating petitions in support of individuals;
 - g. Display of political materials in the employee's home or on the employee's property;
 - h. Wearing political badges or buttons, or the display of political stickers on private vehicles.
 - i. Serving as a precinct election official under O.R.C 350.22

 - 2. The following activities are prohibited to staff members in the classified service:
 - a. Candidacy for public office in a partisan election;
 - b. 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;
 - c. Filing of petitions meeting statutory requirements for partisan candidacy to elective office;
 - d. Circulation of official nominating petitions for any candidate participating in a partisan election;
 - e. Service in an elected or appointed office in any partisan political organization;
 - f. Acceptance of a party-sponsored appointment to any office normally filled by partisan election;

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PERSONNEL POLICY MANUAL**

POLITICAL ACTIVITIES

**SECTION 7.05
PAGE 2 OF 3**

- g. 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;
 - h. Solicitation, either directly or indirectly, of any assessment, contribution, or subscription, either monetary or in-kind, for any political party or political candidate;
 - i. Solicitation of the sale, or actual sale, of political party tickets;
 - j. Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
 - k. Partisan activity at election polls or board of election such as serving as recorder, checker, watcher, challenger, judge or poll worker for any party or partisan committee; provided that employees may server as a precinct election official as provided in ORC Section 3501.22.;
 - l. Participation in political caucuses of a partisan nature;
 - m. Participation in a political action committee which supports partisan activity.
- 3. A staff member in the classified civil service who engages in any of the activities listed in paragraphs 2a to 2m is subject to removal from his/her position in the classified service.
- C. Employees in the unclassified service are not prohibited from engaging in political activity unless specifically precluded by federal or state constitutional or statutory provisions.
- D. Service in an appointed or elected position is prohibited when such position is subordinate to or in any way a check upon a position concurrently occupied by a classified or unclassified staff member, or when it is physically impossible for one person to discharge the duties of both positions, or if some specific constitutional or statutory bar exists prohibiting a person from serving in both positions.
- E. In recognition of the legitimacy and social importance of permissible political activity by staff members, the Executive Director will provide arrangements to accommodate political activities. Such arrangements may include a leave of absence, without pay, for the duration of an election campaign or a term of office.
- F. A staff member seeking leave should recognize a primary obligation to the Board. The staff member should be mindful of the problem which a leave of absence can create, and the staff member should not abuse the privilege by too frequent or too late application or too extended a leave, all of which is subject to the approval of the Executive Director. If a reduction of workload does occur, the staff member should expect such adjustments to be limited to a total of one year.

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PERSONNEL POLICY MANUAL**

POLITICAL ACTIVITIES

**SECTION 7.05
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- G. A leave of absence incident to political activity should come under the Board's normal rules and regulations for leaves of absence. Such a leave should not affect unfavorably the status of the staff member, except that time spent on such leave will not accrue sick leave, vacation, etc. The terms of a leave and its effect on the staff member's status should be set forth in writing.

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PERSONNEL POLICY MANUAL**

CONFIDENTIAL INFORMATION

**SECTION 7.06
PAGE 1 OF 1**

- A. In the course of working for the Board, employees will have access to confidential information. As per the Board HIPAA policies and procedures, all employees must respect the confidentiality of the information by not revealing it unless it is necessary to do so in the performance of job duties. Employees shall sign a confidentiality statement upon beginning employment, to be placed in the employee's personnel file.
- B. It is the responsibility of all employees to keep confidential all information accessed through all forms of communication including but not limited to:
 - 1. computerized data system;
 - 2. hard copy records and reports;
 - 3. direct resident contact;
 - 4. observation;
 - 5. faxing;
 - 6. electronic mail (e-mail);
 - 7. verbal communication;
 - 8. employee pay records;
- C. Any access by an employee of confidential information, either through the computerized system or in hard copy, will only be for legitimate business purposes when the individual has a legal authorization and/or a need to know.
- D. Access to computerized data systems will be controlled by individual user security access codes.
- E. Every precaution must be taken by all employees to protect confidential information when in the form of hard copy records or reports. These precautions include but are not limited to locking filing cabinets, limiting physical access to offices during nonbusiness hours, personally delivering confidential information, or sending information through intraoffice mail only in a sealed envelope labeled "Confidential."
- F. Any violations of this policy regarding misuse of confidential information will be subject to disciplinary action. Violations determined to be of a "serious" nature can lead to immediate termination of employment.

**ATHENS/HOCKING/VINTON 317 BOARD
PERSONNEL POLICY MANUAL**

ALCOHOL & DRUG-FREE WORKPLACE

**SECTION 7.07
PAGE 1 OF 2**

- A. In compliance with the Drug-Free Workplace Act of 1988 (U.S. Code 1982 Title 41, §701 et seq.; November 18, 1988, P.L. 100-690, 102 Stat. 4181, §5151, et seq.; see also 45 CFR Part 76.600 et seq.) and to promote a healthy and safe work environment, the Board requires all staff to receive and to acknowledge receipt of a copy of the 317 Board's Drug-Free Workplace Policy. The signed receipt will become a permanent part of the employee's personnel file.
- B. The possession, illegal use, or abuse of alcohol and other drugs, in any of the Board's facilities or any other locations where staff conduct Board business, is prohibited. The unlawful manufacture, distribution, dispensation, or possession of any illegal drug or alcohol is also prohibited.
- C. If a staff member is convicted of any criminal drug statute for a violation occurring in the workplace, that individual is required to notify the Executive Director within five working days after such conviction. The Executive Director will take appropriate personnel action, up to and including termination, against such individual within 30 days after receiving notice of a conviction from a staff member. A staff member who fails to report a substance abuse conviction within 5 working days will be subject to sanctions up to and including termination of employment.
- D. Athens-Hocking-Vinton 317 Board recognizes alcoholism and drug addiction as diseases which are treatable and encourages those employees who suspect that they may have an alcohol or drug problem to seek professional treatment assistance.
- E. For the purposes of this policy, a drinking or drug abuse problem exists in the eyes of the Executive Director when an employee's alcohol consumption or drug use begins to interfere with his or her job performance.
- F. Employees are prohibited from reporting to work while under the influence of alcohol or any drug, including prescription drugs, which affect their job performance or reaction time. This section will be applied in compliance with the ADA and Ohio Civil Rights Act.
- G. No alcoholic beverages or illegal drugs shall be consumed while on duty or while on Board property. Likewise, no employee shall consume alcoholic beverages or illegal drugs while on his or her lunch break or after work if he or she is scheduled for a meeting or will be representing the Board at an evening function.
- H. An employee should refrain from taking prescription drugs which would affect his/her job performance or reaction time while on duty or while on Board property.
- I. This policy is intended to assure that no employee with a drinking or drug problem will have his/her job security or promotional opportunities jeopardized by a request for treatment.

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PERSONNEL POLICY MANUAL**

ALCOHOL & DRUG-FREE WORKPLACE

**SECTION 7.07
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Conversely, this policy does not excuse employees from discipline or corrective action initiated by the Executive Director for unsatisfactory performance or work-related misconduct. Rather, this policy is intended to help employees who themselves initiate requests for assistance. The individual's rights to confidentiality and privacy are recognized. The pertinent information and records of employees with drinking or drug problems will be preserved in the same manner as all other medical records.

- J. The Executive Director and supervisors should not attempt to diagnose alcoholism or drug addiction. A referral, initiated by the Executive Director or the supervisor, for diagnosis and treatment should be based strictly on unsatisfactory or deteriorating job performance resulting from apparent medical or behavioral problems, whatever their nature.
- K. It will be the responsibility of the employees to comply with the referral for diagnosis and to cooperate with the prescribed treatment. An employee's refusal to accept diagnosis or treatment, or failure to respond to treatment, will be handled in the same manner as for all other illnesses when job performance continues to be adversely affected.

The Executive Director will make a good faith effort to continue to maintain a drug-free workplace through implementation of the above.

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PERSONNEL POLICY MANUAL**

SMOKING/USE OF TOBACCO PRODUCTS

SECTION 7.08

PAGE 1 OF 1

- A. Employees shall be permitted to smoke during their breaks or lunch period in areas designated by the Executive Director.
- B. Smoking is strictly prohibited in areas not specified in Part 1 of this policy.
- C. This policy is in effect 24 hours a day, 7 days a week.
- D. Failure to comply with this policy may be grounds for disciplinary actions.

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PERSONNEL POLICY MANUAL**

GAMBLING

**SECTION 7.09
PAGE 1 OF 1**

- A. The Board does not permit gambling in any form by Board employees during workdays. The workday consists of regular working hours, lunch periods, and breaks. Violation of this policy will be cause for disciplinary action.

- B. Athens-Hocking-Vinton 317 Board recognizes problem gambling as a disease which is treatable and encourages those employees who suspect that they may have a gambling problem to seek professional treatment assistance.

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PERSONNEL POLICY MANUAL**

GARNISHMENTS

**SECTION 7.10
PAGE 1 OF 1**

A court-ordered legal claim against the wages of an employee by a creditor for nonpayment of a debt and served by the constituted legal authority is a garnishment and must be recognized and executed by the County Auditor.

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PERSONNEL POLICY MANUAL**

USE OF TELEPHONES

**SECTION 7.11
PAGE 1 OF 1**

- A. Employees required to answer the telephone as part of their assigned duties shall do so in a polite and courteous manner. Foul or abusive language shall not be used by any employee over the telephone or in any dealings with anyone at any time.
- B. When a citizen calls, he/she shall be directed to the proper authority to handle the citizen's complaint or answer his/her question. If the employee is unavailable, a clear and precisely written message shall be taken indicating the person's name, telephone number, and reason for the call or forwarded to voice mail as appropriate.
- C. Employees are permitted limited personal use of Board telephones. Such calls should be kept to a minimum.
- D. Employees who make long distance or toll calls for personal reasons on Board telephones shall reimburse the Board for the tolls/charges.
- E. If out of the office and on Agency business, employees may use personal cell phones for Agency business, but first must provide the cell phone number to the employer. The employee may be eligible for reimbursement by the 317 Board if their phone is essential for their position and if their current service plan is limited. Use of all phones for personal business in the office shall be on breaks or lunch time. Reasonable use of personal cell phones is permitted.
- F. Employees are discouraged from utilizing cell phones while driving while on agency business. Employees should always attempt to pull over and stop the vehicle before utilizing a cell phone. However, when safe and necessary, employees are permitted to engage in hands-free phone calls while operating a vehicle. Any actions besides hands-free phone calls are prohibited.

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PERSONNEL POLICY MANUAL**

SUPPLIES, INSTRUMENTS, AND OTHER EQUIPMENT

**SECTION 7.12
PAGE 1 OF 1**

- A. When supplies, instruments, and equipment needed to perform job duties are provided by the Board, it is the responsibility of supervisors to see that employees properly use and maintain such items.
- B. Misuse, neglect, theft, and abuse of supplies, instruments, and equipment is prohibited. Violation of this policy may be cause for disciplinary action. Loss of supplies and equipment on more than one occasion may require payment by the employee for those items lost.
- C. All supplies, instruments, and/or equipment utilized by the employee in the performance of his/her job are subject to the proper approval of the Executive Director.
- D. Board employees have an obligation to use public property for public purposes and to avoid wasting public resources. All equipment and property will be disposed of in accordance with Board policy.
- E. The supervisor shall report damaged or stolen equipment to the Executive Director.

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PERSONNEL POLICY MANUAL**

USE AND ABUSE OF COMPUTERIZED DATA FILES

SECTION 7.13

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- A. The Board is a repository of information in computerized data files for the benefit of the Board, its contract agencies, and their clients.
- B. Each employee holds a position of trust relative to this information and recognizes the responsibilities entrusted to him/her and to the Board in preserving the security and confidentiality of this information.
- C. An employee of the Board is not to:
 - 1. make or permit unauthorized use of any information in files maintained by the Board;
 - 2. seek to benefit personally or permit others to benefit personally by any information which has come to him/her by virtue of his/her work assignment;
 - 3. knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry;
 - 4. remove or cause to be removed copies of any official record or report from any file from the office where it is kept, except in the performance of his/her duties;
 - 5. operate or request others to operate any of the Board's equipment for personal business.
- D. A violation of this policy will result in disciplinary action up to and including termination and criminal charges as appropriate.

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PERSONNEL POLICY MANUAL**

COMPUTER/INTERNET/ELECTRONIC MAIL POLICY

SECTION 7.14

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The use of computer technology and assignment of an E-mail/Internet account through the Board is a benefit to the employee and should be treated as such. The following constitute proper use of these privileges. Computer, internet, and electronic mail usage may be monitored by system or other personnel at any time. The use of any electronic technology resources of the Board implies acceptance of all current operational policies.

A. General Standards of Conduct for Internet Use:

1. Any use of Board computers or on-line computer services to facilitate illegal activity is prohibited.
2. Use of the Board's electronic services to access obscene or pornographic materials is prohibited.
3. Use of the Board's electronic services for personal political, commercial, or for-profit purposes is prohibited. This includes buying, selling, and bartering, including but not limited to, the use of credit cards.
4. Disruption of electronic services, supporting equipment, or information available on it is prohibited, including but not limited to, tampering with hardware or software, vandalizing, or destroying data, introducing, or using computer viruses, attempting to gain access to restricted information or networks, violating copyright laws, or installing non-Board-owned software of any kind.
5. The use of electronic services to harass other users or to transmit materials likely to be offensive or objectionable is prohibited.
6. Users of electronic services are to protect themselves and others by not issuing or releasing confidential information, addresses, passwords, or telephone numbers, remembering that on-line computer services are not private.
7. Employees shall not use a code, password, access a file, or retrieve any stored information unless authorized to do so. Employees should not attempt to gain access to another employee's data without the latter's permission. All computer pass codes, or passwords used on the Board's equipment must be provided to supervisors. No pass code or password used on data files and/or programs may be used that is unknown to the Executive Director.
8. Any employee who violates this policy or uses electronic services for improper purposes shall be subject to discipline, up to and including termination.

B. E-mail:

1. Any message sent or received via the Board's e-mail system may be monitored by the Board at any time, with or without prior notification. If the Executive Director discovers any misconduct or criminal activity, the information contained in such e-

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PERSONNEL POLICY MANUAL**

COMPUTER/INTERNET/ELECTRONIC MAIL POLICY

SECTION 7.14

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mail messages may be used to document such conduct and may be revealed to the appropriate authorities.

2. E-mail relevant to the course of business at the Board must be retained in accordance with applicable law.
3. E-mail accounts are to be used only by the authorized owner of the account or another person with the owner's specific authorization.
4. Subscriptions to unrelated services are not allowed as they create unnecessary traffic on the e-mail system.
5. It is permissible to transmit documents via e-mail as attachments. However, transmitting copyrighted material including software, research data, and manuscripts without the consent of the copyright holder is strictly prohibited.
6. The use of personal e-mail to conduct Board business is forbidden.
7. The downloading of files/programs for personal use from the Internet without advance permission is prohibited. Permission is obtained from the Executive Director.

C. Standards of Conduct for E-mail on the Board Electronic System:

1. Do not overuse e-mail by sending courtesy copies of messages to people who do not need them. Similarly, it is not generally necessary to reply to an e-mail just to inform the sender that you have received it.
2. Be careful when forwarding e-mail messages. Use common sense: if you would not forward a copy of a paper memo with the same information, do not forward the e-mail.
3. Be careful what you write. E-mail is not the same as conversation. It is a written record and can be duplicated at will.
4. Use normal capitalization and punctuation. Typing a message in all caps is bad "netiquette."
5. When replying to e-mail, it is often useful to include a portion of the original sender's message to put your reply into context. It is appropriate to delete unimportant portions of the original message in order to prevent the message from getting too long.
6. If a user discovers defamatory, disparaging, or otherwise damaging statements about the Board on the Internet, the user should inform the Executive Director to follow-up on that discovery.

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COMPUTER/INTERNET/ELECTRONIC MAIL POLICY

SECTION 7.14

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D. Use of the World Wide Web:

The Internet is a powerful and useful tool for research and other functions. Employees are encouraged to develop computer and internet skills to improve their job knowledge and to promote the interests of the Board. Employees should treat the Internet as a formal communications tool similar to the telephone, radio, video, and written communications. All employees are responsible for their actions and communications using computers and the Internet.

**ATHENS/HOCKING/VINTON 317 BOARD
PERSONNEL POLICY MANUAL**

WORKPLACE VIOLENCE

**SECTION 7.15
PAGE 1 OF 4**

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

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PERSONNEL POLICY MANUAL**

WORKPLACE VIOLENCE

**SECTION 7.15
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- e. Use or possession of a weapon on the Board's premises, on a Board-controlled site, or an area that is associated with Board employment except as required in the line of duty (i.e., law enforcement). Employees may store an unloaded weapon in a locked container within the employee's personal vehicle in the parking lot.
 - a. A dangerous weapon is defined as:
 - (1) A loaded or unloaded firearm; or
 - (2) A weapon, device, electronic stun weapon, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
- 5. The most common situations where workplace violence is likely to occur are as follows:
 - a. Dealing with the Public: Violent situations could occur in employee contact with the public. While the Board has a strong commitment to client service, we do not intend for employees to be subjected to verbal or physical abuse by the client.
 - b. On-the-Job: Situations could occur where relationships between employees, or between an employee and a supervisor, result in strong negative feelings by the individuals involved.
 - c. Off-the-Job: An employee could become involved in a personal non-criminal dispute with a co-worker, client, or personal family member during the employee's non-working hours. The Board prohibits any act of violence by an employee towards any other employee while off duty. If the situation escalates, individuals sometimes secure restraining orders from the courts. If an employee requests such a restraining order, the employee should include the work location as well as the employee's place of residence in the order.

B. PROCEDURE

- 1. Any person who makes threats, exhibits threatening behavior, or engages in violent acts on Board property shall be removed from the premises as quickly as safety permits and shall remain off the premises pending the outcome of an investigation. The Board will initiate an appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension, or termination of employment, and/or criminal prosecution of the person(s) involved.

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PERSONNEL POLICY MANUAL**

WORKPLACE VIOLENCE

**SECTION 7.15
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2. Employees are required to report any behavior that compromises the Board's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential except where there is a legitimate "need to know". Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job-related, might be carried out on a Board-controlled site, or is associated with Board employment.
3. All incidents of suspected or potential violence should be reported to the employee's immediate supervisor or the Executive Director. Do not take the position that the incident is too minor to report or that it does not appear to be a "real problem." Do not wait until it is too late to be proactive.
4. Supervisor Responsibilities: Immediate supervisors and the Executive Director are responsible for assessing situations, making decisions on the appropriate response, and responding to reports of or knowledge of violent activities that have occurred in the workplace or that involve an employee of the Board.
5. When any actual, potential, or suspected incident of violence is brought to the attention of a supervisor or the Executive Director, the Executive Director or designee shall evaluate the severity of the situation immediately and have the individual reporting the incident fill out an Incident Report. If it is concluded that an actual act of violence has occurred or if there is a likelihood that violence could result, the Executive Director or designee shall:
 - a. Discuss the situation with the employee(s) and attempt to determine what occurred;
 - b. Determine what action is to be taken to prevent the situation from occurring again. Such actions may include but not be limited to:
 1. Assigning a different employee to the area or job.
 2. Report the employee's conduct to the proper authorities.
 3. Discussing the incident and offer suggestions for appropriate actions.
 4. Referring the affected employee(s) to professional help or counseling.
 5. Disciplining the employee(s), up to and including termination of employment.
6. All employees who apply for, obtain, or are the subject of a restraining order which lists department locations as being protected areas, must provide to the Executive Director a copy of the petition and declarations used to seek the order, a copy of

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PERSONNEL POLICY MANUAL**

WORKPLACE VIOLENCE

**SECTION 7.15
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any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

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PERSONNEL POLICY MANUAL**

EMPLOYEE CONVICTION IN A COURT OF LAW

**SECTION 7.16
PAGE 1 OF 1**

- A. The arrest or conviction of any employee for breaking a federal, state, or local law outside work may be grounds for discipline up to and including termination, depending on the nature of the arrest or conviction as it relates to the position held by the employee. Careful consideration will be given to the effect the arrest or conviction has on the reputation and operation of the Board and any of its programs.

- B. Employees are required to report arrest or conviction to the Executive Director within 5 days of the occurrence.

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PERSONNEL POLICY MANUAL**

OUTSIDE EMPLOYMENT

**SECTION 7.17
PAGE 1 OF 1**

- A. Under no circumstances shall a Board employee have other employment which conflicts with the policies, objectives, and operations of the Board. In addition, an employee shall not become indebted to a second employer whose interests might be in conflict with those of the Board office in which they are employed.
- B. Secondary or outside employment “conflicts” with Board employment when an outside or second job impairs the employee’s ability to perform the duties of his/her position with the Board.
- C. Full-time employment with the Board shall be considered the employee’s primary occupation, taking precedence over all other occupations.
- D. “Outside” or secondary employment shall be a concern of the Executive Director only if it adversely affects the employee’s performance on his/her Board job. Two common employment conflicts which may arise are:
 - 1. Time conflict: when the working hours required of a secondary job directly conflict with the scheduled working or overtime hours of an employee’s job performance with the Board.
 - 2. Interest conflict: when the employee’s secondary job tends to compromise his/her judgment, actions, and/or job performance with the Board.
- E. Any conflict, policy infraction, or other specific offense which is the direct or indirect result of an employee’s participation in outside employment will subject the employee to discipline up to and including termination.

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PERSONNEL POLICY MANUAL**

OFF-DUTY CONDUCT

**SECTION 7.18
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- A. While generally an employee's conduct away from his/her place of work is viewed as a personal matter, there is an exception where it is established that the employee's misconduct off the premises can have a detrimental effect on the Board's reputation, or business.

- B. The Board will evaluate a number of criteria in determining whether to discipline (up to and including termination) an employee for off-duty conduct. These include:
 - 1. injury to the Board's business (including actual or potential business loss and/or injury to the Board's reputation);
 - 2. inability to report for work;
 - 3. unsuitability for continued employment; and
 - 4. objectionability or danger to other employees.

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REMOTE WORK / TELEWORK

**SECTION 7.19
PAGE 1 OF 3**

- A. Depending on the circumstances, the Executive Director may consider and/or mandate an alternative work arrangement. Both the employee and the job must be suited to such an arrangement. A telework, work from home, or alternative work arrangement may be appropriate for some employees and jobs but not for others and does not affect basic terms and conditions of employment with the Employer. This includes an employee's rate of pay, retirement benefits, and Employer sponsored insurance coverage if applicable.
- B. The decision to authorize an alternative work arrangement is solely within the discretion of the Executive Director and can be modified or terminated at any time. When the Executive Director terminates an alternative work arrangement authorization, the employee will be notified and will be required to report to his or her normal work location.
- C. Employees are obligated to comply with all Employer rules, policies, and procedures. A violation of such may result in a revocation of the telecommuting authorization and discipline, up to and including termination.

Eligibility for Telecommuting

- A. The Executive Director and/or designee, will evaluate the suitability of such an arrangement, reviewing the following areas:
 - 1. Job responsibilities. The Executive Director and/or designee will evaluate the job, and if necessary, conduct a job analysis. The Employer will then determine whether the job is appropriate for telecommuting.
 - 2. Equipment Needs, Workspace Design Considerations and Scheduling Issues. Employees must provide the Employer with the physical address and telephone number of the location at which they will be teleworking. Among other things:
 - The workspace must be safe and free from hazards.
 - The workspace must be reasonably free from interruptions and distraction that would affect work performance.
 - For employees who must verbally communicate with others as part of their duties, the workspace must be quiet and allow for professional communications during those times.
 - Teleworking employees shall not conduct face to face meetings with the public or clients in their home office in any official capacity or connected with the Employer's business. The Employer is not responsible for any injuries to family members, visitors, and others in the employee's home.
 - The Employer is not responsible for any loss to the employee's property whether caused by physical damage, computer virus attacks or other intrusions via the internet.
 - The Executive Director may authorize employees to take home Employer

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PERSONNEL POLICY MANUAL**

REMOTE WORK / TELEWORK

**SECTION 7.19
PAGE 2 OF 3**

issued devices and desktop computers to perform job functions. This includes the computer, tower, monitor, keyboard, scanners, printers, and any other devices that are necessary to perform job functions. It will be the employee's responsibility to ensure they have the proper internet connections to re-install the equipment in their home. The employee will be responsible for the removal of the devices from their office as well as the installation in their home. IT staff will be available via the phone to assist with troubleshooting but will not come to the employees' home to assist. The employee will follow the proper check in and check out.

3. Employee Suitability. Lastly, the Executive Director and/or designee will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
4. Communication. While teleworking, employees must be reachable by the Employer during their normal working hours, and any other times designated by the Employer. If the employee becomes aware of or anticipates any disruption in technological communication during their normal working hours, they are to immediately notify their supervisor.

Time Worked for Telecommuting

- A. An employee is authorized to telecommute during his/her normal work hours. If an employee is required to work outside of those hours, the employee will be notified by his/her supervisor. All overtime, leave usage and compensatory time policies apply while telecommuting.
- B. If an employee needs to use leave during the time of telecommuting, the employee must comply with all Employer call off policies and procedures for obtaining approval prior to using leave. Employees are to use sick or other appropriate leave whenever they are unable to work a full or partial workday. In such instances, employees should note their time worked and the amount of time needed for leave on the applicable day on the appropriate time and leave form.
- C. Each week the employee will be required by the Executive Director and/or designee to provide a written or verbal report regarding the work completed during the current work week as well as providing a preview/plan of work to be accomplished during the next work week.

Security and Records for Telecommuting

- A. Consistent with the Employer's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the same

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PERSONNEL POLICY MANUAL**

REMOTE WORK / TELEWORK

SECTION 7.19

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protection of proprietary information accessible from home. Employees are responsible for protecting all sensitive data and personally identifiable information.

- B. Personal devices used by employees for work purposes may be subject to Ohio's Public Records Laws.
- C. Personal devices used by employees for work purposes are subject to Board HIPPA Policies as referenced in Section 9.21

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PERSONNEL POLICY MANUAL**

FRAUD REPORTING

**SECTION 7.20
PAGE 1 OF 1**

Complaints or any matter regarding fraud, including any matter that alleges mismanagement of agency resources or misuse of public money, can be made to the Auditor of the State of Ohio through the Ohio fraud-reporting system.

Complaints made to the Auditor of the State of Ohio through the Ohio fraud-reporting system are anonymous. Complaints may be made in three ways:

- A. File a written complaint at: **Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215**

- B. Call the Fraud Hotline: 1-866-FRAUD OH (1-866-372-8364)

- C. Online:<http://www.auditor.gov>

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PERSONNEL POLICY MANUAL**

**CHAPTER 8
EMPLOYEE DISCIPLINE, APPEALS, AND COMPLAINTS**

- 8.01 DISCIPLINARY PRINCIPLES
- 8.02 COMPLAINT PROCEDURE
- 8.03 PROGRESSIVE DISCIPLINE POLICY
- 8.04 PREDISCIPLINARY CONFERENCE
- 8.05 PREDISCIPLINARY PROCEDURE
- 8.06 GROUNDS FOR DISCIPLINARY ACTIONS AND PENALTIES
- 8.07 APPEALS OF PERSONNEL ACTIONS
- 8.08 ADMINISTRATIVE LEAVE

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PERSONNEL POLICY MANUAL**

DISCIPLINARY PRINCIPLES

**SECTION 8.01
PAGE 1 OF 1**

- A. A clearly written discipline policy promotes fairness and equality in the workplace and minimizes potential misunderstandings among employees in disciplinary matters. Furthermore, this policy must be consistently applied in order to effectively correct unsatisfactory job behavior.
1. Employees shall be advised of expected job behavior, the types of conduct the Board has determined to be unacceptable, and the penalties for such unacceptable behavior.
 2. Immediate attention shall be given to policy infractions unless special circumstances warrant further investigation or delay.
 3. Discipline shall be applied uniformly and consistently and any deviations from standard procedure should be justified and documented.
 4. Each offense shall be dealt with as objectively as possible.
 5. Discipline should usually be progressive as outlined herein, but, depending on the severity of the offense, may proceed immediately to termination.
 6. The Executive Director and/or the employee's supervisor shall be responsible for administering discipline.

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PERSONNEL POLICY MANUAL**

COMPLAINT PROCEDURE

**SECTION 8.02
PAGE 1 OF 1**

The 317 Board recognizes that from time to time employees will have questions or problems regarding their work, working conditions, wages, and benefits, and/or policies and procedures. In order to encourage employees to express concerns and to seek the resolution of problems, the 317 Board has established the following open-door grievance system for its employees.

PROCEDURE:

A. Step 1: Informal/Discussion:

Every reasonable effort will be made to resolve any questions, problems, and misunderstandings that have arisen. Therefore, employees shall first discuss any complaints or questions they have with their immediate Supervisor and shall initiate such discussions at the time the dissatisfaction or question arises.

B. Step 2: Formal:

If an acceptable solution is not achieved during the informal meeting, the employee may reduce the complaint to writing, date and sign it and submit it to the Executive Director, who shall attempt to meet with the employee within five (5) working days of receiving the complaint. Any decision on the part of the Executive Director is final. The Executive Director will report any formal complaints at the next scheduled Executive Committee meeting.

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PERSONNEL POLICY MANUAL**

PROGRESSIVE DISCIPLINE POLICY

**SECTION 8.03
PAGE 1 OF 1**

- A. The Board generally follows a system of progressive discipline when correcting job behavior. Typical disciplinary action may include reprimands, suspensions, demotions (reductions), and removals. Working suspensions have the same effect as suspensions from work without pay for purposes of recording disciplinary actions and demonstrating progressive discipline.
- B. This policy is not a delegation of or a limitation upon the Executive Director's right to impose a different level of discipline when circumstances warrant.
- C. This discipline policy provides standard penalties for specific offenses. However, the examples of specific offenses given in any grouping are not all-inclusive, and merely serve as a guideline. The Executive Director may issue a fine or working suspension under certain circumstances, for example, to discipline an FLSA-exempt employee without jeopardizing the employee's exemption, or to impose discipline when the Executive Director is short-staffed. However, the Executive Director should use fines only sparingly, and not in a manner that would cause a nonexempt employee to be paid less than minimum wage.

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PREDISCIPLINARY CONFERENCE

**SECTION 8.04
PAGE 1 OF 1**

- A. Whenever the Executive Director determines that an employee may be disciplined for cause the employee will be notified of the allegations and supporting evidence and a predisciplinary conference will be scheduled to give the employee an opportunity to offer an explanation of the alleged conduct.

- B. Not less than 48 hours prior to the scheduled starting time of the conference, the Executive Director will provide a “Notice of Predisciplinary Conference” to the employee outlining the charges which may be the basis for disciplinary action. The employee must choose to: (1) appear at the conference to present an oral or written statement in his/her defense; (2) appear at the conference and have a chosen representative present an oral or written statement in defense of the employee; or (3) elect in writing to waive the opportunity to have a predisciplinary conference. After the conference, the Executive Director shall render a final decision on the matter.

- C. In the case of severe breaches of Board policy or of criminal action, the employee may be placed on administrative leave, with pay, prior to a predisciplinary conference.

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PERSONNEL POLICY MANUAL**

PREDISCIPLINARY PROCEDURE

SECTION 8.05

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- A. The first step of disciplinary action is a meeting between the employee and his/her supervisor, where the employee will be advised of the grounds for disciplinary action. Documentation of an oral reprimand, noting the cause for action and bearing the employee's and supervisor's signatures, will be placed in that employee's personnel file.
- B. If the supervisor issues a written reprimand, it should describe the cause for action, the circumstances, the employee's defense, and the decision of the supervisor. The reprimand will be signed by the employee and the supervisor and forwarded to the Executive Director. A copy will be placed in the employees' personnel file.
- C. Whenever a supervisor has cause to believe that an employee under his/her direction should receive a suspension with or without pay, fine, disciplinary reduction in pay or position, or removal from public service, the supervisor must reduce such allegations to writing on the form provided.
- D. The completed form should indicate in sufficient detail the behavior or conduct which is the basis for the supervisor's belief that discipline is necessary.
- E. The form should next be sent up the chain of command to the Executive Director or designee for review, and delivery to the responding employee, as a Notice of Predisiplinary Conference.

In the Notice or at any time in the process, the Executive Director may assure the employee that his/her statement will not be used in any criminal proceeding. The Executive Director must confer with the Prosecutor before offering such assurance and before questioning any classified employee about conduct of the employee that may have been criminal.

- F. The supervisor and employee will be notified by the Executive Director or designee of the time, location, and person who will conduct the conference. The person conducting the conference will recite the allegations, summarize the evidence that is the basis of the allegations, and ask the employee to respond.
- G. The person conducting the conference will ask the employee or his/her representative to respond to the allegations of misconduct which were outlined to the employee. Failure to respond or respond truthfully may result in further disciplinary action.
- H. The Executive Director may require witnesses at the conference to be sworn in by a notary public, and may record their testimony, in which case the responding employee may also record their testimony. The Executive Director may also ask the person conducting the conference to follow a more elaborate procedure on a case-by-case basis, for example, requiring the supervisor to present witnesses, allowing limited cross-examination, etc., but these should be exceptions.
- I. The person conducting the conference shall determine when the conference is concluded and will adjourn the meeting. He/she may also independently investigate facts alleged by the responding employee or the employee's witnesses, may limit the number of witnesses,

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and may reconvene the conference if necessary to get additional information or to allow the employee opportunity to respond further or to respond to new matters. For example, if the employee provides an explanation that involves facts unknown to the supervisor, the person conducting the hearing may continue the hearing to investigate. As another example, if the employee or a witness provides information that indicates that the employee committed additional infractions, the person conducting the conference may continue the conference to investigate, or to allow the Executive Director to issue a revised notice before concluding the predisciplinary conference. This is proper procedure if no discipline has yet been issued.

- J. The person who conducted the conference shall report the allegations, the evidence, and the employee's response to the Executive Director, unless the Executive Director conducted the conference. The report may, but need not be, in writing, and need not be overly detailed. The report should state whether the person conducting the conference believes the allegations were supported by the evidence and explanations presented. The person conducting the conference may state whether he/she found one person's explanation or evidence more convincing and for what reason, especially when testimony or evidence conflict. However, he/she should not recommend whether the Executive Director should issue discipline, nor what level of discipline is appropriate, unless the Executive Director specifically requests such a recommendation.
- K. Within a reasonable time following receipt of the report, the Executive Director shall determine what discipline, if any, is warranted based upon the facts found by the neutral conference.
- L. If discipline is warranted, the Executive Director shall follow the Board disciplinary policy and procedures.

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

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

Group II Offenses may be defined as those infractions which are of a more serious nature than the Group I Offenses and which, in turn, cause a more serious and longer lasting disruption to the organization in terms of decreased organizational productivity, efficiency, and/or morale. Group II Offenses, if left undisciplined by proper authority, can cause a serious and longer lasting adverse impact against the organization than the Group I Offenses.

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

Group I Offenses:

First Offense.....	instruction and cautioning
Second Offense	written reprimand
Third Offense	up to 3 day suspension without pay (up to 5 days or working suspension for administrative, supervisory, or professional employees exempt from overtime) ¹
Fourth Offense	up to 15-day suspension without pay
Fifth Offense	up to termination

1. Failure to “report off” work for any absence;
2. Failure to commence duties at the beginning of the work period, or leaving work prior to the end of the work period;
3. Leaving the job or work area during the regular working hours without authorization;

¹Under the Fair Labor Standards Act, salaried employees exempt from overtime cannot be given disciplinary time off without pay in less than one (1) week increments. However, they may be given working suspensions of any duration.

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4. Making preparations to leave work without specific prior authorization before the lunch period, or for any official break time, or before the specified quitting time;
5. Neglect or carelessness in signing in or out;
6. Unauthorized absence from work (except job abandonment, which is a constructive resignation and/or grounds for removal);
7. Creating or contributing to less than serious unsanitary or unsafe conditions or poor housekeeping. More than serious violations carry more severe penalties;
8. Distracting the attention of others, unnecessary shouting demonstration, or otherwise causing disruption on the job;
9. Malicious mischief, horseplay, wrestling, or other undesirable conduct;
10. Use of abusive language toward other employees;
11. Failure to cooperate with other employees as required by job duties;
12. Failure to use reasonable care of Board property or equipment;
13. Use or possession of another employee's working equipment without authorization;
14. Neglect or carelessness in observance of official safety rules, or disregard of common safety practices. Wanton or willful neglect carries more severe penalties. See Group III;
15. Failure to observe Board rules;
16. Obligating the Board for any expense, service, or performance without authorization;
17. Failure to report minor accidents, injury, or equipment damage;
18. Disregarding job duties by neglect of work or reading for pleasure during working hours;
19. Unsatisfactory work or failure to maintain required standard of performance;
20. Unauthorized use of telephone for other than Board business purposes;
21. Excessive garnishments.

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Group II Offenses:

First Offense.....instruction and 2-3 day suspension without pay
(Up to 5 days or working suspension for administrative, supervisory, and professional employees exempt from overtime.)²
Second Offense up to 15 day suspension without pay
Third Offense up to termination

1. Sleeping during working hours;
2. Reporting for work while unfit for duty;
3. Conduct violating morality or common decency;
4. Unauthorized use of Board property or equipment;
5. Willful failure to sign in or out when required;
6. Willful failure to make required reports;
7. Failure to report for overtime work without good reason after being scheduled to work according to overtime policy;
8. Solicitation on Board premises without authorization;
9. The making or publishing of false, vicious, or malicious statements concerning employees, supervisors, the Board, or its operations;
10. Giving false testimony during a complaint or grievance investigation or hearing;
11. Unauthorized posting or removal of notices or signs from official bulletin boards;
12. Distributing or posting written or printed matter of any description on Board premises unless authorized;
13. Unauthorized presence on Board property;
14. Willful disregard of Board rules;
15. Use of abusive language toward supervisors;

²Under the Fair Labor Standards Act, salaried employees exempt from overtime cannot be given disciplinary time off without pay in less than one (1) week increments. However, they may be given working suspensions of any duration.

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16. Discourteous treatment of the public;

Group III Offenses:

First Offense..... Up to and including termination

1. Wanton or willful neglect in the performance of assigned duties or in the care, use, or custody of any Board property or equipment; abusing or deliberately destroying Board property or equipment, or the property of employees, in any manner;
2. Signing or altering other employee's timecards, tampering with other employee's time cards, or unauthorized altering of own time card;
3. Falsifying or assisting in falsifying or destroying any Board records, including work performance reports; or giving false information or withholding pertinent information called for in making application for employment;
4. Making false claims or misrepresentation in an attempt to obtain any Board benefit;
5. Performing private work on Board time or using Board property or equipment for private gain;
6. Gambling during working hours;
7. Stealing or similar misconduct, including destroying, damaging, or concealment of any property of the Board or of other employees;
8. The manufacturing, distribution, possessing, or use of alcohol or controlled substances (without prescription) in the workplace;
9. Fighting or attempting to injure other employees, supervisors, or persons;
10. Carrying or possession of firearms, explosives, or weapons on Board property at any time (exception: employees may store an unloaded weapon in a locked container within the employee's personal vehicle in the parking lot);
11. Knowingly concealing a communicable disease which may endanger other employees;
12. Misusing or removing Board records or information without prior authorization;
13. Dishonesty or any dishonest action. Some examples of what is meant by "dishonesty" or "dishonest action" are: theft, pilfering, opening desks assigned to other employees without authorization, making false statements to secure an excused absence or to justify an absence or tardiness; making or causing to be made, inaccurate or false reports concerning any absence from work. The foregoing are examples only and do not limit the terms "dishonesty" or "dishonest action";

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14. Insubordination, defined as refusing to perform assigned work or to comply with lawful written or verbal instruction from a supervisor.
15. Committing safety violations;
16. Threatening, intimidating, or coercing employees or supervisors;
17. Engaging in unauthorized political activity;
18. Engaging in discrimination, discriminatory harassment, or retaliation;
19. Being convicted of a “felony” within the meaning of R.C. 124.34, even if prior discipline has been issued for the underlying conduct.

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APPEALS OF PERSONNEL ACTIONS

**SECTION 8.07
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- A. Personnel actions for classified employees such as dismissals, suspensions of over 3 days, fines in excess of 3 days' pay, demotions, and layoffs may be appealed by the affected employees through the in-house complaint procedure policy (Section 8.02) hearing procedure, or if necessary, by classified employees, to the State Personnel Board of Review. Suspensions of 3 days or less and fines of 3 days' pay or less may be appealed to the Executive Director through the in-house process only. The Executive Director has the discretion to allow the appeal as a grievance to be heard by the Executive Director or designee, but to limit additional evidence to that not already introduced in the predisciplinary conference. Disciplinary action based on conviction of a "felony" within the meaning of R.C. 124.34, may not be appealed to the State Personnel Board of Review.
- B. Appeals to the State Personnel Board of Review from removal, demotion, fines, or suspension of classified employees must be filed within 10 days of the date the employee is served with the Order. Appeals from layoffs must be made within 10 days of the receipt of the notice of layoff.
- C. The State Personnel Board of Review maintains authority to decide whether an appeal warrants a hearing. When an appeal is heard, the Board may affirm, disaffirm, or modify personnel decisions made by the Executive Director.
- D. The Executive Director may place an employee on administrative leave with pay, but only in circumstances where the health or safety of an employee or of any person or property entrusted to the employee's care could be adversely affected. The length of the leave shall not exceed the length of the situation for which the leave is guaranteed, for example, in a disciplinary situation such leave might extend until the Executive Director completes the predisciplinary process and takes action or decides not to do so. Compensation for administrative leave shall be equal to the employee's base rate of pay.

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Administrative Leave

**SECTION 8.08
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The Executive Director may place an employee on administrative leave with pay, but only in circumstances where the health or safety of an employee or of any person or property entrusted to the employee's care could be adversely affected. The length of the leave shall not exceed the length of the situation for which the leave is guaranteed, for example, in a disciplinary situation such leave might extend until the Executive Director completes the predisciplinary process and takes action or decides not to do so. Compensation for administrative leave shall be equal to the employee's base rate of pay.

<u>Policy</u>	<u>Policy Number</u>	<u>Date Approved</u>
1. *Substantial Revision to Policies	N/A	4-25-22
2. Juneteenth (became a Federal holiday)	5.01-A5	6-18-21
3. Compensation	4.01-B	11-27-23
4. Political Activities	7.05-i	6-24-24

*Approved April 25, 2022 Personnel Policies supersedes original Updated Personnel Policies dated 10-29-21 and all previous Personnel Policies.