

**SENECA COUNTY
BOARD OF
COMMISSIONERS**

**PERSONNEL POLICY
MANUAL**

2017

Prepared by

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INTRODUCTION AND PURPOSE**SECTION 1.01**

This manual contains policies set forth by the appointing authorities of Seneca County.

Policies are defined as the basic rules which guide administrative action for accomplishing an organization's objectives. Comprehensive and clearly defined policies, consistently and fairly administered, are essential to the success of any organization. All personnel charged with the responsibility of administering policy must be thoroughly knowledgeable of its contents. Furthermore, it is essential these policies are administered in a systematic, fair, and impartial manner.

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

As conditions shift within the county structure, it may be necessary to add, delete, or revise specific policies affected by such change. Updated policies must be issued to all supervisors and communicated to all affected employees.

This policy manual is a guide to be utilized by management to ensure uniformity and nondiscriminatory application of the conditions of employment.

SCOPE OF COVERAGE**SECTION 1.02**

- A. These policies apply to all employees of Seneca County whose appointing authority has adopted these policies. Positions exempted from the policies contained in this manual include employees of the county and employees reporting to independent boards or commissions specifically exempted from coverage by law.
- B. The policies and procedures in this manual generally apply to classified and unclassified employees. These policies do not establish tenure or contractual rights for employees not required by law. Although the employer subscribes to these policies, the employer may waive irregularities in policies and procedures to the employer's benefit.
- C. To the extent not prohibited from doing so by law, the employer retains the right to hire, fire, set compensation, and manage unclassified and probationary employees without restriction, and the employer retains all such rights regarding classified employees as allowed by law.
- D. In the event there is a conflict between these policies and procedures and the provisions of a collective bargaining agreement, the collective bargaining agreement shall prevail. To the extent this manual confers benefits not granted by a collective bargaining agreement, the policy shall not apply to those employees covered by the collective bargaining agreement.

- E. Some policies may reference or leave matters to more specific documents, in which case the more specific documents will control. Undoubtedly, there will be situations which shall require administrative interpretations of the policies set forth herein. Every effort must be made to ensure that such decisions are made objectively, with the general intent of the policy in mind. To that extent, appointing authorities or departments may issue directives that clarify these policies in a manner more specific to their particular operations.
- F. In the event of a conflict between this manual and any applicable law, the law shall prevail.

OBJECTIVES**SECTION 1.03**

- A. Seneca County appointing authorities recognize that competent, dependable personnel are indispensable to effective county government.
- B. The policies and procedures set forth in this manual are designed to:
 - 1. Promote high morale and foster good working relationships among county employees by providing uniform personnel for advancement, and consideration of employee needs.
 - 2. Maintain recruitment and internal promotional practices which will enhance the attractiveness of a career with the county, and encourage each of its employees to give his or her best efforts to the county and the public.
 - 3. Encourage courteous and dependable service to the public.
 - 4. Provide fair and equal opportunity for qualified persons to enter and progress in county service based on merit and fitness determined through objective and practical personnel management methods.
 - 5. Ensure that all county operations are conducted in an ethical and legal manner to promote the county's reputation as an efficient, progressive body in the community and the state.
 - 6. Establish acceptable standards of performance which are to be applied fairly and uniformly.
- C. The primary obligation of the county is to provide the residents of Seneca County with superior services at the most reasonable cost. This is a continuing obligation to which all other obligations are secondary.

CONFLICT WITH LAW**SECTION 1.04**

The policies and procedures as contained in this manual are subject to all applicable federal and state laws, civil service rules and regulations, and shall be interpreted wherever possible so as to comply fully with such laws, provisions, or any judicial interpretations. If any article or section of this manual or any amendments thereto shall be held invalid by operation of law or by a tribunal or competent jurisdiction, or compliance with or enforcement of any article or section of this manual shall be restrained by such tribunal, the remainder of this and any amendments thereto shall not be affected, and shall remain in full force and effect.

DEFINITIONS / ABBREVIATIONS**SECTION 1.05**

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

Abandonment: An employee is considered to have abandoned his job when the employee fails to return from a leave of absence within three (3) working days of its expiration, or has three (3) days of "no call/no show."

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

Absent Without Leave: failure to report for work without authorization from the appointing authority or designee to be absent.

Active Pay Status: Except where otherwise defined in this manual, active pay status is a period when an employee is eligible to receive pay directly from the employer and includes: hours worked, vacation leave, sick leave, holidays, paid military leave, paid court leave, comp-time.

ADA: Americans with Disabilities Act, as may be amended.

Appointing Authority: the officer, commission, board, or body having the power of appointment to, or removal from, positions in any office, department, commission, board, or institution.

Bargaining Unit Employee: An employee certified as a member of a bargaining unit under a certification issued by SERB pursuant to ORC Chapter 4117, or an employee who belonged to a recognized bargaining unit prior to the enactment of Chapter 4117.

Board: abbreviation for the Seneca County Board of Commissioners.

BWC: abbreviation for Ohio Bureau of Workers' Compensation.

Classification (Class): a group of positions sufficiently similar in respect to duties, responsibilities, authority, and qualifications so that the same descriptive title may be used for each, the same pay range assigned, and the same examinations conducted. "Classification" also

means the position/office of employment identified in the administrative rules by classification number and classification title with the same assigned pay range.

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

Classification Series: those classifications which are closely related and grouped to form a career progression. Classifications in the same class series carry the same first four (4) digits in their five (5) digit state classification number.

Classification Title: the official state classification title assigned to a position.

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

Collective Bargaining Agreement: the written agreement(s) entered into between the employer and an exclusive representative of employees of the employer pursuant to O.R.C. Chapter 4117.

Compensatory Time (Comp Time): time off work granted to nonexempt employees in lieu of paying actual cash for overtime hours worked, and granted off at the rate of one and one-half (1½) hours for each hour of overtime.

County: the county of Seneca, state of Ohio.

DAS: abbreviation for the Ohio Department of Administrative Services.

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

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

Department: a county organizational unit directed and controlled by an appointing authority.

Department Head: a supervisor (as defined herein) charged with the responsibility of managing a department on behalf of the employer. Also called Director or Executive Director in some departments.

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

Discourteous Treatment of the Public: failure by an employee to treat any member of the general public with respect, in a polite and courteous manner, as otherwise defined under ORC, or as otherwise determined by the Appointing Authority's policies.

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

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

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

Employer: the appointing authority, or the designee of the appointing authority, authorized by law to make appointments to positions. As context requires, employer may also mean a designee of an appointing authority authorized to carry out certain duties on behalf of the appointing authority.

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

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

FLSA: abbreviation for the Fair Labor Standards Act, as amended from time to time.

FML: abbreviation for Family and Medical Leave.

Failure of Good Behavior: failure by an employee to accept, adhere to, or maintain the expected levels of performance and/or conduct required by the employer, or reasonable expectations by the Employer even in the absence of a written work rule, or otherwise defined by ORC.

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

Flex Time: adjustment of an employee's work hours to avoid the employee working in excess of forty (40) hours in one (1) workweek or any other standard work period established in accordance with the FLSA.

He/His/Him: the use of the masculine gender is for convenience only and refers to members of both sexes.

Immediate Family: except as defined elsewhere in this manual, the immediate family is limited to mother, father, step-parent, brother, sister, child, step-child, spouse or significant other ("significant other" means one who stands in place of a spouse and resides with the employee), grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, legal guardian, or any other person who stands in the place of employee's parent (*in loco parentis*).

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

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

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

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

Insubordination: state of being unwilling to do the things required of an employee; refusal to obey an order issued by the employee's supervisor.

Intoxication: the condition of a person affected by the use of intoxicating drinks or controlled substances; one who is under the influence of alcohol or controlled substances; the effect produced upon the person by drinking intoxicating liquors or ingesting another intoxicating substance to such an extent that the normal condition of the individual is changed and the person's capacity for rational action and conduct is substantially lessened.

Malfeasance: a wrongful act, which the actor has no legal right to do, or any wrongful act which affects, interrupts, or interferes with performance of official duty, or an act for which there is no authority at all, or the unjust performance of some act, which the person performing it has no right to do.

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

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

Nonexempt Employee: an employee who is entitled to be paid the federal minimum wage and to be paid at the rate of one and one-half (1½) times their regular rate of pay for all hours worked in excess of forty (40) in an established workweek, or the 8-80 rule for nursing homes.

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

Non-Work Area: those areas of the employer's property such as the employees' lounge, parking lot, or other areas where no official employer business or operations are conducted.

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

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

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

OPERS: abbreviation for the Ohio Public Employees Retirement System.

Personnel Action: a specific act by the employer to implement a personnel decision (e.g., hiring, promotion, demotion, suspension, removal, layoff, wage increases, etc.).

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

Promotion: the movement of an employee from one position to a vacant position, which is assigned to a different classification and a higher pay range, or higher salary where pay ranges do not exist.

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

SERB: abbreviation for State Employment Relations Board.

SPBR: abbreviation for the State Personnel Board of Review.

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

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

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

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

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

Suspension: relief of an employee from duty without pay, as a disciplinary measure aimed at improving the employee's conduct.

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

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

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

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

Verbal Warning: written documentation of a verbal counseling and instruction which is provided to the employee and placed in the employee's personnel file.

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

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

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

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

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

MANAGEMENT AUTHORITY**SECTION 1.06**

- A. The employer retains the full right and responsibility to direct the operations, promulgate policies, rules, and regulations, and otherwise exercise the prerogatives of management which more particularly include, but are not limited to, the following:
1. Determine the agency's goals, objectives, programs, and services, and utilize employees in a manner designed to effectively and efficiently meet these purposes.
 2. Exercise control and discretion over the budget, organizational structure, and method of performing the work required.
 3. Manage and determine the location, type, and number of physical facilities, equipment, programs, and work to be performed.
 4. Determine the adequacy, size, composition, and qualification in the work forces, staffing patterns, and organizational structure.
 5. Set standards of service and determine the procedures and standards of selection for employment.
 6. Determine the hours of work, work schedules, and establish the work rules, policies, and procedures for all employees.
 7. Manage and direct employees, including the right to select, hire, promote, transfer, assign, evaluate, supervise, layoff, recall, reprimand, suspend, discharge, and discipline for just cause, and maintain order among employees.
 8. Determine when a job vacancy exists, the duties to be included in each job classification, and the standards of quality, productivity, and performance to be maintained.
 9. Take necessary action to abolish and create classifications.
 10. Determine the necessity to schedule overtime and the amount required thereof.
 11. Determine and implement necessary actions in emergency situations.
 12. Maintain the security of records and other pertinent information.
- B. The exercise of any such right, power, authority, duty, or responsibility by the employer, and the adoption of such rules, regulations, or policies as may be deemed necessary, shall be limited only by the specific express terms of applicable law.

IMPLEMENTATION AND DISSEMINATION**SECTION 1.07**

- A. The employer has the exclusive right and authority to create and issue policies and procedures.
- B. All supervisory personnel responsible for administering policy shall receive and be thoroughly familiar with this manual, administer each policy contained herein, and ensure that subordinate personnel do likewise.
- C. This manual shall remain the exclusive property of the employer, and shall be surrendered upon request. Unauthorized reproduction is prohibited.
- D. The appointing authority shall adopt this edition of the manual by signing and dating the cover page, or issuing it to its employees through some electronic medium. The appointing authority shall maintain a three-ring bound master copy, or the electronic equivalent as the official copy of the manual for Seneca County.
- E. Each appointing authority shall make and distribute a hard copy of the manual or its electronic equivalent to each of the supervisors and document the same.

POLICY REVIEW AND AMENDMENTS**SECTION 1.08**

- A. As conditions warrant, these policies may be amended, revised, or deleted by act of the individual appointing authorities with or without notice. The Seneca County Board of Commissioners may amend, revise, or delete policies by resolution, and such amendments shall also apply to employees of those appointing authorities who adopt the amendments.
- B. When the participating appointing authorities adopt a new policy or procedure, the policy or procedure shall be reviewed to determine whether it amends, revises, or deletes a section of this manual. If so, the affected manual section shall be entirely rewritten. Such amendment shall be properly documented.
- C. The Board of Commissioners and the County Auditor shall each maintain a master copy of the manual or its electronic equivalent with each of the appointing authorities' changes and amendments.
- D. Each time an appointing authority amends their manual, a hard copy of the new section or the electronic equivalent shall be given to the board and the Auditor, and to each participating appointing authority the policy applies to. Each appointing authority shall give a hard copy of the new section, or the electronic equivalent to each supervisor with a copy of the manual. Such amendments or deletions shall also be placed in a conspicuous place prior to their effective date.
- E. Supervisors should periodically review personnel policies and recommend changes in policy as they see fit. Approximately every two (2) years each appointing authority shall review all personnel policies and propose to the County Commissioners revisions

necessary to address changes in the law or current practice. All such changes are subject to the approval of the County Commissioners.

- F. Each appointing authority encourages employees to consider and recommend changes in policy. Matters not already addressed may be brought to the attention of the appropriate appointing authority, or the employee's supervisor.

EQUAL EMPLOYMENT OPPORTUNITY**SECTION 2.01**

- A. Seneca County is an Equal Opportunity Employer. No personnel decisions concerning any term or condition of employment shall be unlawfully based upon race, color, religion, sex, military status, national origin, age, disability, ancestry, genetic information, or other protected criteria, except where such criteria constitutes a bona fide occupational requirement.
- B. The County Administrator is the employer's EEO Coordinator. The EEO Coordinator is responsible for providing information regarding anti-discrimination laws to employees and others, and for reviewing and resolving complaints involving alleged discrimination not resolved by the department head.
- C. The EEO Coordinator shall be responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity. Department heads and supervisors shall maintain responsibility for their actions in regard to offering equal opportunity to each county employee or job applicant, and for attempting to resolve discrimination complaints within their respective departments not personally involving the department head.
- D. No inquiry shall be made as to religious, racial, or ethnic origin of an applicant, except as necessary to gather equal employment opportunity or other statistics that, when compiled, will not identify any specific individual. Disclosure of this information by the employee is a voluntary action on the applicant's part.

AMERICANS WITH DISABILITIES ACT**SECTION 2.02**

- A. The employer supports the intent and purposes of the Americans with Disabilities Act (ADA), as amended, and will not discriminate against qualified individuals with disabilities because of the disability of such individual in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. Title I of the ADA requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants, unless to do so would cause an undue hardship.
- C. The EEO Coordinator is responsible for providing information about the ADA to employees and others, and for reviewing and resolving complaints involving alleged discrimination against the disabled.

DISCRIMINATORY HARASSMENT**SECTION 2.03**

It is the policy of Seneca County to maintain an environment free from all forms of unlawful discrimination, including gender-based discrimination due to sexual harassment. In order to maintain this environment, discriminatory harassment, whether committed by supervisors, co-workers, or members of the public, is strictly prohibited. It should be noted that some behavior may not rise to the level of unlawful discriminatory harassment, but the employer is committed to preventing this type of misconduct which may have been identified/reported under this Policy.

A. Definition: Discriminatory harassment is any type of harassing conduct that is based upon an employee's race, color, sex, military status, national origin, age, religion, ancestry, disability, genetic information, or other protected activity. Sexual harassment, which is a form of sex discrimination, includes, but is not limited to the following:

1. Repeated unwanted and/or offensive sexual flirtations, advances, or propositions.
2. Repeated verbal abuse of a sexual nature.
3. Graphic or degrading verbal or written comments about an individual, the individual's appearance, or the individual's sexual orientation.
4. The display of sexually suggestive objects, pictures, or the display of same through other media.
5. The implication or threat that an employee's or applicant's employment, assignment, compensation, advancement, career development, or other condition of employment will depend on the employee or applicant's submission to sexual harassment in any form.
6. Any offensive, abusive, or unwelcome or unwanted physical contact.
7. Any of the above conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

B. Responsibility:

1. It is the responsibility of all employees to aid the employer in maintaining a work environment free from discrimination, including sexual harassment. Therefore, it is the responsibility of each employee, including supervision and management, to immediately report any instances of discriminatory harassment, or other offensive conduct to the proper authority (see reporting procedure below). Any employee who observes any conduct that may constitute discriminatory harassment of a co-worker or other person, but fails to report same, may be subject to disciplinary action. Moreover, any employee who receives a complaint alleging conduct which may constitute discriminatory harassment of any county employee, but fails to report same, may be subject to disciplinary action.

2. It is further the responsibility of each supervisor to ensure that all employees who report to the supervisor are aware of the policy against discriminatory harassment, that they are aware of the complaint and reporting procedures, and that they are aware of the consequences of engaging in discriminatory harassment. Annual training is recommended for supervisors and staff.
3. It is the responsibility of management to maintain an environment free from discriminatory harassment. Management shall ensure that its supervisors are sufficiently trained in recognizing discriminatory harassment, the complaint and reporting procedures, the proper methods of investigating complaints of discriminatory harassment, and the disciplinary procedure regarding discriminatory harassment.
4. Management shall also ensure that all employees are aware of this policy and will ensure that all employees receive sufficient training to maintain an environment free from discriminatory harassment. Additionally, each newly hired employee will receive training in this policy as a part of their employee orientation.

C. Procedure:

1. Once a complaint of discriminatory harassment has been received, or an instance of discriminatory harassment has been reported, the complaint shall be immediately forwarded to the proper Appointing Authority, EEO Coordinator, or County Prosecutor for investigation. The appointing authority shall then immediately investigate the matter in accordance with the investigation procedure. The complaining employee and/or the reporting employee will be informed of the results of the investigation.
2. If, after a thorough and prompt investigation, it is determined that discriminatory harassment has occurred, the employee who has been found to have committed discriminatory harassment will immediately be disciplined in accordance with the disciplinary procedure for discriminatory harassment. The complaining and/or reporting employee(s) will be informed of the results of the disciplinary procedure.
3. If, after the investigation, it is determined that no discriminatory harassment occurred, or that there is insufficient evidence to determine whether or not discriminatory harassment has occurred, the complaining employee and/or reporting employee will be informed of same. Even though there may be insufficient evidence of discriminatory harassment, this does not preclude discipline for other misconduct.
4. The Appointing Authority will make every effort to keep the complaint confidential, except as required by law, and as may be reasonably necessary to successfully complete the investigation.

5. The Appointing Authority will protect, as much as possible, employees involved as part of the investigation, from retaliation.
 6. No employee shall be retaliated against for participating in an investigation.
- D. To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform The County Administrator or Appointing Authority if they currently are, or if they intend to become, romantically involved with a co-worker. Such relationships are not necessarily prohibited, but must be appropriately addressed. Should the County determine that a conflict exists between an employee's employment and a personal relationship with a co-worker, the County will attempt to work with the employees to resolve the conflict. Should operational needs prevent resolution, the relationship must cease or one or both of the parties must separate from employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any employee they directly, or indirectly, supervise.

EEO / DISCRIMINATION COMPLAINT PROCEDURE**SECTION 2.04**

- A. Any employee who believes that he or she has been the subject of discriminatory harassment and/or unlawful discrimination, and/or any employee who has witnessed an incident, or incidents, of discriminatory harassment as outlined in Section 2.03, and/or unlawful discrimination, should report the matter to the proper Appointing Authority, EEO Coordinator, or County Prosecutor immediately. There will be no reprisals against any employee for making a good faith report as provided in this section.

If there is no one in the office or department to which the employee can report the alleged act(s) (for example, the immediate supervisor, member of management, or the appointing authority is the subject of the complaint), the employee should report to the County Commissioners. If the County Commissioner(s) is the subject of the complaint, the employee should report the matter to the County Prosecutor.

- B. The employee alleging discriminatory harassment or unlawful discrimination shall complete a written complaint form provided for that purpose. The employee should provide objective facts describing the alleged discriminatory harassment including the following:
1. The employee's name.
 2. The name of the subject of the complaint.
 3. The incident(s) complained of.
 4. The date(s) of the incident(s).
 5. Any witnesses to the alleged incident(s).
 6. The resolution the employee is seeking.

- C. If the employee alleging discriminatory harassment and/or discrimination is unwilling to complete the complaint, the matter should be documented and the form completed by the person to whom the verbal complaint was made.
- D. This form should be completed as soon as possible after the date the alleged harassment and/or discrimination occurred.
- E. Investigation:
1. After the complaint form has been completed, the complaint will promptly be investigated by the employee's Appointing Authority, or other authorized individual.
 2. The employer may place the charged party on paid administrative leave pending the investigation.
 3. If the investigation reveals that the complaint is valid, prompt and remedial action will be taken to end the harassment and/or discrimination immediately.
 4. Any employee who is found, after appropriate investigation, to have engaged in discriminatory harassment or unlawful discrimination of another employee or a member of the public shall be subject to disciplinary action, up to and including termination. Misconduct that does not rise to the level of unlawful discrimination may still result in disciplinary action up to and including termination.
- F. Any employee who is found, after appropriate investigation, to have intentionally and maliciously filed a false claim of discriminatory harassment, and/or unlawful discrimination of another employee or member of the public, shall be subject to disciplinary action, up to and including termination.

EMPLOYMENT ELIGIBILITY**SECTION 3.01**

Successful applicants are appointed subject to the following employment constraints, as appropriate to the position. An offer of employment may be withdrawn if an applicant is determined to be unqualified for the position.

A. Immigration/Citizenship Status:

1. Seneca County intends to comply with the Immigration Reform and Control Act of 1986 as amended by the Immigration Act of 1990 and as further amended from time to time. Seneca County will not discriminate in recruitment, hiring, or discharge on the basis of a person's national origin or citizenship status. The employer will not unlawfully discriminate against any citizen or national of the United States or against any alien authorized to work in the job at issue.
2. A newly hired employee must provide suitable documentation and complete DHS Form I-9 to verify identify and employment eligibility. Seneca County will follow all pre and post-employment I-9 form requirements (see I-9 Handbook for employers). <http://www.uscis.gov/files/form/m-274.pdf>
3. A successful applicant refusing to provide documentation, or providing false documentation will not be hired, or will be subject to discharge for cause.
4. Anti-discrimination Policy: It is the intention of the employer not to discriminate in hiring on the basis of national origin and citizenship status except as otherwise provided by law. The employer will not unlawfully discriminate against any citizen or national of the United States or against any alien authorized to work in the job at issue.

- B. Driving Eligibility: The county requires every employee who drives a motor vehicle as an essential function of the job, whether using a county vehicle or a personal vehicle, to maintain an acceptable driving record. In order to ensure that current employees maintain an acceptable driving record which allows them to maintain insurability under the agency's vehicle insurance policy, the county will conduct a yearly review of the Driver's Abstract Report on every employee who is required to drive. Every successful applicant for hire or promotion for whom driving is a part of his/her job must provide the necessary information.

All employees are required to report at-fault accidents, DUIs and other traffic arrests, license suspensions, and insurance cancellations to their supervisor as soon as possible, but not later than the next time the employee prepares to operate a vehicle on county time. Failure to report any of these incidents may result in the employee's termination.

- C. Proof Of Liability Insurance: Proof of automobile liability insurance must be submitted to the appointing authority or designee by any employee who must drive his/her private vehicle as a regular function of the job. This proof must be submitted at hire and on an ongoing basis. Failure to provide such proof of automobile liability insurance may be

grounds for discharge of a current employee, or disqualification of an otherwise successful applicant if driving is an essential function of the job.

D. Professional Verification:

1. An employee in a position requiring an educational degree, license, or certification will have his/her qualifications verified at the time of employment.
2. Each employee is responsible for the ongoing maintenance of his/her license or certification. Failure to maintain a current required license or certification may result in disciplinary action up to and including discharge.
3. Payment of any license, registration, or examination fee is the responsibility of the employee.

E. Performance of Essential Functions of the Job: All employees hired must be capable of performing the essential functions of the job for which they were hired. Essential functions include, but are not limited to, duties, working overtime, and any listing of physical capabilities on the position description, such as lifting, carrying, moving, and/or transferring heavy objects.

CLASSIFIED AND UNCLASSIFIED EMPLOYMENT

SECTION 3.02

- A. Employment with the employer is governed by the state of Ohio Civil Service laws. All positions in the civil service fall into one of two general categories: “Classified,” or “Unclassified.”
- B. All employees of the county are presumed to be classified civil servants unless the position an employee occupies has been exempted from the classified service by a lawful request of the employer, or by operation of law. Most classified employees may only be disciplined for cause, and by following the procedures set forth in O.R.C. Chapter 124. Exceptions include probationary employees, who may be removed or reduced for unsatisfactory service during the probationary period without a showing of cause (see Probationary Periods Policy), and certain employees covered by a collective bargaining agreement who have waived their rights under Chapter 124. Classified status does restrict an employee’s ability to participate in partisan politics (see Political Activity Policy).
- C. Some county employees serve in the unclassified civil service, or occupy positions which have been exempted from the classified service. Employees such as deputies and assistants of elective or principal executive officers authorized to act for and in the place of their principals, or those who hold a fiduciary relationship to their principals, or other positions specifically exempted pursuant to R.C. 124.11 (A), serve in the unclassified service. Employees appointed to administrative staff positions for which an appointing authority is given specific statutory authority to set compensation, serve in the unclassified service. Such employees serve at the pleasure of the employer. Unclassified employees are not prohibited by law from engaging in partisan political activity on their

- own time and away from areas in public buildings where official business is transacted or conducted (see Political Activity Policy).
- D. Employees appointed to positions as a student, or on a temporary, seasonal, or intermittent basis, are unclassified, and serve at the pleasure of the Appointing Authority, and therefore have no right to appeal any suspension or removal to the SPBR.
- E. Appointment: Employees in the classified service may be appointed to their positions (hired or promoted).
- F. Unclassified Service: "Unclassified" employees serve at the pleasure of the Appointing Authority. Upon hire, unclassified employees shall receive a statement indicating such unclassified status.
- G. An employee hired or changing positions or appointment types shall receive a copy of a current description and acknowledge receipt of the same.

EMPLOYMENT STATUS**SECTION 3.03**

- A. All employees of the county shall be employed as either full-time, part-time, temporary, seasonal, intermittent, or student employees, which are defined as follows:
1. Full-Time Employee: an employee normally scheduled to work thirty (30) to forty (40) hours per week.
 2. Part-Time Employee: an employee normally scheduled to work less than thirty (30) hours per week, but on a regularly scheduled basis.
 3. Temporary Employee: an employee appointed to a non-permanent position, on a full-time, part-time, or intermittent basis, for a specified period of time, not to exceed 120 days. Successive temporary appointments to the same position shall not be made unless necessary by reason of sickness, disability, or other approved leave of absence pursuant to R.C. 124.30. Temporary employees serve in the unclassified service at the pleasure of the Appointing Authority by operation of law.
 4. Seasonal Employee: an employee who works on the academic program year or who works on a recurring but temporary basis annually (e.g., summer, mowing season, tax collection period, etc.). A seasonal employee may be appointed on a full-time, part-time, or intermittent basis.
 5. Intermittent Employee: an employee who works on an irregular schedule which is determined by the fluctuating demands of the work and is generally not predictable. An intermittent employee generally works less than 1000 hours per year. Intermittent employees serve in the unclassified service at the pleasure of the Appointing Authority by operation of law.

6. Student Employee: an employee who is a student at an educational institution and employed by the Employer in cooperation with such educational institution to provide training to the student employee. (Student appointments are in the unclassified service by operation of law).
- B. Full-time employees shall be entitled to all benefits as provided by Seneca County.
- C. Part-time and temporary employees shall be entitled only to paid sick leave which falls on a day the employee would normally be scheduled to work.
- D. 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.

CLASSIFICATION PLAN	SECTION 3.04
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- A. The county shall administer a classification plan or use the state classification plan based on the duties and responsibilities of positions within the county. Class specification shall include a class title, nature of work, examples of duties, and minimum qualifications.
- B. The appointing authority has the discretion to assign job duties and responsibilities and essential functions to each employee, and to assign a working title to each employee's position.
- C. A non-probationary employee may request that his/her position be audited for proper classification by initiating a request through the appointing authority.

VACANCIES	SECTION 3.05
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- A. An opportunity for a lateral move among workers of the same classification may be offered before the county initiates official procedures for filling a vacancy.
- B. The appointing authority has the right to fill positions by one of the following methods:
1. Internal selection/promotion of an employee
 2. Selection of an external applicant
 3. Transfer from another agency
- C. Internal Procedures: Vacancy announcements will be posted on the county bulletin board for five (5) working days. During this period, anyone wishing to apply for the open position shall submit a written application/resume to the appointing authority. During this process, the appointing authority need not consider anyone who is not a full-time permanent employee, who does not meet the minimum qualifications, who has been in their current position for less than one (1) year, who submits an application/resume after the posting period, or who is subject to one (1) or more of the disqualifying criteria listed

in Section 3.17. The appointing authority or designee will review all timely-filed applications/resumes, and consider the following criteria when making a selection: education, experience, work record, previous job performance, disciplinary record, attendance record, knowledge, skills, abilities, seniority, affirmative action goals, and other qualifying factors. Vacancy announcements insofar as practicable, shall specify the title, salary, nature of the job, the required qualifications, the type of selection procedure to be used, and the deadline for and method of application.

- D. An employee may be ineligible to fill a vacancy if he/she:
1. Has not completed the initial probationary period as a new employee.
 2. Has not completed the probationary period following a promotion.
 3. Has not been in his/her current position for six (6) months of continuous service.
- E. External Procedures: Vacancy announcements will be posted in the local newspaper(s) and/or other publications or websites as determined by the appointing authority or designee. For each new posting, all applicants must submit a new application, résumé, and cover letter. For consistency purposes, previous application/résumé submissions shall not be reviewed or considered in the application and hiring process for a new position opening.

EVALUATION OF APPLICANTS**SECTION 3.06**

- A. Appointments by the appointing authority to vacant positions in the classified service either by internal promotion or external selection will be based solely on the applicant meeting the job-related qualifications and possessing the knowledge, skills, and ability to perform the essential functions of the position as ascertained through job-related selection methods.
- B. The appointing authority and/or department head will first review all applications to determine those applicants who possess the minimum, job-related qualifications as stated on the position description (e.g., minimum licenses, certifications, experience, etc.).
- C. Once the appointing authority and/or department head have determined those applicants who meet the minimum job-related qualifications, they will consider each applicant's:
1. Knowledge, skill, and ability to perform the essential functions of the position.
 2. Work experience in positions comparable to the vacant position.
 3. Work history (i.e., length of past employment, reasons for leaving, etc.).
 4. Work record (i.e., attendance, performance, disciplinary actions, etc.).
 5. Application appearance.
- D. Applicants may be required to submit to any or all of the following: reference checks, background checks, job-related performance tests, interviews, and other job-related selection procedures.

- E. Otherwise qualified applicants may be eliminated from consideration for a position if the applicant:
1. Does not possess the knowledge, skills, and abilities necessary to effectively perform the duties of the vacant position.
 2. Makes a false statement of material fact in the application/other hiring documents or examination.
 3. Has committed or attempted to commit a fraudulent act at any stage of the selection process.
 4. Is an alien not legally permitted to work.
 5. Has previously been terminated for just cause, except in unusual circumstances to be determined by the employer.
 6. Is addicted to drugs or alcohol.
 7. Has a pattern of poor work habits and performance with the current or previous employer.
 8. Has been guilty of infamous or notoriously disgraceful conduct.

If an applicant is hired, and it is subsequently discovered that one of the above disqualifying criteria apply, the employee may be removed from employment.

- F. If the department head performs the initial interviews, the department head shall determine the most qualified applicant for the position and submit a recommendation to the appointing authority, who shall approve or disapprove the department head's recommendation. The appointing authority may decide to be involved in the initial interviews, or may elect to interview only a selected number of candidates following the department head's preliminary screening of qualified candidates.
- G. Once the preferred candidate is selected, the appointing authority or department head may inquire whether the candidate requires an accommodation to perform essential functions of the job. The employer will not classify a candidate who requires a reasonable accommodation as unqualified solely because that candidate requires such accommodation. However, if the accommodation is unreasonable, or would cause undue hardship to the employer, the candidate may be considered unqualified.
- H. The applicant shall not be required to submit to a medical examination, except screening for use of illegal drugs for positions determined to be safety sensitive or requiring a CDL, until the employer has made a conditional offer of employment to the applicant (see Medical Examination policy).
- I. The appointing authority and department head are responsible for maintaining a record keeping system reflecting the disposition of all job applicants. Such records shall be kept on file in accordance with the county's Records Retention Schedule, and other applicable laws.
- J. Once the applicant is hired as an employee, the Appointing Authority, department head, or designee shall provide a position description within thirty (30) days to any such employees who are newly hired and unclassified.

APPLICATION RECORDS**SECTION 3.07**

- A. A voluntary Equal Employment Opportunity form will be given along with the application form to each external applicant
- B. After it is complete, the Equal Employment Opportunity form will be removed and kept separate from the application. These forms will be used only in preparing legally required summary reports.
- C. Equal Employment Opportunity forms will be kept for three (3) years. Applications that do not result in employment will be kept in accordance with the county Records Retention Schedule.

MEDICAL EXAMINATIONS**SECTION 3.08**

- A. A medical examination by a licensed practitioner may be required by the appointing authority prior to appointment to evaluate selected job applicants' physiological and/or psychological condition as it relates to the applicants' ability to perform the essential duties of the positions for which they are applying. Examinations may include any job-related examination determined to be a preemployment requirement.
- B. For purposes of this policy, a "licensed practitioner" is a physician, psychiatrist, psychologist, or other appropriately licensed mental health professional such as a licensed professional clinical counselor, or licensed independent social worker who is licensed to perform the appropriate examination.
- C. All employees are required to maintain their physical fitness at a level which will permit them to efficiently perform the duties of their position and avoid endangering themselves or those they serve.
- D. When a medical examination is required, such requirement shall be included in the vacancy announcement.
- E. No medical examination will be conducted until after the employer has made the applicant a conditional offer of employment.
- F. Each appointing authority shall be responsible for justifying the requirement of a medical or psychological examination with appropriate documentation.
- G. The appointing authority shall select the licensed practitioner to administer the examination and shall pay the cost. Applicants may obtain, with approval of the appointing authority, a waiver of the medical examination requirement for the following reasons:
 - 1. Verified religious opinion or affiliation.
 - 2. Reinstatement within one (1) year of separation.

Any applicant requesting to waive the examination requirement for one of the above reasons shall submit a written affidavit describing the applicant's state of health at the time of employment.

- H. After hire, employees may be legally required to submit to medical examinations for certain purposes during their period of employment with the county. Such an examination is intended to ensure that the incumbents continue to be physically and mentally able to perform the duties of their position. Examples include examination to certify eligibility for Family and Medical Leave or other leaves of absence, examination to assess eligibility for Workers' Compensation, examination required by Occupational Safety and Health programs, etc. A medical examination may also be required to determine an employee's ability to return to work following a medically-related leave of absence.
- I. Any time an employee is sent for a medical examination, the following safe-harbor language shall be included on the applicable form or letter pursuant to the Genetic Information Nondiscrimination Act:

"The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member, or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

PROBATIONARY PERIODS

SECTION 3.09

- A. Newly Appointed Employees:
1. Newly appointed full-time employees and newly appointed part-time employees who work a portion of each workday will serve a probationary period of one-hundred-eighty (180) calendar days, except for those positions that have been granted a longer probationary period, not in excess of one (1) year, by the Department of Administrative Services.
 2. Newly appointed part-time employees shall serve a pro-rated equivalent probationary period to that of a full-time employee.
 3. A newly appointed probationary employee may be discharged at any time during the probationary period.
 4. A newly appointed employee may not be promoted during his/her probationary period.

5. Time spent on an unpaid leave of absence is not counted as part of the probationary period.
6. An employee who resigns during his/her initial probationary period is not eligible for reemployment.
7. Temporary and intermittent employees do not serve a probationary period and continue to serve at the pleasure of the appointing authority for the duration of their appointment.

B. Promotion:

1. An employee who has successfully completed a probationary period in his/her current position may be considered for promotion to a higher classification where he/she will serve a probationary period as listed above.
2. An employee serving a probationary period after a promotion may be returned to his/her former classification and rate of pay if work performance, behavior, and/or work attitude is not satisfactory.

EMPLOYMENT OF RELATIVES

SECTION 3.10

- A. The appointing authority generally will not employ members of the same family in the same work unit.
- B. Members of the same family will not be placed in a direct supervisory line with one another. For this policy "family" is defined as grandparent, parent, stepparent, spouse, child, stepchild, grandchild, sister or brother. It also includes any other person related by blood or marriage and living in the same household.
- C. If two employees marry, neither must resign, nor transfer unless the positions they occupy at the time of marriage are in a direct supervisor/subordinate relationship. If the two employees are employed in a supervisor/subordinate relationship, they will decide between themselves who will resign or transfer.
- D. Appointing authorities shall consult the Ohio Ethics Commission and laws regarding the hiring of family members.

PERFORMANCE EVALUATIONS

SECTION 3.11

- A. Written performance evaluations provide supervisors with an effective mechanism to measure and communicate levels of job performance to their employees, and provide the employee with documented, constructive feedback concerning current job performance. A documented performance evaluation serves as a basis for important management decisions regarding training needs, job assignments, promotions, and termination of an employee. The work performance of each regular employee shall be evaluated in accordance with established procedures.

- B. County employees shall be evaluated annually during the month of their anniversary dates of employment. Employees may also be evaluated upon change of their supervisor, unless an evaluation was made within the previous three (3) months. Special evaluations may be made if authorized by the appointing authority. Probationary employees shall be evaluated both at the mid-point of their probationary period, and immediately prior to the completion of their probationary period.
- C. Each employee shall be given a copy of his/her performance evaluation. The supervisor shall discuss the report with the employee, and shall counsel the employee regarding any improvement in performance which is desirable or necessary.
- D. Employees dissatisfied with their performance evaluation may request reconsideration.

TEMPORARY ASSIGNMENT**SECTION 3.12**

- A. The operational needs of the employer may occasionally require temporary assignment of classified employees. Temporary assignment is the assignment of an employee to a classification with substantially different duties than the employee's current classification for a period of less than six (6) months. No employee currently serving in an original probationary period may be considered for temporary work assignment.
- B. All temporary assignments of classified employees shall be accomplished by a written letter of assignment delivered to the employee and the Auditor (if a pay adjustment is necessary).
- C. Classified employees temporarily assigned to a position with a higher rate of pay for more than ten (10) consecutive workdays shall receive the lowest rate of pay for that position which represents an increase in pay to the employee, beginning on the eleventh consecutive workday.
- D. Classified employees temporarily assigned to a position with a lower rate of pay shall continue to receive their then-current rate of pay.

TRANSFER**SECTION 3.13**

- A. An employee is considered to have been laterally transferred when he/she has been moved from one position to another with no change in level of responsibility, classification, or salary. Generally, such transfers will be from one position to a similar position at a different location within a department.
- B. An employee who has successfully completed the probationary period in his/her current position may request a lateral transfer to a vacancy within the same classification by contacting the appointing authority.
- C. Lateral transfers will be made at the discretion of the appointing authority.

- D. The needs of the county take precedence over the wishes of an employee.

PROMOTION**SECTION 3.14**

- A. The term "promotion" shall mean the act of placing an individual in a position which carries a higher salary rate than his/her present rate.
- B. Promotional opportunities shall be offered to qualified employees whenever possible. The selection process shall be open to all employees interested in applying for a higher level position, although the appointing authority may limit the selection process to only qualified employees.
- C. The appointing authority will attempt to provide promotional opportunities to all employees who meet the requirements of the position, and who are qualified to perform the essential functions of the higher level position, with or without reasonable accommodations.
- D. Normally employees in probationary status or in a current position less than one (1) year will not be considered.
- E. No promotion shall be final until the employee has successfully completed the probationary period.

DEMOTION**SECTION 3.15**

- A. A demotion is the transfer of an employee to a position which has a lower level of responsibility, classification, and compensation. Demotions generally result from an employee's failure to perform the duties of their position at an acceptable level, or as a result of discipline. Such reduction/demotion shall be made only for one or more of the reasons given in R.C. 124.34 (or due to the failure of a promoted employee to complete probation or achieve permanent status). Demotions may also be voluntarily requested by an employee, or result from an accommodation of a qualified employee with a disability who is no longer able to perform the essential functions of the employee's position with or without a reasonable accommodation, but can perform the essential functions of a lower classification with or without a reasonable accommodation. Demoted employees shall be reduced in pay to the maximum compensation of the classification to which they are demoted.
- B. Employees who desire to be considered for a posted vacancy in a lower classification shall complete the required application form and submit it to the appointing authority or designee within the posting period.
- C. Voluntary Demotion:
1. An employee may, for any reason, request a demotion to a lower position by submitting a written request. Approval is at the discretion of the appointing authority.

2. A demoted employee will have his/her pay reduced to a level within the pay range of the lower classification.
3. When an employee with a qualifying disability becomes unable to perform the essential functions of his/her position with reasonable accommodation, but can perform the essential functions of a position in a lower classification with or without reasonable accommodation, he/she may request in writing a reduction to the lower position. The employee will be reasonably accommodated in the lower position if a vacancy exists.

SENIORITY**SECTION 3.16**

- A. Seniority with Seneca County is defined as the employee's uninterrupted length of continuous service with a specific appointing authority in the county. Seniority may be used internally when making decisions such as those regarding assignment of overtime or determining vacation schedules. Seniority may also be considered as a factor when determining the order of promotions.
- B. Layoff seniority is used strictly for determining the order in which classified employees within a classification are placed on layoff and recalled back to work. Layoff seniority is determined by the number of retention points earned by the employee. Retention points are earned based on the employee's length of continuous service as defined in O.A.C. 123:1-41-09. Any one of the following is considered a break in continuous service:
 1. Discharge for cause.
 2. Resignation.
 3. Failure to return to work at the end of an approved leave of absence.
 4. Failure to apply for reinstatement within ninety (90) days of discharge from active duty in the military service.
 5. Absence from duty without leave for three (3) consecutive days.
 6. A break in service as described in O.A.C. 123:1-47(A)(13).

REDUCTION IN FORCE / LAYOFF**SECTION 3.17**

- A. As a reasonable means for reducing staff, all layoffs and job abolishments shall be implemented in accordance with Ohio Administrative Code Chapter 123:1-41 and Ohio Revised Code Sections 124.321 – 124.328. However, instead of filing documentation with the Ohio Department of Administrative Services, it shall be filed in-house and stored in accordance with the Records Retention Schedule.

NEW HIRE REPORTING**SECTION 3.18**

- A. In accordance with O.R.C. 3121.89-3121.8911 and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 653a, the County Auditor shall report certain information about employees, including independent contractors, who are newly hired, rehired, or who return to work after a separation of employment. This information will be used by Seneca County for the purposes of establishing paternity; for establishing, modifying, and enforcing support orders being administered by child support enforcement agencies in Ohio; and to detect fraud in any program administered by the county.
- B. The County Auditor shall forward a "New Hire Reporting" form or a copy of the employee's IRS W-4 form to the Ohio New Hire Reporting Program, P.O. Box 15309, Columbus, Ohio 43215-0309. Such form should be forwarded within twenty (20) calendar days of the date of hire/rehire. (Employers who desire to submit such reports electronically should contact Technical Support at (888) 872-1490, or Fax (888) 872-1611, or www.oh-newhire.com.)

NOTIFICATION OF ADDRESS AND TELEPHONE NUMBER**SECTION 3.19**

- A. Failure to report changes in personal information may prevent employees from obtaining or maintaining valuable employee benefits or services. It is each employee's responsibility to report any change of personal information within three (3) calendar days of the occurrence of the change. Notification shall be made in writing to the employee's immediate supervisor.
- B. For the purposes of this section, a change in personal information shall include the following:
1. Name change.
 2. Address change.
 3. Phone number change.
 4. Marital status change.
 5. Changes which may affect employee benefits [i.e., insurance and pension(s)], such as changes in dependents or beneficiaries.
 6. Number of exemptions for tax purposes.
 7. Citizenship.
 8. Selective service classification.
 9. Association with a government military service organization.
- C. Employees shall report changes in personal information to their immediate supervisor within three (3) days of such change.
- D. Supervisory staff will make certain that notification of any change is immediately forwarded to the appointing authority and the County Auditor's office.

WHISTLEBLOWER POLICY**SECTION 3.20**

- A. In accordance with R.C. 124.341, if an employee in the classified or unclassified civil service becomes aware, in the course of employment, of a violation of state or federal statutes or the misuse of public resources, and the employee's supervisor or appointing authority has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the supervisor or appointing authority. If the employee reasonably believes that the violation or misuse of public resources is a criminal offense, the employee, in addition to, or instead of filing a written report with the supervisor, appointing authority, or the office of internal auditing, may report it to the County Prosecutor.
- B. Except as otherwise provided in division (C) of this section, no appointing authority shall take any disciplinary action against an employee in the classified or unclassified civil service for making any report authorized by division (A) of this section.
- C. An employee in the classified or unclassified civil service shall make a reasonable effort to determine the accuracy of any information reported under division (A) of this section. The employee is subject to disciplinary action, including suspension or removal, as determined by the employee's appointing authority, for purposely, knowingly, or recklessly reporting false information under division (A) of this section.

COMPENSATION

SECTION 4.01

- A. A compensation plan has been established for non-bargaining unit employees with wage rates which provide adequate pay differentials among positions of varying responsibilities within Seneca County. Bargaining unit employees are compensated pursuant to the current collective bargaining agreement.
- B. The appointing authority shall appoint a person or persons to be responsible for administering and maintaining the compensation plan. All compensation assignments shall be subject to approval by the appointing authority.
- C. Pay rate assignments will commensurate with the position's experience, required knowledge, skills, and abilities, and/or with the terms of the collective bargaining agreement.

WORKWEEK AND TIME SHEETS

SECTION 4.02

- A. The workweek begins at 12:01 a.m. on Saturday and ends at 12:00 a.m. on Friday for all employees.
- B. Employee time sheets showing hours worked and vacation, sick, personal days, etc., will be filled out by each employee and signed by the appointing authority. All employee hours will be submitted to the Auditor's office by noon on the first workday of each pay period.
- C. If time sheets are not properly submitted, pay may be held until the hours can be verified.
- D. Pay records must include:
 - 1. Employee name, home address, job assignment, sex and birth date, if employee is under 19 years of age.
 - 2. Hour and day when workweek begins.
 - 3. Total hours worked on each workday and in each workweek.
 - 4. Total daily or weekly straight-time earnings.
 - 5. Regular hourly pay rate for any week when overtime is worked (salaried, exempt employees do not have a regular hourly pay rate).
 - 6. Total overtime pay for the workweek (exempt employees are not paid overtime).
 - 7. Deductions from, or additions to wages.
 - 8. Total wages paid each pay period.
 - 9. Date of payment and pay period covered.
- E. The appointing authority will maintain time sheets on file in accordance with the County Records Retention Schedule.

PAYCHECKS

SECTION 4.03

- A. Direct deposit is issued one (1) week after the end of the pay period. There are usually twenty-six (26) pay periods per year.
- B. The pay period covers two (2) weeks and ends on the second Friday of the biweekly pay period. Employees are paid every other Friday for the period ending one (1) week prior to the payday. If a holiday falls on a payday, the paychecks will be issued the preceding Thursday, except in extenuating circumstances when paychecks will be issued on the following Monday.
- C. Questions about paychecks should be directed to the appointing authority or his/her designee. The appointing authority is responsible for making the necessary explanations or inquiries to resolve the matter.
- D. Pay advances are not permitted.
- E. If an employee is overpaid or underpaid, the adjustment will be made in the next paycheck or as soon after the matter is resolved.

COMPENSATION FOR TEMPORARY ASSIGNMENTS

SECTION 4.04

On occasion, it may be necessary to temporarily assign an employee to a different job classification than his/her permanent classification in order to provide required services. When an employee is assigned to a different job classification for more than ten (10) consecutive days, the employee will be compensated as follows:

- A. If the employee's regular rate of pay is higher than the range for the temporary assignment, the employee will be paid his/her regular rate of pay.
- B. If the employee's regular rate of pay is lower than the range for the temporary assignment, the employee will be paid at the minimum rate of the pay grade of the temporary assignment.

HOURS OF WORK

SECTION 4.05

- A. Regular Hours: Each Appointing Authority sets the work hours for employees in his/her department. To be considered full-time, employees must be scheduled to work at least thirty (30) hours per week.

Generally, regular workdays are Monday through Friday. However, an employee may be required to work a flexible schedule to provide required services at times when county offices are closed, or additional coverage is necessary.

- B. The Fair Labor Standards Act requires each employee to keep an accurate, daily record of his/her hours worked. Exempt employees are required for purposes of public accountability.
- C. Lunch Breaks:
1. Each full-time employee is entitled to a one (1) hour unpaid meal period each workday, designated by the Appointing Authority.
 2. Part-time employees who work fewer than four (4) hours in any one (1) day are not eligible for a lunch period.
 3. An employee may not work through the lunch break in exchange for arriving at work late or leaving early, unless expressly authorized by the supervisor.
 4. Non-exempt employees are to be relieved of all duties, and are not to stay in their work area during any unpaid meal period.
- D. Rest Breaks:
1. No official rest break period is established for county employees, except as defined in a collective bargaining agreement. However, brief, occasional breaks are permitted when needed by an employee, and upon approval of the supervisor.
- E. Call-Back Duties:
1. It may be necessary to call certain employees back to work after they have completed their normal shift.
 2. Employees who are called back shall receive pay for actual hours worked including drive time at time and one-half (1½) their regular rate of pay.
- F. Starting/Quitting Times: Nonexempt employees are not permitted to commence work and/or sign/clock-in prior to seven (7) minutes before their scheduled starting time or continue working and/or sign/clock-out more than seven (7) minutes after their scheduled quitting time without the advanced approval of their supervisor, except in emergency situations where advance approval cannot be granted.
- G. Breastfeeding: The 2010 Healthcare Reform Act amended the FLSA by requiring employers to provide a reasonable break time for an employee to express breast milk for her nursing child for one (1) year after the child's birth each time the employee has the need to express milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion of coworkers and the public to be used by an employee to express the breast milk. The Seneca County Board of Commissioners intends to comply with this requirement. Employees who fall under this category shall contact the appointing authority or designee.

1. Break time to express breast milk shall be unpaid or treated the same as other breaks if they are paid. Employees shall keep accurate time records of their break time.
2. Employees shall be allowed access to a nearby clean and safe water source, and a sink for washing hands and rinsing out any breast-pump equipment.
3. Employees shall have access to hygienic/refrigerated storage alternatives for the mother to store her breast milk.

OVERTIME

SECTION 4.06

- A. Nonexempt Employees: Most employees fall into the nonexempt status that is they are covered by the provisions of the Fair Labor Standards Act (FLSA). Nonexempt employees qualify for overtime in accordance with the applicable policies herein.
1. In general, Seneca County employees will not work more than forty (40) hours in a single workweek. Flexible scheduling will be used to cover services within regularly scheduled hours in the workweek. When overtime work cannot be avoided, employees will be compensated at a premium rate in accordance with the Fair Labor Standards Act and the Ohio Revised Code.
 2. For overtime calculation, the time a nonexempt employee is on vacation or personal leave will be considered time worked. The time an employee is on sick leave or holiday is not considered time worked for the purposes of overtime calculation. The County Administrator may waive this provision for the employee's benefit.
 3. Overtime compensation may be taken in the form of pay or compensatory time, according to the established guidelines as follows:
 - a. Hours worked between the regularly scheduled full-time hours (i.e., thirty (30) or thirty-five (35) hours) and forty (40) hours in a workweek will be compensated on an hour-for-hour basis.
 - b. Time worked over forty (40) hours in a workweek will be paid at one and one-half (1½) times the employee's regular rate of pay, or earned as compensatory time at a rate of one and one-half (1½) hours for each hour.
 - c. Overtime compensation will be based upon the employee's hourly rate of pay plus any applicable pay supplements.
 - d. An employee must tell his/her supervisor at the time overtime is worked whether he/she wishes compensation in the form of wages or compensatory time. Failure to request compensatory time will result in overtime compensation in the form of wages.

- e. The accrual of compensatory time is limited to eighty (80) hours. Hours earned in excess of this limit will be paid.
 - f. The use of compensatory time must be scheduled for a time mutually satisfactory to the employee and the employer.
 - g. A nonexempt employee will have all accrued, but unused compensatory time, paid at the time of separation.
4. When attendance at meetings, conferences, and training sessions is required by Seneca County, travel time, and time actually spent in meeting sessions will be considered time worked for calculating overtime. Meal breaks will be counted as time worked only when the meal is an integral part of a required meeting. Travel or meeting time is not considered time worked if attendance at the meeting or class is not required.
5. A part-time employee will not receive overtime compensation for hours worked over his/her regularly scheduled hours until the total hours worked in a workweek exceeds forty (40).
6. All employees are expected, as a condition of employment, to work overtime as required by the appointing authority. Working overtime is an essential function of all positions.
- A. Exempt Employees: Administrative, executive, professional, and certain other employees paid on a salary basis are specifically exempt or fall into one of the specific categories of the "non-covered" employees under the FLSA. Salaried employees, determined to be exempt from the overtime requirements of the FLSA, shall not be eligible for overtime pay as defined in the FLSA.

Such exempt employees generally do not receive a reduction in pay for absences of less than a full workweek except as provided by applicable law. Such absences will, when applicable, be deducted from the employee's sick leave or vacation leave if the employee has such leave accumulated. Exempt employees are expected to normally work forty (40) hours per week unless additional work time is required to fulfill the responsibilities of their position. Sick leave, vacation leave, and holiday pay are based upon a forty (40) hour week for exempt employees.

- C. Public Accountability for Exempt Employees: For purposes of public accountability, exempt employees may be required to maintain a record of the hours they work, and any paid leave utilized. Exempt employees may be absent, with approval of the employer, for part of a workday without a deduction from their accrued paid leave.

OVERTIME APPROVAL	SECTION 4.07
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- A. Overtime is generally discouraged and should only occur in emergency situations. All overtime must be requested by the supervisor, and authorized in writing by the appointing

authority in advance of the overtime being worked. Failure to receive authorization for overtime may result in disciplinary action.

- B. Unusual circumstances and situations may require employees to work overtime without any prior authorization. However, the situation must be recognized as an emergency by the employee's supervisor or appointing authority.
- C. Scheduled overtime which is subsequently canceled for any reason shall not entitle the employee to any overtime compensation.
- D. A written report shall be submitted by the supervisor concerning work accomplished as a result of the authorized overtime.

PAYROLL DEDUCTIONS

SECTION 4.08

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. These deductions are itemized on the pay statement that accompanies the biweekly paycheck. Deductions include:

- A. Ohio Public Employees Retirement System (OPERS): Federal law requires each employee to contribute a part of his/her income for social security benefits, but a county can replace social security by deductions for the Ohio Public Employees Retirement System (OPERS). Membership in OPERS is compulsory upon being employed in the Department, except for those employees specifically exempted under the provisions of Section 145.03 of the Ohio Revised Code.
- B. Income Taxes: Federal and state laws and some county and village ordinances require that taxes be withheld from each salary payment. The amount of tax to be withheld is determined from tables furnished to the County Auditor's office by the federal government, Ohio Department of Taxation, and various Ohio cities, villages, and school districts. The tax 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 Auditor's office of any dependency changes.
- C. Medicare Tax: Federal law requires a Medicare deduction of 1.45% of the employee's gross pay for all employees hired after March 31, 1986. An employee who was employed before April 1, 1986, who quits and is then reemployed on or after April 1, 1986, will have Medicare taxes deducted.
- D. Health Insurance: An employee who is enrolled in county group health coverage will have any premium co-payment deducted from his/her paycheck on a monthly basis. The premium co-payment is deducted on a pre-tax basis.
- E. Union Dues: An employee who is a member of a union recognized as the exclusive bargaining agent may authorize dues to be deducted in accordance with the terms of the applicable labor agreement.

F. Garnishments:

1. A court ordered legal claim by a creditor against the wages of a county employee for non-payment of a debt, and served by the constituted legal authority is a garnishment, and will be recognized and executed by the county.
2. Repeated or multiple garnishments of an employee's wages, not including a court mandated garnishment of child support payments, may result in disciplinary action up to and including discharge.
3. When the County Auditor receives a garnishment, the appointing authority will discuss the garnishment with the employee. If the garnishment is the first one received by the employee, the employee will be advised of the consequences of further garnishments. Every reasonable effort will be made to assist the employee in resolving his/her financial difficulties through referral to assistance agencies. If the garnishment is the second one received by an employee, the employee will be subject to disciplinary action consistent with the policy outlined in Section 9, Discipline.

G. Fair Share Fee: If applicable, the appointing authority through its agent, the Seneca County Auditor, when informed to do so, will deduct "fair share fees" from the pay of any county employee who is a member of a recognized bargaining unit, but does not belong to the union. Deductions will be made according to the provisions of the labor agreement.

H. Deferred Compensation:

1. An employee may have a portion of his/her income deposited into the Deferred Compensation Plan. Law defines the legal limit for deferred compensation.
2. The Deferred Compensation Program exists and serves in addition to any retirement, pension or benefit system established for the benefit of employees of the county. No deferral of income under the Deferred Compensation Program will affect a reduction of any retirement, pension or other benefit provided by law.
3. No sum deferred under the Deferred Compensation Plan will be included for the purpose of computing taxes withheld on behalf of the employee, except municipal income tax.
4. Interested employees may contact the Assistant Administrator.

RETIREMENT PLAN

SECTION 4.09

A. Most county employees are required by law to participate in the Ohio Public Employees Retirement System. The OPERS program is entirely independent of the Federal Social Security System.

- B. Any employee who has questions regarding OPERS should refer to the OPERS website at www.opers.org for current contact information and procedures. OPERS may also be contacted by phone at (800) 222-7377.

WORKERS' COMPENSATION

SECTION 4.10

Ohio law provides that employees are eligible to apply for Workers' Compensation benefits for injuries arising out of, or in the course of employment. Guidelines for administering Workers' Compensation claims in the county are as follows:

- A. An employee injured during the course of employment with the county must immediately notify his/her supervisor, who then will notify the appointing authority or his/her designee and complete an accident form. This report shall be completed, regardless of the apparent seriousness of the injury, and regardless of whether medical attention is required.
- B. An injured employee may elect to use accrued sick leave and/or vacation benefits. Employees are prohibited, however, from receiving payment for sick leave while simultaneously receiving Workers' Compensation benefits.
- C. An employee may use annual vacation or available compensatory time without causing a reduction in Workers' Compensation benefits.
- D. An employee receiving Workers' Compensation will be required to exhaust family/medical leave benefits.

UNEMPLOYMENT COMPENSATION

SECTION 4.11

All county employees may be eligible for unemployment compensation in accordance with regulations of the state of Ohio.

GARNISHMENTS

SECTION 4.12

A garnishment is a court-ordered deduction from the wages of an employee to be used to pay a creditor for non-payment of a debt of the employee. A garnishment must be recognized and executed by the County Auditor. Repeated garnishment of the wages of an employee can result in disciplinary action. A wage withholding for payment of child support or alimony is not considered a garnishment.

EXPENSE REIMBURSEMENT

SECTION 4.13

It is the policy of the employer to reimburse employees for expenses incurred while conducting or traveling on approved county business.

- A. Employees shall be reimbursed for actual mileage, parking, and tolls as follows.
 - 1. Employees shall be reimbursed for actual miles while on official county business, at the rate established by the Internal Revenue Service, (Standard Mileage Rates

for Business) when using their personal vehicle. Such payment is to be considered total reimbursement for all vehicle-related expenses (e.g., gas, oil, depreciation, etc.). Mileage reimbursement shall be payable to only one (1) of two (2) or more employees traveling on the same trip, in the same vehicle.

2. Charges incurred for parking at the destination, and/or any highway tolls shall be reimbursed at the actual amount. Receipts are required.
3. No expense reimbursement shall be paid for travel between home and office.
4. Employees are required to use a county vehicle, if available, when traveling on county business.

B. Employees will be reimbursed for overnight expenses, as follows:

1. Expenses covering the actual cost of a hotel room shall be reimbursed in full when an employee travels out of town on official business, and such travel requires an overnight stay. Hotel expenses shall be reimbursed only with the prior written authorization of the employer.
2. Meals and incidentals (tips, laundry, dry cleaning, etc.) will also be reimbursed by the employer (not to exceed \$50.00 per day).
3. Itemized receipts shall be required.
4. Some conferences which include meals with registration can be billed directly to the employer with prior approval. If this type of billing is received, there is no need for meal receipts.
5. Employees are encouraged, where possible, to direct bills to the employer for hotel and other expenses. While a formal action of the employer is still required, the employee is not responsible for paying charges out of their pocket, provided such travel has been pre-authorized.
6. The employer may reject any travel request it deems inappropriate, or not in keeping with fiscal responsibility for tax dollars.

C. Employees will generally not be reimbursed for meals if the employee is not traveling overnight, away from Seneca County, unless:

1. The meal qualifies as an entertainment rule pursuant to IRS Reg. § 1.274-2(c) and (d). Examples of such meals are:
 - a. A meal where the main purpose is the active conduct of business, business is actually conducted, and there is more than a general expectation of income or some other specific business benefit in the future.
 - b. Meals at a hospitality room sponsored by the employer at a convention.

- c. A meal that is associated with the active conduct of the employer's business, and occurs directly before or after a substantial business discussion.
- 2. Occasional meals that meet the *De Minimis* Exclusion pursuant to IRS Reg. § 1.132-6 (d)(2), such as infrequently providing coffee, donuts, or soft drinks, also, occasional parties or picnics such as Christmas luncheon meet this exclusion.
- D. This policy supersedes all other directives, statements, orders, memos, etc., previously approved or issued regardless of origin.
- E. Sales Tax Exemption: Employees shall submit a sales tax exemption form to hotels when applicable, to eliminate the need to pay sales tax when traveling on county business. In order to receive tax exempt status, the hotel reservation must reflect "Seneca County" in addition to the employee's name.
- F. Disabled Employees: When considering any employee request for job-related travel, the employer will consider the special needs of employees with a permanent disability that substantially affect the employee's ability to drive, see, hear, etc. The employer will not deny job-related travel opportunities to employees with a disability merely because of such disability.
- G. Frequent Flier Miles/Credit Card Points: Pursuant to the Ohio State Auditor's Office, employees are prohibited from taking personal advantage of frequent flier miles or credit card points when scheduling flights or hotel accommodations related to county business.

Employees shall submit to their supervisor a Travel Expense Report Form for reimbursement of travel expenses, and employees shall also obtain prior written authorization for motel expenses.

EMPLOYMENT RECORDS	SECTION 4.14
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Personnel Files:

The appointing authority will maintain an official personnel file on each employee. Files will include, but are not limited to:

- a. The employee's application for employment.
- b. References.
- c. Employee's current job description.
- d. Each performance evaluation.
- e. Documentation of all training received.
- f. Disciplinary actions.
- g. Employee's date of hire and termination or discharge date, if applicable.
- h. Documents relating to pay and fringe benefits.
- i. Employment status or position changes, termination letter.
- j. Criminal background checks.
- k. Automobile liability insurance data.

1. Requests for references and copies of reference letters sent.

NO EMPLOYEE EXPECTATION OF PRIVACY

SECTION 4.15

1. No employee shall have any expectation of privacy regarding any personal information, documents, materials, or other personal items kept in any employer-provided locker, vehicle, desk, file, computer, cellular telephone, or elsewhere in employer-owned property.
2. The employer shall have the right to search and review any files, e-mails, web sites, etc., maintained or accessed by the employee on any computer or cell phone provided by the employer for the employee's use. The employer shall have complete access to any telephone records, cellular telephone logs, or other information maintained on any employer-provided cellular telephone.
3. Any employer-provided locker, desk, vehicle, or other equipment shall be subject to search at any time by the employer.

EMPLOYEE RECOGNITION / AWARDS

SECTION 4.16

- A. Elected officials and/or appointing authorities of Seneca County may provide awards or recognize employees so long as their plan is a qualified plan and provides for the following:
 1. Their award plan is an established written plan.
 2. The plan does not discriminate in favor of highly paid employees.
 3. The average cost of all employee achievement awards made during a single year does not exceed four hundred dollars (\$400.00).
 4. Comply with any FLSA requirements.
- B. The following awards are considered taxable to the employee and should be avoided in any plan:
 1. Any award given in cash or cash equivalents such as savings bonds or general merchandise gift certificates.
 2. Any recognition award for job performance unless they qualify as *De Minimus* (see below).
 3. Awards for outstanding customer service, employee of the month, highest productivity, etc.
 4. Awards for length of service or safety achievement that exceed limitations or don't meet requirements.
 5. Non-cash prizes (unless *De Minimus*) won by employees from random drawings at employer-sponsored events.

- C. De Minimus Awards: A prize or award that is of *nominal value* and is provided *infrequently* is excludable from an employee's wages as long as it is not cash or a cash equivalent. [There is no set amount for these awards: twenty-five dollars (\$25) will qualify, but one hundred dollars (\$100) is too much.]

- D. Reporting: If any award given is considered taxable based on the above criteria, it must be added to the employee's wages in the same month it was received. It is the responsibility of the appointing authority/department head to make sure the fair market value (not cost) of any taxable award is included on the last payroll worksheet of each month. If the awards program is not a qualified plan, all awards will be taxable and must be added to the payroll worksheet.

USE OF COUNTY CREDIT CARDS

SECTION 4.17

POLICY

- A. Authorization: Any Seneca County Appointing Authority may apply to the Board of County Commissioners for authorization to have an employee of the Appointing Authority use a credit card properly held by that Appointing Authority. Such authorization request shall state the name of the employee, but the credit card shall be issued in the name of the office of the Appointing Authority.

- B. Uses: A credit card held by the Board of County Commissioners or the office of any other County Appointing Authority shall be used for the efficient acquisition of goods or services solely for the benefit of the operation of Seneca County and only to pay the following work-related expenses:
 - 1. Food expenses;
 - 2. Transportation expenses;
 - 3. Gasoline and oil expenses;
 - 4. Minor motor vehicle maintenance for County-owned or leased vehicles;
 - 5. Emergency motor vehicle repair for County-owned or leased vehicles;
 - 6. Telephone expenses;
 - 7. Lodging expenses;
 - 8. Internet service provider expenses; and/or
 - 9. Webinar expenses;
 - 10. Internet purchases for work related items.

Each Appointing Authority who has secured the use of a County credit card shall designate the person or persons who are empowered to authorize and approve credit card transactions, and also those who are authorized to use the card. Such authorized person's name and job title shall be on file with the Appointing Authority.

A County credit card shall not be used for the following expenditures:

- 1. Cash advances;
- 2. Alcoholic beverages;
- 3. Personal services;

4. Entertainment; and/or
 5. Office supplies at a local office supply store or repair parts at a local hardware store.
- C. No late charges or financial charges shall be allowed as an allowable expense, unless otherwise authorized by the Board of County Commissioners. Debt incurred as a result of the use of an authorized credit card, pursuant to this policy, shall be paid from monies appropriated to specific appropriation line items of the Appointing Authority for eligible work-related expenditures listed above.

PROCEDURE

- A. Credit card receipts for all expenditures shall be submitted to the County Auditor with a brief explanation of what the expenditure was for. In accordance with R.C. Section 301.27, an Appointing Authority who has been authorized to secure a credit card for his/her office shall submit to the Board of County Commissioners an estimate of the expenses which are likely to be charged to the County credit card during the month following such submission, unless a longer usage period is authorized by the Board. The authorization to charge such amounts shall be subject to the advance approval of the Board after the County Auditor has certified sufficient funds are available in the appropriate account.
- B. Any time an authorized credit card is used for more than the authorized amount, the Appointing Authority may request the Board of County Commissioners to authorize the expenditure after the fact, provided, upon the Board's request, the County Auditor certifies that sum of money is in the treasury or in the process of collection to the credit of the appropriate appropriation line item for which the credit card was used, and is free from previous and then-outstanding obligations or certifications. If the card is used for more than the amount originally authorized and if for any reason that amount is not authorized after the fact, the County shall be reimbursed for any amount spent beyond the originally authorized amount in the following manner:
1. If the card is issued in the name of a specific officer or employee, that officer or employee is liable in person and upon any official bond the officer or employee has given to the County to reimburse the County treasury for the amount charged to the County beyond the originally authorized amount.
 2. If the card is issued to the office of the Appointing Authority, the Appointing Authority is liable in person and upon any official bond the Appointing Authority has given to the County for the amount charged to the County beyond the originally authorized amount.
- C. After returning from any meeting, conference, convention, or other official Employer function wherein reimbursable expenses have been incurred, and no later than the first day of each month, an employee shall submit a Seneca County Travel Expenses Request form and all original receipts and other documentation to his/her immediate supervisor for forwarding to the Appointing Authority. The report shall be reviewed by the Appointing Authority and either authorized for reimbursement or not authorized and returned to the employee for adjustment or further documentation. Once the report has

been authorized by the Appointing Authority, the original report shall be forwarded to the County Auditor for payment.

- D. Whenever any employee who is authorized to use a credit card held by the Board or the office of any other Seneca County Appointing Authority suspects the loss, theft, or possibility of unauthorized use of the card, the officer or employee shall notify the County Auditor, the employee's Appointing Authority, and the Board immediately and in writing.
- E. The policy regarding the exemption from the advance monthly notice requirement for County credit cards is as follows:
1. The Seneca County Commissioners have resolved to use the provisions of ORC 301.27(E)(2) for the exemption from the advance monthly estimate requirement.
 2. All classes of expenses listed in Section (B) (1) are exempted for all individuals authorized to use a credit card, and all specific credit cards from the advance estimate requirement.
- F. If the County Auditor determines there has been credit card expenditures beyond the appropriated or authorized amount as provided in this policy, the Auditor immediately shall notify the Board of Commissioners. When the Board determines, on its own or after notification from the County Auditor, that the county treasury should be reimbursed for credit card expenditures beyond the appropriated or authorized amount, it shall give written notice to the County Auditor and to the employee liable to the treasury as provided in those divisions. If, within 30 days after issuance of the written notice, the County treasury is not reimbursed for the amount shown on the written notice, the Prosecuting Attorney of the County shall recover that amount from the employee or Appointing Authority who is liable under this section by civil action in any court of appropriate jurisdiction.

FLSA SAFE HARBOR

SECTION 4.18

- A. The county intends to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). The county does not make improper deductions from the salaries of exempt employees. Exempt employees are those employed in a bona fide executive, administrative, or professional capacity, and who are exempt from the FLSA's overtime pay requirements.

B. Permitted Deductions

There are certain circumstances where deductions from the salaries of exempt employees are permissible. Such circumstances include:

- When an exempt employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability.

- When an exempt employee is absent for one (1) or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness.
- To offset amounts received as witness or jury fees, or for military pay.
- For unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions.

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

C. Reporting Procedure

If you are an exempt employee and believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

- D. All employees shall regularly inspect their pay stubs and report any error as soon as possible.

ADMINISTRATIVE LEAVE

SECTION 4.19

- A. The Appointing Authority may, pending the outcome of a pre-disciplinary conference, place the employee who is subject to possible disciplinary action on an administrative leave with pay. The Appointing Authority shall place an employee on administrative leave when, in the opinion of the Appointing Authority, continued performance of job duties by the employee may adversely affect the health or safety of an employee or of any person or property entrusted to the employee's care.
- B. An employee may be placed on administrative leave under the provisions of this policy for the duration of the time from which the employee is served notice of the pre-disciplinary conference, to the time when the Appointing Authority either takes appropriate disciplinary action or determines that disciplinary action is not warranted.
- C. An employee placed on administrative leave shall, during the duration of the leave, receive full pay and benefits to which he or she is otherwise entitled.

SICK LEAVE**SECTION 5.01**

- A. All regular full-time and part-time employees accrue sick leave at four and six-tenths (4.6) hours for each eighty (80) hours of service. Sick leave is earned only when an employee is on active pay status. The amount of sick leave an employee may accrue is unlimited.
- B. An employee who transfers from another public agency to Seneca County, or who is reappointed or reinstated, is credited with the unused balance of his/her accumulated sick leave, provided the time between separation and reappointment does not exceed ten (10) years. "Public agency," as used above, includes the state, counties, municipalities, boards of education, public libraries and townships within the state of Ohio.
- C. An employee requesting sick leave will inform his/her supervisor of the fact within one-half (½) hour after his/her scheduled starting time. Failure to do so may result in denial of sick leave for the period of absence.
- D. Sick leave must be requested on the approved sick leave form as soon as the employee returns to work. This form shall be returned to the department head and/or appointing authority.
- E. An employee who is absent three (3) or more days and seeks medical attention is required to present a physician's note verifying the illness. The employer may deny the use of sick leave for any requested leave if the employee fails to provide the employer with a qualifying reason for the leave. (Not supported by statute or rule).
- F. An employee who is unable to return to work, and needs to extend his/her sick leave beyond five (5) workdays must provide the employer with an explanation of the reason for the leave, and a statement from the physician specifying the employee's inability to work and the probable recovery date. Recertification may be required if circumstances warrant.
- G. The employer may designate, or the employee may request the leave be credited to family/medical leave if the condition qualifies under the law. Upon return to work after a serious illness, the employee must furnish a statement from the physician certifying his/her ability to perform the job duties.
- H. The appointing authority has the authority under law to investigate the reasons for an employee's absence.
- I. If an illness or disability continues beyond the time covered by earned sick leave, and the employee has exhausted his/her family/medical leave, an employee may request an unpaid leave of absence. Any leave of absence beyond that required by law is discretionary.
- J. An employee fraudulently obtaining sick leave, or falsifying sick leave records is subject to disciplinary action.

- K. Sick leave may be used for:
1. Illness, injury, or pregnancy-related condition of the employee.
 2. Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees.
 3. Examination of the employee, including medical, psychological, dental, or optical examination, by an appropriate licensed practitioner.
 4. Death of a member of the employee's immediate family. Such usage shall be limited to a reasonably necessary time beyond any bereavement leave benefit, not to exceed five (5) days.
 5. Illness, injury, or pregnancy-related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member.
 6. Examination, including medical, psychological, dental, or optical examination, of a member of the employee's immediate family by an appropriate licensed practitioner where the employee's presence is reasonably necessary.
 7. Donation of leave to a co-worker in accordance with leave donation programs established pursuant to section 124.391 of the Revised Code.

For the purposes of sick leave, "immediate family" is defined as mother, father, step-siblings, step-parent, brother, sister, child, step-child, spouse or significant other ("significant other" as used in this definition means one who stands in place of a spouse and who resides with the employee), grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, legal guardian or other person who stands in the place of a parent.

- L. When an employee requests sick leave of longer than five (5) workdays to care for a family member, the employee must furnish a statement from the family member's doctor confirming the family member's condition. Recertification may be required if circumstances warrant.
- M. Sick leave is charged in minimum units of one (1) hour.
- N. An employee absent on sick leave is paid at his/her regular hourly or biweekly rate.
- O. A county employee who terminates his or her employment with the county by retirement, or by permanent disability retirement, and has ten (10) or more years of service with the county, the state, any political subdivisions, or any combination thereof, shall be paid in cash for one-fourth (1/4) the value of all accrued but unused leave credit up to and including 30 days, or a maximum of 240 hours, of such credit.
1. Payment is based upon the employee's rate of pay at the time of retirement.

2. Payment will eliminate all sick leave credit accrued by the employee at the time of payment. If more than one payment is made, the total of all payments may not exceed two-hundred-forty (240) hours or thirty (30) days.
3. An eligible employee who dies is considered to have terminated his/her employment as of the date of death. Sick leave conversion will be paid according to the retirement conversion of up to one-fourth ($\frac{1}{4}$) of a maximum of nine-hundred-sixty (960) hours, which may not exceed two-hundred-forty (240) hours.

VACATION**SECTION 5.02**

- A. All full-time employees accrue vacation benefits in accordance with the chart below. Vacation is prorated for part-time employees in proportion to the regularly scheduled hours of work. Vacation accrues only during regularly scheduled work hours, and not on overtime hours.

<u>Years of Service</u>	<u>Vacation days</u>	<u>Hours accrued per 80 hours worked</u>	<u>Hours accrued for 70 hours worked</u>
Less than 1 year	None	None	None
1 year to 5* years	10 Workdays	3.1	2.71
5 years to 10* years	15 Workdays	4.6	4.03
10 years to 20* years	20 Workdays	6.2	5.43
20 or more years	25 Workdays	7.7	6.74

*After the 5th, 10th, and 20th anniversary of employment, an employee is credited with one (1) additional week of vacation. Vacation begins to accrue at the higher rate after the 5th, 10th, and 20th anniversary dates.

- B. For the purpose of determining length of service for part-time employees, credit will be given on the basis of pay periods worked, not on the basis of full-time equivalent service.
- C. After one (1) full year of service with Seneca County, an employee will be credited with vacation earned during the first year of employment. Vacation may be taken only after one (1) full year of employment. If an employee terminates his/her employment before serving one (1) full year with the county, he/she will receive no vacation pay.
- D. Length of service for the purpose of calculating vacation will include all prior service with the state of Ohio, and any political subdivision of the state. Prior service credit will not apply to an employee who retired before June 24, 1987, and subsequently was rehired after June 24, 1987. Prior service credit counted for vacation leave accrual purposes will not apply to an employee who has been removed from public service due to a felony conviction.
- E. The employee must take vacation leave within one (1) year of the yearly accrual. No additional vacation credits will accrue to an employee who has the maximum vacation

- accrual. Accrual will resume once the employee begins to use the accrued vacation. In special and meritorious cases, with written approval from the appointing authority obtained prior to accrual beyond the one (1) year limit, plus current accrual, an employee may accrue up to one (1) additional year of vacation credit. Under no circumstances will an employee be eligible to accumulate more than three (3) years accrual of vacation credit plus the current year's accrual. The County Auditor must be notified of any employee qualifying for this exception.
- F. Vacation leave requests are to be submitted in writing to the employee's immediate supervisor a minimum of three (3) days prior to the requested leave.
- G. When two (2) or more employees request the same vacation date, and all requests cannot be granted, the request of the employee with most service with the county will be granted, provided the request is submitted a minimum of one (1) month in advance. Leaves requested less than one (1) month in advance will be granted in the order received. Once an employee has received approval for vacation leave, he/she may not be displaced by a more senior employee.
- H. Vacation leave may be denied during a specific period if the workload dictates.
- I. While on vacation, if an employee is disabled due to illness or injury, or experiences a death in the family that would qualify for paid sick leave, he/she may request time off charged to sick leave by showing documented proof of eligibility. If the reason for the leave is a qualifying reason under the Family/Medical Leave Act, the leave will be credited against the FMLA entitlement.
- J. Employees taking a family/medical leave will be required to use all accrued vacation during the time of the leave.
- K. Temporary, intermittent, and seasonal employees are not eligible for vacation benefits.
- L. Service credit is earned by each employee for each biweekly pay period during which he/she works. This includes temporary, intermittent or seasonal employment.
- M. An employee may not cash in vacation for pay in lieu of time off. An employee is entitled to compensation, at his or her current rate of pay, for the pro-rated portion of any earned, but unused vacation leave for the current year to his or her credit, only at the time of separation or retirement, and in addition, shall be compensated for any unused vacation leave accrued to his or her credit, with the permission of the Appointing Authority, for up to three (3) years immediately preceding the last anniversary date of employment as outlined in Section E above.

HOLIDAYS	SECTION 5.03
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- A. Regular full-time employees receive the following paid holidays:

New Year's Day	First day of January
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Martin Luther King, Jr. Day	Third Monday of January
Presidents' Day	Third Monday of February
Memorial Day	Last Monday of May
Independence Day	Fourth day of July
Labor Day	First Monday of September
Columbus Day	Second Monday of October
Veterans' Day	Eleventh day of November
Thanksgiving Day	Fourth Thursday of November
Day After Thanksgiving	Fourth Friday of November
Christmas Eve Day (½ day)	Twenty-fourth day of December
Christmas Day	Twenty-fifth day of December

- B. Regular full-time employees receive their full pay for holidays. Regular part-time employees receive holiday pay for only those hours they would otherwise be scheduled to work on the holiday. Seasonal, temporary and intermittent employees are not eligible for holiday pay.
- C. If an employee is required to work on a scheduled holiday, the employee will receive pay for all hours actually worked in addition to his/her holiday pay. Pay will be at the employee's overtime or straight time rate based upon the number of hours worked in the workweek.
- D. If a holiday falls on Sunday, it is observed on the following Monday. If a holiday falls on a Saturday, it is observed on the preceding Friday.
- E. Only employees on active pay status (actually working or on a paid leave) will receive holiday pay. An employee who is not on active pay status the day before a holiday will not receive holiday pay.
- F. If a holiday occurs during a period of paid sick leave, vacation, or while an employee is on the paid portion of an approved Family and Medical Leave, the employee will be entitled to pay and will not both be charged for any sick leave, vacation, or FMLA leave the day.
- G. With the notification and approval of the appointing authority, an employee may use vacation, a personal day, or take as unpaid certain religious holidays not included in the regular holiday schedule. Sick leave may not be used for holiday observances.
- H. Seasonal, intermittent, and temporary employees are not eligible for holiday pay.

PERSONAL DAYS	SECTION 5.04
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- A. Regular full-time employees who have passed their initial probationary period will be granted two (2) personal days per calendar year. One (1) personal day will be credited in the first pay period after January 1st and one (1) day credited in the first pay period after July 1st.

- B. Regular part-time employees who work twenty (20) or more hours per week, and who have passed their initial probationary period will be granted one (1) personal day, eight (8) hours, per calendar year. The personal day will be credited in the first pay period after January 1st each year.
- C. The employee will be required to request approval for use of personal days in writing. Approval will be at the employer's discretion.
- D. Personal days will not be used to extend an employee's vacation period, date of resignation or retirement.
- E. Personal days may not be carried over to the next calendar year.
- F. An employee who is separating from employment will be entitled to be paid for unused personal days at his/her current rate of pay.
- G. Employees on a family/medical leave will be required to use accrued personal days.
- H. Personal days are not guaranteed, and the number of personal days may be adjusted up or down by resolution of the Board of County Commissioners on an annual basis.

CIVIL LEAVE**SECTION 5.05**

- A. If an employee of Seneca County is called for court jury duty, or subpoenaed to testify in a court of law during any portion of the employee's regular scheduled workday, that employee may choose to be compensated for such time under one (1) of the options set forth below:
 - 1. The employee may choose to receive his/her regular salary or wage in full for such time from the county. In such case, all monies received as compensation for court service shall be turned over in full to the employee's appointing authority or department head for submittal to the County Treasurer.
 - 2. The employee may choose to retain all monies received as compensation for court service and waive his/her regular salary or wage in full for such time from the county.
 - 3. The employee may choose to retain all monies received as compensation for court service, and take a vacation day for such time off, with the approval of the appointing authority.
- B. If the employee chooses option #1 as specified, he/she will be expected to report for work following jury duty if a reasonable amount of time remains during his/her scheduled workday.

- C. If an employee of the county is called for court jury duty or subpoenaed to testify in a court of law, outside of his/her regularly scheduled working hours, all monies received as compensation for such court service shall be retained by the employee.
- D. Employees shall not be entitled to paid civil leave when appearing in court for criminal or civil cases when the case is being heard in connection with the employee's personal matters. Such absences shall be considered leave without pay or vacation leave, at the employee's option, and as scheduled in advance with the appointing authority.
- E. Employees requesting civil leave shall complete the Request for Leave form (see Appendix) and submit it to his/her appointing authority prior to taking such leave.
- F. Procedure:
 1. Employees called for court jury duty to testify in a court of law shall complete a Request for Leave of Absence form (see Appendix) and attach a photo static copy of the subpoena.
 2. The employee shall submit the completed request for leave of absence form to the appointing authority, and shall notify him/her of which option for payment the employee chooses.
 3. Upon the employee's return, depending upon the employee's choice of options, the appointing authority shall turn the monies received for court or jury duty over to the County Auditor; and notify the Auditor that the employee is waiving his/her hourly wage for such time on the payroll worksheets; or notify the appropriate clerical personnel that the employee chooses to take such time as a vacation day.
 4. The Request for Leave of Absence form shall be retained in the employee's personnel file. The appointing authority shall ensure that the employee is compensated for court or jury duty in the proper manner, based upon the employee's chosen option.

MILITARY LEAVE	SECTION 5.06
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Military leave and reemployment from military leave is governed by federal law (see 38 U.S.C. 43 et seq. and 20 C.F.R. 1002 et seq.) and Ohio law (see O.R.C. 5903.01, 5903.02, and 5923.05; and O.A.C. 123:1-34-04 and 123:1-34-05). Federal law sets the minimum requirements for military leave and reemployment from military leave. Since the federal and state laws governing military leave are too voluminous to include in this policy, the applicable USERRA regulations and applicable Ohio law will need to be reviewed when handling a military leave request.

LEAVE OF ABSENCE WITHOUT PAY	SECTION 5.07
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- A. Upon the written request of a permanent employee, the appointing authority may grant the employee a leave of absence without pay.

- B. The maximum duration of a leave of absence without pay for personal reasons of the employee shall not exceed six (6) months.
- C. The maximum duration of a leave of absence without pay for purposes of education, training, or specialized experience which would benefit county service, or for other related reasons, shall not exceed two (2) years.
- D. The authorization of a leave of absence without pay is solely a matter of administrative discretion, and each request will be decided by the appointing authority based upon its own merits.
- E. Any employee on a leave of absence shall be entitled to continuing membership in the group health insurance plan; however, such employee shall pay the full amount of the premium for as long as such employee remains on leave, and as long as the employee chooses to retain the insurance coverage.
- F. Upon returning from a leave of absence, the employee is to be placed in his/her original position, or another position at a similar level of responsibility, and with the same pay rate should the original position be abolished.
- G. When an employee fails to return to work upon the expiration of an authorized leave of absence without pay, that employee shall be considered as having resigned from the position.
- H. An employee who has received an authorized leave of absence without pay does not earn sick or vacation leave credit. However, time spent on the leave of absence is to be considered in determining length of service for purposes where tenure is a factor.
- I. If it is determined that an employee is abusing the leave of absence, and not actually using the leave for the purposes specified, the appointing authority may cancel the leave and provide the employee with a written notice directing the employee to report for work.
- J. All leaves of absences are to be submitted on the Request for Leave form with any supporting documentation attached.

FAMILY AND MEDICAL LEAVE**SECTION 5.08**

- A. Statement of Policy. Eligible employees may request time off for family and/or medical leave of absence with job protection and no loss of accumulated service provided the employee meets the conditions outlined in this policy and returns to work in accordance with the Family and Medical Leave Act of 1993, as amended from time to time.
- B. Definitions. As used in this policy, the following terms and phrases shall be defined as follows:
 - 1. Family and/or medical leave of absence: An approved absence available to eligible employees for up to twelve (12) weeks of unpaid leave per year under

particular circumstances. Such leave may be taken only for the following qualifying events:

- a. Upon the birth of an employee's child and in order to care for the child.
 - b. Upon the placement of a child with an employee for adoption or foster care.
 - c. When an employee is needed to care for a family member who has a serious health condition.
 - d. When an employee is unable to perform the functions of his position because of the employee's own serious health condition.
 - e. Servicemember leave.
2. Servicemember Leave: The spouse, parent or child of a member of the U.S. military service is entitled to twelve (12) weeks of FML due to qualifying exigencies of the servicemember being on "covered active duty" or being notified of an impending call or order to covered active duty in the Armed Forces. In addition, a spouse, child, parent or next of kin (nearest blood relative) of a servicemember is entitled to up to twenty-six (26) weeks of leave within a "single twelve (12)-month period" to care for a servicemember with a "serious injury or illness" sustained or aggravated while in the line of duty on active duty. The "single twelve (12)-month period" for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends twelve (12) months later, regardless of the twelve (12) month period established for other types of FML.
3. Per year: A rolling twelve (12) month period measured forward from the date an employee uses any leave under this policy. Each time an employee takes leave, the employer will compute the amount of leave the employee has taken under this policy, and subtract it from the applicable weeks of available leave. The balance remaining is the amount the employee is entitled to take at the time of the request.
4. Serious health condition: Any illness, injury, impairment, or physical or mental condition that involves:
- a. Inpatient care.
 - b. Any period of incapacity of more than three consecutive calendar days that also involves:
 - i. Two or more treatments by a health care provider, the first of which must occur within seven (7) days of the first day of incapacity and both visits must be completed within thirty (30) days; or

- ii. Treatment by a health care provider on one occasion that results in a regimen of continuing treatment under the supervision of a health care provider.
 - c. Any period of incapacity due to pregnancy or for prenatal care.
 - d. A chronic serious health condition which requires at least two “periodic” visits for treatment to a health care provider per year and continues over an extended period of time. The condition may be periodic rather than continuing.
 - e. Any period of incapacity which is permanent or long term and for which treatment may not be effective (i.e., terminal stages of a disease, Alzheimer’s disease, etc.).
 - f. Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than three days absent medical intervention. (i.e., chemotherapy, dialysis for kidney disease, etc.).
5. Licensed health care provider: A doctor of medicine, a doctor of osteopathy, podiatrists, dentists, optometrists, psychiatrists, clinical psychologists, and others as specified by law.
6. Family member: Spouse, child, parent or a person who stands “*in loco parentis*” to the employee.
7. Covered Servicemember: Means either:
- a. A member of the Armed Forces, including a National Guard or Reserve Member, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness; or
 - b. A veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a National Guard or Reserves Member, at any time during the five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy.
8. Outpatient Status: The status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving outpatient medical care.
9. Next of Kin: The term “next of kin” used with respect to a service member means the nearest blood relative of that individual.
10. Serious Injury or Illness: (For purposes of the twenty-six (26) week military caregiver leave) means: for active servicemembers, an injury or illness incurred in

the line of duty or that existed before the beginning of the servicemember's active duty and was aggravated by service in the line of duty and that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating. For purposes of a veteran, a qualifying injury or illness that was incurred in the line of duty or that existed before the beginning of the servicemember's active duty and was aggravated by service in the line of duty and manifested itself before or after the member became a veteran.

11. Covered Active Duty: (For purposes of the twelve (12)-week qualifying exigency leave) is defined as either duty during the deployment of a regular member with the Armed Forces to a foreign country; or duty during the deployment of a reserve member with the Armed Forces to a foreign country under a call to order to active duty under a provision of law referred to in § 101(a)(13)(B) of Title X, United States Code.
12. Qualifying Exigency: (For purposes of the twelve (12)-week qualifying exigency leave) includes any of the following:
 - a. Up to seven days of leave to deal with issues arising from a covered military member's short notice deployment, which is a deployment on seven (7) or fewer days' notice.
 - b. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member.
 - c. Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member.
 - d. Making or updating financial and legal arrangements to address a covered military member's absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust.
 - e. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member.

- f. Rest and recuperation leave of up to five (5) days to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment.
 - g. Attending certain post-deployment activities within ninety (90) days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member.
 - h. Any qualifying exigency which arose out of the covered military member's active duty or call to active duty status.
- C. Leave Entitlement. To be eligible for leave under this policy, an employee must meet all of the following conditions:
- 1. Worked for the agency for at least twelve (12) non-consecutive months, or fifty-two (52) weeks.
 - 2. Actually worked at least one thousand fifty (1,250) hours during the twelve (12) month period immediately prior to the date when the FML is scheduled to begin.
 - 3. Work at a location where the employer employs fifty (50) or more employees within a seventy-five (75) mile radius.
 - a. The entitlement to FML for the birth or placement for adoption or foster care expires at the end of the twelve (12) month period following such birth or placement.
 - b. Spouses who are both employed by the agency are jointly entitled to a combined leave total of twelve (12) weeks (rather than twelve (12) weeks each) for the birth of a child, upon the placement of a child with the employees for adoption or foster care, and for the care of certain family members with serious health conditions.
- D. Use of Leave. The provisions of this policy shall apply to all family and medical leaves of absence as follows:
- 1. Generally: An employee is only entitled to take off a total of twelve (12) weeks of leave per year under the FML. As such, employees will be required to utilize their accumulated unused paid leave (sick, vacation, etc.) in conjunction with their accumulated unused unpaid Family Medical Leave. Absent extenuating circumstances, the Employer will notify employees in writing whether the leave will be designated and counted as FML leave within five (5) business days after the Employer has enough information to determine whether the leave is being taken for an FML qualifying reason. Employees will be required to use the type of accumulated paid leave that best fits the reason for taking leave and must comply with all procedures for requesting that type of leave as stated in the relevant policy. Any time off that may legally be counted against

an employee's twelve (12) week FML entitlement will be counted against such time.

2. Birth of An Employee's Child: An employee who takes leave for the birth of his or her child must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period. However, if the employee requests leave for the employee's own serious health condition as a result of the pregnancy or post-partum recovery period, the employee will be required to exhaust all of her sick leave prior to using unpaid leave for the remainder of the twelve (12) week period. (*Note: See section E below for information on disability leaves.*)
 3. Placement of a Child for Adoption or Foster Care: An employee who takes leave for the placement of a child for adoption or foster care must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.
 4. Employee's Serious Health Condition or Family Member's Serious Health Condition: An employee who takes leave because of his serious health condition or the serious health condition of his family member must use all available accrued paid sick and vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.
- E. FML and Disability/Workers' Compensation. An employee who is eligible for FML because of his own serious health condition may also be eligible for workers' compensation if the condition is the result of workplace accident or injury. Regardless of whether the employee is using worker's compensation benefits, the employer may designate the absence as FML, and count it against the employee's twelve (12) week FML entitlement if the injury or illness constitutes a serious health condition under the FML. In addition, as these may be compensated absences, if the employee participates in the worker's compensation program, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the employer require him to do so, while the employee is receiving compensation from such a program.
- F. Procedures for Requesting FMLA Leave. Requests for FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or as soon as practicable prior to the commencement of the leave. If the employee fails to provide thirty (30) days' notice for foreseeable leave with no reasonable excuse for the delay, the leave may be denied until at least thirty (30) days from the date the employer receives notice. The employee must follow the regular reporting procedures for each absence.

FML requests must be submitted on a standard leave form prescribed by the employer. The employer will determine whether the leave qualifies as FML, designate any leave that counts against the employee's twelve (12) week entitlement, and notify the employee that the leave has been so designated.

When an employee needs foreseeable FML, the employee shall make a reasonable effort to schedule the treatment so as not to unreasonably interfere with the employer's operations.

- G. Certification of Need for FML. An employee requesting FML due to his family member's serious health condition must provide a doctor's certification of the serious health condition, which must designate that the employee's presence is reasonably necessary. Such certification shall be submitted at the time FML is requested, or if the need for leave is not foreseeable, as soon as practicable. An employee requesting FML due to the birth or placement of a child must submit appropriate documentation at the time FML is requested.

The employer, at its discretion, may require the employee to sign a release of information so that a representative other than the employee's immediate supervisor can contact the medical provider. If the medical certification is incomplete or insufficient, the employee will be notified of the deficiency and will have seven (7) calendar days to cure the deficiency.

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

Employees who request and are granted FML due to serious health conditions may be required to provide the employer periodic written reports assessing the continued qualification for FML. Further, the employer may request additional reports if the circumstances described in the previous certification have changed significantly (duration or frequency of absences, the severity of the condition, complications, etc.), or if the employer receives information that casts doubt on the employee's stated reason for the absence. The employee must provide the requested additional reports to the employer within fifteen (15) days.

- H. Intermittent/Reduced Schedule Leave. When medically necessary, an employee may take FML on an intermittent or reduced work schedule basis for a serious health condition. An employee may not take leave on an intermittent or reduced schedule basis for either the birth of the employee's child or upon the placement of a child for adoption or foster care with the employee unless specifically authorized in writing by the Appointing Authority. Requests for intermittent or reduced schedule FML must be submitted in writing at least thirty (30) days prior to taking leave, or, as soon as practicable.

To be entitled to intermittent leave, the employee must, at the time such leave is requested, submit additional certification as prescribed by the employer establishing the medical necessity for such leave. This shall be in addition to the documentation certifying the condition as FML qualifying. The additional certification shall include the

dates and the duration of treatment, if any, the expected duration of the intermittent or reduced schedule leave, and a statement from the health care provider describing the facts supporting the medical necessity for taking FML on an intermittent or reduced schedule basis. In addition, an employee requesting foreseeable intermittent or reduced schedule FML may be required to meet with the Appointing Authority or designee to discuss the intermittent or reduced schedule leave.

An employee who requests and is granted FML on an intermittent or reduced schedule basis may be temporarily transferred to an available alternative position with equivalent class, pay, and benefits if the alternative position would better accommodate the intermittent or reduced schedule. An employee who requests intermittent or reduced schedule leave due to foreseeable medical treatment shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the employer's operations.

- I. Employee Benefits. Except as provided below, while an employee is on FML, the employer will continue to pay its portion of premiums for any life, medical, and dental insurance benefits under the same terms and conditions as if the employee had continued to work throughout the leave. The employee continues to be responsible for the payment of any contribution amounts he would have been required to pay had he not taken the leave, regardless of whether the employee is using paid or unpaid FML. Employee contributions are subject to any change in rates that occurs while the employee is on leave.

The employer will not continue to pay the employer portion of premiums for any life, medical, and dental insurance benefits if, while the employee is on FML, the employee fails to pay the employee's portion of such premiums or if the employee's payment for his portion of the premium is late by more than thirty (30) days. If the employee chooses not to continue health care coverage during FML, the employee will be entitled to reinstatement into the benefit plan upon return to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, the employer may seek reimbursement from the employee for any amounts paid by the employer for insurance benefits the employee received through the employer during any period of unpaid FML. Leave balances accrued by an employee prior to taking FML and not used by the employee as outlined in the section entitled "Use of Leave" will be retained by the employee.

FML, whether paid or unpaid, will not constitute a break in service. Upon the completion of unpaid FML and return to service, the employee will return to the same level of service credit as the employee held immediately prior to the commencement of FML. In addition, FML will be treated as continuous service for the purpose of calculating benefits which are based on length of service. However, specific leaves times (i.e., sick, vacation, and personal leave and holidays) will not accrue during any period of unpaid FML.

- J. Reinstatement. An employee on FML must give the employer at least two business days' notice of his intent to return to work, regardless of the employee's anticipated date of return. Employees who take leave under this policy will be reinstated to the same or a

similar position upon return from leave except that if the position that the employee occupied prior to taking FML is not available, the employee will be placed in a position which entails substantially equivalent levels of skill, effort, responsibility, and authority and which carries equivalent status, pay, benefits, and other terms and conditions of employment as the position the employee occupied prior to taking FML. The determination as to whether a position is an "equivalent position" will be made by the employer.

An employee will not be laid off as a result of exercising her right to FML. However, the employer will not reinstate an employee who has taken FML if, as a result of a layoff within the agency, the employee would not otherwise be employed at the time reinstatement is requested. An employee on FML has no greater or lesser right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during her FML.

Prior to reinstatement, employees who take FML based on their own serious health condition shall provide certification from the employee's health care provider that the employee is able to perform the essential functions of his position, with or without reasonable accommodation.

- K. Records. All records relative to FML will be maintained by the employer as required by law. Any medical records accompanying FML requests will be kept separate from an employee's regular personnel file. To the extent permitted by law, medical records related to FML shall be kept confidential.

UNAUTHORIZED LEAVES

SECTION 5.09

Any county employee who is absent from duty without authorized leave and notice to the appointing authority or designee, shall be subject to disciplinary action up to and including termination.

DISABILITY ACCOMMODATION

SECTION 5.10

- A. Accommodation of Disabled Employee:
1. If an employee is disabled as defined in the ADA, as amended, and requests an accommodation for that disability, the employer will determine whether the employee can perform the essential functions of the appointed position with some reasonable accommodation. If so, the employer will make an appropriate accommodation. If the employer cannot accommodate the disabled employee in the employee's current position, the employer may place the employee in an equal or lower available vacancy for which the employee is qualified; absent such, the employer may place the employee on disability leave or separation under the procedures for those benefits.
 2. When an employee claims to be disabled, the following procedure shall be followed: If an employee claims a disability and requests an accommodation, the

employer will: (1) determine whether the employee is a qualified individual with a disability as defined in the ADA, and if so; (2) review the job description and essential function statement with the employee; and (3) ask the employee whether the employee can still perform the essential functions of the job with some accommodation. If the employee answers in the affirmative, the employer will ask the employee what accommodation the employee wants, and whether any other accommodation would also allow the employee to perform the essential job functions. The employer may also consider accommodations that are not suggested by the employee. The accommodation the employer selects need only allow the employee to perform the essential functions of the position.

3. Any accommodation made shall remain confidential, to the extent possible, and will be treated as such under the employer's other policies and procedures on confidential information.
 4. If the employee says the job cannot be done with an accommodation, the employer may concur with the employee, or may suggest an alternative course of action. The employer may determine that some accommodation will allow the employee to do the job to the employer's satisfaction, and the employer may evaluate the employee using current performance standards. Lastly, the employer will consider demotion into an existing vacancy where no other accommodation is possible, and the employee is able to perform the job in a satisfactory manner without an accommodation. The employer may consult a medical advisor or other appropriate licensed practitioner for verification.
 5. When deciding whether an accommodation is reasonable, the employer may consider among other things:
 - a. Allowing use of leave entitlement for treatment.
 - b. Allowing flexible hours.
 - c. Providing transportation.
 - d. Providing reserved parking spaces.
 - e. Providing assistance from other employees.
 - f. Allowing the employee to use personally-owned equipment or aids.
 - g. Reassigning job functions, though the employer need not reassign essential functions.
 6. The employer will not allow additional break time, nor promote an employee as an accommodation.
- B. If an employee is disabled and believes they are a qualified individual with a disability as defined in the Americans With Disabilities Act (ADA), and such employee requires an accommodation to perform the essential functions of the employee's appointed position, the employee may request a reasonable accommodation.
- C. A disabled employee whom the employer is not required to, or cannot accommodate, and who has exhausted his/her sick leave and family medical leave, may request an unpaid leave of absence or disability separation.

- D. All questions or inquiries concerning disability accommodation, leaves, or separations shall be directed to the department head or the EEO Coordinator.

DISABILITY LEAVE / SEPARATION**SECTION 5.11**

This section outlines the conditions under which disability separation may be granted, and procedures for administering its use.

- A. Voluntary Reduction: When an employee becomes physically unable to perform the duties of his or her position, even with a reasonable accommodation, but is still able to perform the duties of a vacant, lower level position, he or she may voluntarily request reduction to the lower level position. Such request shall be in writing, shall state the reason for the request, and if approved by the Appointing Authority, will be attached to the implementing personnel action.
- B. Voluntary Disability Separation: An employee who is unable to perform the essential functions of his or her position due to a disabling illness, injury, or condition may request a voluntary disability separation. When such a request is made, the employee acknowledges that he or she does not dispute his or her inability to perform the essential functions of his or her position and consequently waives the right to pre-separation hearing and appeal of the decision to approve the employee's request.

The Appointing Authority may grant the employee's request for disability separation or may require the employee to submit to a medical or psychological examination.

An employee who is granted a voluntary disability separation shall retain the right to be reinstated to his or her position for two (2) years from the date that the employee is no longer in active work status. The employee must apply for reinstatement in writing.

- C. Involuntary Disability Separation or Termination for Failure to Report for Work: Involuntary disability separation is effective in the following cases:
1. If an employee becomes unable to perform the essential job duties of the employee's position, subject to the Americans with Disabilities Act, and if the employee has exhausted Family Medical Leave, the appointing authority may involuntarily disability separate the employee.
 2. If an employee on disability leave is unable to return to work when the employee's disability leave is exhausted, then the Appointing Authority shall involuntarily disability separate the employee if the employee cooperates under this procedure, or remove the employee for not-reporting-without-leave if the employee does not cooperate. (Please note that disability leave is only granted after Family Medical Leave is exhausted. See [B] above.) The Appointing Authority shall do so by completing an R.C. 124.34 order indicating the reasons as "incompetency, neglect of duty, and non-feasance" with an adequate explanation to make clear that the underlying reasons are the employee's failure to report for work able to perform his or her essential functions. However, if the employee refuses to submit to examination or to provide proof of disability,

grounds for terminating employment shall be neglect of duty, nonfeasance, and failure of good behavior for failure to report for work without approved leave.

3. If an employee is placed on leave of absence without pay and is subsequently disability separated due to the same disabling illness, injury, or condition, then the total combined time of absence due to the disability shall not exceed three (3) years for purposes of reinstatement rights under this chapter.

- D. Medical Examination: Medical examinations are either required or permitted in relation to Involuntary Disability Separation.

When Required:

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

When Permitted:

2. An Appointing Authority may require that an employee submit to a medical or psychological examination in order to determine the employee's capability to perform the essential job duties of the employee's position, or to perform the essential job duties of the position with or without a reasonable accommodation based on the employee's education, training, or experience. Such examination shall be conducted by a licensed practitioner as determined by the Appointing Authority. Prior to examination, the Appointing Authority must supply the examining practitioner with facts relating to the perceived disabling illness, injury, or condition and must supply additional information including physical and mental requirements of the employee's position, duty statements, job classification specifications, and position descriptions. The cost of the examination shall be paid by the Appointing Authority. Both the Appointing Authority and the employee shall receive the results of that examination and related documents.

Failure to Appear for Examination or Refusal to Submit:

3. The refusal to submit to the examination, the unexcused failure to appear for an examination, or the refusal to release the results of an examination will subject the employee to removal, as explained in 5.11(C)(2) above.

- E. Right to Preseparation Conference: Rights of Appeal:

1. The Appointing Authority shall institute preseparation proceedings when it has received the results of a medical or psychological examination conducted as

provided by Subsection D and initially determines that an employee is incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation, and initially determines that the employee is not eligible to receive benefits under a program provided by the Appointing Authority or is not eligible for a leave of absence without pay due to a disabling injury, illness, or condition. Under those proceedings, a conference shall be scheduled and advanced written notice shall be provided to the employee. If the employee does not waive the right to that conference, then at that conference the employee has a right to examine the Appointing Authority's evidence of disability, to rebut that evidence, and to present testimony and evidence on the employee's own behalf.

2. If the Appointing Authority determines, after weighing the evidence admitted at the pre-separation conference, that the employee is capable of performing his or her essential job duties, then the pre-separation proceedings shall cease and the employee shall be considered to be fit to perform his or her essential job duties. If the Appointing Authority determines, after weighing the testimony presented and the evidence admitted at the pre-separation conference, that the employee is unable to perform his or her essential job duties, then the Appointing Authority shall issue to the employee an ORC 124.34 order of involuntary disability separation, as described in 5.11(C)(2) above.
3. An employee so separated shall have the right to appeal in writing to the Personnel Board of Review within ten (10) days following the Appointing Authority's service upon the employee of the order of involuntary disability separation.
4. The Appointing Authority shall notify the employee, at the time of the involuntary disability separation, of the required procedures to apply for reinstatement.

F. Right to Reinstatement Rights of Appeal:

1. An employee may make a written request to the Appointing Authority for reinstatement from an involuntary disability separation. The request shall be accompanied by substantial, credible medical evidence that the employee is once again capable of performing the essential functions of the employee's job. Such requests shall be made not more than once every three (3) months and not later than two (2) years following the beginning of the disability separation, or a leave of absence followed by a disability separation.
2. When an involuntarily separated employee presents to the Appointing Authority substantial, credible medical evidence as provided by (F)(1) above, showing the employee is once again capable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation, the Appointing Authority shall either reinstate the employee or require the employee to submit to a medical or psychological examination conducted as provided by Subsection (D)(2) above.

3. The Appointing Authority shall reinstate the employee after receiving the results of the examination if the Appointing Authority determines the employee is once again capable of performing the essential duties of the employee's assigned position with or without a reasonable accommodation.
4. The Appointing Authority shall institute pre-reinstatement proceedings if the Appointing Authority has received the results of the examination and initially determines the employee remains incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation. Under these proceedings, a hearing shall be scheduled and adequate advanced written notice shall be provided to the employee. If the employee does not waive the right to the hearing, then at the hearing the employee has a right to examine the Appointing Authority's evidence of continuing disability, to rebut such evidence, and to present testimony and evidence on the employee's own behalf.
5. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is once again able to perform the essential job duties of the employee's assigned position with or without a reasonable accommodation, then the Appointing Authority shall reinstate the employee. If the Appointing Authority determines, after weighing the testimony presented and evidence admitted at the pre-reinstatement hearing, that the employee is not able to perform the essential duties of the employee's assigned position with or without a reasonable accommodation, then the Appointing Authority shall not reinstate the employee.
6. If the Appointing Authority determines an employee, who has been involuntarily separated, has committed an act which is inconsistent with the employee's disability, illness, or injury, then that act may be considered by the Appointing Authority when determining an employee's eligibility for reinstatement.
7. Once an Appointing Authority properly determines an employee is to be reinstated, the employee has a right to be assigned to a position in the classification the employee held at the time of involuntary disability separation. If the classification the employee held at the time of involuntary disability separation no longer exists or no longer is utilized by the Appointing Authority, then the employee shall be placed in a similar classification. If no similar classification exists, the employee may be laid off in accordance with the layoff procedures outlined elsewhere within this manual and may exercise any displacement rights which may exist under such procedures.
8. If the employee has been granted disability benefits by a state retirement system, the requirements of this rule shall apply for up to five (5) years, except a licensed practitioner shall be appointed by the Public Employee's Retirement Board and application for reinstatement shall not be filed after the date of service eligibility retirement.
9. An employee refused reinstatement as provided in Subsection (F)(5) shall be notified in writing of the refusal to reinstate and of the right to appeal in writing to

the State Personnel Board of Review within ten (10) days of receiving notice of the refusal to reinstate.

10. An employee who fails to apply for reinstatement within two (2) years following an involuntary disability separation, or a leave of absence followed by an involuntary disability separation, shall be deemed permanently separated from service except as otherwise provided in subsection (F)(8) above.

LEAVE DONATION POLICY	SECTION 5.12
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- A. Purpose: The intent of the leave donation policy is to allow Seneca County employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to an extended illness or injury of the employee, or a member of the employee's immediate family. Under this policy, employees will only be permitted to donate their accrued, but unused sick leave.

- B. Definitions: For the purpose of this policy the following shall apply:

Child: a son or daughter, including a child eighteen (18) years or over, who is incapable of self-care because of a mental or physical disability.

Immediate family: the employee's spouse, child, or parent.

Parent: biological parent or an individual who stands in the place of a parent to the employee (in loco parentis). In-laws are NOT included in the definition of "parent."

Serious health condition: an illness, injury, impairment, or physical/mental condition that involves a period of incapacity or treatment that requires absence from employment for more than three (3) calendar days, and involves care by a health care provider. Serious health condition also includes continuing treatment of chronic or long-termed incurable conditions and prenatal care.

Spouse: includes common law marriages where/when recognized.

Transferee: the employee in need, and approved to receive donated sick leave.

Transferor: the employee volunteering to donate their sick leave.

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

- D. Hours Transferred: Any hours transferred shall be paid at the rate of pay equal to that pay of the transferee on an hour-for-hour basis.

- E. Receiving Leave: An employee may receive donated leave [maximum four-hundred-eighty (480) hours may be received by any one employee during his employment with Seneca County] equivalent up to the number of hours the employee is normally scheduled to work each pay period, or the equivalent of the employee's normal biweekly earnings, whichever is less, if the employee to receive donated leave, or a member of the employee's immediate family has a serious health condition and the employee:
1. Has no accrued paid leave.
 2. Has completed his or her new hire probationary period.
 3. Has applied for any paid leave, Workers' Compensation, or benefits program for which the employee is eligible.
 4. Has applied for Family and Medical Leave (if eligible).
 5. Leave taken under this program will be included, and is subject to the twelve (12) week limits of the Family and Medical Leave Act (if applicable).
 6. Has no abuse or patterned use of sick leave.
 7. Has provided acceptable written verification that the extended illness exists.
 8. Is not a member of the employer's immediate family as defined in Section B above.
 9. Agrees to accept the leave under the terms of this policy, and completes an "Application to Receive Donated Leave" form.
- F. Donating Leave: Employees may donate leave if the donating employee:
1. Is not a member of the receiving employee's immediate family as defined in Section B above.
 2. Voluntarily elects to donate sick leave and does so with the understanding that donated leave will not be returned.
 3. Donates a minimum of hours equivalent to one (1) of the donor's regularly scheduled workdays, and a maximum of two-hundred-forty (240) hours in one (1) donor day increments, subject to a maximum two-hundred-forty (240) hour annual (based on calendar year) donation to any/all employees measured.
 4. Retains a sick leave balance of at least two-hundred-forty (240) hours.
 5. Completes an "Application to Donate Leave" form (see Form GG).
- G. Administration: The leave donation program shall be administered on a pay period to pay period basis. The appointing authority of the transferee and the Seneca County

Board of Commissioners shall review the Application to Receive Donated Leave and the Application to Donate Leave to assure compliance with Sections E and F of this policy. Donations of sick leave will be recorded in the order of their submission, and will not be considered actually donated, nor be deducted from the transferor's balance or credited to the transferee's balance until the pay period such leave is actually used. Unused donation applications shall be returned to the transferor. Employees using donated leave shall be considered in active pay status, and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled. Sick leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated sick leave may be received. Donated leave shall never be converted into a cash benefit. The Seneca County Auditor shall maintain such records as are necessary for the administration of this program. The maximum amount of donated leave an employee may receive in a twelve (12) month period, measured forward from the date of first application for donated leave, is two-hundred-forty (240) hours.

- H. Certification: Employees who wish to donate sick leave shall certify:
1. The name of the employee for whom the donated leave is intended.
 2. The number of hours to be donated.
 3. That the employee will have a minimum sick leave balance after donation of at least two-hundred-forty (240) hours.
 4. That the sick leave is donated voluntarily, and the employee understands that the donated leave will not be returned, unless per G above.
- I. Confidentiality: Appointing authorities shall ensure that no employees are forced to donate leave. Appointing authorities shall respect an employee's right to privacy; however appointing authorities may, with the permission of the employee who is in need of leave or a member of the employee's immediate family, inform employees of their co-worker's critical need for leave donations from employees. The donation of sick leave shall occur on a strictly confidential and voluntary basis.
- J. Applications: Employees wishing to donate or receive donated sick leave may pick up applications from the appointing authority, and/or the Commissioner's office (see Forms GG and HH).

HEALTH INSURANCE	SECTION 5.13
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- A. Health Insurance:
1. All regular full-time employees, i.e., those employees who work thirty (30) to forty (40) hours per week on a regular basis, are eligible for coverage under the county group medical insurance program. The look-back/stability period for all employees will run from October 2016 to October 2015.

2. An employee is a “variable hour employee” if, based on the facts and circumstances at the employee’s start date, it cannot be determined that the employee is reasonably expected to work an average of 30 hours or more per week. The look-back period for determining whether new variable hour employees are full-time employees will be 12 months from the date of hire.
 3. Employees may obtain health insurance coverage by registering with the county Auditor's office.
 4. The county will pay a portion of the premium cost for each eligible employee. The portion of the premium cost to be paid by the county for single and family coverage will be determined on an annual basis by the Commissioners.
 5. The employee's share of the premium may be deducted from his/her paycheck on a pre-tax basis.
 6. A new employee is eligible for coverage beginning the first of the month following his/her date of hire. To have coverage in effect at the time of eligibility, employees must have enrollment cards completed and filed with the County Auditor no later than the first workday of the month of eligibility. An employee who does not elect coverage at the time he/she becomes eligible may only elect participation during an open enrollment period.
 7. Employees must notify the appointing authority of any changes in dependency status, including divorce, birth, death or marriage of a dependent or loss of eligibility due to age. Failure to report a change in status may result in disciplinary action including reimbursement to the county for premium(s) improperly paid, and/or reimbursement for claims improperly paid by the insurance company.
 8. Details of coverage are outlined in the health care plan booklet.
 9. Temporary, part-time, intermittent and seasonal employees are not eligible for health care coverage.
 10. The county will pay its portion of insurance coverage for an employee who is not in active pay status, but on a family/medical leave. The county will not provide insurance coverage for an employee on an unpaid leave of absence.
 11. An employee on a family/medical leave will be required to pay the usual employee portion of his/her health care benefits by the first of any month in which the employee is not on the active payroll. If the employee does not return to work at the end of the leave, he/she will be required to repay the county the amount paid to retain the employee's health care benefits during the unpaid portion of the leave.
- B. Life Insurance: The county provides a fully paid ten thousand dollar (\$10,000), term life insurance policy on each full-time employee. To be eligible, employees must complete

the enrollment card and file with the County Auditor. Life insurance will be provided only to employees in active pay status, or those on an approved family/medical leave.

CONTINUATION OF INSURANCE COVERAGE	SECTION 5.14
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- A. The employer intends to comply with any federal (COBRA) or state legislation regarding continuation of insurance coverage.
- B. Employees must be given COBRA notices when they start participating in an employer-plan and upon a qualifying separating event.
- C. Qualifying events include, but are not limited to:
 - 1. Termination of employment for reasons other than misconduct.
 - 2. Reduction in hours so that employee cannot qualify for the health plan.
 - 3. Layoffs.
 - 4. Major life events.
 - 5. Military leave (reduction in hours - see USERRA).
- D. Questions should be directed to the Plan Administrator.

FUNERAL LEAVE	SECTION 5.15
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- A. Eligibility: All employees may, upon approval of the agency, use up to a maximum five (5) consecutive days of accrued sick leave or vacation in the event of the death of an immediate family member as defined in Section 5.01 of this manual. Such funeral leave shall be charged against the employee's accrued sick leave or vacation, and the employee shall receive the employee's regular rate of pay for such leave.
- B. Usage: Funeral leave may be used to attend the funeral, make funeral arrangements, or attend to other matters directly related to the funeral.
- C. Part-time Employees: Part-time employees shall be eligible to use accrued sick leave or vacation hereunder, and receive their regular rate of pay for such leave, only for the days and the number of hours each day that the employee normally works.
- D. An employee requesting funeral leave must complete a Request for Leave of Absence, attach thereto a copy of the family member's obituary, or other proof of death, and submit the request to their supervisor.

PURPOSE**SECTION 6.01**

The primary function of a performance evaluation is to:

- A. Uniformly and objectively rate an employee's job performance.
- B. Provide an opportunity for the employee to recognize and correct specific performance problems and clarify expectations.
- C. Provide a means of communication between the employee and his/her supervisor.
- D. Provide data on which to base promotional selection decisions.
- E. Provide a means of determining job efficiency for layoff purposes.
- F. Provide a basis on which to make salary decisions.
- G. Reveal conditions that contribute to poor morale or low productivity.
- H. Enable the supervisor to detect gaps and limitations in his/her own supervisory performance.
- I. Provide a means of establishing mutually agreed upon goals and objectives for the coming period.

TYPES OF EVALUATION**SECTION 6.02**

- A. Annual Evaluation: Each regular employee is evaluated annually before his/her anniversary date of employment. Evaluations cover the preceding year, or in the case of new employees, the completion of the remainder of the year following the probationary period.
- B. Special Evaluation: Special evaluations may be performed at any time, at the discretion of an employee's supervisor.
- C. Probationary Evaluation: A probationary employee is evaluated approximately 15 days before the end of the probationary period. Should the employee be terminated or returned to his/her former classification before the end of the probationary period, the evaluation will be made at the time of termination or reassignment.
- D. Final Evaluation: A final evaluation will be performed on an employee at the time of termination.

DEVELOPMENTAL TRAINING**SECTION 7.01****A. Eligibility:**

1. The county encourages the professional growth of all employees through continuing education and training. Employees in certain positions are required as a condition of continuing employment to take coursework and training.
2. Participation in employee development activities must have the prior approval of the appointing authority.
3. The supervisor will advise the employees of required coursework and training. Employees who wish to attend similar development opportunities, which are not required, must submit requests to the appointing authority.

B. Attendance:

1. The county will pay an employee for time spent at education conferences, professional meetings, and job-related training seminars when the county requires them (see Section 4.6, Overtime). An employee may request unpaid leave to attend similar developmental opportunities that are not required by the county. Leave is granted at the discretion of the appointing authority.
2. The county will pay the cost of registration and travel expenses when the employee's attendance is required. When attendance is not required, any reimbursement of registration costs and travel expenses is at the discretion of the appointing authority (see Section 4.10, Expense Reimbursement).
3. In reviewing requests to attend developmental activities, the following criteria will be considered:
 - a. Nature and purpose of the activity.
 - b. Benefits to be derived by the employee and the county.
 - c. Level of responsibility, performance, and length of service of the employee.
 - d. Estimated cost and available funds.
 - e. Potential lost time from work.
 - f. Ability to adequately staff services during the employee's absence.
4. Whenever there are a limited number of openings for an activity, or if attendance will be during an employee's regularly scheduled workday, the appointing authority will determine which employees may participate.

- C. On-The-Job Training (OTJ): On-the-job training, including employee orientation, will be conducted to assist an employee to effectively perform the responsibilities of his/her position. On-the-job training is the responsibility of supervisors under the direction of the appointing authority.

PUBLIC RECORDS - INSPECTION, RELEASE AND RETENTION	SECTION 7.02
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- A. The employer will prepare and make available for inspection and/or copying "public records," as defined in O.R.C. 149.43 and applicable Ohio case law, upon the request of any member of the general public.
- B. Information kept on computer disks or tapes, audio tapes, cell phones, video tape, microfilm, micro fiche, or just about any other fixed media imaginable is subject to disclosure under the Public Records Act, including e-mail.
- C. Any questions regarding a public record should be addressed to the County Prosecutor.
- D. Self-help to public records is prohibited. Employees requesting public records should contact the appointing authority.

ETHICS OF PUBLIC EMPLOYMENT**SECTION 8.01**

The proper operation of democratic government requires that actions of public officials and employees be impartial; that government decisions and policy be made in proper channels of government structure; that public office not be used for personal gain; and that the public has confidence in the integrity of its government. Recognition of these goals establishes a Code of Ethics, as follows, to which all county employees must adhere:

- A. No employee may use his official position for personal gain, nor may engage in any business or transaction, or have a financial or other interest, direct or indirect, which is in conflict with the proper discharge of his/her official duties.
- B. No employee may, without proper legal authorization, disclose confidential information concerning the property, governance, or affairs of the county, nor may he/she use such information to advance any personal financial, or other private interest, or that of others.
- C. No employee may accept any gift, whether in the form of service, loan, item, or promise, from any person, firm, or corporation which is interested directly or indirectly in any manner whatsoever in business dealings with the county; nor shall accept any gift, favor, item of value that may tend or appear to influence the employee in the discharge of his/her duties, nor grant in the discharge of duties any improper favor, service, or item of value.
- D. Any employee offered a gift or favor who is not sure if acceptance is a violation of the Code of Ethics must inform the appointing authority of the offer.
- E. No employee may accept any material or service for the private use of the employee from any contractor or supplier doing business with the county.
- F. No employee may represent private interests other than his/her own in any action, proceeding, or matter in which the county is a party.
- G. State law prohibits employees and officials from having a financial interest in companies which do business with public agencies, with minor exemptions. Employees who have any doubt concerning possible violation of these statutes should consult their own attorney.
- H. No employee may engage in or accept private employment, or render service for private interests, when such employment or service is incompatible with the proper discharge of his/her official duties, or which would tend to impair independent judgment or action in the performance of official duties.
- I. Any employees having doubt as to the applicability of any provision of this Code to a particular situation should consult the appointing authority. Violations of the Code of Ethics may cause disciplinary action, suspension, or removal from office or employment.

- J. The employer will provide new employees with a copy of R.C. Chapter 102 within fifteen (15) days of hire, and shall require the employee to acknowledge receipt in writing (see Forms II and JJ).
- K. County Ethics:
1. An employee must always conscientiously perform all assigned job duties.
 2. An employee must be tactful, patient, and courteous when conducting business for the county. Conduct on and off the job must not be such as to reflect unfavorably upon the county.
 3. An employee may not grant special consideration to any citizen or group of citizens.
 4. An employee may not engage in any outside employment, or have a financial interest that will conflict with his/her duties, or be detrimental to the county.
 5. An employee may not request or permit the use of the county's vehicles, equipment, materials, or property for personal convenience or profit.
 6. An employee may not accept (except those of little or no value), or ask for any gift or consideration that is granted as a result of his/her employment with the county.
 7. An employee may not use the county's name or tax exempt status for his/her personal advantage on any purchases.
 8. An employee may not discuss or reveal client or county information to anyone, under any circumstances, except within the explicit scope of his/her job duties.
 9. Immediate family members of the employees or the Board of County Commissioners may not be hired to work for the county.
 10. Employees of the organization share responsibility to hold the cost of operation of the county's programs to a minimum.
 11. Employees have a responsibility for maintaining good working relationships and a spirit of cooperation with other staff members in order to further the purpose and goals of the organization, and to work toward improving its procedures and services.
 12. Employees may not at any time engage in inappropriate contact or relationships with clients. In particular, relationships with clients outside the work environment require caution and common sense, and may not betray the confidentiality and trust the county strives to extend to its clients.

ATTENDANCE**SECTION 8.02****A. Absence Reporting:**

1. When an employee is unable to report to work, he/she must notify the immediate supervisor or another designated person within one-half (½) hour of the start of his/her scheduled working hours on the first day of absence, and each day thereafter, unless emergency conditions make it impossible or prior arrangements have been made with the supervisor.
2. On the day the employee returns to work after an absence, he/she must report to his/her supervisor and complete an absence form.

B. Frequency of Absences:

1. Regular attendance is expected of all employees.
2. A pattern of absences or frequent absences that affect the county's ability to provide services will result in disciplinary action.
3. An employee who develops a pattern of absences, tardiness, or leaving work early will have his/her absences reviewed for possible abuse of sick leave or the attendance policy.

C. Tardiness/Early Departure:

1. Employees are expected to arrive at work promptly and remain at work until the end of the scheduled workday.
2. Tardiness/early departure is defined as late arrival at the employee's work location, early departure or overstaying scheduled meal periods five (5) minutes or more. An employee who will be late reporting to work must call his/her supervisor within one-half (½) hour from the start of his /her scheduled start time.
3. Any deviation from an employee's work schedule must be authorized by his/her supervisor in advance, and noted on the weekly time sheet.
4. Excessive tardiness/early departure is grounds for disciplinary action.

INCLEMENT WEATHER**SECTION 8.03****A. Emergency Closures And Weather-Related Closing:**

1. When an emergency closing of the county (i.e., weather) is declared by the Governor of the state of Ohio, County Commissioners, the Sheriff, or by the presiding judge, employees will be compensated for the time they were scheduled to work during the emergency period.

2. Employees not scheduled to work because of scheduled vacation or continuing sick leave will be charged for the leave regardless of the declared emergency.
3. An employee who is absent, tardy, or leaves work early on a day when weather conditions interfere with travel, but when no emergency has been declared by the state or county, is absent without leave, and therefore in non-pay status. The employee may, with approval of the appointing authority, account for time during which he was absent from his job due to inclement weather by charging it to personal leave, vacation, compensatory time, or to leave without pay. Inclement weather is not a valid use of sick leave.
4. The appointing authority has the authority to use his/her discretion in closing the office due to weather. In such event, all employees will leave the office and cancel appointments. When the office is closed due to inclement weather, the on-call person will be responsible for any emergency.
5. An employee may be required to work even though the county offices are closed due to an emergency. The employee is entitled to straight pay for regular hours worked unless he/she is on overtime status. There will be no additional compensation or time-off as a result of the emergency.

SAFETY AND HEALTH**SECTION 8.04**

- A. Workplace safety and health are primary concerns of Seneca County. The safe and healthful performance of all work assignments is the responsibility of both supervisory and non-supervisory personnel. It is the employee's responsibility to ensure that all equipment is used safely, and that all safety procedures and/or practices are utilized and/or observed.
- B. The appointing authority will advise employees through correspondence, postings, meetings, and material safety data sheets of any hazardous chemicals or materials that employees may use or have contact with in the performance of their jobs. The appointing authority will also ensure dissemination of any updated materials, policies, or procedures related to safety in the workplace as they occur.
- C. Employees are required to abide by all applicable Ohio Public Employment Risk Reduction Standards (OPERRA) and any other safety rules promulgated by Seneca county.
- D. Any employee found to be negligent in equipment or vehicle operation resulting in damage to the vehicle, damage to equipment, or an accident, will be disciplined up to and including to termination.
- E. All employees are charged with responsibility of reporting to their supervisor, or to the appointing authority the existence of any hazardous condition or practice in the workplace. An employee, who believes he/she is in imminent danger of physical harm or

- death due to unsafe working conditions, must report the situation immediately to the appointing authority.
1. The appointing authority will immediately cause the job to be inspected to determine if danger is imminent, and how it may be corrected.
 2. An employee may be reassigned to another position if the appointing authority determines there is a safety hazard that might cause injury.
- F. An employee has the right to request in writing an OSHA inspection for any violation of a work safety standard that he/she believes threatens physical harm or creates imminent danger. An employee also has the right to refuse to work, only if all of the following conditions are met:
1. The employee acts in good faith.
 2. The employee believes that his/her work conditions present an imminent danger of death or serious harm.
 3. Such conditions do not reasonably exist in the occupation of the employee.
 4. He/she has requested that the employer correct the situation, but the conditions remain.
 5. There was insufficient time to eliminate the danger by formally requesting an inspection from OSHA, as described above.
 6. A reasonable person would perceive the employee to be in imminent danger of death or serious harm.
- G. An employee, having met all of the conditions outlined above, may be reassigned until such time as is needed to inspect and resolve, or remove any hazardous conditions or equipment.
- H. No employee will be discriminated against in any job decision as a result of filing a good faith complaint related to workplace safety, or for testifying in any proceeding related to an alleged violation or danger.
- I. Safety Training:
1. Employees will receive appropriate safety training upon hire and throughout their employment with Seneca County. Training will include proper safety measures for the general work side, and specific safety training on any equipment, vehicle, machinery, or other elements that are considered a normal part of the job.
 2. Some employees will be required to attend periodic retraining sessions as determined by the position they hold, as well as the changing needs of the organization.

3. Employees are also responsible for requesting training or retraining if the employee is not certain of the safety practices for any part of his/her job.
4. Employees will be paid for attendance at any required training sessions.
5. Documentation of training will be maintained in the employee's individual personnel file.

EXPOSURE TO CONTAGIOUS DISEASE**SECTION 8.05**

- A. An employee is required to report any exposure to a contagious disease that might pose a direct threat to health and safety in the workplace.
- B. The employer may remove or reassign an infected or contagious employee or co-worker, if a secondary infection would pose a higher than usual risk to himself/herself or others.
- C. Employees who are at risk of exposure to blood-borne or contagious diseases will follow a system of "universal precautions," a set of standard procedures designed to limit the spread of infection in the workplace. Supervisors will instruct employees about any special precautions and/or necessary regulations affecting individual work areas.
- D. An employee concerned about being infected with a contagious disease while in the workplace should convey this concern to his/her supervisor. Any employee who refuses to work with or perform services for a person known or suspected to have a contagious disease is subject to discipline, up to and including discharge.
- E. Information relating to a contagious disease in the workplace will be disclosed to employees when the information is necessary to protect the health or safety of employees or others. The county will determine the necessity of disclosure.

COUNTY EQUIPMENT**SECTION 8.06**

- A. Employees are responsible for all keys and other equipment assigned to them, and must return them upon termination of employment. Employees may be required to pay the appraised value for lost equipment. Cellular telephone equipment must be returned when leaving employment.
- B. Lost keys must be immediately reported to the appointing authority.
- C. Use of county equipment, machines and property for purposes other than county business is generally prohibited. This includes, but is not limited to, the use of typewriters, duplication or copying machines, bulletin boards, computers, facsimile machines and telephones.
- D. Equipment or supplies removed from county offices or premises must be recorded by the supervisor, noting when it is removed, when it will be returned, and the individual responsible for its return.

- E. Each employee is responsible for reporting malfunctioning, damaged, or defective equipment to his/her supervisor.

USE OF TELEPHONES**SECTION 8.07**

- A. Personal use of county telephones is discouraged. Use is limited to emergency situations, and those calls approved by the employee's supervisor.
- B. Personal toll calls are prohibited.
- C. Excessive use of telephones for personal use, or charging personal toll calls to the county will result in disciplinary action.

USE OF COUNTY VEHICLES**SECTION 8.08**

- A. Use of county motor vehicles shall be strictly controlled by the appointing authority, and shall be restricted for business purposes only.
- B. Employees operating a county motor vehicle are required to have a valid Ohio vehicle operator's license with a copy on file with the county, and be eligible for coverage under the county's liability and vehicle insurance policy. Employees shall not use or permit the use of a county vehicle for any purpose other than official county business.
- C. Employees are occasionally required to use privately-owned vehicles for official county business. Reimbursement to employees using their privately-owned vehicles may be made only if the employee has a valid Ohio vehicle operator's license with a copy on file with the county, and carries motor vehicle liability insurance, in accordance with Section 4509.51 of the Ohio Revised Code, of at least:
 - 1. \$25,000.00 because of bodily injury to or death of one (1) person in any (1) one accident.
 - 2. \$50,000.00 because of bodily injury to or death of two (2) or more persons in any one (1) accident.
 - 3. \$25,000.00 because of injury to property of others in any one (1) accident.
- D. Any employee who operates a county vehicle shall exercise caution and responsibility, and shall adhere to all safety regulations. Traffic fines, parking tickets, or arrests for illegal or improper use of vehicle are the sole responsibility of the employee. Reckless or destructive operation of vehicles is grounds for disciplinary action.
- E. Each Travel Request Report requires employees to affirm possession of the insurance called for in Section 4509.51 of the Ohio Revised Code.
- F. Any equipment or vehicular accident, even those involving two (2) county vehicles, must be reported to the supervisor immediately. All accidents involving county vehicles (or

privately-owned vehicles driven on county business), and/or equipment shall be reported immediately to the appointing authority. The driver will also report the accident to the appropriate law enforcement department, obtain that department's accident report, and forward that report to the appointing authority. If the driver is a CDL holder, that driver may be required to take a drug or alcohol test, in accordance with the county's policy for CDL holders.

- G. Employees must adhere to safe and courteous driving practices while driving on work time, or on official Seneca County business. Vehicle damage, safety concerns, and/or operating difficulties are to be reported immediately to the supervisor or the appointing authority.
- H. Traffic fines or arrests for illegal or improper use of vehicles are the responsibility of the employee. An employee who must drive as an integral part of the job, and who is involved in any traffic incident on work time, either moving or stationary, must immediately notify his/her supervisor or the appointing authority and fill out a Vehicle Accident Report (Form KK).
- I. Qualifications For Using County Vehicles:
 - 1. All operators of county-owned or leased vehicles shall be at least eighteen (18) years of age.
 - 2. All drivers must have a current, valid Ohio driver's license that covers the type of vehicle to be operated. A copy of the employee's license must be placed in the employee's personnel file. All applicants applying for a position in which driving is an essential function shall have a current, valid Ohio driver's license that covers the type of vehicle to be operated. A copy of the applicant's license shall be provided to the appointing authority at the time of hire.
 - 3. All employees driving a county vehicle and/or any other vehicle for county business will be subject to having their license and driver's record checked for accidents, violations, suspension, revocation, assignment points, and any other (job-related) information contained therein by either the Board of Commissioners or the employee's appointing authority as they deem necessary.
 - 4. Any driver who has a suspended license will be excluded from driving until they provide the County with proof of a valid license without restrictions.
 - 5. Any driver convicted of OVI (operating a motor vehicle under the influence) or any other drug or alcohol-related driving offense shall receive a 12-month exclusion from driving a county vehicle or a privately-owned vehicle on the county's behalf, from the date of the offense. Proof of a valid license without restrictions is necessary to lift the exclusion after the 12-month period along with mandatory CORSA-approved DDC class. This applies regardless of whether the incident occurred within the scope of the employee's employment.
 - 6. Any driver convicted of leaving the scene of an accident shall receive a 12-month exclusion from driving a county vehicle, or a privately-owned vehicle on the

county's behalf, from the date of the offense. The employee must provide proof of a valid license without restrictions to lift the 12-month exclusion, as well as attending mandatory CORSA-approved DDC class.

7. Any driver convicted of fleeing and eluding shall receive a 12-month exclusion from driving a county vehicle, or a privately-owned vehicle on the county's behalf, from the date of the offense. The employee must provide proof of a valid license without restrictions to lift the 12-month exclusion, as well as attending mandatory CORSA-approved DDC class.
8. Any driver convicted of vehicular homicide/manslaughter shall be excluded from driving a county vehicle, or a privately-owned vehicle on the county's behalf, from the time of the offense until cleared of standard MVR based on the state of Ohio Bureau of Motor Vehicles reporting system.
9. Any driver convicted of driving under suspension or revocation shall receive a 6-month exclusion from driving a county vehicle, or a privately-owned vehicle on the county's behalf, from the date of the offense. The employee must provide proof of a valid license without restrictions and also provide proof of financial responsibility to lift the 6-month exclusion, as well as attending mandatory CORSA-approved DDC class.
10. A revocation of driving privileges can result in termination of employment, should the operation of a motor vehicle be an essential part of the employment duties, as determined by the appointing authority.
11. In addition to losing driving privileges, an employee may be disciplined for moving violations, convictions, or causing or being involved in at-fault accidents in a county-owned or county-leased vehicle, or a private vehicle operated within the scope of Sectemployment with the County. Such discipline may include discharge, where warranted. Furthermore, an employee who loses driving privileges may be discharged from a position that requires driving as an essential function of that position.

J. Use of Vehicles:

1. County-owned or leased vehicle shall not be used for any purpose other than official county business.
2. Each employee who operates a county vehicle or privately-owned vehicle on the county's behalf as part of their job, either regularly or occasionally, is required to report any suspensions or revocations of that employee's driver's license, in writing, to the department supervisor or appointing authority regardless of whether the incident occurred within the scope of their employment or during non-work time. The appointing authority who receives this information will notify the Seneca County Commissioners' Office in writing.

3. Use of alcoholic beverages or controlled substances immediately prior to or during operation of a county vehicle is prohibited. Alcoholic beverages shall not be transported in a county vehicle. Any employee convicted of operating a county vehicle while under the influence of alcohol or drugs will be subject to immediate dismissal.
4. Safety belts shall be worn by all operators and passengers at all times in county vehicles, or privately-owned vehicles being used to conduct county business.
5. Turn signals and warning signals shall be utilized by all vehicle operators. Vehicle headlights shall be used during periods of limited visibility, or any time the vehicle windshield wipers are in use.
6. The operator of a vehicle shall be responsible for reporting to the proper person, or seeing that any service, safety, or maintenance items are corrected on the vehicle.
7. Vehicle operators are responsible for the appearance, interior and exterior cleanliness, and general condition of the vehicle.
8. Operators of county vehicles or privately-owned vehicles on the county's behalf shall obey all traffic and motor vehicle laws.
9. Employees shall park when operating a cell phone.

K. Accidents Involving County Vehicles and Traffic Citations:

1. The driver of any county vehicle which is involved in an accident shall immediately report the accident to the appointing authority, or any other person designated by the appointing authority. The driver of any privately-owned vehicle involved in an accident while the vehicle is being operated on the county's behalf shall likewise report such an accident. The appointing authority shall immediately notify the Seneca County Commissioners' Office. Drivers must report such accidents regardless of whether they occur on public roads, and must also report such accidents to the local law enforcement agency.
 2. Accident reports shall be completed and submitted to the Seneca County Commissioners' Office within twenty-four (24) hours of an accident.
 3. Parking, moving violations, and other fines received while operating a county vehicle are the responsibility of the operator.
 4. Operators involved in accidents when operating a county vehicle in a non-approved manner, will be subject to appropriate legal action to recover costs.
- L. County-owned vehicles will not be used for personal use by employees. Each employee will certify, as identified in Section I above, the amount and reason for any personal use,

and will calculate the taxable amount to be reported based upon the employees' allowed method of valuation. The available valuation methods are:

1. Cents Per Mile Rule – Reg. §1.61-21(e): Vehicle must either be driven at least 50% for business, to transport at least three (3) employees to work, or at least 10,000 miles per year. This method cannot be used if the fair market value in 2014 exceeded \$16,000. (Revised annually). If selected, you must continue to use this method unless the vehicle no longer meets the requirements, except an employer may change to the commuting valuation rule.
2. Commuting Valuation Rule – Reg. §1.61-21(f): Value of personal use is one dollar and fifty cents (\$1.50) per day per person that commutes in the subject vehicle. The requirements are:
 - Employer has a written policy prohibiting personal use of the vehicle.
 - Employee does not use the vehicle for personal use.
 - The employer must require the employee to use the vehicle. It cannot be voluntary on the employee's part.
 - This valuation method is not allowed for elected officials.
 - This valuation method is not available for those whose compensation is at least as great as a federal government employee at Executive Level V, determined under Chapter 11 of title 2, United States Code, as adjusted by section 5318 of title 5 United States Code.
3. Automobile Lease Valuation Rule – Reg. §1.61-21(d): Value is determined as listed below:
 - a. Determine the Fair Market Value on the first day made available to the employee. The employer's cost including tax, title, etc. may be used to determine FMV. §1.61-21(d)(5).
 - b. Compute the Annual Lease Value using the table in Pub. 15B or §1.61-21(d)(iii).
 - c. Multiply the annual Lease Value by the Percent of Personal Use from the logs.
 - d. Value fuel by multiplying five and one-half cents (\$.055) per mile for all miles driven by the employee.
 - e. Add the values calculated in steps 3 and 4 to determine the taxable value. No adjustments need be made for maintenance or insurance costs.

Once computed, the Annual Lease Value remains in effect until December 31 of the fourth full calendar year after the rule was first applied.

A Daily Lease Method is required if the vehicle is available for less than thirty (30) days.

DRUG FREE WORKPLACE**SECTION 8.09**

- A. Purpose: The employer's policy is to ensure that employees are free from the effects of alcohol and/or illegal drugs at all times while on duty. The goal is to reduce accidents, injuries and fatalities resulting from drug and alcohol abuse and to ensure that employees are drug and alcohol free while serving the needs of the agency. The employer recognizes alcoholism and drug addiction as treatable diseases, and encourages those employees who suspect that they have an alcohol or drug problem to seek professional treatment and assistance. This provision does not prohibit the employer from taking appropriate disciplinary action against employees for inappropriate behavior.
- B. Use of Alcohol and Controlled Substances Prohibited: No employee shall report for duty or remain on duty with any evidence of alcohol use. No employee shall report for duty or remain on duty while using or while under the influence of, any controlled substance, except when the use is prescribed by a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties. In the event that the employee reports to, or remains on duty while under the influence of prescription medication, the employee shall provide his or her supervisor with the physician's report concerning prescriptions that could adversely affect their ability to safely perform their job prior to reporting for work.

Pursuant to Ohio law, an employee who tests positive for controlled substances or alcohol following an on-the-job accident or injury may not be eligible for workers' compensation benefits. Similarly, an employee who refuses to submit to a request for drug or alcohol testing following an on-the-job accident or injury may also be prevented from receiving workers' compensation benefits.

- C. Events Resulting in Employee Drug and/or Alcohol Testing: All employees may be subject to drug and/or alcohol testing conducted under any of the following conditions:
1. Reasonable suspicion of drug and/or alcohol use: Whenever the employer has reasonable suspicion to believe that the employee is under the influence of alcohol or a controlled substance, the employer may require such employee to submit urine or other sample for alcohol and/or controlled substance testing. Reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee.
 2. Post-accident testing: Post-accident alcohol and/or other drug testing will be conducted of anyone who may have caused or contributed to an accident following an accident investigation with documentation of reasonable suspicion. No post-accident testing is required if all of the following conditions are met:
 - The accident resulted in a minor injury, even when off-site medical attention was required;
 - There was no violation of work rules;
 - An accident investigation determined there was no reasonable suspicion related to the accident;

- The accident is considered normal in relationship to the job functions of the injured employee.
3. Return to work testing: The employer shall require that, before an employee returns to work after engaging in prohibited alcohol and/or controlled substance conduct, the employee undergoes a return to work alcohol test with a result indicating an alcohol concentration of less than 0.02, and a verified negative result for controlled substance abuse.
 4. Follow-up drug and alcohol testing: Any employee who tests positive for the use of alcohol or controlled substances while on duty may be evaluated by a substance abuse professional. If, following an evaluation, the employee is directed to undergo substance abuse counseling, such employee may be subject to unannounced follow-up alcohol and/or controlled substance testing consisting of six (6) tests in the twelve (12) month period following the employee's return to work.

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

- D. Testing Requirements: All drug screening tests shall be conducted by medical laboratories meeting the standards of, and certified by, the National Institute of Drug Abuse, the National Institutes of Health, and the Department of Health and Human Services.

Any employee who is notified of selection for drug and alcohol testing shall be relieved of any job responsibilities immediately, and shall proceed to the designated test site immediately. The employee shall be accompanied by the Department Head or designee. A selected employee shall not make any stops from the time of notification until reaching the designated test site. Failure to proceed immediately to the drug-testing site may be considered a refusal to test.

The results of the testing shall be delivered to the Department Head as well as the tested employee. An employee whose confirmatory test results are positive shall have the right to request a certified copy of the testing results in which the vendor shall affirm that the tests results were obtained using the approved protocol methods. The employee shall provide a signed release for disclosure of the testing results to the employer. Refusal to submit to the testing, or to execute the release may be grounds for discipline up to and including termination.

Costs of all drug screening tests and confirmatory tests shall be borne by the employer, except that any test initiated at the request of the employee shall be at the employee's expense.

- E. Refusal to Test: Refusal to submit to drug or alcohol tests as ordered by the employer will be grounds for disciplinary action up to and including termination. A refusal to test constitutes conduct that obstructs the proper administration of a test. The following is a

list of some, but not all, of the actions an employee may take which will be considered a refusal to test:

1. Refusal to sign the form releasing test results to the employer.
 2. A non-medical delay in providing urine, breath, blood, saliva or any other specimen.
 1. Failure to report directly to the testing facility upon notification.
 4. The use of any product to invalidate the test results.
- F. Confirmatory Tests: If a drug screening test is positive, a confirmatory test shall be conducted in the manner prescribed in the laboratory's procedures. In the event the second test confirms the results of the first test, the employer may proceed with appropriate discipline. In the event that the second test contradicts the result of the first test, the employer may request a third test in accordance with the procedures prescribed above. The results of the third test, if positive, shall allow the employer to proceed with discipline as set forth in this policy. If the results of the third test are negative, discipline shall not be imposed.
- G. Discipline and Rehabilitation: The employer may place an employee on administrative leave with pay before the time the confirmatory test results are complete. If the testing required above has produced a positive result, the employer may take appropriate disciplinary action up to and including termination, and/or may require the employee to participate in a rehabilitation or detoxification program. An employee who participates in a rehabilitation or detoxification program may be required to use sick time, compensatory time, vacation leave, and/or personal days for the period of rehabilitation or detoxification. If no such leave credits are available, the employee shall be placed on medical leave of absence without pay for the period of the rehabilitation or detoxification program. Family Medical Leave will be used if available and appropriate.
- H. Confidentiality: Test results will generally remain confidential to the extent provided by law. However, the employer may use test result information in connection with agency business, for purposes of employment or disciplinary actions, and in defense of related litigation. The employer may also disclose test results when required by government agencies or in accordance with state and federal law.
- I. Drug Free Workplace Policy.
1. Notice Upon Hiring:
 - a. As a condition prior to hiring, all prospective employees will receive a copy of Seneca County Drug Free Workplace Statement and Policy, and will be required to sign an acknowledgment of receipt which will become a permanent part of the employee's personnel file.
 - b. In addition, as a further condition precedent to hiring, all prospective employees will be required to sign a written statement to the effect that:

- i. They understand and support Seneca County Drug Free Workplace Policy
 - ii. They agree to refrain from violating this policy while employed by the employer.
 - iii. They acknowledge, in advance, that they understand that the penalty for breach can be discharge, and agree that the penalty is appropriate when supported by evidence.
 - iv. They acknowledge that they have been warned that alcohol and drug testing of employees will be conducted in accordance with the agency's policy where there is individualized reasonable suspicion of alcohol or drug use, or drug impairment, or where the drug testing policy permits testing of employees on some other basis.
2. Distribution of Drug Free Workplace Policy:
 - a. All current employees will receive a copy of the County's Drug Free Workplace Statement and Policy which may also be found with the Administrator or designee, and will be required to sign a receipt for it, which will become a permanent part of the employee's personnel file.
 - b. All current employees will be asked to voluntarily sign a statement supporting the strict enforcement of this policy.
 - c. The distribution and acknowledgement of this policy by the employee as well as the Drug Testing Policy in the PPM will serve as notice to the employee that the Employer reserves the right to order employees to submit to alcohol or drug testing where supported by an individualized reasonable suspicion of alcohol or drug use, or drug impairment, or where the drug testing policy permits testing of employees on some other basis.
3. The Drug Free Workplace Policy:

DEFINITIONS:

Alcohol: means ethyl alcohol, whether rectified or diluted with water or not, whatever its origin may be, and includes synthetic ethyl alcohol. Examples include: beer, wine, mixed beverages, and spirituous liquor as defined by the Ohio Revised Code.

Controlled Substance: any controlled substance contained in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812); or as defined in [R.C. 3719.01](#).

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

Criminal Drug Statute: a criminal statute which states that a person may not manufacture, distribute, dispense, use, possess, provide, or administer any controlled substance.

For purposes of this policy all definitions will be consistent with [R.C. 3719.01](#) *et seq.*

POLICY:

- a. It is the policy of Seneca County to maintain a safe and productive workplace free of alcohol and drugs, and free of those individuals who abuse alcohol and drugs.
- b. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance by any employee which takes place in whole or in part in the workplace is strictly prohibited, and will result in criminal prosecution and employee discipline which may include termination from employment.
- c. Any employee convicted of any federal, state, or municipal criminal drug statute must notify the employer of that fact within five (5) calendar days of the conviction. Notification by the employee does not excuse that employee from possible disciplinary action under the agency's Personnel Policy manual.
- d. Any employee who reports for duty in an altered or impaired condition which is the result of the illegal use of controlled substances or the abuse of legal substances will be subject to disciplinary action or discharge.
- e. Any employee convicted of a drug offense, who fails to report the conviction as required by the above, will be:
 - i. terminated from employment.
 - ii. forever barred from future employment with Seneca County.
 - iii. held civilly liable for any loss of federal funds resulting from the failure to report the conviction.
- f. If any employee is not in violation under this Drug Free Workplace Policy, but violates an applicable state, federal, municipal, or other law or regulation that prohibits impairment, and if that violation has a sufficient nexus to the employee's job, for example being impaired while operating an agency vehicle, the employee is still subject to disciplinary action and/or discharge.
- g. Training shall be conducted on a regular basis to inform employees of the dangers of drug abuse in the workplace.

OUTSIDE EMPLOYMENT OR ACTIVITIES**SECTION 8.10**

- A. Under no circumstances shall a county employee have other employment or activities which conflict with the objectives, interests, or operation of the county. In addition, an employee shall not become indebted to a second employer whose interests might be in conflict or might be perceived to be in conflict with those of the county. Full-time employment by the county shall be considered the employee's primary occupation, taking precedence over all other occupations.
- B. Two (2) common conflicts which may arise are:
1. Time Conflict: when the hours devoted outside the employment or activities directly conflict with the scheduled working hours of an employee's job with the county; or when the demands of outside employment or activities prohibit adequate rest, thereby adversely affecting the quality standard of the employee's job performance with the county.
 2. Interest Conflict: when an employee engages in outside employment or activities which tend to compromise his/her judgment, actions, or job performance with the county.
- C. Should the county feel that an employee's outside employment or activities are adversely affecting the employee's job performance with the county, the appointing authority may recommend, but may not demand, that the employee resign from the other employment or refrain from such activity. Any conflict, policy infraction, or other offense which is the direct or indirect result of an employee's participation in outside employment or activities will subject the employee to discipline or discharge, in accordance with the policies set forth in this manual.

DRESS CODE AND DECORUM**SECTION 8.11**

- A. Personal neatness and cleanliness are important as the public gains first impressions from the appearance and actions of employees. Good judgment in dress and grooming is expected of all employees. Employees with questions relating to the dress or personal grooming code should contact the appointing authority.
- B. Shirts and appropriate shoes must be worn at all times while on duty.
- C. Clothing must be conducive to the safe and effective performance of required job duties.
- D. The appointing authority will have full authority to determine if the dress, grooming or cleanliness of an employee is acceptable and apply any reasonable corrective action.

SOLICITATION / DISTRIBUTIONS**SECTION 8.12**

- A. Non-Employees: In order to maintain a productive, safe, and secure working environment, it is the policy of the county to prohibit all solicitation and distribution activities by non-employees on county premises.

Any violation of this policy should be reported to the supervisor or appointing authority immediately. Violators who refuse to leave shall be subject to removal from the county premises and/or legal action.

- B. Employees: In order to maintain a productive and appropriate working environment, the county must limit solicitation and distribution activities by employees.

Employees are prohibited from soliciting for any purpose or cause during their own working time, or that of any employee solicited. Employees may engage in solicitation activities during their non-working time, in non-work areas, such as before scheduled workday begins, or during the lunch period or authorized break times.

Any violation of this policy shall be subject to disciplinary action in accordance with policy.

BULLETIN BOARDS**SECTION 8.13**

- A. Bulletin boards will be used as a means of communicating information to employees.
- B. All county, federal, and state required notices will be posted in an area visible to all employees.
- C. Information of a general interest may be posted if the information does not contain the following:
1. Personal attacks of any nature.
 2. Comments regarding candidates for public office.
- D. The following procedures will be followed concerning the posting of any materials on the county's bulletin boards:
1. All requests to have materials posted will be in writing, and will contain the name of the person or group requesting to post the material, a copy of the material to be posted, and the requested period of time the material is to be posted.
 2. No material will be posted for a period of time that is longer than fourteen (14) calendar days.
 3. At the end of the fourteen (14) day period or the specified time, whichever is the lesser, posted material will be removed.

- E. Any material posted in violation of this policy will be removed.

POLITICAL ACTIVITY**SECTION 8.14**

Certain specific political activities are legally permitted or prohibited to all classified employees, including classified employees on authorized leave of absence from their positions. Unclassified employees are substantially less restricted, except those unclassified employees subject to Federal Merit Standards. Employees who are subject to Federal Merit Standards are generally those paid with federal funds distributed directly or by the state of Ohio.

All employees are encouraged to exercise their constitutional rights to vote. References in this policy to politics and political activity refer to partisan activities, campaigns, and elections involving primaries, partisan ballots, or partisan candidates. The following are examples, but the lists are not necessarily all-inclusive:

A. Activities Permitted to Classified Employees and Unclassified Employees Subject to Federal Merit Standards:

1. Registering and voting.
2. Expressing opinions, either orally or in writing.
3. Voluntarily contributing financially to political candidates or organizations.
4. Circulating nonpartisan petitions or petitions stating views on legislation, not on work time.
5. Attending political rallies - employees may attend political rallies that are open to the general public.
6. Signing nominating petitions in support of individuals.
7. Displaying political materials in the employee's home, or on the employee's property.
8. Wearing political badges or buttons, or displaying political stickers on private vehicles.
9. Serving as a precinct election official in accordance with O.R.C. 3501.22 and 124.57.

B. Activities Prohibited to Classified Employees and Unclassified Employees Subject to Federal Merit Standards:

1. Participating as a candidate for public office in a partisan election.

2. Participating as a candidate in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary, or through the circulation of nominating petitions identified with a political party.
 3. Filing petitions meeting statutory requirements for partisan candidacy to elective office.
 4. Circulating official nominating petitions for any candidate participating in a partisan election.
 5. Holding an elected or appointed office in any partisan political organization.
 6. Accepting party-sponsored appointment to any office normally filled by partisan election.
 7. Campaigning by writing for publications, by distributing political material, or by making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success.
 8. Soliciting, either directly or indirectly, any assessment, contribution, or subscription, either monetary or in-kind, for any political party or political candidate.
 9. Soliciting the sale of or selling political party tickets, materials, or other political matter.
 10. Engaging in partisan activities at the election polls, such as soliciting votes for other than nonpartisan candidates and nonpartisan issues.
 11. Serve as, witness or challenger, for any party or partisan committee.
 12. Engaging in political caucuses of a partisan nature.
 13. Participating in a political action committee which supports partisan activity.
- C. Activities Prohibited to All Employees (Including Unclassified Employees Not Subject to Federal Merit Standards):
1. Soliciting a contribution from any person.
 2. Soliciting a contribution while the soliciting employee is in those areas of a public building where official business is transacted or conducted.
 3. Soliciting a contribution from a public employee while that employee is performing his/her official duties.
 4. Soliciting a contribution from a public employee while that employee is in those areas of a public building where public business is transacted.

5. Coercing, intimidating, or causing harm to another person or threatening to do so, because that person makes, or does not make, a contribution to a candidate, campaign committee, political party, legislative campaign fund, or political action committee.
6. Knowingly soliciting a contribution at the direction of, or with the authorization of a county elected officer or his/her campaign committee from:
 - a. An employee whose department is the county elected officer.
 - b. A county employee whose department is authorized or required by law to be appointed by the county elected officer.
 - c. A county employee who functions in, or is employed in or by the same public department, department, division, or office as the county elected officer.
7. Knowingly soliciting a contribution at the direction of, or with authorization of a candidate for county elected officer, or his/her campaign committee from:
 - a. A county employee whose department will be the candidate, if elected.
 - b. A county employee whose department will be appointed by the candidate, if elected.
 - c. A county employee who will function in, or be employed in or by the same public agency, department, division, or office as the candidate, if elected.

MEDIA RELATIONS**SECTION 8.15**

- A. The appointing authority is the official county spokesperson. Media inquiries regarding policy, programs, events, services, or the county's position on issues should be forwarded to the appointing authority.
- B. Whenever an employee is contacted directly to be interviewed by the media on a subject within his/her particular area of expertise, the appointing authority should be made aware, and given the opportunity to lend guidance as needed.
- C. Employee-generated press releases must be approved by the appointing authority prior to distribution.

**NETWORK/INTERNET/ELECTRONIC MAIL, AND
ONLINE SERVICES POLICY****SECTION 8.16**

The use of the network, Internet, electronic mail (hereinafter e-mail), and online services have the potential to be great resources to increase productivity for Seneca County employees. This policy applies to the use of such services on both computers and wireless devices (e.g., Smartphones, iPhones, BlackBerrys, etc.). However, employees shall be held accountable for their use and misuse. The Seneca County email system shall not be used for the creation or distribution of any disruptive or offensive messages, including offensive comments about race, gender, hair color, disabilities, age, sexual orientation, pornographic, religious beliefs and practice, political beliefs, or national origin. Employees who receive any emails with this content from any Seneca County employee should report the matter to their supervisor immediately.

Access to the network, Internet, e-mail, and online services will be with the permission of the director or designee. Generally, all activities of the network, Internet, e-mail, and online services shall be work-related. It is important to remember that an employee's e-mail address provides an easy way to discover if they are using governmental resources for inappropriate purpose. Using a reasonable amount of Seneca County resources for personal emails is acceptable, but non-work related email shall be saved in a separate folder from work related email. Sending chain letters or joke emails from a Seneca County email account is prohibited. Virus or other malware warnings and mass mailings from Seneca County shall be approved by Seneca County IT Director before sending. These restrictions also apply to the forwarding of email received by a Seneca County employee.

Seneca County employees are required to use appropriate log-on procedures and passwords to maintain security. Employees shall not allow any unauthorized person or employee access to network, Internet, e-mail, and online services unless directed to do so by their supervisor, administrator, or director.

Seneca County employees shall not load any personally-owned software or software not licensed to the county or any county-owned equipment. Seneca County employees shall only download professional work-related materials. Seneca County employees shall not use the network, Internet, e-mail, and online services for the purposes of operating a business for personal gain, sending chain letters, or soliciting money for religious or political organizations or causes, or any reasons unrelated to the business of the Seneca County. If an employee brings his/her personal computer to work, it shall meet the County's security standards and any such use shall not negatively impact the work day.

Seneca County employees shall not use the network, Internet, e-mail, and online services in a manner that would violate any federal, state, or local laws. Seneca County employees shall not distribute or print copyrighted materials, which include articles and software, in violation of the copyright laws. Seneca County employees shall not use the network, Internet, e-mail, and online services to view, transmit/distribute, download, or print items displaying obscene materials, pornography, non-forensic nudity, non-forensic sexually explicit content; or non-forensic items that are racist, sexist, or harassing in a sexual or religious manner; or any animation of these items. Seneca County employees shall communicate in a professional manner that will reflect positively on them, Seneca County, and the State.

Seneca County employees shall not transmit confidential case files or other confidential information through the network, Internet, e-mail, and online services.

Seneca County employee electronic records may be public records and employee work product; therefore, there is no expectation of privacy. Employee records and files are subject to inspection for such reasons as system maintenance, general inspection with or without notice, if there is reasonable suspicion of inappropriate use, or in the event of a public records request. Access to employees' records shall be authorized by the appointing authority or designee.

Seneca County employees violating these procedures may be subject to disciplinary action, up to and including termination of employment.

EMAIL RETENTION POLICY**SECTION 8.17**

- A. The Email Retention Policy is intended to help employees determine what information sent or received by email should be retained and for how long.

The information covered in these guidelines includes, but is not limited to, information that is either stored or shared via electronic mail or instant messaging technologies. All employees should familiarize themselves with the email retention topic areas that follow this introduction. Questions about the proper classification of a specific piece of information should be addressed to your manager. Questions about these guidelines should be addressed to the Commissioners' Office.

- B. This email retention policy is secondary to Seneca County policy on Freedom of Information and Business Record Keeping. Any email that contains information in the scope of the Business Record Keeping policy should be treated in that manner. All Seneca County email information is categorized into four (4) main classifications with retention guidelines:

1. Administrative Correspondence (4 years)
2. Fiscal Correspondence (4 years)
3. General Correspondence (1 year)
4. Ephemeral Correspondence (Retain until read, destroy)

Administrative Correspondence

Seneca County Administrative Correspondence includes, though is not limited to, clarification of established County policy, including holidays, time card information, dress code, work place behavior, and any legal issues such as intellectual property violations. All email with the information sensitivity label Management Only shall be treated as Administrative Correspondence. To ensure Administrative Correspondence is retained, a mailbox retain-admin@seneca-county.com has been created; if you copy (cc) this address when you send email, retention will be administered by the IT Department.

Fiscal Correspondence

Seneca County Fiscal Correspondence is all information related to revenue and expense for the County. To ensure Fiscal Correspondence is retained, a mailbox retain-fiscal@seneca-county.com has been created; if you copy (cc) this address when you send email, retention will be administered by the IT Department.

General Correspondence

Seneca County General Correspondence covers information that relates to customer interaction and the operational decisions of the business. The individual employee is responsible for email retention of General Correspondence.

Ephemeral Correspondence

Seneca County Ephemeral Correspondence is by far the largest category and includes personal email, requests for recommendations or review, email related to product development, updates, and status reports.

C. Instant Messenger Correspondence

Seneca County Instant Messenger General Correspondence may be saved with logging function of Instant Messenger, or copied into a file and saved. Instant Messenger conversations that are Administrative or Fiscal in nature should be copied into an email message and sent to the appropriate email retention address.

1. Encrypted Communications — Seneca County encrypted communications should be stored in a manner consistent with Seneca County Information Sensitivity Policy, but in general, information should be stored in a decrypted format.
2. Recovering Deleted Email via Backup Media — Seneca County departments should maintain their own backup of data from their respective email server if kept in-house and once a quarter a set of tapes is taken out of the rotation and they are moved offsite. No effort will be made to remove email from the offsite backup tapes.

D. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

E. DEFINITIONS

Approved Electronic Mail — Includes all mail systems supported by the IT Support Team. If you have a business need to use other mailers, contact the appropriate support organization.

Approved Encrypted Email and Files — Techniques include the use of DES and PGP. DES encryption is available via many different public domain packages on all platforms. PGP use within Seneca County is done via a license. Please contact the appropriate support organization if you require a license.

Approved Instant Messenger — The Jabber Secure IM Client is the only IM that is approved for use on Seneca County computers.

Individual Access Controls — Individual Access Controls are methods of electronically protecting files from being accessed by people other than those specifically designated by the owner. On UNIX machines, this is accomplished by careful use of the *chmod* command (use *man chmod* to find out more about it). On Mac's and PC's, this includes using passwords on screensavers, such as Disklock.

Insecure Internet Links — Insecure Internet Links are all network links that originate from a locale or travel over lines that are not totally under the control of Seneca County.

Encryption — Secure Seneca County Sensitive information in accordance with the *Acceptable Encryption Policy*. International issues regarding encryption are complex. Follow County guidelines on export controls on cryptography, and consult your manager and/or IT for further guidance.

COMPUTER PASSWORD POLICY**SECTION 8.18**

- A. Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in the compromise of Seneca County's entire network. As such, all Seneca County employees (including contractors and vendors with access to Seneca County systems) are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords. The purpose of this policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change. The scope of this policy includes all personnel who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any Seneca County facility, has access to the Seneca County network, or stores an non-public information, and the following applies:
1. All system-level passwords (e.g., root, enable, NT admin, application administration accounts, etc.) must be changed on at least a quarterly basis.
 2. All user-level passwords (e.g., email, web, desktop computer, etc.) must be changed at least every six (6) months. The recommended change interval is every three (3) months.
 3. User accounts that have system-level privileges granted through group memberships or program such as "sudo" must have a unique password from all other accounts held by that user.
 4. Passwords must not be inserted into email messages or other forms of electronic communication.

5. Where SNMP is used, the community strings must be defined as something other than the standard defaults of “public,” “private,” and “system” and must be different from the passwords used to log in interactively. A keyed hash must be used where available (e.g., SNMPv2).
6. All user-level and system-level passwords must conform to the guidelines described below.

B. General Password Construction Guidelines

Passwords are used for various purposes at Seneca County. Some of the more common uses include: user level accounts, web accounts, email accounts, screen saver protection, voicemail password, and local router logins. Since very few systems have support for one-time tokens (i.e., dynamic passwords which are only used once), everyone should be aware of how to select strong passwords.

Poor, weak passwords have the following characteristics:

- The password contains less than 15 characters
- The password is a word found in a dictionary (English or foreign)
- The password is a common usage word such as:
 - Names of family, pets, friends, coworkers, fantasy characters, etc.
 - Computer terms and names, commands, sites, companies, hardware, software
 - The words “Seneca County,” “sanjose,” “sanfran,” or any derivation
 - Birthdays and other personal information such as addresses and phone numbers
 - Words or number patterns like aaabbb, qwerty, zyxwvults, 123321, etc.
 - Any of the above spelled backwards
 - Any of the above preceded or followed by a digit (e.g., secret1, 1 secret)

Strong passwords have the following characteristics:

- Contain both upper and lower case characters (e.g., a-z, A-Z)
- Have digits and punctuation characters as well as letters (e.g., 0-9, !@#\$%^&*()+|-~+\`{}[]:”<>?.,/))
- Are at least 15 alphanumeric characters long and is a passphrase (e.g., ohmy1stubbedmyt0e)
- Are not a word in any language, slang, dialect, jargon, etc.
- Are not based on personal information, names of family, etc.
- Passwords should never be written down or stored online. Try to create passwords that can be easily remembered. One way to do this is to create a password based on a song title, affirmation, or other phrase. For example, the phrase might be: “This May Be One Way to Remember” and the password could be “TMB1w2R!) or “Tmb1W>r~” or some other variation

Note: Do not use these examples as passwords!

C. Password Protection Standards

Do not use the same password for Seneca County accounts as for other non-Seneca County access (e.g., personal ISP account, option trading, benefits, etc.). Where possible, don't use the same password for various Seneca County access needs. For example, select one (1) password for the Engineering systems and a separate password for IT systems. Also, select a separate password to be used for an NT account and a UNIX account.

Do not share Seneca County passwords with anyone, including administrative assistants or secretaries. All passwords are to be treated as sensitive, Confidential Seneca County information.

Here is a list of "don'ts":

- Don't reveal a password over the phone to ANYONE
- Don't reveal a password in an email message
- Don't reveal
- Don't talk about a password in front of others
- Don't hint at the format of a password (e.g., "my family name")
- Don't reveal a password on questionnaires or security forms
- Don't share a password with family members
- Don't reveal a password to coworkers while on vacation

If someone demands a password, refer them to this document or have them call someone in the Information Technology Department.

Do not use the "Remember Password" feature of applications (e.g., Eudora, Outlook, Internet Explorer, Chrome).

Again, do not write passwords down and store them anywhere in your office. Do not store passwords in a file on ANY computer system (including smart phones or similar devices) without encryption.

Change passwords at least once every six (6) months (except system-level passwords which must be changed quarterly. The recommended change interval is every four (4) months.

If an account or password is suspected to have been compromised, report the incident to IT and change all passwords.

Password cracking or guessing may be performed on a periodic or random basis by InfoSec or its delegates. If a password is guess or cracked during one of these scans, the user will be required to change it.

D. Application Development Standards

Application developers must ensure their programs contain the following security precautions.

Applications:

- Should support authentication of individual users, not groups
- Should not store passwords in clear text or in any easily reversible form
- Should provide for some sort of role management, such that one user can take over the functions of another without having to know the other's password

E. Use of Passwords and Passphrases for Remote Access Users

Access to the Seneca County Networks via remote access is to be controlled using either a one-time password authentication or a public/private key system with a strong passphrase.

Passphrases are generally used for public/private key authentication. A public/private key system defines a mathematical relationship between the public key that is known by all, and the private key, that is known only to the user. Without the passphrase to “unlock” the private key, the user cannot gain access.

Passphrases are not the same as passwords. A passphrase is a longer version of a password and is, therefore, more secure. A passphrase is typically composed of multiple words. Because of this, a passphrase is more secure against “dictionary attacks.”

A good passphrase is relatively long and contains a combination of upper and lowercase letters and numeric and punctuation characters. An example of a good passphrase:

“The*?#>*@TrafficOnThe101Was*&#!#ThisMorning”

All of the rules above that apply to passwords apply to passphrases.

F. Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

ACCEPTABLE USE POLICY

SECTION 8.19

- A. Seneca County's intentions for publishing an Acceptable Use Policy are not to impose restrictions that are contrary to Seneca County's established culture of openness, trust, and integrity. Seneca County is committed to protecting Seneca County's employees, partners, and the County from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP, are the property of Seneca County. These systems are to be used for business purposes in serving the interests of the County, and of our clients and customers in the course of normal operations. Please review Human Resources policies for further details.

Effective security is a team effort involving the participation and support every Seneca County employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

- B. The purpose of this policy is to outline the acceptable use of computer equipment at Seneca County. These rules are in place to protect the employee and Seneca County. Inappropriate use exposes Seneca County to risks including virus attacks, compromise of network systems and services, and legal issues.

This policy applies to employees, contractors, consultants, temporaries, and other workers at Seneca County, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by Seneca County.

C. General Use and Ownership

1. While Seneca County's network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the County's systems remains the property of Seneca County. Because of the need to protect Seneca County's network, management cannot guarantee the confidentiality of information stored on any network device belonging to Seneca County.
2. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet/Intranet/Extranet systems. In the absence of such policies, employees should be guided by departmental policies on personal use, and if there is any uncertainty, employees should consult their supervisor or manager.
3. Seneca County recommends that any information that users consider sensitive or vulnerable be encrypted. For guidelines on information classification, see Seneca County's Information Sensitivity Policy. For guidelines on encrypting email and documents, go to Seneca County's Awareness Initiative.
4. For security and network maintenance purposes, authorized individuals within Seneca County may monitor equipment, systems, and network traffic at any time, per Seneca County's Audit Policy.
5. Seneca County reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

D. Security and Proprietary Information

1. The user interface for information contained on Internet/Intranet/Extranet-related systems should be classified as either a public record or not.
2. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System level passwords should be changed quarterly; user level passwords should be changed every six (6) months.
3. All PC's, laptops, and workstations should be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by logging-off (CTRL+ALT+DEL for Windows users) when the host will be unattended.
4. Use encryption of information in compliance with Seneca County's Acceptable Encryption Use Policy.
5. Because information contained on portable computers is especially vulnerable, special care should be exercised. Protect laptops in accordance with the "Laptop Security Tips."
6. Postings by employees from a Seneca County email address to newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of Seneca County, unless posting is in the course of business duties.
7. All hosts used by the employee that are connected to the Seneca County Internet/Intranet/Extranet, whether owned by the employee or Seneca County, shall be continually executing approved virus-scanning software with a current virus database unless overridden by departmental or group policy.
8. Employees must use extreme caution when opening email attachments received from unknown senders, which may contain viruses, email bombs, or Trojan horse coding.

E. Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host).

Under no circumstances is an employee of Seneca County authorized to engage in any activity that is illegal under local, state, federal, or international law while utilizing Seneca County-owned resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use; and the following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent, or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of “pirated” or other software products that are not appropriately licensed for use by Seneca County.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted course, copyrighted music, and the installation of any copyrighted software for which Seneca County or the end user does not have an active license is strictly prohibited.
3. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
4. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, email bombs, etc.).
5. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
6. Using a Seneca County computing asset to actively engage in procuring or transmitting materials that is in violation of sexual harassment or hostile workplace laws in the user’s local jurisdiction.
7. Making fraudulent offers of products, items, or services originating from any Seneca County account.
8. Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, “disruption” includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
10. Port scanning or security scanning is expressly prohibited unless prior notification to Seneca County is made.

11. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
12. Circumventing user authentication or security of any host, network, or account.
13. Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
14. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
15. Providing information about, or lists of, Seneca County employees to parties outside Seneca County.
16. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
17. Any form of harassment via email, telephone, or paging, whether through language, frequency, or size of messages.
18. Unauthorized use, or forging, of email header information.
19. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
20. Creating or forwarding "chain letters," "Ponzi," or other "pyramid" schemes of any type.
21. Use of unsolicited email originating from within Seneca County's networks or other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by Seneca County or connected via Seneca County's network.
22. Posting the same or similar non-business messages to large numbers of Usenet newsgroups (newsgroup spam).
23. Blogging and social media (Facebook, Twitter, Instagram, Pinterest, etc.) use by employees, whether using Seneca County's property and systems or personal computer systems, is also subject to the terms and restrictions set forth in this Policy. Limited and occasional use of Seneca County's systems to engage in blogging is acceptable, provided that it is done in a professional and responsible manner, does not otherwise violate Seneca County's policy, is not detrimental to Seneca County's best interests, and does not interfere with an employee's regular work duties. Blogging from Seneca County's systems is also subject to monitoring.

24. Seneca County's Confidential Information policy also applies to blogging and any form of "social media." As such, employees are prohibited from revealing any County confidential or proprietary information or any other material covered by the County's Confidential Information policy when engaged in blogging.
25. Employees shall not engage in any blogging or social media that may harm or tarnish the image, reputation, and/or goodwill of Seneca County and/or any of its employees. Employees are also prohibited from making any discriminatory, disparaging, defamatory, or harassing comments when blogging or posting on social media or otherwise engaging in any conduct prohibited by Seneca County's Non-Discrimination and Anti-Harassment policy.
26. Employees may also not attribute personal statements, opinions, or beliefs to Seneca County when engaged in blogging or social media use. If an employee is expressing his or her beliefs and/or opinions in blogs or other online locations, the employee may not, expressly or implicitly, represent themselves as an employee or representative of Seneca County. Employees assume any and all risk associated with blogging.
27. Apart from following all laws pertaining to the handling and disclosure of copyrighted or export controlled materials, Seneca County's trademarks, logos, and any other Seneca County intellectual property may also not be used in connection with any blogging or social media activity.

F. Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

VIRUS PROTECTION AND PATCH MANAGEMENT POLICY

SECTION 8.20

- A. The purpose of this policy is to ensure the integrity, reliability, and good performance of Seneca County computing resources through the effective and efficient prevention of computer virus outbreaks and network security attacks involving computer and file servers attached to the Seneca County Network by the implementation of proactive, centrally administered virus protection and Operating System patch management.

Virus protection is most effective if every computer and file server on the Seneca County network has anti-virus software installed and is configured to receive updates from a centrally located anti-virus management console or server. Operating system updates are most effective if every computer and file server on the Seneca County network is configured to receive tested and proven stable operating system updates from a centrally located patch-management server or cloud management console. In order to maintain full effectiveness of both anti-virus software and operating system patch management services, it is essential that both systems be in place, kept current, and centrally administered.

The policy applies to all Microsoft Windows computers owned or operated by Seneca County, to all Windows computers not owned or operated by the County but are present on Seneca County premises, and to Windows-based computers that remotely access the County's internal network.

- B. The County has other policies that may address specific areas of information security including policies on Security, Internet use, Email use, and portable computing. Individual departments may have additional policies that also address information security issues. These policies are cumulative and in the event of conflict, the policies providing the County with the greatest level of security apply.

IT will make available and maintain anti-virus software that will be run on all computers and file servers connected to the Seneca County network. All computers and file servers connected to the Seneca County network must be configured to receive updates from centrally administered resources. IT will provide and maintain Microsoft operating system patches and updates. All computers and file servers connected to the Seneca County network running a Microsoft Windows operating system must be configured to receive updates and patches from centrally administered resources. In the event a computer virus threatens Seneca County computing resources or can exploit a Microsoft operating system vulnerability, IT will work with the department head to administer virus file updates and/or Microsoft operating system patches to all computers and file servers attached to the County network.

- C. The principal purpose of this Countywide computer virus protection and patch management policy is the effective and efficient prevention of network virus outbreaks and network security attacks involving computers and file servers attached to the Seneca County network.

This policy is intended to ensure:

1. The integrity, reliability, and good performance of Seneca County computing resources.
 2. That the centrally provided anti-virus software is run on all Seneca County computing resources attached to the County network and is configured in accordance with this policy.
 3. That all Microsoft operating systems are configured to receive updates from the centrally located patch management server.
 4. That appropriate measures are in place to reasonably assure compliance with this policy.
- D. The Director of Information Services is responsible for monitoring network activity and initiating appropriate action to prevent and/or control computer virus infections. The Director of Information Services or his/her designee shall be the chairperson of the County-wide Computer Security Team.

County department heads have the responsibility of insuring that all computers and fileservers under departmental control are configured in compliance with this policy and thereafter disconnecting any computer or fileserver from the network known to be out of compliance with this policy.

GAMBLING**SECTION 8.21**

The county does not permit gambling in any form by county employees during work time. For the purpose of this policy, work time includes regular working hours, lunch periods, clean-up time and other breaks.

SMOKE FREE ENVIRONMENT**SECTION 8.22**

- A. Generally: This policy has been enacted in order to comply with R.C. Section 3794.02 as enacted December 7, 2006.
- B. Smoking is prohibited in all public places and places of employment including areas immediately adjacent to building entrances and exits.
1. Public Place: A public place is any enclosed area to which the public is invited or permitted.
 2. Place of Employment: A place of employment is an enclosed area under the control of the employer that employees use for work or any other purpose including, but not limited to, offices, meeting rooms, sales, production and storage areas, restrooms, stairways, hallways, warehouses, garages, and vehicles.
 3. Enclosed Area: An area with a roof or other overhead covering of any kind, and walls or side coverings of any kind, regardless of the presence of openings for ingress and egress, on all sides, or on all sides but one.
 4. Employee: An employee is defined as an individual who provides services to an employer for compensation, or for no compensation.
 5. Smoking: Inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted smoking device for burning tobacco or any other plant.
- C. Smoking and the use of e-cigarettes is permitted in designated areas provided by the employer. Such areas will be provided in compliance with applicable law, and shall ensure that smoke does not enter the place of employment.
- D. Smoking and the use of e-cigarettes is prohibited in all employer vehicles.
- E. While not regulated by Section 3794 of the Ohio Revised Code, the use of e-cigarettes is also prohibited in all places of employment, enclosed areas, and public places including areas immediately adjacent to building entrances and exits.

F. Rights and Responsibilities of Employees:

1. Employees are expected to comply with this policy and the applicable law.
2. In the resolution of any dispute arising under this policy, the compliance with the law and the protection of the health of the non-smoking parties shall be given preference over the smoker's desire to smoke.
3. In the event that an individual is found in violation of this policy, and the employer is fined or penalized, the employee will be subject to appropriate discipline.
4. No employee or applicant for employment shall be discharged, refused employment, or in any manner discriminated against because such employee or applicant exercises the rights afforded him/her under this policy.

G. Responsibilities of the Employer:

1. Signs will be conspicuously posted where smoking is prohibited including each entrance to the place of employment. Each sign will contain a telephone number to report smoking violations, and be of sufficient size to be clearly legible to a person of normal vision.
2. Designated smoking areas will be established in unenclosed areas away from the building entrances, and such locations will be clearly communicated to employees.
3. Ashtrays will be removed from all places of employment.
4. The employer disciplinary procedure will be exercised when an employee refuses to comply with this policy.

WORKPLACE VIOLENCE**SECTION 8.23**

- A. The safety and security of employees, clients, contractors, and the general public are of vital importance to the Seneca County Commissioners (hereinafter "employer"). 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 as well as possible legal action.
- B. The purpose of this policy is to provide guidance to employees of Seneca County should they encounter a situation that they believe is, or could result in an act of violence.
- C. The word "violence" in this policy shall mean an act or behavior that:

1. Is physically assaultive.
2. 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).
3. Consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of another.
4. Would be interpreted by a reasonable person as carrying a potential for physical harm to the person.
5. A reasonable person would perceive as intimidating or menacing.
6. Involves carrying or displaying any dangerous weapon(s), destroying property, or throwing objects in a manner reasonably perceived to be threatening.
7. Consists of a communicated or reasonably perceived threat to destroy property.

D. The employer prohibits the following:

1. Any act or threat of violence by an employee against another person's life, health, well-being, or property.
2. Any act or threat of violence, including but not limited to, intimidation, harassment, or coercion.
3. Any act or threat of violence which endangers the safety of employees, clients, contractors, or the general public.
4. Any act or threat of violence made directly or indirectly by words, gestures, or symbols.
5. Use or possession of any dangerous weapon(s) on county-owned, rented, leased or controlled property, in county-owned vehicles, or any personal vehicle which is used for county business, or is parked on county-owned, rented, leased or controlled property; or any area associated with county employment except as hereinafter provided.
6. EXCEPTIONS: INDIVIDUALS MAY POSSESS A FIREARM ON COUNTY-OWNED, RENTED, LEASED OR CONTROLLED PROPERTY IF THE INDIVIDUAL IS ENGAGED IN THE CAPACITY OF A LAW ENFORCEMENT OFFICER OR OTHER COMPARABLE CAPACITY AND IS ENGAGED IN LEGAL LAW ENFORCEMENT ACTIVITIES.

E. The most common situations where workplace violence is likely to occur are as follows:

DEALING WITH THE PUBLIC: Violent situations could occur in employee contact with the public. While the employer has a strong commitment to client service, we do not intend for employees to be subjected to verbal or physical abuse by the client.

ON-THE-JOB: Situations may occur where relationships between employees or between an employee and a supervisor could result in strong negative feelings by the individuals involved.

OFF-THE-JOB: The employer prohibits any act of violence by an employee towards any other employee while off-duty. An employee could also become involved in a personal non-criminal dispute with a co-worker, family member, or neighbor during the employee's non-working hours. If such a 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.

- F. A dangerous weapon is described as:
1. A loaded or unloaded firearm.
 2. Any dangerous ordnance, device, electronic stun weapon, chemical substance, or any other object or material as defined in O.R.C. 2923.11, that in the manner it is used, or could be used, or is intended to be used, is readily capable of causing serious bodily injury.
- G. Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on county-owned, rented, leased, or otherwise controlled 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 employer 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.
- H. It is a requirement that all employees report, in accordance with this policy, any behavior that compromises the employer'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, employees should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job-related or might be carried out on county-owned, rented, leased, or otherwise controlled property, or is associated with county employment of any kind.
- I. All incidents of suspected or potential violence should be reported to the employee's immediate supervisor, department head, division director, or other appropriate authority. 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.
- J. **RESPONSIBILITIES:** Supervisors, department heads, division directors, and other appropriate authorities 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 any county employee(s).
- K. When any actual, potential, or suspected incident of violence is brought to the attention of a supervisor, department head, division director, or any other appropriate authority, such individual shall evaluate the severity of the situation immediately, and have the

individual reporting the incident fill out an occurrence report. If it is concluded that an actual act of violence has occurred, or if there is a likelihood that violence could result, the department head or designee shall:

1. Discuss the situation with the employee(s) and attempt to find out what caused the situation.
 2. Determine what action is to be taken to prevent the situation from occurring again. Such actions may include, but not be limited to:
 - a. Assigning a different employee to the area or job.
 - b. Talking with the disgruntled client or employee(s).
 - c. Discussing the incident and offering suggestions for appropriate actions.
 - d. Referring the affected employee(s) to professional help or counseling.
 - e. Disciplining the employee(s), up to and including termination of employment.
- L. 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 their department head and/or division director, as well as the division of human resources and/or the Board of County Commissioners a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

THIS POLICY SHALL NOT BE CONSTRUED TO CREATE ANY DUTY OR OBLIGATION ON THE PART OF ANY SENECA COUNTY DEPARTMENT OR ELECTED OFFICIAL TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW

CONCEALED CARRY**SECTION 8.24**

The Board of Seneca County Commissioners (hereinafter "employer") is committed to providing its employees a work environment that is safe and secure. This commitment includes prohibiting employees from possessing or having under their control any dangerous weapon(s) while conducting county business or on county property unless specifically authorized by the employee's appointing authority. A dangerous weapon includes, but is not limited to any firearm (loaded or unloaded), as well as any dangerous ordnance, device, electronic stun weapon, chemical substance, or any other object or material as defined in O.R.C. 2923.11, that in the manner it is used, or could be used, or is intended to be used, is readily capable of causing serious bodily injury.

This prohibition against unauthorized weapons applies to all employees including, but not limited to, permanent employees, contract and temporary workers, consultants, college interns, student help, volunteers and/or anyone else conducting business on county-owned, rented, leased, or otherwise controlled property. Violations will be subject to legal action as appropriate. Violations of this policy by an employee may lead to disciplinary action, up to and

including termination of employment in accordance with the applicable law, rule, or collective bargaining agreement.

This policy is not intended to restrict individuals with a valid concealed handgun license from transporting or storing a firearm or ammunition inside the person's privately owned vehicle in accordance with Ohio Revised Code 2923.126 and 2923.1210. However, the County shall be immune from liability for any injury, death, or loss to person or property that was caused by or related to a licensee bringing a handgun onto the premises or property of the County.

- A. Carrying a concealed weapon is not part of anyone's job responsibility (except law enforcement officers....); and such activity does not "arise in the course or scope of employment."
- B. More specifically, the employer prohibits employees and officials of Seneca County, other than law enforcement officers, from engaging in the following activities:
 - 1. Carrying any dangerous weapon(s) on their person while on county-owned, rented, leased, or otherwise controlled property, whether or not licensed to do so (For those employees who leave the employer's facility and travel to perform county business, these employees shall not carry any dangerous weapon(s) on their person, in their vehicle, or in the county/employer's vehicle).
 - 2. Possessing or storing any dangerous weapon(s) in any building, portion of a building, structure, or any other area owned, rented, leased, or otherwise controlled by the county.
 - 3. Displaying any dangerous weapon(s) while on duty. Should an employee display a dangerous weapon in any building, portion of building, structure, parking lot or any other area owned, rented, leased, or otherwise controlled by the county, such action will be considered a threat, and will be prosecuted accordingly.
 - 4. Carrying or displaying any dangerous weapon(s) on county-owned, rented, leased, or otherwise controlled property while on strike or picketing.
 - 5. Displaying an empty handgun holster on their person while on county-owned, rented, leased, or otherwise controlled property whether on or off duty.

ENGAGEMENT IN ANY OF THE ABOVE LISTED ACTIVITIES IS GROUNDS FOR IMMEDIATE TERMINATION OF EMPLOYMENT

- C. The employer also prohibits non-employees from knowingly possessing, having under the person's control, conveying or attempting to convey any dangerous weapon(s) or holster onto county-owned, rented, leased, or otherwise controlled property unless otherwise authorized by law.
- D. Effective April 8, 2004, as required by Ohio Revised Code §2923.1212, the following sign (or language substantially similar) will be posted at the entrance of every county-owned building, and at the entrance to the portion of any non-county owned building that is rented, leased, or otherwise controlled by the county:

"Unless otherwise authorized by law, pursuant to the Ohio Revised Code, no person shall knowingly possess, have under the person's control, convey or attempt to convey any dangerous weapon(s) or holster onto these premises. Ohio law does not permit a person with a concealed carry license to carry a concealed weapon into a building that is owned, rented, or leased by the state of Ohio or any political subdivision of the state of Ohio."

- E. Employer reserves the right at any time and at its discretion to search county-owned, rented, or leased vehicles as well as any other vehicles, packages, purses, containers, briefcases, desks, and/or persons entering county-owned, rented, leased, or otherwise controlled property for the purpose of determining whether any dangerous weapon has been, or is being brought onto such county property in violation of this policy. Any employee failing or refusing to promptly permit a search under this policy will be subject to discipline, up to and including termination of employment.
- F. Any employee who witnesses any prohibited activity as defined in this policy shall immediately report such activity to their immediate supervisor, or other designated authority.
- G. If the witnessed activity is a situation that rises to the level of "workplace violence," refer to the workplace violence policies and procedures contained in this manual.

THIS POLICY SHALL NOT BE CONSTRUED TO CREATE ANY DUTY OR OBLIGATION ON THE PART OF ANY SENECA COUNTY DEPARTMENT OR ELECTED OFFICIAL TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW.

CELLULAR PHONE/LAPTOP POLICY

SECTION 8.25

This policy states the official guidelines for acquisition and usage of county-owned cellular equipment. This policy provides the framework for proper usage of county cellular or laptop computer (or tablet) equipment and services. The county of Seneca recognizes that the acquisition of technological advances can provide the county with improved levels of emergency communications.

County cellular or laptop computer (or tablet) equipment is provided to employees who by the nature of their job have a routine and continuing business need for use on official county business. Equipment usage accounts are expected to be set at the minimum level that fulfills the business need. The county expects appropriate and responsible use of county cellular equipment.

Elected/appointed officials, and department heads are expected to ensure that:

- The need for each item of county-owned cellular or laptop computer (or tablet) equipment and each county equipment usage account is clearly justified for county business purposes.
- Alternative solutions for work production and communication have been considered.

- Employees provided with county equipment usage accounts understand the purpose and limitations of usage.
- Equipment usage account billings outlining details of usage are received and reviewed for conformance with this policy.
- Use of a county equipment usage account is terminated when no longer justified by business requirements, or when the employee has by actions demonstrated a disregard for the limitations of this policy.

DEFINITIONS

Base monthly charge: the minimum charge including local usage fees, taxes, franchise fees, and other similar costs for one (1) month of service through an equipment usage account.

Cellular equipment: cellular telephones, wireless telephones which transmit communications via tower antennas, cellular data transmission/receipt equipment, radio-cellular telephones, smartphones, Droids, iPhones, BlackBerrys, etc.

Equipment usage account: a contract or service agreement by a vendor to provide cellular telecommunication service to a specific item of cellular equipment.

Text Messaging: sometimes referred to as “texting;” sending messages via SMS over the wireless network.

A. Determination of Eligibility:

1. It is the responsibility of the elected/appointed officials or the department head to determine the business needs of subordinate employees for cellular equipment.
2. If a subordinate employee is considered to have a routine and continuing business need for cellular equipment, then subject to budgetary limitations, the employee is to be provided with cellular equipment and an equipment usage account by the county.

B. Acquisition and Modification of Cellular Equipment and Cellular Usage Accounts:

1. Cellular equipment and equipment usage accounts are acquired in accordance with the state laws and county regulations governing purchases with public funds. Purchasers should acquire the least costly unit available that serves the business purpose.
2. Eligible employees in consultation with their supervisors will select an equipment usage account. The selected account should be the one that provides a combination of services including number of minutes, coverage, and local call zone most nearly matching the employee’s recurring business needs. At least once annually, the employee’s supervisor is to review the employee’s actual usage

with the employee, and if warranted, select a different equipment usage account which more nearly matches the employee's recurring business needs.

3. The Commissioners will be notified of the selection, name of the primary user of the account, and the elected/appointed official and/or department head will make arrangements with the vendor to establish or modify the equipment usage account. Equipment usage accounts are to be established or modified only by the elected/appointed official and/or department head managers.

C. Usage:

1. County cellular equipment usage accounts are provided for official county business. The county expects appropriate and responsible use. Employees are responsible for understanding and following all policies.
2. All county cellular equipment and equipment usage account statements, invoices, and payment documents may be public records, and as such may be subject to disclosure and review.
3. Cellular equipment is intended for special applications such as purposes of safety, or to assist in the completion of an assigned task. It is not intended to be used for personal convenience. (*De Minimis* use permitted.)
4. The following are unauthorized uses of county cellular equipment:
 - a. Any call for the purpose of personal entertainment, such as 900 numbers or movie links.
 - b. Any call of an obscene, threatening, harassing, or otherwise offensive nature that would be illegal or prohibited as defined by law.
 - c. Any call of unreasonable duration.
5. Elected/appointed officials, department heads or their designees are responsible for confirming that employees comply with the intent of this policy, and any additional policy restrictions imposed.
6. Employees using cellular equipment are expected to be courteous and responsible in the use of the equipment. Employee safety is a priority of the county, and responsible use of cellular equipment includes safe use.
7. Any conduct which violates this policy may result in disciplinary action up to and including dismissal.

- D. Daily Operations: Staff is encouraged to use their cell phone to maintain communications with personnel in the field. Again, such calls should be necessary and kept short to maximize the allotted minutes and prevent unnecessary costs.

1. Lost, stolen, or irreparably damaged cell phones must be replaced at the employee's expense unless waived in writing by the department head and County Commissioners.
 2. The cell phone must be maintained and properly charged at all times.
 3. Employees must be reachable by cell phone when on duty during normal business hours.
 4. All employees must sign a cell phone policy of understanding and an inventory list. Items on the inventory list must be returned at the request of the Commissioners, or on the date the employee's employment status ends with the selected department. Any missing, damaged, or unreturned equipment will be replaced at the employee's expense.
 5. Never use the cell phone or take notes while driving. Employees shall refrain from texting and/or checking e-mail on the cellular equipment while driving an employer-owned vehicle or personal vehicle for county business.
 6. Only use your cell phone when parked, and if your cell phone rings while driving, allow your voicemail to take the message and retrieve the message when you are parked. This may be waived in writing by the appointing authority should the employee use a hands-free device.
 7. There are a multitude of cell phone plans in the Seneca County cell phone policy. Each plan has different time allotments and conditions. It is the EMPLOYEE'S responsibility to understand the features and conditions of his/her particular plan.
 8. Lost or stolen cellular equipment must be reported immediately to the supervisor, who will then take the necessary action to report to the vendor, along with reporting lost or stolen cellular equipment to the commissioner's office.
- E. Payment of county equipment usage accounts: The department will ensure that the vendor provides detailed monthly bills for each equipment usage account. The elected/appointed official and/or department head will review the bills to verify conformance by the employee with his/her policy and validity of the amount being billed.
- F. Employees will not be permitted to add a second line to a county-owned cell phone account for the employee's personal use.
- G. Employees enjoy no expectation of privacy in anything stored, sent, or received on a county-owned cell phone which may be subject to inspection or audit at any time. This includes text messages, emails, internet history, etc.
- H. The county reserves the right to change this policy at any time without notice.

USE OF EMPLOYER PROPRIETARY INFORMATION**SECTION 8.26**

- A. All information obtained by employees in the course of their employment with the employer and all employer data shall be considered confidential and proprietary. Personal information which employees obtain during the normal course of their employment shall not be discussed, nor disclosed to anyone other than those individuals who have a need to know for legitimate business purposes.
- B. In order to protect against inappropriate use of information or data maintained by the employer, all employees are required to comply with the following regulations:
- a. Accessing confidential/proprietary information or data, other than as required for work purposes, is prohibited.
 - b. Removal of information or data from the employer's premises without advance approval is prohibited.
 - c. Discussion of such information with unauthorized persons is prohibited.
- C. Using confidential/proprietary information or employer data for any purpose other than as required to complete assigned work tasks, discussing such confidential/proprietary information or data with anyone other than for work purposes, or removal of such information or data from the employer's premises without authorization, will result in discipline of the employee, including possible removal from employment.
- D. Any employee who has a question regarding the use of confidential/proprietary information or data maintained by the employer should request clarification of the employer's policy before risking a possible violation.

SOCIAL MEDIA**SECTION 8.27**

- A. The purpose behind this policy is to make an employee aware of his or her privacy rights and prohibited conduct with respect to an employee's actions, and its impact on the employer when using social networking sites on and off duty. Moreover, this policy is intended to ensure efficient use of employee time, and to minimize any distraction from an employee's assigned tasks and duties. It will also allow the employer to ensure that employer rules are followed, and all employees are treated fair and consistent.

Employees shall remember they are paid by public funds and the public holds them to a high standard of professionalism. The employer has an overriding interest and expectation in deciding what is "spoken" on behalf of the employer. This policy is not meant to infringe on one's right to free speech, rights under R.C. 4117, or any other protected activity.

- B. Scope: All employees will be subject to and held accountable for any conduct outlined in the Social Media Policy. This policy works in conjunction with other related personnel policies and procedures (e.g., discriminatory harassment).
- C. Consent: An employee's use of such technology constitutes consent to being monitored by the employer.
- D. Social Media refers to the use of websites such as, but not limited to, Facebook, MySpace, Twitter, LinkedIn. For purposes of this policy, Blogs and other internet forums of communication will also be considered incorporated. Nothing in this policy is meant to prohibit access to any website or Blog which may be work-related.
- E. Policy:
1. On Duty Conduct: While at work, an employee may only access social media websites, Blogs and/or other internet forums of communication during non-working time. This includes access from a personal mobile device (e.g., BlackBerry device, Smartphone, iPhone, etc.) during an employee's hours of work.
 2. On/Off Duty Conduct: An employee enjoys no expectation of privacy to information posted into cyberspace even while off duty. This includes anything posted to a social media website, Blog, or other similar internet forum of communication. Although information may be posted to a "private" webpage, the employee should be aware this information can still be accessed by the public and other sources in a number of ways. Because of this, an employee needs to use "common-sense" when posting comments, photos, opinions, or any other information related to his or her employment. This policy is not meant to infringe upon an individual's First Amendment rights; however, the employee should be aware that anything that reflects negatively on the employer or its mission may be used as grounds for discipline up to and including termination. Examples of prohibited conduct include, but are not limited to, the following:
 - a. Posting one's photograph while wearing the employer's uniform (or other similar attire, which could be misidentified as the official uniform).
 - b. Posting pictures, videos, or comments that are insubordinate with respect to the employee's employment.
 - c. Posting pictures, videos, or comments that constitute or could be construed as unlawful behavior.
 - d. Knowingly or recklessly posting false information about the employer, supervisors, coworkers, public officials, or those who have a relationship with the employer. This also includes disparagement of a fictitious character or computer-generated likeness that resembles the above.

- e. Posting, transmitting, or disseminating any pictures or videos of official training, activities, or work-related assignments without the express permission of a supervisor.
 - f. Posting pictures, videos, or comments that are sexual, violent, offensive, harassing, or pornographic in nature along with any reference to the employer or individual's employment.
3. Employees shall not imply they are speaking on behalf of the employer, and shall include a disclaimer when speaking on certain matters affecting the employer or the employee's employment.
 4. Confidential Information – An employee shall not disclose any work-related confidential or proprietary information on any social networking website, Blog, or other internet forum of communication. This can include information that may eventually be obtained through a valid public records request.
 5. Employees should address work-related gripes with the employer and proper designee according to the internal complaint procedure.
 6. Employees found to have violated any part of this policy may be subject to discipline up to and including termination.
 7. Any deviation from the above policy shall be approved by the employer.
 8. Any questions regarding the policy should be directed to the employee's immediate supervisor.
 9. Employees shall not delete does not necessarily mean delete.

FRAUD REPORTING**SECTION 8.28**

Complaints or any matter regarding fraud, including any matter that alleges mismanagement of Employer 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:

1. 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

2. Call the Fraud Hotline:
1-866-FRAUD OH (1-866-372-8364)
3. Online:
<http://www.auditor.gov>

IDENTITY THEFT**SECTION 8.29**

- A. Intent: The Seneca County Commissioners adopts this policy to help protect employees, customers, contractors, and citizens of Seneca County from damages related to the loss or misuse of personally identifying information. This policy is in furtherance of the Fair and Accurate Credit Transactions Act of 2003, and the Federal Trade Commission’s rules regarding the prevention of identity theft. This policy establishes guidelines and procedures for detecting, preventing, and mitigating identity theft.
- B. Scope: This policy applies to the creation, modification, and access to identifying information of any customer who is provided goods or services by Seneca County and is billed later, and any other persons who are required to furnish personal information to Seneca County who are reasonably considered at risk from identity theft.
- C. Definitions: When used in this policy, the following terms have the meanings set forth opposite their name, unless the context clearly requires that the term be given a different meaning:
1. Covered Account: The term “covered account” means an account that Seneca County offers or maintains, primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments of transactions. The term “covered account” may include other accounts or documents offered or maintained by the county for which there is a reasonably foreseeable risk to the county, its customers, or citizens from identity theft.
 2. Identity Theft: The term “identity theft” means a fraud committed or attempted using the identifying information of another person without that person’s authority.
 3. Identifying Information: The term “identifying information” means any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including any name, social security number, date of birth, official state or government-issued driver’s license or identification number, alien registration number, government passport number, or employer or taxpayer identification number. Additional examples of “identifying information” are set forth in 16 CRF §603.2(b).

Other examples of identifying information may include, but shall not be limited to:

Credit card numbers
Credit card expiration dates
Cardholder's name
Cardholder's address
Business identification numbers
Insurance card number
Telephone number
Maiden name
Checking account numbers and routing number
Other account numbers

4. **Red Flag:** The term “red flag” means a pattern, practice, or specific activity that indicates the possible existence of identity theft.
 5. Certain terms used, but not otherwise defined herein, shall have the meanings given to them in the FTC’s Identity Theft Rules (16 CFR Part 681) or the Fair Credit Reporting Act of 1970 (15 U.S.C. §1681 et seq.), as amended by the Fair and Accurate Credit Transaction Act of 2003.
- D. **Security of Information:** Each employee and contractor performing work for the county will comply with the following:
1. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with personally identifying information will be locked or otherwise reasonably secured when not in use.
 2. Storage rooms and record retention areas containing documents with personally identifying information will be locked at the end of each workday, or otherwise reasonably secured or when unsupervised.
 3. Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing personally identifying information when not in use.
 4. Whiteboards, dry-erase boards, writing tablets, etc. containing personally identifying information in common shared areas will be erased or removed when not in use.
 5. When documents containing personally identifying information are approved for disposal, they will be placed inside a locked shred bin or immediately shredded using a mechanical cross cut or Department of Defense (DOD)-approved shredding device. Locked shred bins are labeled “confidential paper shredding” and may only be destroyed in accordance with the records retention policy and Ohio’s Public Records Laws.
 6. Personally identifying information may be transmitted using approved county e-mail in accordance with approved policies. All personally identifying information

must be encrypted or otherwise reasonably secured when stored in an electronic format.

7. Any personally identifying information sent externally must be encrypted and password-protected or otherwise reasonably secured and only sent to approved recipients. Additionally, a statement such as this should be included in the e-mail:

“This message may contain confidential and/or proprietary information, and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.”
 8. Access to personally identifying information maintained on computers should be protected by the use of a password which is difficult to detect.
 9. Access to personally identifying information will be limited to only those employees who have a business reason to use such information.
- E. Contact Information: The County Administrator or other designee is responsible for administration of this policy and program.
- F. Risk Assessment: Seneca County has identified the following types of documents as potentially at risk from identity theft. This list is not all-inclusive, and the county will make an effort to prevent identity theft.
1. Medical records
 2. Vendor accounts
 3. Utility accounts (if applicable)
 4. Other confidential information
 5. Personnel files
- G. Detection (Red Flags): Seneca County has identified the following red flags to detect any attempts of identity theft and/or potential fraud. The county hereby determines that the following are the relevant red flags given the relative size of the employer and the limited nature and scope of the services that the county provides. These are not intended to be all-inclusive, and other suspicious activity shall be investigated as necessary.
- Identification documents appear to be altered or forged
 - Photo and physical description do not match appearance of individual
 - Other information is inconsistent with information provided by individual
 - Other information provided by an individual is inconsistent with information on file
 - Application or document appears altered, forged, or destroyed and reassembled
 - Information provided is associated with known fraudulent activity (e.g., address or phone number provided is same as that of a fraudulent application)
 - Information commonly associated with fraudulent activity is provided by applicant (e.g., address that is a mail drop or prison, non-working phone number, or associated with answering service/pager)
 - SS#, address, or telephone # is the same as that of other customer or taxpayer

- Individual fails to provide all information requested
- Notification is received indicating unauthorized charges or transactions in connection with certain documents
- Recent and significant increase in the volume of inquiries
- Have received information from reliable outside source of potential fraud regarding the individual
- Personal identifying information is inconsistent when compared against data from reliable external or internal information sources
- Personal identifying information is not consistent with other information provided by the individual; age on identification does not appear to coincide with social security number range or appearance of individual
- Mail sent to individual is returned repeatedly as undeliverable
- Personal information provided is inconsistent with information on file for the customer
- Applicant cannot provide information requested beyond what could commonly be found in a purse or wallet
- Identity theft is reported or discovered

H. Response: Any employee who suspects fraud or detects a red flag indicating possible identity theft shall implement the following response as applicable. All detections or suspicious red flags shall be reported immediately to the appointing authority.

- Ask applicant or individual for additional documentation
- Notify internal manager: Any employee who becomes aware of a suspected or actual fraudulent use of a customer or potential customer's identity must notify the proper designee.
- Notify law enforcement: The employee should notify the Seneca County Sheriff's Department of any attempted or actual identity theft
- Do not open or modify the account or document
- Monitor the account or document for evidence of identity theft
- Reopen the account with a new account number
- Close the account
- Do not attempt to collect against the account
- Determine that no response is warranted under the particular circumstances
- Collect all related documentation regarding the identify theft attempt and write a brief description of the incident or situation
- Notify the actual customer that fraud has been attempted

I. Training: All employees handling customer's, vendor's, or citizen's personally identifiable information shall receive appropriate training and effective oversight to ensure compliance with policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.

J. Identity Theft Prevention Program Review: A report shall be prepared annually and reviewed by the Seneca County Commissioners which shall include matters related to the program; the effectiveness of the policies and procedures; a summary of any identity theft

incidents, and the response to the incident; and recommendations for changes to improve the program, if deemed necessary.

DISCIPLINARY PRINCIPLES**SECTION 9.1**

- A. The county believes that a clearly written discipline policy serves to promote fairness and equality in the workplace, and will minimize potential misunderstandings in disciplinary matters. Certain basic principles, as set forth below, must consistently be applied in order to effectively and fairly correct unsatisfactory performance and behavior:
- B. Employees should be advised of expected job performance and behavior, the types of conduct that the county has determined to be unacceptable, and the penalties for unacceptable behavior.
- C. Immediate attention shall be given to policy infractions unless special circumstances warrant further investigation or delay.
- D. Discipline shall be applied as uniformly and consistently throughout the county as possible, and any deviations from standard procedures should be justified and documented.
- E. Each offense shall be dealt with as objectively as possible.
- F. Discipline should usually be progressive, but depending on the severity of the offense, may proceed immediately to termination.
- G. An employee's immediate supervisor shall be responsible for recommending discipline absent special circumstances.

PROGRESSIVE DISCIPLINE**SECTION 9.2**

- A. The appointing authority and supervisors generally follow an established system of progressive discipline in efforts to correct job behavior.
- B. The county has adopted this progressive discipline policy as a guide for the uniform administration of discipline. It is not, however, to be construed as a delegation of, or a limitation upon the county's right to impose a different level of discipline, when circumstances warrant.
- C. This discipline policy provides standard penalties for specific offenses. The examples of specific offenses given in any grouping, however, are not all inclusive, but serve merely as a guide. 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.
- D. The standard penalties provided in this policy do not preclude the application of a more-or-less severe penalty for a given infraction when unusual circumstances exist. In those cases where the penalty deviates from the recommended standard penalty, the reasons for such deviation must be noted in writing by the appointing authority, or the supervisor

administering the discipline. This is particularly true for temporary, intermittent, and other unclassified employees whose service may be terminated at the will of the Appointing Authority.

- E. The Appointing Authority may place an employee on administrative leave with pay, in circumstances where the health or safety of the employee, other employees, or of any person or property entrusted to the employee's care could otherwise be adversely affected. The length of the leave shall not exceed the length of the situation for which the leave is granted; for example, in a disciplinary situation such leave might extend until the county completes an investigation of the matter, conducts a predisciplinary conference and takes action, or decides not to do so.

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

- F. The employer may utilize a Last Chance Agreement as defined in R.C. 124.34.
- G. All active records of discipline shall be maintained in the employee's personnel file.
- H. The Appointing Authority may issue a fine or working suspension under certain circumstances, for example, to discipline an FLSA-exempt employee without jeopardizing the employee's exempt status, or to impose discipline when the Appointing Authority is under-staffed. However, the Appointing Authority should use fines sparingly and not in a manner that would cause a nonexempt employee to be paid less than minimum wage under the FLSA.
- I. The purpose of disciplinary action is to correct misconduct and encourage improved performance or behavior, except where the employee is removed. The record of discipline will be kept in a separate "dead" file for at least seven (7) years or for the period of time designated in the county's public record retention schedule, whichever is longer.
- J. Supervisors may recommend and/or the department head may issue verbal warnings and written reprimands. Forms for issuing discipline are included in this manual. These forms should, in each case of discipline, be completed and signed by the department head, delivered to the employee, and signed by the employee. The completed form shall be forwarded to the Appointing Authority and a copy placed in the employee's personnel file.
- K. Only the Appointing Authority has the authority to reduce in classification or pay, fine, suspend, or terminate an employee. Prior to such discipline, a predisciplinary conference must be held if it involves a classified employee.
- L. Suspensions or fines of more than twenty-four (24) hours (or 40 hours for overtime exempt classified employees), reductions, or removals of classified employees must be documented on an ADM 4055 and served on an employee in accordance with R.C. Section 124.34.

- M. Reduction in classification or pay, suspension, fine, or removal of an unclassified employee does not require an ADM 4055 and may be executed at the discretion of the Appointing Authority. A written notice shall be provided to the employee.

While a predisciplinary conference is not legally required for unclassified employees, it is recommended that the Appointing Authority meet with the employee to provide the employee with an opportunity to respond regarding the alleged infraction, prior to reducing, suspending, fining, or removing the employee from public service.

GROUNDS FOR DISCIPLINARY ACTION AND PENALTIES**SECTION 9.3**

- A. R.C. Section 124.34 sets out the forms of misconduct which are the legal basis for reduction, suspension, fine, or removal of a classified employee. Those forms of misconduct include but are not limited to:
1. Neglect of duty.
 2. Incompetency.
 3. Inefficiency.
 4. Dishonesty.
 5. Drunkenness.
 6. Immoral conduct.
 7. Insubordination.
 8. Discourteous treatment of the public.
 9. Violation of any policy or work rule of the appointing authority.
 10. Any other failure of good behavior.
 11. Any other acts of misfeasance, malfeasance, or nonfeasance.
 12. Any violation of DAS rules.
 13. Conviction of a felony while employed in the civil service.
- B. The offenses set forth in Groups I, II, and III below are non-inclusive examples of the above forms of misconduct and guidelines for determining the appropriate level of discipline for classified employees.
- C. 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 productivity, efficiency and/or morale. Group I Offenses, if left undisciplined by proper authority, will usually cause only a temporary impact against the organization unless such acts are compounded over time.
- D. 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 more serious and longer lasting impact against the organization than the Group I Offenses.
- E. Group III Offenses may be defined as those infractions which are of a very serious or possibly a criminal nature and/or 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 have a long lasting and serious adverse impact on the organization.

- F. THIS DISCIPLINE POLICY IS A GENERAL GUIDELINE ONLY. THE FOLLOWING EXAMPLES OF SPECIFIC OFFENSES ARE NOT ALL INCLUSIVE, AND ARE NOT INTENDED TO BE BINDING ON THE EMPLOYER.

GROUP I OFFENSES

FIRST OFFENSEVerbal warning

SECOND OFFENSE.....Written reprimand

THIRD OFFENSESuspension for twenty-four (24) hours

FOURTH OFFENSEUp to 15 day working suspension or suspension without pay

FIFTH OFFENSEUp to and including termination of employment

Following are examples of Group I Offenses. Following each offense in parentheses are examples of the various charges of misconduct which may be applicable under R.C. Section 124.34.

1. Failure to properly and completely clock/sign in or out (inefficiency, neglect of duty, or failure of good behavior).
2. Failure to properly "report off" work for any absence or failure to timely notify the proper party of absence (neglect of duty, failure of good behavior, or nonfeasance).
3. Leaving a post of continuous operations prior to being relieved by employee of incoming shift (neglect of duty or failure of good behavior).
4. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping (inefficiency, neglect of duty, or failure of good behavior).
5. Failure to observe official safety rules or common safety practices (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
6. Failure to report accidents, injuries, or equipment damage (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
7. Discourteous treatment of the public (discourteous treatment of public or failure of good behavior).
8. Inattention to the needs of the public (discourteous treatment of public or failure of good behavior).

9. Distracting the attention of others, unnecessary shouting, use of profane, or other inappropriate language, misuse of two-way radios, or otherwise causing disruptions on the job (inefficiency, neglect of duty, or failure of good behavior).
10. Malicious mischief, horseplay, wrestling, or other undesirable or potentially harmful conduct (inefficiency, immoral conduct, discourteous treatment of public, or failure of good behavior).
11. Interfering with the work performance of subordinates/other employees or causing other disruptions of the workplace (inefficiency, neglect of duty, or failure of good behavior).
12. Failure to cooperate with other employees (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
13. Neglect of or careless failure to observe employer rules, regulations, policies, and procedures (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
14. Excessive garnishments (failure of good behavior or nonfeasance).
15. Use or possession of another employee's working equipment or property without approval (dishonesty or failure of good behavior).
16. Unauthorized use of the employer's telephone/cellular phone for other than business purposes (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
17. Obligating the employer for any minor expense, service, or performance without prior authorization (dishonesty, neglect of duty, failure of good behavior, or misfeasance).
18. Neglect of or careless failure to care for employer property or equipment (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
19. Inefficiency (e.g., lack of application or effort on the job, unsatisfactory performance, failure to maintain required performance standards, etc.) (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
20. Neglect of, or careless failure to, prepare required reports or documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
21. Failure of a supervisor to administer discipline as provided herein or to otherwise enforce the rules, regulations, policies, and procedures of the employer (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
22. Failure to commence duties at the beginning of the work shift, or leaving work prior to the end of the work shift (inefficiency, neglect of duty, or failure of good behavior).

23. Leaving the job or work area during the regular working hours without authorization (neglect of duty, failure of good behavior, or nonfeasance).
24. Making preparations to leave work without specific prior authorization before the lunch period, any official break period or specified quitting time (neglect of duty, failure of good behavior, or nonfeasance).
25. Establishing a pattern use of sick leave or other misuse or abuse of sick leave (neglect of duty, malfeasance, failure of good behavior).
26. Violation of any other Department policy contained in this manual or otherwise.

GROUP II OFFENSES

FIRST OFFENSEA working suspension of twenty-four (24) hours

SECOND OFFENSEUp to 15 day working suspension or suspension without pay

THIRD OFFENSEUp to and including termination of employment

Following are examples of Group II Offenses. Following each offense in parentheses are examples of the various charges of misconduct which may be applicable under R.C. Section 124.34.

1. Disregarding job duties and neglecting work by sleeping, reading for pleasure, playing cards, viewing T.V., etc. when there are work duties to be completed (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
2. Reporting to work or working while unfit for duty (incompetence or failure of good behavior). This may be a Group III Offense for CDL holders.
3. Failure to report for overtime work, without proper excuse, after being scheduled to work (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
4. Willful refusal to clock/sign in or out when required (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
5. Performing private work on employer time (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
6. Neglect or careless failure to observe official safety rules, or common safety practices (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
7. Threatening, intimidating, or coercing subordinates, other employees, or general public (inefficiency, neglect of duty, or failure of good behavior).
8. Use of abusive or offensive language or gestures toward subordinates, other employees, residents or the general public (immoral conduct, insubordination, failure of good behavior, or malfeasance).

9. The making or publishing of false, vicious or malicious statements concerning other employees, residents, the employer, or its operations (dishonesty, failure of good behavior, or malfeasance).
10. Solicitation or distribution on employer property in violation of the solicitation and distribution policy (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
11. Willful disregard of the employer's rules, regulations, policies, and procedures (inefficiency, neglect of duty, failure of good behavior, misfeasance, malfeasance, or nonfeasance).
12. Negligent failure to obey a reasonable order of a supervisor or failure to carry out work assignments, including verbal instructions (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
13. Neglect or carelessness in the use of employer property or equipment (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
14. Obligating the employer for a major expense, service, or performance without prior authorization (dishonesty, neglect of duty, failure of good behavior, or misfeasance).
15. Unauthorized use of employer property or equipment, including the unauthorized reproduction of this manual or the Employee Handbook (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
16. Negligent failure to report accidents, injuries, or equipment damage (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
17. A traffic violation or accident while driving an employer vehicle which evidences recklessness by the employee (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
18. Refusing to provide testimony in court, during a public hearing (SPBR, SERB, etc.) or any other official hearing, investigation, or proceeding involving the employer (insubordination, failure of good behavior, or nonfeasance).
19. Refusing to provide testimony or information concerning any investigation (insubordination, failure of good behavior, or nonfeasance).
20. Possession or storage of alcoholic beverages on the employer's premises (neglect of duty, drunkenness, failure of good behavior, or malfeasance).
21. Unauthorized presence on the employer's property (failure of good behavior or misfeasance).
22. Habitual neglect of timely completion of required reports or documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).

23. Willful failure to timely complete required reports and documents (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
24. Unauthorized posting or removal of notices or documents on or from bulletin boards (failure of good behavior, misfeasance).
25. Violation of any other Department policy contained in this manual or otherwise.

GROUP III OFFENSES

FIRST OFFENSEUp to and including termination of employment

Following are examples of Group III Offenses. Following each offense in parentheses are examples of the various charges of misconduct which may be applicable under R.C. Section 124.34.

1. Wanton or willful neglect in the performance of assigned duties (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
2. Instigating, leading or participating in any walkout, strike, sit-down, stand-in, sympathy strike, call-in, slow-down, refusal to return to work at the scheduled time for a scheduled shift, or other concerted curtailment, restriction, or interference with work in or about the employer's premises in violation of R.C. Chapter 4117 (neglect of duty, failure of good behavior, or misfeasance).
3. Refusal, without legitimate reason, to work during emergency situations or conditions (insubordination, neglect of duty, failure of good behavior, or nonfeasance).
4. Signing/clocking or altering other employees' time cards or records; altering one's own time card or record or having one's time card or record signed/clocked or altered by another, without authorization (dishonesty, failure of good behavior, or malfeasance).
5. Knowingly concealing a communicable disease (i.e., T.B., etc.) which may endanger others (neglect of duty, failure of good behavior, misfeasance, or malfeasance).
6. Carrying or possessing firearms, explosives or weapons in the work area (failure of good behavior or malfeasance).
7. Willfully withholding information which threatens the safety and security of the employer, its operations, or employees (dishonesty, failure of good behavior, misfeasance, or malfeasance).
8. Willfully demeaning, verbally abusing and/or humiliating a resident, employee, or other person (discourteous treatment of the public, neglect of duty, failure of good behavior, or malfeasance).

9. Threatening, intimidating, or physically abusing a resident, employee, or other person (malfeasance, failure of good behavior).
10. Committing an act of discrimination, sexual harassment, or engaging in conduct giving insult or offense on the basis of race, color, sex, age, religion, national origin, ancestry, military status, genetic information, or disability (immoral conduct, neglect of duty, failure of good behavior, or malfeasance).
11. Fighting with, or attempting to injure a resident, employee, or other person (discourteous treatment of the public, neglect of duty, failure of good behavior, or malfeasance).
12. Insubordination by refusing to perform assigned work or to comply with the written or verbal instructions of a supervisor (insubordination, neglect of duty, failure of good behavior, or nonfeasance).
13. Providing false testimony, statements, or information in any official employer, court or administrative investigation, hearing, or proceeding (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
14. Providing false information, making a false statement, committing a fraudulent act, or withholding pertinent information in the employment application process (dishonesty, failure of good behavior, misfeasance, or malfeasance).
15. Gambling during work hours (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
16. Stealing or similar conduct, including destroying, damaging, concealing, or converting any property of the employer or of other employees (dishonesty, failure of good behavior, or malfeasance).
17. Dishonesty or dishonest action. Examples of "dishonesty" or "dishonest actions" are: theft, pilfering, making false statements to secure an excused absence, or justify an absence or tardiness. These are examples only and do not limit the terms dishonesty and dishonest action (dishonesty or malfeasance).
18. Engaging in unauthorized political activity as provided in the Political Activity Section of this manual (failure of good behavior, malfeasance).
19. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance which takes place in whole or in part in the workplace (drunkenness, immoral conduct, neglect of duty, failure of good behavior, or malfeasance).
20. Driving a motor vehicle on duty or employer business without a valid, applicable operator's license (dishonesty, failure of good behavior, malfeasance, or neglect of duty).

21. Failure to obtain, maintain, and/or report the loss of required licenses, certifications, or other qualifications of an employee's position (dishonesty, failure of good behavior, malfeasance, or neglect of duty).
22. Conviction of any violation of law which may adversely affect the public's trust in the employee's ability to perform the duties of the employee's position (dishonesty, failure of good behavior, or malfeasance).
23. Intentional misuse of employer or other public funds (dishonesty, neglect of duty, failure of good behavior, or malfeasance).
24. Willful neglect or intentional misuse, abuse, or destruction of the property, equipment or tools of the employer or another employee (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
25. Soliciting or accepting a gift, gratuity, bribe, or reward for the private use of the employee, or otherwise using one's position, identification, name, photograph, or title for personal gain, or otherwise violating the employer's Code of Conduct or Ohio's ethics laws for public employees (inefficiency, neglect of duty, failure of good behavior, misfeasance, or malfeasance).
26. Engaging in off-duty employment activities which the employer has determined to be an interest or time conflict (inefficiency, neglect of duty, failure of good behavior, or misfeasance).
27. Making false claims or misrepresentations in an attempt to obtain any benefit (dishonesty, failure of good behavior, neglect of duty, or malfeasance).
28. Misusing, removing, or revealing documents or information of a confidential nature or revealing such information without prior and appropriate authorization (dishonesty, neglect of duty, failure of good behavior, or malfeasance).
29. Misuse, removal or destruction of employer records without prior authorization (dishonesty, neglect of duty, failure of good behavior, or malfeasance).
30. Committing violations of official safety rules or common safety practices (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
31. Failure (negligent or otherwise) to report accidents or injuries.
32. Engaging in unauthorized political activity.
33. Violation of social media policy (inefficiency, neglect of duty, failure of good behavior, or nonfeasance).
34. Failure to report an act of discrimination. (Neglect of duty, failure of good behavior, or nonfeasance.)
35. Conviction of certain felonies while employed in the civil service.

36. Inability to maintain insurability under the County's vehicle insurance policy. (Failure of good behavior, neglect of duty, or malfeasance.)
37. Violation of any other Department policy contained in this manual or otherwise.

APPEALS**SECTION 9.4**

- A. Personnel actions for classified employees such as a reduction; a suspension of more than forty (40) work hours in the case of an employee exempt from the payment of overtime compensation; a suspension of more than twenty-four (24) work hours in the case of an employee required to be paid overtime compensation; a fine of more than forty (40) hours pay in the case of an employee exempt from the payment of overtime compensation; a fine of more than twenty-four (24) hours pay in the case of an employee required to be paid overtime compensation; removal, except for the reduction or removal of a probationary employee; and layoffs may be appealed by an affected employee through the in-house complaint procedure, or to the State Personnel Board of Review. Filing an in-house complaint does not extend the statutory deadline for filing a complaint with the State Personnel Board of Review, or any other administrative body. 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. Denial of a one-time pay supplement or bonus is not a reduction in pay.
- C. Appeals to the State Personnel Board of Review for removal, demotion, suspension, or fines must be filed within ten (10) days of the date the employee is served with the order.
- D. The State Personnel Board of Review maintains authority to decide whether an appeal warrants a hearing. When an appeal is heard, the Board may affirm, disaffirm, or modify personnel decisions made by the appointing authority. However, in an appeal of a removal order based upon a violation of a last chance agreement, the Board, Commission, or Trial Board may only determine if the employee violated the agreement, and thus affirm or disaffirm the judgment of the appointing authority.

PREDISCIPLINARY CONFERENCE**SECTION 9.5**

- A. Whenever the employer or its designee determines that an employee may be removed, suspended, demoted, or fined per an offense described in O.R.C. 124.34, a predisciplinary conference shall be scheduled to give the employee an opportunity to offer an explanation of the alleged conduct. The employer must hold a predisciplinary conference prior to signing a last chance agreement also.
- B. Predisciplinary conferences will be conducted by the employer or his/her designee.
- C. Not less than twenty-four (24) hours prior to the scheduled starting time of the conference, the employer will provide to the employee a written outline of 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.

- D. Prior to the disciplinary conference, the employee must be advised of the right to be represented by counsel.
- E. At the predisciplinary conference, 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 truthfully may result in further disciplinary action.
- F. A written report will be prepared by the person conducting the conference, concluding as to whether or not the alleged conduct occurred. The county will decide what discipline, if any, is appropriate. A copy of the report will be provided to the employee within five (5) days following its preparation.

ADMINISTRATIVE LEAVE**SECTION 9.6**

A department head is hereby authorized by this policy to place an employee on administrative leave with pay in circumstances where the health or safety of the employee, other employees, or of any person or property entrusted to the employee's care could otherwise be adversely affected.

The department head will provide the employee with notification when he/she is being placed on administrative leave. The length of the leave shall not exceed the length of the situation for which the leave is granted. For example, in a disciplinary situation such leave might extend until the employer completes an investigation of the matter, conducts a predisciplinary conference, and takes action or decides not to do so. Compensation for administrative leave shall be equal to the employee's normal straight-time rate of pay.

COMPLAINT PROCEDURE**SECTION 9.7**

The county believes that every employee has the right to discuss and/or disagree with management about the work environment, work relationships, and/or performance issues.

A formal complaint exists when an informal resolution to a dispute cannot be achieved, and the employee making the complaint has submitted a written statement to his/her immediate supervisor requesting a more formal procedure.

- A. When a conflict exists in the workplace, the parties must first attempt to resolve their dispute informally.
- B. If the parties cannot settle the dispute informally, a party may file a complaint (Form V).
- C. The steps of the Complaint Procedure shall proceed 1-3 as outlined in Form V.

- D. If at any time an agreement is reached resolving the complaint, the complaint shall be deemed resolved.
- E. If a complaint cites issues of law that the individual attempting to resolve the issue cannot address, a copy of the complaint will be sent to the County Prosecutor's office for an opinion before proceeding. Any complaint regarding alleged violations of civil rights (discrimination on the basis of race, color, age, religion, sex, national origin, ancestry, military status, genetic information, or disability) will be brought to the attention of the appointing authority or the designated EEO officer.
- F. Nothing in this policy is intended to deny an employee any rights available by law, including the right to appeal to the State Personnel Board of Review, the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, or any court of competent jurisdiction. However, if an employee elects to file a complaint on matter over which another administrative agency or court body has jurisdiction, it is the employee's responsibility to meet the criteria for filing with that administrative agency or court.

RESIGNATION**SECTION 10.1**

- A. Resignation in good standing requires a minimum of two (2) weeks' notice.
- B. Resignation is to be in writing and submitted to the appointing authority for acceptance.
- C. An employee who does not resign in good standing is ineligible for reinstatement.

JOB ABANDONMENT**SECTION 10.2**

- A. An employee who fails to return from a leave of absence within three (3) working days of its expiration, or has three (3) days of "no call-no show" is considered to have abandoned his job and subject to removal.
- B. An employee who has abandoned his/her position is not eligible for future employment with the county.

A	Acknowledgement
B	EEO Complaint Form
C	Request for the Inspection/Release of Public Records
D	Notice of Resignation
E	Exit Interview
F	Notice of Retirement
G	Authorization of Overtime Work and Compensation
H	Request for Leave of Absence
I	COBRA Health Insurance Continuation
J	Employee's Report of Injury or Accident
K	Employee's Report of Back Injury
L	Travel Expense Report
M	Insurance Driver List
N	Workplace Safety & Illegal Activity Acknowledgement
O	Workplace Safety Report Form
P	Drug Free Workplace Acknowledgement
Q	Record of Verbal Warning
R	Record of Written Reprimand
S	Record of Suspension
T	Notice of Predisciplinary Conference
U	Waiver of Predisciplinary Conference
V	Complaint Form
W	Employee's Report of Occupational Disease
X	Temporary Appointment Letter
Y	Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Organization (DMA) Form
Z	Intermittent Appointment Letter
AA	Workplace Violence Incident Report
BB	Electronic Mail/Internet Acknowledgement Statement
CC	Equal Opportunity Employer Application for Employment
DD	Application to Donate Leave
EE	Application to Receive Donated Leave
FF	Ohio Ethics Law and Related Statutes
GG	Ohio Ethics Law Acknowledgement
HH	Vehicle Accident Report
II	Employment Eligibility Verification (I-9) Form
JJ	Medical Examination Statement
KK	Social Networking Acknowledgment
LL	Concealed Carry Employee Acknowledgement
MM	Cellular Phone Policy Employee Statement of Understanding

Name of Employee: _____

I hereby acknowledge that I have read, or had read to me, the Seneca County Personnel Policy manual. I hereby acknowledge that I understand and agree to comply with all of the policies and procedures contained therein.

I further understand that this manual is not an employment contract and that changes may occur to this manual. I agree to comply with all changes to the policies and procedures contained in the manual.

_____ Date

_____ Signature of Employee

THIS FORM MUST BE COMPLETED, SIGNED, AND RETURNED TO YOUR IMMEDIATE SUPERVISOR WITHIN TWO (2) WEEKS OF THE ISSUANCE OF THIS MANUAL.

Individuals who feel they have been discriminated against on the basis of race, color, religion, ancestry, sex, national origin, age, military status, disability, genetic information, or have been sexually harassed by an employee of the employer or while working for the employer may file a complaint by completing this form and submitting it to the appointing authority or as otherwise specified in the manual.

Name of Complainant: _____

Classification (if employee): _____

Address (if non-employee): _____

Name of Subject of the complaint: _____

Basis of complaint:
(continue on back or separate page if necessary)

Date(s) of incident(s): _____

Any Witnesses to alleged Incident(s): _____

If claiming discrimination based on disability, what accommodation do you request?

If claiming discrimination other than disability, what resolution do you request?

Date

Signature of Complainant

_____ Representing _____
(Name) (Organization)

_____ Requesting to _____ Inspect
(Name)

and/or _____ Obtain copies of the following public/payroll records: _____

In exchange for the inspection and/or release of the information identified above, the undersigned individual/organization agrees to indemnify and hold harmless Seneca County and its officials for any and all liability directly or indirectly arising from the inspection and/or release of said public records.

OFFICE USE ONLY

Number of copies @ actual cost per copy = _____

Payment received by _____ Date _____

TO THE APPOINTING AUTHORITY OR EMPLOYER:

I, (name in full) _____, hereby submit my resignation as an employee of the Seneca County employer from the position of (department or job title) _____ to become effective at the close of the working day on the _____ day of _____, 20_____. I am resigning this date for the following reason(s): _____

I respectfully request the payment of all salary and wages due me, and prorated payment for any accumulated earned vacation leave.

Signed this _____ day of _____, 20_____.

Signature

WITNESSES:

Supervisor or Name

Position or Address

Name

Address

ADMINISTRATIVE ACTION

The above resignation accepted effective _____, 20____. Payment of salary or wages due is shown on payroll of this office dated _____ 20_____, including payment for _____ hours of accumulated earned vacation. The records indicate that this employee has a balance of _____ hours of accumulated sick leave to his/her credit at the time of resignation.

Appointing Authority or Employer

TO BE COMPLETED BY EMPLOYER

Name: _____ Department: _____

Job Title: _____ Termination Date: _____

Current Mailing Address: _____

Reason for Termination: _____

EMPLOYEE'S EVALUATION OF THE JOB

	Excellent	Satisfactory	Fair	Poor	Unsatisfactory
Interest in Job Held					
Performance Recognition					
Supervisory Fairness					
Chance for Advancement					
Wages and Benefits					
Rapport With Fellow Workers					
Training Received on Job					
Description of Position Compared to Actual Work					
Communication Between Employees & Management					
General Working Conditions					

Employee's Comments: _____

TO THE APPOINTING AUTHORITY OR EMPLOYER:

I, (name in full) _____, hereby submit my retirement as an employee of the Seneca County employer to become effective at the close of the working day on the _____ day of _____, 20____, and do hereby request full payment of all salary and wages due me, and prorated payment for any accumulated earned vacation leave.

Signed this _____ day of _____, 20_____.

Signature

WITNESSES:

Name

Address

Name

Address

ADMINISTRATIVE ACTION

The above retirement accepted effective _____, 20____. Payment of salary or wages due is shown on payroll of this office dated _____, 20____, including payment for _____ hours of accumulated earned vacation leave. The records indicate that this employee has a balance of _____ hours of accumulated sick leave to his/her credit at the time of resignation of employment. Also, if the above employee has ten (10) years of service with the county, he/she will be paid _____ hours of pay.

Appointing Authority or Employer

AUTHORIZATION OF OVERTIME WORK AND COMPENSATION

FORM G

Employee Name: _____ Date: _____

Total overtime hours required in office: _____

Total overtime hours required out of office: _____

Work requirement (please explain): _____

Pay Period: _____

Total overtime hours worked: _____

I wish to receive compensation pay for _____ hours.

I wish to receive total compensation time for _____ hours overtime work.

Employee's Signature

Date

ADMINISTRATIVE ACTION

Non-Bargaining: Has the employee used or is scheduled to use vacation or personal time during this week? Yes No

Bargaining: Has the employee used or is scheduled to use vacation, personal, or comp time during this week? Yes No

Check here if the employee will receive straight time up to 40 hours.

Recommended

Not Recommended

Approved

Disapproved

Supervisor's Signature

Date

Appointing Authority's Signature

Date

REQUEST FOR LEAVE OF ABSENCE

FORM H

Employee Name: _____ Date: _____

Leave Requested: Sick Funeral Vacation Court
 Military Leave Military, Long-Term Comp Time FMLA
 Disability Leave Disability Separation Unpaid Leave Personal Leave

Reason for Leave: _____

(Attach a copy of the subpoena, court order, military order, obituary, or physician's statement verifying the reason for leave.)

Beginning Date/Time of Leave: _____ Ending Date/Time of Leave: _____

TOTAL HOURS: _____

SICK LEAVE ONLY (give details of reason for sick leave usage):

Medical/Dental/Optical appointment of employee (date & time): _____

Illness of employee (state exact nature of illness): _____

Injury of employee (state exact nature of injury): _____

Medical appointment of family member (please state date & time of appointment and why your attendance was necessary:

Illness or injury of family member (please state nature of illness or injury and why your attendance was necessary:

Death of family member (state name & relationship of deceased): _____

_____ Date of death: _____ Date of funeral: _____

NUMBER OF HOURS OF SICK LEAVE REQUESTED (in 1/2 hour increments)

I certify all statements herein to be complete and true. Falsification is cause for discipline up to and including termination of employment.

Signature of Employee

ADMINISTRATIVE ACTION:

DEPARTMENT HEAD: Approved Not Approved

(Signature) _____

APPOINTING AUTHORITY: Approved Not Approved

(Signature) _____

Under the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA), you and/or your dependents may qualify to purchase, at your own expense, continued health insurance coverage for a specified period of time after coverage would normally terminate under the county's plan.

QUALIFYING EVENTS

In order to be eligible for this continued health coverage, a qualifying event must occur which would otherwise cause a loss of coverage. Qualified events include:

- termination of your service for any reason except gross misconduct; and in the case of your dependents:
 - your becoming eligible for Medicare;
 - your death;
 - divorce or legal separation;
 - your dependents' ceasing to qualify as dependents under the terms of the county's plan.

NOTIFICATION

If coverage is lost due to divorce or legal separation; or your dependents' ceasing to qualify as dependents under the terms of the county's plan, then you or your dependent must notify the employer's plan administrator within 60 days of the qualifying events or (events consisting of divorce or legal separation or a child ceasing to be covered as a dependent under plan rules); or within 60 days of the dependent's loss of coverage.

The plan administrator will then inform you of the cost to you, the proper election procedures, and will provide you with the necessary election forms.

If coverage would otherwise be lost due to any other qualifying event, then the plan administrator will notify you of the proper election procedures and provide you with the necessary election forms within the time periods specified by law.

TYPE OF COVERAGE

The continued health coverage provided by COBRA will be the same as that provided under the employer's plan for similarly situated individuals.

If this plan replaces another policy or plan and you or your dependents were receiving benefits under COBRA from the prior plan, then benefits may be continued under this provision for the remainder of the original period. However, benefits will be reduced by any benefits which are payable under the prior plan.

MAXIMUM PERIOD OF CONTINUATION

Depending on the qualifying event, health benefits may be continued for up to 18, 29, or 36 months from the date of the qualifying event.

If your coverage or your dependents' coverage will be lost due to termination of your service for any reason except gross misconduct, then coverage may be continued up to 18 months. If a second qualifying event occurs during this period, coverage may extend for an additional 18 months. Coverage may extend for up to 29 months from the date of the qualifying event if a beneficiary becomes disabled, and provides timely notice of that status to the plan administrator.

If your dependents' coverage will otherwise be lost due to:

- * your becoming eligible for Medicare;
- * your death;
- * divorce or legal separation;
- * your dependents' coverage ceasing to qualify as dependents under the terms of your employer's plan,

coverage may be continued for up to 36 months.

In all cases, benefits will terminate earlier if the person receiving continued benefits:

- * does not pay the premium on time;
- * becomes covered under another group plan;
- * becomes eligible for Medicare; or
- * your employer's plan terminates.

If you have any questions regarding COBRA continuation, call your plan administrator for further information.

EMPLOYEE'S REPORT OF INJURY OR ACCIDENT

FORM J

To be completed within 24 hours and given to supervisor

Employee's Name: _____ Social Security No. _____

Home Address: _____

Age: _____ Sex: Male ___ Female ___ Classification: _____

Department: _____

Date of Injury: _____ Time _____ a.m. _____ p.m.

Date Reported: _____ Time _____ a.m. _____ p.m.

To whom was injury reported? _____

Description of injury (be specific - name any objects or substances involved): _____

Part(s) of body injured: _____

Name(s) of witness(es): _____

Was any medical or emergency treatment necessary? Yes No

If so, state name of physician and/or hospital: _____

Is this an aggravation of a previous injury? Yes No

Have you ever had a similar injury? Yes No

Lost time from work (estimated): _____ days _____ hours ___ none

By signing this form I expressly waive all provisions of law which forbid any person or persons who heretofore did or who hereafter may medically attend, treat, or examine me or who may have information of any kind which may be used to render a decision in my claim for injury/disease of _____, 20____ from disclosing such knowledge to my employer and/or Comp Management, Inc. (representative of employer). A copy of this form will serve same as the original.

Employee Signature

Date

(Print Name) _____

SUPERVISOR'S REPORT:

Exceptions: _____

Supervisor's signature is verification that the validity
and completeness of the above statement has been
Checked

Date completed: _____

EMPLOYEE'S REPORT OF BACK INJURY

FORM K

(This form is to be completed and submitted with Injury Report to supervisor when injury is to an employee's back)

Employee Name: _____

Name of Employer: _____

1. What part of your back hurts now? _____

2. When did you first notice this back pain (date & time)? _____

3. What did you feel? _____

4. What were you doing at that time? (explain in detail): _____

5. If you were lifting an object, what was it and how heavy? _____

6. What was your exact position when pain was first noticed? _____

7. What was the length of time between the injury and your disability? _____

8. Did anyone see you get hurt? _____ Give name: _____

9. Did you report or mention this injury to anyone? _____

Who and when? _____

10. Did you ever have a back injury before? _____

11. If so, when? _____ What part of your back? _____

12. Were you treated by a doctor? _____ Date: _____

13. Has it given further trouble? _____

14. Have you ever received or filed for compensation because of a back injury? _____

Other injury? _____

By signing this form I expressly waive all provisions of law which forbid any person or persons who heretofore did or who hereafter may medically attend, treat, or examine me or who may have information of any kind which may be used to render a decision in my claim for injury/disease of _____, 20____ from disclosing such knowledge to my employer and/or Comp Management, Inc. (representative of employer). A copy of this form will serve same as the original.

Employee Signature

(Print Name) _____

Date

SUPERVISOR'S REPORT:

Exceptions: _____

Supervisor's signature is verification that the validity

and completeness of the above statement has been

Checked

Date completed: _____

TRAVEL EXPENSE SHEET

FORM L

Employee: _____ Date: _____

Resolution#: _____ Dated: _____ (copy attached hereto)

To the County Auditor, Seneca County, Ohio:

The following is a true statement of the necessary expenses relative to the attached Requisition For Expense Request:

Date	Hotel	Meals	Transportation	*Mileage Reimbursement	Parking/Tolls	Phone	Registration	Other
TOTAL								

*Mileage Reimbursement = Total Miles _____ x _____ \$./Mile= Mileage Reimbursement
 Total Expenses _____

 Employee Signature

APPROVED: _____
 Department Head

WORKPLACE SAFETY & ILLEGAL ACTIVITY ACKNOWLEDGEMENT FORM N

The employee understands and accepts that all of the employer's employees share responsibility for maintaining a safe workplace and a workplace free from illegal activity. Therefore, the employee has an obligation to obey and enforce workplace safety rules and to immediately contact a superior if he or she becomes aware of potential or evident safety problems in the workplace. Furthermore, all employees are required to inform the employer of any evidence of wrongdoing or waste in the workplace by a fellow employee or superior, and to do so before reporting the issue to other authorities, pursuant to the requirements of Ohio law.

Employee's Signature

Date

Dept./Office: _____ Date: _____

Location and nature of rules or workplace safety violation: _____

My suggested remedy(ies): _____

Employee's Signature

SUPERVISOR'S REPLY TO EMPLOYEE

Date

Supervisor's Signature

Please sign below and present this acknowledgement slip to your supervisor for inclusion in your personnel file.

Date: _____

I hereby acknowledge that I have received and read a copy of my employer's policy and procedures on a Drug Free Workplace, which establishes my obligations as an employee. By my signature below, I hereby acknowledge that I understand this policy, and agree to support and comply with its terms and conditions. I further understand that if I breach this policy or acknowledgement, I could be subject to criminal prosecution and/or discipline including termination of my employment.

Signature of Employee

Employee's Name: _____

Classification: _____ Department: _____

TYPE OF VIOLATION: Group _____ Number _____

Incompetency Inefficiency Neglect of Duty Dishonesty

Drunkenness Immoral Conduct Insubordination Misfeasance

Malfeasance Nonfeasance Failure of Good Behavior Policy Violation

Discourteous Treatment of the Public Other _____

Date Violation Occurred: _____

Location Where Violation Occurred: _____

Description of Violation: _____

(attach additional sheets if necessary)

Necessary Corrective Action: _____

(attach additional sheets if necessary)

This verbal warning is issued as a corrective measure in an effort to help you improve your conduct. This form will be removed from your personnel files after 24 months, if no intervening discipline during that period occurs. Any further violations could result in more severe disciplinary actions.

Signature of Person Issuing Warning

Title

I hereby acknowledge that a copy of the above Record of Verbal Warning has been given to me this day.

Signature of Employee

Date

Original: Personnel File

Copy: Employee

RECORD OF WRITTEN REPRIMAND

FORM R

Employee's Name: _____

Classification: _____ Department: _____

TYPE OF VIOLATION: Group _____ Number _____

Incompetency Inefficiency Neglect of Duty Dishonesty

Drunkenness Immoral Conduct Insubordination Misfeasance

Malfeasance Nonfeasance Failure of Good Behavior Policy Violation

Discourteous Treatment of the Public Other _____

Date Violation Occurred: _____

Location Where Violation Occurred: _____

Description of Violation: _____

(attach additional sheets if necessary)

Necessary Corrective Action: _____

(attach additional sheets if necessary)

Date(s) of prior Verbal Warning(s): _____

This written warning is issued as a corrective measure in an effort to help you improve your conduct. This reprimand will be removed from your personnel files after 24 months, if no intervening discipline during that period occurs. Any further violations could result in more severe disciplinary actions.

Signature of Person Issuing Warning

Title

I hereby acknowledge that a copy of the above Record of Written Warning has been given to me this day.

Signature of Employee

Date

Original: Personnel File

Copy: Employee

Employee's Name: _____

Classification: _____ Department: _____

TYPE OF VIOLATION: Group _____ Number _____

Incompetency Inefficiency Neglect of Duty Dishonesty
 Drunkenness Immoral Conduct Insubordination Misfeasance
 Malfeasance Nonfeasance Failure of Good Behavior Policy Violation
 Discourteous Treatment of the Public Other _____

Date Violation Occurred: _____

Location Where Violation Occurred: _____

Description of Violation: _____

(attach additional sheets if necessary)

Necessary Corrective Action: _____

(attach additional sheets if necessary)

Date(s) of prior Verbal Warning(s): _____

Date(s) of prior Written Reprimand(s): _____

This suspension is issued as a corrective measure in an effort to help you improve your conduct. This reprimand will be removed from your personnel files after 24 months, if no intervening discipline during that period occurs. Any further violations could result in more severe disciplinary actions.

Signature of Person Issuing Warning

Title

I hereby acknowledge that a copy of the above Record of Suspension has been given to me this day.

Signature of Employee
Original: Personnel File
Copy: Employee

Date

Name: _____

Date: _____

Department: _____

This notice is provided to you to advise that a predisciplinary conference will be held at _____ at _____ on _____ to provide you with an opportunity to _____ (time) _____ (location) _____ (date) respond to the following allegations of misconduct:

Alleged Offense: _____

Summary of Charges: _____

You have the right to: (1) appear at the conference to present an oral or written statement in your defense; (2) appear at the conference and have a chosen representative present an oral or written statement in your defense; or (3) elect in writing to waive your opportunity to have a predisciplinary conference by signing the attached form and returning it to the undersigned. Failure to respond or respond truthfully may result in disciplinary action. The employee is entitled to a representative of his or her choice at the predisciplinary conference.

At the conference you will be asked to respond to the above charges of alleged misconduct.

The predisciplinary conference will be conducted by (name) _____,

address: _____,

_____ phone: _____.

If you have any questions in regard to this procedure, please contact this individual.

Signature of Supervisor

Name of Employee: _____

Classification: _____

Date of Occurrence: _____

Date complaint was discussed with Immediate Supervisor: _____

STEP 1 – IMMEDIATE SUPERVISOR

Date complaint was reduced to writing and presented:

Nature of complaint: what is the issue or allegation; what has been violated?

Employee Signature: _____ Date Received: _____

If complaint is a group complaint, all employees in the group shall sign on the back of form. The employee whose name appears in the above space shall process the complaint.

Complaint must be filed with the employee's supervisor within five (5) working days from the date of the response received in the informal step to resolve the complaint.

(Hearing and response must be completed within five (5) working days of receipt of complaint)

Supervisor: _____ Date Received: _____

Supervisor Answer: _____

Supervisor Signature: _____ Date: _____

STEP 2 – DEPARTMENT HEAD

Delivered by employee to supervisor within five (5) working days of receipt of the Step 1 answer.

Date Submitted: _____

Received by: _____

Date of Hearing (within five (5) working days of receipt): _____

Department Head's Answer (within five (5) working days of hearing):

Supervisor's Signature

Date

STEP 3 – APPOINTING AUTHORITY

Delivered by employee to the appointing authority within five (5) working days of receipt of Step 2 answer.

Date Submitted: _____

Received by: _____

Date of Hearing: _____ (within five (5) working days of receipt)

Appointing authority's answer (within fifteen (15) working days following receipt of complaint):

Appointing Authority's signature

Date

EMPLOYEE'S REPORT OF OCCUPATIONAL DISEASE

FORM W

Employee Name: _____

Name of Employer: _____

Type of job performed when symptoms first appeared: _____

Number of months/years in above job: _____

Date of onset of symptoms (first noticed symptoms on what day?): _____

Did you report or mention your symptoms to anyone? _____

If so, to whom? _____

What was the length of time between the onset of symptoms and your disability? _____

Is there any prior history of this condition? If so, please explain in full detail: _____

Will the condition require further treatment or prevent you from working? If so explain: _____

Date of diagnosis or first medical treatment: _____

Doctor's name and address: _____

Current diagnosis: _____

Medical visits last five (5) years: _____

Current medications prescribed by your doctor(s) (give name of doctor): _____

The above statements made by me are true and correct to the best of my knowledge.

By signing this form I expressly waive all provisions of law which forbid any person or persons who heretofore did or who hereafter may medically attend, treat, or examine me or who may have information of any kind which may be used to render a decision in my claim for injury/disease of _____, 20__ from disclosing such knowledge to my employer and/or CompManagement, Inc. (representative of employer). A copy of this form will serve same as the original.

Date: _____

Employee: _____

Witness: _____

LETTERHEAD

Name
Address
Date

Welcome to employment with Seneca County. You are being appointed to the position of

_____, effective _____, 20_____.
(name of position) (date)

This is a temporary appointment for one specified period of time not to exceed one-hundred-twenty (120) days. During this period, you shall be scheduled (day) _____ through _____ from _____ .m. to _____ .m
(day) (time) (time)

Any change in your work schedule will be communicated to you.

As a temporary appointment, this position is in the unclassified service. You shall serve in this position at the pleasure of the appointing authority, and may be terminated from employment with or without cause, with or without notice, with no right of appeal.

Please contact me if you have any questions concerning your appointment.

Appointing Authority

Date

Department Head/Director

Date

I hereby acknowledge and accept appointment to the unclassified service as provided herein.

Signature of Employee

Date

Appointment approved by Board of County Commissioners on _____, by resolution number _____. (date)

LETTERHEAD

Name
Address
Date

Welcome to employment with Seneca County. You are being appointed to the position of _____, effective _____, 20____.
(name of position) (date)

This is an intermittent appointment. You will be required to work an irregular schedule which will be determined by the fluctuating demands of the work and is not predictable.

Your actual work hours will be determined on a daily basis depending on the need for your services which will fluctuate.

As an intermittent appointment, this position is in the unclassified service. You shall serve in this position at the pleasure of the appointing authority, and may be terminated from employment with or without cause, with or without notice, with no right of appeal.

Please contact me if you have any questions concerning your appointment.

Appointing Authority Date

Department Head/Director Date

I hereby acknowledge and accept appointment to the unclassified service as provided herein.

Signature of Employee Date

Appointment approved by Board of County Commissioners on _____, by resolution number _____. (date)

Date of incident: _____

Facts of Incident: _____

Statement(s) of Witnesses:

1. _____

Signature of Witnesses: _____

2. _____

Signature of Witnesses: _____

3. _____

Signature of Witnesses: _____

4. _____

Signature of Witnesses: _____

Proposed Action To Prevent Situation From Occurring Again: _____

Signature of Supervisor or Department Head: _____

Date: _____

ELECTRONIC MAIL/INTERNET ACKNOWLEDGEMENT STATEMENT FORM AA

The computers and information systems of Seneca County, including electronic mail (e-mail) and access to the Internet, are the property of the employer and are to be used for business purposes. Although employees and contractors have passwords that restrict access to their computers and e-mail, the employer may access any files, records, documents, or e-mail messages stored on or deleted from the computer system. The employer reserves the right to access such information and to monitor and track on-line activities including Internet usage.

Although the employer reserves the right to access such information, employees and contract staff are strictly prohibited from accessing another employee's or contractor's computer files or e-mail messages. Sharing passwords among employees and contractors is strictly prohibited. In addition, the e-mail system, Internet access, or other on-line services are not to be used in a way that may be disruptive, offensive to others, or harmful to morale or construed as harassment or disparagement of others based on their race, color, national origin, sex, sexual orientation, age, ancestry, military status, disability, religious, or genetic information. Employees and contractors may not use county computers or information systems to solicit or proselytize others for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations. E-mail messages are official employer communications, subject to laws pertaining to public records and to summons in legal proceedings.

Copyrights and restrictions that pertain to outside materials and data confidentiality shall be respected. Additionally, employees and contract staff are prohibited from the unauthorized downloading of software. Failure to adhere to these rules may result in discipline, up to and including termination. Further information and explanation regarding the use of county computers and information systems are found in the county Personnel manual, Section 8.17.

I acknowledge that I have received a copy of this statement and the e-mail/Internet policy. I agree to abide by the conditions set forth in these documents.

Signature

Date

PLEASE TYPE OR PRINT RESPONSES TO ALL OF THE QUESTIONS
CONTAINED ON THE ENTIRE APPLICATION FORM

POSITION SOUGHT: _____

NAME: _____
Last First Middle Initial

HOME ADDRESS: _____

CITY/STATE/ZIP: _____

COUNTY: _____ HOME PHONE: _____

S.S. NUMBER: _____ ARE YOU AN ADULT? YES NO

EMPLOYMENT HISTORY AND WORK EXPERIENCE
IN THIS SECTION, LIST ALL EMPLOYMENT HISTORY AND WORK EXPERIENCE IN
DATE ORDER BEGIN WITH YOUR CURRENT EMPLOYER. USE ADDITIONAL PAPER
IF NECESSARY. FAILURE TO INCLUDE ALL EMPLOYMENT MAY BE GROUNDS FOR
DISQUALIFICATION.

CURRENT EMPLOYER: _____
(Enter "None" if unemployed)

MAY WE CONTACT YOUR CURRENT EMPLOYER PRIOR TO EMPLOYMENT?
YES NO

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO: _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

BEGINNING SALARY: _____ PER _____ CURRENT SALARY: _____ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED,
PROMOTIONS, ETC.: _____

WHY DO YOU WANT TO LEAVE? _____

PREVIOUS EMPLOYER: _____

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO: _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

BEGINNING SALARY: _____ PER _____ CURRENT SALARY: _____ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED,
PROMOTIONS, ETC.: _____

WHY DID YOU LEAVE? _____

PREVIOUS EMPLOYER: _____

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO: _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

BEGINNING SALARY: _____ PER _____ CURRENT SALARY: _____ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED,
PROMOTIONS, ETC.: _____

WHY DID YOU LEAVE? _____

PREVIOUS EMPLOYER: _____

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO: _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

BEGINNING SALARY: _____ PER _____ CURRENT SALARY: _____ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED,
PROMOTIONS, ETC.: _____

WHY DID YOU LEAVE? _____

PREVIOUS EMPLOYER: _____

ADDRESS: _____

PHONE NUMBER: _____

DATES EMPLOYED: _____ TO: _____

JOB TITLE: _____

SUPERVISOR'S NAME: _____

BEGINNING SALARY: _____ PER _____ CURRENT SALARY: _____ PER _____

DESCRIBE YOUR DUTIES, RESPONSIBILITIES, EQUIPMENT OPERATED,
PROMOTIONS, ETC.: _____

WHY DID YOU LEAVE? _____

IF YOU NEED TO LIST ANY ADDITIONAL PREVIOUS EMPLOYERS, PLEASE USE A
BLANK SHEET OF PAPER TO DO SO.

EDUCATION AND TRAINING

THIS SECTION IS INTENDED TO GIVE THE EMPLOYER INFORMATION ABOUT THE
EDUCATION AND TRAINING THAT THE APPLICANT HAS COMPLETED, AND TO
DEMONSTRATE THE SKILLS, KNOWLEDGE, AND ABILITIES OF THE APPLICANT TO
PERFORM THE JOB DUTIES OF THE POSITION.

HIGH SCHOOL ATTENDED: _____

ADDRESS: _____

DID YOU GRADUATE? _____ HIGH SCHOOL EQUIVALENT? _____

COURSES PERTAINING TO JOB APPLIED FOR: _____

ACTIVITIES, AWARDS, SPORTS, ETC.: _____

COLLEGE OR TRADE SCHOOL ATTENDED: _____

ADDRESS: _____

DATES OF ATTENDANCE: _____ TO: _____

DID YOU GRADUATE? _____ DEGREE: _____

COURSES PERTAINING TO JOB APPLIED FOR: _____

ACTIVITIES, AWARDS, SPORTS, ETC.: _____

GRADUATE SCHOOL(S) ATTENDED: _____

ADDRESS: _____

DATES OF ATTENDANCE: _____ TO: _____

DID YOU GRADUATE? _____ DEGREE: _____

PLEASE USE THE FOLLOWING SPACE TO PROVIDE ANY FURTHER INFORMATION
ON TRAINING, EDUCATION, SKILLS, ABILITIES, HOBBIES, VOLUNTEER WORK,
ETC., THAT YOU POSSESS OR HAVE EXPERIENCED THAT MAY BE HELPFUL IN THE
EVALUATION OF YOUR APPLICATION.

PERSONAL INFORMATION

DO YOU HAVE ANY COMMITMENTS (I.E., SECOND JOB, SCHOOL, ETC.) WHICH MIGHT INTERFERE WITH, OR ADVERSELY AFFECT, YOUR EMPLOYMENT SHOULD WE SELECT YOU FOR A POSITION? YES NO

IF YES, PLEASE EXPLAIN: _____

DO YOU POSSESS A VALID DRIVERS LICENSE? YES NO

IF NO, CAN YOU OBTAIN ONE PRIOR TO EMPLOYMENT? YES NO

ARE YOU ELIGIBLE TO WORK IN THE UNITED STATES? YES NO

ARE YOU A RESIDENT OF OHIO? YES NO

IF NOT, ARE YOU WILLING TO BECOME A RESIDENT UPON EMPLOYMENT?

YES NO

ARE YOU RELATED TO ANYONE THAT IS CURRENTLY EMPLOYED BY THE SENECA COUNTY COMMISSIONERS? YES NO

PLEASE LIST THREE REFERENCES WHO ARE NOT RELATED TO YOU THAT YOU HAVE KNOWN AT LEAST ONE YEAR:

NAME: _____

PHONE: _____ ADDRESS: _____

NAME: _____

PHONE: _____ ADDRESS: _____

NAME: _____

PHONE: _____ ADDRESS: _____

PLEASE READ EACH OF THE FOLLOWING PARAGRAPHS CAREFULLY. INDICATE YOUR UNDERSTANDING OF, AND CONSENT TO, THE CONTENTS AND CONDITIONS OF EACH PARAGRAPH BY PLACING YOUR INITIALS AT THE END OF EACH PARAGRAPH. IF YOU HAVE ANY QUESTIONS REGARDING THESE PARAGRAPHS, CONTACT THE EMPLOYER BEFORE INITIALING THE PARAGRAPH.

1. I understand and accept that, if I am selected for employment, my employment may be conditioned upon my passing any medical examination that the employer deems necessary to determine whether I can physically perform the essential functions of the position, with reasonable accommodation when necessary. I understand and accept that this may include drug, alcohol or substance abuse testing.

Initials: _____

2. If employed, I understand and accept that, depending on the department in which I am applying for employment, I may be required to work evening shifts or night shifts, including weekends and be on call and work mandatory overtime hours.

Initials: _____

3. I understand and accept that if any information required in this application is found to be falsified or intentionally excluded, my application may be disqualified from further consideration. I further understand and accept that if I am employed by the employer, I may be subject to disciplinary action, including termination, if any information required by this application has been falsified or intentionally excluded.

Initials: _____

4. I understand and accept that the employer requires a high degree of integrity and confidentiality of its employees. I also understand and accept that the various law enforcement and informational agencies that exchange information and data with the employer require that the employer's employees do not have a past record of unlawful activities. Therefore, I understand and accept that, depending on the department in which I am applying for employment, it may be necessary for the employer to investigate my background for any criminal or unlawful activity.

Initials:_____

5. I hereby authorize the employers, schools and personal references named in this application to provide information regarding me to the employer. I further authorize the release of personnel, academic and other records to the employer.

Initials:_____

I SOLEMNLY SWEAR THAT ALL OF THE INFORMATION FURNISHED IN THIS EMPLOYMENT APPLICATION IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I AUTHORIZE INVESTIGATION OF ALL STATEMENTS CONTAINED IN THIS APPLICATION. I UNDERSTAND THAT ANY MISREPRESENTATION OR FALSIFICATION OF THE INFORMATION PROVIDED MAY LEAD TO WITHDRAWAL OF AN EMPLOYMENT OFFER OR TERMINATION FOLLOWING EMPLOYMENT. I ALSO RECOGNIZE THAT MY FUTURE EMPLOYMENT WITH THE EMPLOYER WILL BE JEOPARDIZED IF I ENGAGE IN SUBSTANCE ABUSE, ILLEGAL DRUG USE, OR ALCOHOL ABUSE.

*****READ CAREFULLY*****

I AGREE THAT ANY CLAIM OR LAWSUIT RELATING TO MY SERVICE WITH SENECA COUNTY MUST BE FILED NO MORE THAN SIX (6) MONTHS

AFTER THE DATE OF THE EMPLOYMENT ACTION THAT IS THE SUBJECT TO THE CLAIM OR LAWSUIT. I WAIVE ANY STATUTE OF LIMITATIONS TO THE CONTRARY.

(Applicant's Signature)

(Date)

(Notarized by)

(Date)

APPLICATION TO DONATE LEAVE

FORM CC

Donator's (Transferor) Name: _____ Employer: _____

Receiver's (Transferee) Name: _____ Employer: _____

Please check one of the responses below:

- I am responding to a notice that an employee is in critical need of donated sick leave.
- I am aware of this employee's need and I am making this offer.

If the second response is marked, I understand that the Receiver indicated must be contacted by his appointing authority to determine if the Receiver is eligible and willing to accept the leave. The Receiver will be required to complete an "Application to Receive Donated Leave" prior to determination of eligibility.

Hours of Sick Leave to be donated - must be in one (1) donor day increments up to a maximum of 240 hours equivalence: _____

Balance of Sick Leave after donation: _____

I hereby certify that this request is made voluntarily. I was not coerced, intimidated, or financially induced into donating leave. By signing, I hereby relinquish all rights to the leave shown above and the benefits accrued to or attached to the same. I understand and agree that the donation of the leave is irrevocable and that no leave actually donated will be refunded to me. I certify that I will have 240 hours of sick leave after making this donation.

Witness's Signature _____ Date _____

Transferor's (Donator's) Signature _____ Date _____

Signature of appointing authority _____ Date _____

CERTIFICATION:

- Sick Leave Balance above is certified as correct.
- Sick Leave Balance above is certified as not correct.
- Balance of Sick Leave

Signature of Seneca County Auditor Date

Printed Name Title

Sick Leave Donation: _____ APPROVED _____ DENIED

Seneca County County Administrator Date

Employee's Name: _____ Employer: _____

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

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

Number of days: _____ Beginning: _____ Ending: _____

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

I verify that the above information is a true and accurate report of my condition as I know today.

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

Witness's Signature _____ Date _____

Employee's Signature _____ Date _____

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

Name of Reviewer

Signature

Date

In order to read the Ohio Ethics Law and Related Statutes, go to the following web link:

<http://www.ethics.ohio.gov/>

If you are unable to access the web link, the employer can provide you with a hard copy of the document to review.

I hereby acknowledge receipt of the Ohio Ethics Law and Related Statutes. I further acknowledge that I understand and agree to abide by these ethics while in the employ of Seneca county. By my signature below, I hereby acknowledge that if I break these provisions of the law, I could be subject to criminal prosecution and/or discipline including termination of my employment.

Signature of Employee

Date

INJURED:

Name and Address	Phone	Ins. Veh.	Other Veh.	Report number
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

WITNESSES OR PASSENGERS:

Name and Address	Phone	Ins. Veh.	Other Veh.	Report number
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

POLICE:

Police Investigate? Q Yes Q No	Police Agency	Party Cited	Investigating Officer	Report Number
_____	_____	_____	_____	_____

LIABILITY:

Alleged Offense		Officials Involved	
_____		_____	
Claimant-Name and Address	Residence Phone	Business Phone	
_____	() _____	() _____	
Remarks:			

Date:	Reported by:	Reported to:	Signature:
_____	_____	_____	_____

(insert form)

*****ATTACH TO ANY REQUEST FOR MEDICAL EXAMINATION*****

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

I, _____, have received and read the Social Media Policy. I understand that I am required to abide by the policy and may be subject to discipline up to and including termination for violations. I realize any question concerning my conduct or use of such website should be addressed to my immediate supervisor.

Signature

Date

This is to acknowledge that I have received a copy of, read, understand and have had the opportunity to have my questions answered regarding the Seneca County Workplace Violence/Concealed Carry Policies. I understand that engaging in prohibited behavior under these policies may result in discipline, up to and including immediate removal from Seneca County-owned, rented, leased, or otherwise controlled property as well as termination of my employment with Seneca County and possible legal action.

Employee Signature: _____ Date: _____

I, _____ understand that I have been chosen to receive a Seneca County cell phone. I have read and understand the Seneca County Cellular Phone Policy. As such, I also understand that I may be accountable for any and all charges incurred by cell phone usage above and beyond the contractual monthly limits of the cell phone plan.

I understand that I may be accountable for any of the following additional charges:

- X Lost, stolen, or damaged cell phone equipment
- X Exceeding the amount of peak minutes allowed under the cell phone plan
- X Exceeding the amount of off-peak minutes allowed under the cell phone plan
- X Calling directory assistance
- X Any roaming charges
- X Long distance charges
- X Web usage and download fees
- X Any other charges above and beyond the regular monthly service charge established by the contract
- X All personal calls
- X And such other charges as may be deemed payable by Seneca County overtime

Employee Signature

Date Signed

I, _____ received the following cellular phone equipment. Furthermore, I understand that the following equipment must be returned at the request of the County Commissioners and/or on the date my employment ends with Seneca County.

Phone: _____

Wall charger: _____ yes _____ no

Car charger: _____ yes _____ no

Additional Equipment: _____ yes _____ no

Employee Signature

Date Signed