

First Reading: October 1 2019  
Second Reading: dispensed

**RESOLUTION NO. 2019- 105**

**A RESOLUTION ADOPTING AN EMPLOYEE HANDBOOK FOR THE PROVISION AND GOVERNANCE OF SYCAMORE TOWNSHIP EMPLOYEES**

WHEREAS, the Board of Township Trustees wishes to adopt a new Employee Handbook to provide for the benefits and governance of Sycamore Township Employees;

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Sycamore Township, Hamilton County, State of Ohio:

**SECTION 1.** The attached Employee Handbook is hereby adopted as the official policy for Township benefits and governance for Sycamore Township employees.

**SECTION 2.** By at least a two-thirds vote of its members, the Board dispenses with any requirement that this resolution be read on two separate days and approves it upon its first reading.

**SECTION 3.** This resolution shall take effect on the earliest date allowed by law.

**VOTE RECORD:**

Mr. Connor AYE      Mr. LaBarbara AYE      Mr. Weidman ABSENT

**PASSED** at the meeting of the Board of Trustees this 15<sup>TH</sup> day of OCTOBER, 2019.

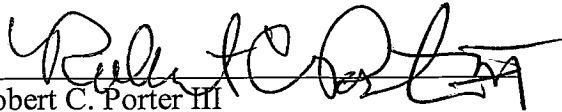
Absent  
Thomas J. Weidman, Chairman

Dennis W. Connor  
Dennis W. Connor, Vice-Chairman


Jim LaBarbara  
Jim LaBarbara, Trustee

**AUTHENTICATION**

This is to certify that this resolution was duly passed, and filed with the Sycamore Township Fiscal Officer, this 1<sup>st</sup> day of October, 2019.

  
Robert C. Porter III  
Sycamore Township Fiscal Officer

APPROVED AS TO FORM:

  
R. Douglas Miller, Law Director

L:\Local Government\Sycamore\Resolutions\EmployeeHandbook

# Sycamore Township Employee Handbook

<b>SECTION 1: THE WAY WE WORK</b> .....	1
A WORD ABOUT THIS HANDBOOK .....	1
A WORD ABOUT OUR EMPLOYEE RELATIONS PHILOSOPHY .....	1
YOUR RELATIONSHIP WITH THE TOWNSHIP .....	1
ETHICS STANDARDS.....	2
Pre-Employment Requirement.....	8
Post-Hiring Requirements.....	9
CATEGORIES OF EMPLOYMENT .....	9
SUGGESTIONS AND IDEAS .....	10
TALK TO US .....	10
PRINCIPLES OF PUBLIC SERVICE .....	11
<b>SECTION 2: YOUR PAY AND PROGRESS</b> .....	11
PAYDAY .....	11
PERFORMANCE REVIEWS .....	12
PROMOTIONS AND TRANSFERS .....	13
PAY ADJUSTMENTS .....	13
PAY ADVANCE .....	14
OVERTIME .....	14
COMPENSATORY TIME .....	14
ON CALL .....	14
<b>SECTION 3: TIME AWAY FROM WORK AND OTHER BENEFITS</b> .....	15
HOLIDAYS .....	15
VACATION.....	15
PERSONAL LEAVE.....	16
FLEXTIME.....	17
SICK LEAVE .....	18
UNPAID LEAVE OF ABSENCE .....	20
LEAVES OF ABSENCE FOR PREGNANCY, CHILDBIRTH, AND NEW PARENTS .....	27
JURY DUTY .....	28
VOTING LEAVE .....	28
MILITARY LEAVE.....	29
<b>SECTION 4: INSURANCE, RETIREMENT, AND OTHER BENEFITS</b> .....	29
MEDICAL INSURANCE .....	29
EMPLOYEE ASSISTANCE PROGRAM .....	30
LIFE INSURANCE .....	30
WORKERS' COMPENSATION .....	30
PUBLIC EMPLOYEE RETIREMENT SYSTEM.....	31
POLICE AND FIRE DISABILITY AND PENSION FUND.....	31
OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION PROGRAM .....	32
TUITION ASSISTANCE PROGRAM .....	32
FOOTWEAR ALLOWANCE .....	33
<b>SECTION 5: ON THE JOB</b> .....	33
NEW EMPLOYEE ORIENTATION .....	33
ATTENDANCE AND PUNCTUALITY .....	33
WORK WEEK.....	34
MEAL TIME .....	34
WASH-UP .....	34
STANDARDS OF CONDUCT .....	34

RESIDENT AND PUBLIC RELATIONS .....	35
SOLICITATIONS.....	35
CHANGES IN PERSONAL DATA.....	36
DISSEMINATING TOWNSHIP INFORMATION.....	36
CARE OF EQUIPMENT.....	36
TOWNSHIP VEHICLES.....	36
TRAVEL/EXPENSE ACCOUNTS.....	37
SEVERE WEATHER.....	37
PERSONAL TELEPHONE CALLS .....	37
DRESS POLICY.....	37
OUTSIDE EMPLOYMENT.....	38
PARKING.....	38
BULLETIN BOARD .....	39
LUNCHROOM.....	39
POSTAGE METER .....	39
SYCAMORE TOWNSHIP LOCAL/WIDE AREA NETWORK.....	39
IF YOU MUST LEAVE US .....	41
DISCIPLINARY AND GRIEVANCE POLICY .....	42
<b>SECTION 6: SAFETY IN THE WORKPLACE .....</b>	<b>43</b>
EACH EMPLOYEE'S RESPONSIBILITY .....	43
GOOD HOUSEKEEPING.....	44
SMOKING IN THE WORKPLACE .....	44
ALCOHOL AND DRUG TESTING POLICY .....	44
COMMERCIAL DRIVER'S LICENSES .....	49
COMMERCIAL DRIVERS LICENSE REQUIREMENT .....	58
DRIVING RECORD AND SAFETY.....	58
PERSONAL DAMAGES .....	58
HEALTH, SAFETY, AND LOSS CONTROL POLICY .....	59
ACKNOWLEDGEMENT OF RECEIPT .....	60

## **SECTION 1: THE WAY WE WORK**

### **A WORD ABOUT THIS HANDBOOK**

The policies set forth in this employee handbook should be regarded as guidelines, which will change from time to time based on changing conditions and the Township's needs. The Township retains the right to make any changes needed in order to conduct its work in a manner that is beneficial to the employees and Sycamore Township. In short, this Handbook sets out our expected way of doing business, not legal rules that bind the Township.

This employee handbook summarizes the current benefit plans maintained by Sycamore Township. If any questions arise regarding the interpretation of these plans, the answers will be determined in accordance with the actual plan documents and policies rather than the summaries contained in this handbook.

As noted above, the policies contained in this employee handbook are not intended as a contract of employment and may be added to or changed as needed. Under principles of Ohio law, township employees serve at will, which means that either the employee or the employer may terminate the employment relationship at any time.

### **A WORD ABOUT OUR EMPLOYEE RELATIONS PHILOSOPHY**

Sycamore Township seeks to provide a work climate where employees can grow professionally while providing excellent service to our residents. While we need to have policies that apply to all who work here, we also recognize that each employee is an individual, and based on that, we seek to develop a spirit of teamwork, with individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, we work to provide a progressive and comfortable workplace characterized by professionalism and mutual respect. We also seek to build a workplace where communications are open and problems can be discussed and resolved in a mutually respectful atmosphere.

We firmly believe that by our communicating with each other directly, we can continue to resolve any difficulties that may arise and develop a mutually beneficial working relationship.

### **YOUR RELATIONSHIP WITH THE TOWNSHIP**

Working for Sycamore Township is a partnership. We hope that you find your work here both challenging and personally rewarding. But the positions of Township Trustees, Fiscal Officer, Administrator, and that of every employee exist for the purpose of providing excellent customer service to the residents of Sycamore Township, and that is the overarching goal upon which our work must be based every day.

With your help, we are committed to providing the best service possible to Township residents.

We do understand that, from time to time, people look elsewhere to satisfy their employment goals. If you decide to leave, you may do so at any time for any reason. You are not employed with the Township under the limitation of a contract or for a specified period of time. This is a choice we all have under the legal doctrine of employment-at-will that prevails in Ohio. It also means that the Township has the same option and may end the employment relationship at any time, for any reason.

The Township Board of Trustees strives to provide a pleasant working environment for its staff because you fill an important role in providing Township service. This staff handbook is intended as a guide to understanding the benefits provided to Township staff and what is expected of you while you are employed here. We will do all that we can do to ensure a good working environment, and, in return, the Township expects each staff member to follow the policies and procedures established and to remain focused on excellent customer service to Township residents.

Please read the handbook carefully and ask your supervisor or Township Administrator about any questions you may have. Please understand that no one but the Sycamore Township Board of Trustees has any authority to make any binding promise to you or binding arrangements with you about your employment.

We are interested at any time in hearing your own suggestions for change or improvement of the work environment or ways in which we can provide better service to Township residents.

## **ETHICS STANDARDS**

Public employees serve a public trust, and our salaries are paid by the taxpayers of Sycamore Township. That role requires us all to be scrupulous to adhere to ethical responsibilities and high standards of honesty and integrity at all times. Ethical obligations applicable to all public employees in Ohio are set forth in various Ohio statutes, including those set forth in Ohio Revised Code (ORC) Chapter 102. This chapter can be found at <http://codes.ohio.gov/orc/102>, and a hard copy can be obtained in the office of the Township Administrator, who can provide additional information about these requirements. Even beyond Ohio statutory obligations, however, it is imperative that all Township employees avoid even the suggestion or appearance of impropriety or conflict of interest in carrying out their duties. This includes, but is absolutely not limited to, not using your position to profit or benefit yourself or any member of your family (beyond earning your salary and benefits, of course), not accepting anything of value from anyone who does business or is seeking to do business with the Township, and not disclosing confidential information that you learn in the course of your work, even if it might technically be public record.

It is also a violation of Ohio ethics law (and this policy) for any elected official, manager, supervisor, or other employee to use his or her position or influence to seek employment or any personal, financial benefit for any member of the official's or employee's immediate family or member of that person's household. To do so is a serious and potentially criminal violation. If

in doubt about the boundaries of this ethics policy, seek clarification from the Township Administrator

If you have any questions at any time regarding your expected standards of behavior as a Township employee, you should contact your supervisor or Township Administrator to discuss to the matter so that you can be given a clear answer—before you act.

## **EQUAL EMPLOYMENT OPPORTUNITY/AMERICANS WITH DISABILITIES ACT**

Our Township is committed to providing equal employment opportunity to all, as provided under federal and state law. Our Township does not discriminate against employees or applicants for employment on any legally-recognized basis including, but not limited to, race, color, sex, religion, national origin, age (over 40), disability, veteran status, or based on genetic information.

Upon request, Sycamore Township will consider and offer reasonable accommodation for any qualified individual with a disability when that accommodation is needed to allow that individual to participate in services provided by the Township, including during employment and the application and screening process.

If you believe that you have been discriminated against or otherwise mistreated in violation of this policy, immediately contact the Township Administrator or another person in senior management with whom you feel comfortable. Sycamore Township will not retaliate or permit retaliation against anyone who brings forth information or a complaint about discrimination or violations of this policy on equal employment opportunity.

## **PROHIBITION OF ILLEGAL DISCRIMINATION OR HARASSMENT AND OTHER ILLEGAL AND INAPPROPRIATE OFFICE BEHAVIOR, INCLUDING SEXUAL HARASSMENT**

- A. Sycamore Township is obligated and committed to adhere to all provisions of Title VII of the Civil Rights Act of 1964 and other federal laws banning employment discrimination, as well as of Chapter 4112 of the Ohio Revised Code. It is the responsibility of all persons associated with the Township to help eliminate all forms of unlawful discrimination based on sex, race, color, religion, national origin, age, disability, veteran's status, genetic information, or other form of discrimination prohibited by federal or state employment laws.
- B. Sycamore Township strives to maintain a workplace that fosters mutual respect and promotes harmonious, productive working relationships. Discrimination or harassment of any kind based on the classifications named in paragraph A above is strictly prohibited.
- C. Sexual harassment or harassment based on any other form of prohibited discrimination is a form of misconduct which undermines the integrity of the employment relationship. Sexual harassment, in particular, is a form of discrimination that needs some additional explanation so that boundaries of behavior among employees are clear. No employee, either male or female, shall be subjected to unsolicited or unwelcome sexual overtures or conduct, either

verbal or physical. Simply put, we are here to work and serve the public, not to pursue sexual or romantic interests, and employees are expected to treat each other and all with whom they come in contact, whether supervisors and officials, fellow employees, vendors or business people, or members of the public at all times with equality, dignity and respect.

- D. All discriminatory harassment is strictly prohibited and shall not be tolerated. Sexual harassment can consist of an unwelcome sexual advance, an unwanted request for sexual favors or a romantic relationship, or other verbal, written, electronic, visual, or physical conduct or behavior of a sexual nature which is deliberate or repeated or which is part of a decision to hire or fire, used to make decisions regarding wages, promotions, evaluations, supervision, or job assignments, or which interferes with an employee's work performance, or which creates an intimidating, hostile or offensive work environment based on the employee's sex. Sexual harassment can be found whether the offending employee is a supervisor or a coworker, whether the victim is male or female, and whether the conduct occurs between members of the opposite sex or between persons of the same sex. Employees at all levels should be aware that Sycamore Township will not tolerate inappropriate activity of this kind even though it may not be severe or pervasive enough to meet the legal standard necessary to impose liability in a court action for sexual or other discriminatory harassment. The Township will take severe disciplinary action against any inappropriate office conduct that if left unchecked would create the risk of liability for sexual or other discriminatory harassment, including imposing discharge for the first offense where warranted in the judgment of the Board of Trustees. Employees, supervisors, or managers who condone such conduct are subject to discipline as well as those who participate in such conduct. Specific activities which may constitute sexual harassment include, but are not limited to: sexual comments of a provocative or suggestive nature; verbal abuse, such as insults; suggestive comments and demands; leering and subtle forms or pressure for sexual activities; unwanted forms of physical contact such as touching, pinching, groping, and patting; lewd pictures, videos, or cartoons; sexual jokes or stories; or actual or attempted rape or sexual assault. These are examples of prohibited conduct, not an exclusive list.
- E. Any supervisor or manager who becomes aware of an occurrence of sexual harassment, any other form of discrimination, or other inappropriate behavior shall take immediate measures to intervene and prevent any recurrence of such incidents. Any employee who experiences or witnesses such behavior must report it to any person in Township management with whom he or she is comfortable. Our expectation in this area is, "If you see something, say something, and do something."
- F. If any employees feels that an elected official is subjecting him or her to discriminatory or other inappropriate behavior that might be in violation of this policy, the employee should report this promptly to either the Township Administrator or the Township's Law Director or both. If the allegation relates to the behavior of the Township Administrator, the employee should report this to either the Board of Trustees or the Law Director or both. In such a case, the Township will undertake an investigation using an outside investigator to determine the facts, which will be reported to the Board of Trustees as a whole. The provisions of subparagraph I below, prohibiting any retaliation, are fully applicable to such reports or allegations.



- G. If an employee believes that an outside vendor, customer, or member of the public is engaging in discriminatory or inappropriate comments or behavior that might violate this policy, then the employee should report this immediately to his or her supervisor, the Township Administrator, or anyone in management with whom the employee feels comfortable reporting this information. No employee is expected to endure discriminatory or abusive comments by outside vendors, customers, or members of the public, though as is always true, the employee must maintain his or her own professional demeanor and report the issue to management so that it can be addressed and, if necessary, remedied.
- H. This policy is intended to assure employees that they are not to endure insulting, degrading, discriminatory, or exploitive treatment based on sex or any other personal characteristic protected by law or Township policies. Because this type of harassment is a form of discrimination, workplace harassment on the basis of the employee's race, color, religion, national origin or ethnic background, age, or disability is also prohibited under federal and state law. Inappropriate and offensive conduct that may have the effect of creating an intimidating, offensive, or hostile working environment on the basis of any of these characteristics shall be subject to complaint, investigation, and disciplinary action as provided in this procedure for claims of inappropriate conduct of a sexual nature.
- I. There will be no retaliation against employees who take actions to report or stop harassing behavior prohibited by this policy, including both victims and witnesses.
- J. Expectations of Personal Conduct.
  - (1) **Inappropriate Office Items.** Because Township offices are public property in which it is essential to maintain a professional and appropriate appearance, no supervisor or employee shall post, place, maintain, or circulate in his or her work area any picture, drawing, document, or other depiction of a sexually explicit or offensive nature, or which ridicules or reasonably offends persons of either sex or any racial, religious, ethnic, or social group. This includes but is not limited to information shared via e-mail, text messages, any kind of "chat" function, or other electronic means.
  - (2) **Relationships Between Managers or Supervisors and Staff.** When a manager or supervisor enters into a romantic relationship with an employee under his or her authority, the situation poses inherent and unavoidable risks of conflict of interest, damage to employee morale, disruption of workplace effectiveness, or potential for coercion. Accordingly, it is always inappropriate for a manager or supervisor to date or enter into a romantic or sexual relationship with an employee under his or her authority. When a manager or supervisor and an employee subordinate to him or her enter into a romantic, sexual, or dating relationship, the manager or supervisor must report this fact to the Township Administrator. The Township will expect that either (1) the relationship will be terminated immediately, or (2) one or both of the employees involved will agree to changes in positions so that they no longer are in a reporting relationship if possible, whether through resignation or transfer, demotion, or reassignment to a vacant position, if a vacant position exists for which the employee is qualified and appropriate, and such a change would otherwise serve the interests of the Township. If the employees involved are not

willing to undertake such a decision voluntarily, then the Township may take whatever steps are necessary to end the reporting relationship, including involuntary transfer, reassignment, demotion, or other removal of one or both of the employees involved. The Township expects managerial and supervisory employees to avoid such involvements, and if one arises, to disclose the relationship immediately to the Township Administrator so that appropriate steps may be taken. Failure of a manager or supervisor promptly to disclose such a relationship is independent grounds for immediate discharge.

- (3) **Relationships Between Co-Workers Not In Supervisory Relationships.** Romantic relationships between co-workers where neither is involved in a position of authority over the other do not pose the same inherent risks, and the Township does not impose a flat prohibition on such relationships or “dating” between co-workers. Dating a co-worker is nonetheless strongly discouraged because, again, we are here to work and serve the public, not meet our social or sexual needs, and when a romantic relationship ends, it can be inherently uncomfortable and even extremely unpleasant to work together. If that discomfort creates workplace issues, the result can negatively impact your position with the Township.

In any event, employees are expected to manage their personal relationships in such a way to avoid adverse impact upon the workplace, and if such relationships become a problem in the workplace, Township management has a legitimate basis to intervene and take appropriate action to address the problem. If one employee declines another employee’s invitation for a date or for other romantic or sexual involvement or indicates the desire to terminate a previously consensual, personal relationship with a co-worker, the other employee involved must respect and accept that decision immediately and without further pursuit, and if the other employee persists in pursuing the matter despite the expressed lack of interest, he or she is now engaging in unwelcome conduct in violation of this policy. Such conduct will be subject to disciplinary action, up to and including removal from employment.

- K. No employee shall knowingly make or threaten to make a false accusation of sexual harassment intended solely to damage, harm, retaliate against, or intimidate a co-worker, supervisor or manager.

L. Procedure

- (1) Any employee who believes he or she has been subjected to inappropriate behavior or comments in violation of this policy is encouraged to firmly and clearly tell the person engaging in the harassing conduct that it is unwelcome, offensive, and should stop. The employee’s failure to so inform the offending employee is not a defense to disciplinary action, however, when the conduct is objectively inappropriate in a professional workplace or offensive to a reasonable person in the position of the targeted employee. The employee should also promptly report the incident either to his or her immediate supervisor, the department head, the Township Administrator, or any other person in Township management with whom the employee feels comfortable. **Employees are specifically advised that they are not required to follow the normal chain-of-command to raise**

**concerns in this area, and that they are both expected to and directed to bypass a supervisor or manager in that chain-of-command if he or she engaged in or condoned the behavior in question or the employee is otherwise more comfortable reporting the allegations to another manager or supervisor.** If the report is made initially to a supervisor or department or division head, that supervisor or manager shall immediately refer the complaint to the Township Administrator, unless the allegation is about the Township Administrator's own conduct.

- (2) If the allegation relates to any activity involving personnel employed by the Township, the Township Administrator will arrange for a prompt investigation of the allegation or incident, as may be appropriate given the allegations. If the allegation relates to the conduct of the Township Administrator, the employee should report the incident to a Township Trustee or the Fiscal Officer. Every effort will be made to handle all such complaints in a fair, impartial, and expeditious manner.
- (3) An investigation may, where appropriate, include interviews with witnesses to the alleged occurrence of sexual harassment. In order to protect both the person making the complaint and the person(s) against whom the complaint is made, every reasonable effort will be made to handle the complaint in as confidential a manner as possible, recognizing, however, that the due process rights of accused employees may eventually require disclosure of the identify of the accuser and specific witnesses in some cases. In any investigation, employee witnesses are required to answer all questions fully, completely, and honestly, subject to the employee's constitutional rights. Dishonesty or failure to answer questions in an investigation may be grounds for immediate removal.
- (4) The Township may take steps necessary to minimize any work assignments or contact between the individual making the complaint and the individual against whom the complaint is made during the investigation, including the use of paid administrative leave. Placing an employee on paid administrative leave pending investigation and resolution of an issue does not connote any finding of guilt or disciplinary action. Where there has been an independent determination of probable cause, such as an arrest or filing of criminal charges, the Township may place the accused employee on unpaid leave.
- (5) Upon conclusion of the investigation, the Township Administrator or appropriate manager will inform both the complainant and the accused what conclusions have been reached. Because of the liability that may accrue to the Township for such inappropriate conduct, employees who are found to have engaged in inappropriate work-related conduct that, if it had been allowed to continue, could have risen to the level of sexual harassment or other form of unlawful harassment, whether in the nature of creating a hostile work environment or as an express or implied condition for another employee's enjoyment of a work benefit, will be subject to disciplinary action, up to and including discharge for the first offense in appropriate cases.
- (6) Harassment by Clients or Customers. Any employee who is subjected to conduct by employees or officials of other government offices or agencies, members of the public, clients, customers, or outside contractors, that would otherwise be prohibited by this policy

if the perpetrator were a Township employee, must report this inappropriate conduct to the employee's department head or the Township Administrator so that appropriate action may be taken to the greatest extent practicable to protect the employee and ensure that the inappropriate conduct stops. No employee is expected to endure such behavior as "part of the job."

- (7) Retaliatory action or conduct of any kind taken by any employee of the Township against another employee as a result of that employee having sought redress under this policy or for providing information in any investigation is strictly prohibited and shall constitute a separate and distinct violation of the Township's sexual harassment policy. Employees are required to report any action that they believe to be retaliatory to the Township Administrator or any manager with whom the employee feels comfortable. Nothing in this policy shall be construed to either expand or restrict an employee's statutory or regulatory rights to seek redress.

Violation of this policy may result in disciplinary action up to and including dismissal for the first offense, depending on severity, impact, and the risk of recurrence.

#### **IMMIGRATION REFORM AND CONTROL ACT.**

In accordance with the provisions of the Immigration Reform and Control Act of 1986 (the "Act"), Sycamore Township has adopted this policy in order to ensure that all employees are legally authorized to work in the United States:

1. Sycamore Township shall not knowingly hire, recruit, or continue employment of any individual without substantiating and documenting that individual's eligibility to work in the United States in accordance with provisions established by this policy.
2. Sycamore Township has established an employment verification system and will retain appropriate records establishing that each employee of the Township is either a citizen of the United States or a resident who is lawfully authorized to work in the United States.
3. As a condition of employment, Sycamore Township must verify both the identity and the employment eligibility of all applicants considered for employment by following the steps outlined below.

#### **Pre-Employment Requirement**

1. As a condition of employment, all applicants will be required to complete the biographical information requested by Form I-9. The applicant must attest that he or she is eligible for employment and has presented authentic, original documentation of identity and employment eligibility by placing an X in the appropriate box of the form. The form shall be submitted to the Township Administrator or his or her designee for review and verification.

2. Sycamore Township will require the applicant to furnish either one of the documents under List A or one document from List B *and* one document from List C on the then-current Form I-9 to verify eligibility to work in the United States.
3. If an individual attests to the Township that he or she intends to apply or has applied for legalization or amnesty, the Township need not require evidence of work authorization as specified in List C. The applicant must, however, provide evidence of the applicant's identity and, thereafter, provide verification that the legal status or amnesty has been granted within the appropriate time. Failure to do so is grounds for removal from employment.
4. A driver's license or state identification card shall be accepted only if the card bears a photograph of the applicant and contains personal identifying information including the applicant's name, address, date of birth, gender, height, weight, and eye color.

#### **Post-Hiring Requirements**

1. Within three business days after the appointment of any applicant, the Township Administrator or designee will examine the documentation presented by the new employee, and complete the remaining portions of Form I-9.
2. The Township shall retain Form I-9 and photocopies of the supporting documentation for three years after the effective date of hire or for one year from the date of the employee's separation from service, whichever is later.
3. Forms I-9 and copies of supporting documentation shall not be used for any purpose or provided to any agency or person other than complying with the requirements of the Act, and the Township shall maintain these records in files separate from the employee's personnel file.
4. Should an employee be rehired or reinstated by the Township, within one year of the date of separation, the Township may use the original I-9 form and supporting documentation for the purpose of complying with the Act.

Sycamore Township shall not discriminate in hiring on the basis of national origin and citizenship status except as otherwise provided by law.

#### **CATEGORIES OF EMPLOYMENT**

**INTRODUCTORY PERIOD:** Full-time employees serve an introductory period during their first twelve months of employment.

During this period of time, you will be able to determine if your new job is suitable for you and

your supervisor and Township management will have an opportunity to evaluate your work performance to determine whether you are suitable for on-going employment. While you remain an at-will employee throughout your service with Sycamore Township, during this first year introductory period, the burden lies on the new hire to establish that you should remain on an on-going basis.

**FULL-TIME EMPLOYEES:** regularly work a 40-hour workweek and are eligible for our benefits package in accordance with their position and length of employment.

**PART-TIME EMPLOYEES:** are limited to a total of 1,500 hours per year. Part-time EMS and Fire employees may work up to 39 hours per week, limited to 1,500 hours per year.

**SEASONAL EMPLOYEES:** are hired to perform a specific job for a specified period of time, normally less than one year.

### **SUGGESTIONS AND IDEAS**

We are always interested in your constructive ideas and suggestions for improving our operations. Your suggestions should be submitted to your supervisor.

After your suggestion is reviewed, you will be notified whether or not it is feasible to put into practice. If you have not heard a response within a reasonable time, you can follow up with your supervisor or, if that does not result in a response, the Township Administrator.

### **TALK TO US**

We encourage you to bring your questions, suggestions and complaints to our attention. The Township is committed to carefully considering each of these in our continuing effort to improve operations.

If you feel you have a problem, you should present the situation to your supervisor so that the problem can be settled by the two of you reviewing and discussing the facts. We hope your supervisor will be able to satisfactorily resolve most matters.

If you find that you still have questions after meeting with your supervisor or that you would like further clarification on the matter, you may request a meeting with the Administrator, who will review the issues and meet with you to discuss possible solutions.

Your suggestions and comments on any subject are important to us so we encourage you to take every opportunity to discuss them with us. Your job will not be adversely affected in any way because you choose to use this procedure.

## **PRINCIPLES OF PUBLIC SERVICE**

Here at Sycamore Township, we are committed to shared principles that govern our service to the public, and we expect employees to demonstrate these principles in their day-to-day work.

1. **THE PUBLIC IS NEVER AN INTERRUPTION TO YOUR WORK.** To serve the public is our reason for being in business and the reason that your job exists. The public is our customer.
2. **GREET EVERYONE WITH A FRIENDLY SMILE.**
3. **SHOW RESPECT TO VISITORS.** Be polite and address visitors appropriately.
4. **REMEMBER YOU ARE “SYCAMORE TOWNSHIP” TO THE PUBLIC.**
5. **“I DON’T KNOW” IS NOT A FINAL ANSWER.** If you cannot answer a visitor’s question, say “That’s a good question. Let me find out for you.” And then follow up and do so. We don’t say, “You’re in the wrong department”; we say, “Let me help get you to someone who can help you.”
6. **REMEMBER THAT VISITORS AND OTHER TAXPAYERS PAY YOUR SALARY.** Treat them appropriately and be helpful, even if they need another department, office, or even level of government.
7. **STATE THINGS IN A POSITIVE WAY.** Choosing positive and correct words takes practice but leaves customers feeling cared for and helped.
8. **BRIGHTEN EVERY VISITOR’S DAY.** Make an effort to do something that brings some cheer into each visitor’s life.
9. **GO THE EXTRA MILE.** Always try to do just a little more than expected.
10. **GET HELP WHEN YOU NEED IT.** If a customer is being abusive or rude, or you feel at risk, we don’t just expect you to “take it.” You are not free, however, to abandon your own professionalism in such a circumstance—our professionalism is often measured in our toughest situations. Ask your supervisor or the Township Administrator for help when you need it.

## **SECTION 2: YOUR PAY AND PROGRESS**

### **PAYDAY**

You will be paid biweekly on Wednesday for the two-week period ending on the previous Saturday. When our payday is a holiday, you normally will be paid on the last working day before the holiday.

## **PERFORMANCE REVIEWS**

Your performance is important to our Township. At a minimum, once each year full-time and part-time, regular employees will be reviewed by their supervisor on job progress within our Township. The mechanism for doing so may vary from time to time, and be modified per any employment agreement. We strive to give regular, meaningful feedback on how you are doing. This feedback will include, at a minimum, a formal written evaluation and discussion of that evaluation. There may also be other items related to performance discussed individually or as a group as needed by your supervisor or Township Administrator.

Our performance review program is designed to develop better understanding between you and your supervisor regarding your job performance as well as your potential and development within the Township.

New employees will be reviewed at the end of their introductory period.

## **PERSONNEL FILES AND RECORDS**

The Township will maintain a personnel file for each employee, and employees are entitled to inspect and copy any material in the file upon request, provided that the requests are not unduly frequent or burdensome.

In general, personnel files are public records and the Township must permit their inspection or copying upon the request of any person. Current law requires every public office that receives a request for information to provide copies of all public records at cost within a reasonable amount of time following the request. Further, each public office must organize its filing system so that its records can be easily accessed.

1. For the viewing of personnel files, the following procedure shall be utilized:
  - Each request for access should be specific as to the records desired to be viewed, but the Township's Public Records Policy shall govern access of the record. While the Township may ask for the request to be in writing, the Township may not require that, nor may the Township insist on the name of the person requesting the documents.
  - If the requester agrees, an appointment will be made to view the records.
  - All records must be viewed in the presence of a Township employee.
  - If available, the employee will be given the opportunity to be present when the employee's file is being viewed. Response to requests to review documents cannot be delayed for the employee's presence, however, and this does not in any event apply to requests for copies or items to be mailed to the person requesting the records.
2. The following records are exceptions to the general rule mandating disclosure of records upon request:
  - Medical records.
  - The home addresses or family information of Township employees.



- Social Security number.
  - Records regarding issues of adoption, probation or parole.
  - Records compiled in reasonable anticipation of a lawsuit or protected by attorney-client privilege.
  - Confidential law enforcement investigatory records.
  - Any information which is protected from disclosure under other state or federal laws.
3. Payroll records will be maintained which reflect each employee's regular hourly rate of pay, the basis on which wages are paid, and exclusions. Daily records should reflect hours worked each day, total hours worked per work week, total weekly overtime, total deductions, total wages paid each pay period, date of payment, and pay period covered by payment. Payroll records shall be maintained as provided in the Township's record retention schedule.
  4. Employees must inform the Township Administrator's office of change of status in any of the following:
    - Home address
    - Valid telephone number (home, mobile, etc)
    - Name
    - Marital status
    - Number of dependents
    - Citizenship
    - Military status

Forms may be obtained from the Fiscal Officer or the Township Administrator.

## **PROMOTIONS AND TRANSFERS**

We believe that career advancement is rewarding for both the employee and our Township. Whenever possible, we will promote qualified employees to new or vacated positions, reserving the right to seek outside candidates when we determine that the Township's interests are better served by doing so.

Job openings are posted in writing in the Township Administration Building and on the website. If you are interested in applying for one of these positions, you should notify your supervisor.

## **PAY ADJUSTMENTS**

Depending upon your performance, the Township may grant you a pay raise when you have improved your performance or continued already positive performance during the review period. Conversely, poor performance during the review period may result in a reduction in your pay. When considering a salary adjustment, your supervisor will evaluate your willingness to work,

ability to learn, and record of accomplishments as well as any performance deficiencies that have not been resolved.

Salary adjustments will be determined by the Board of Trustees, based on recommendations from your supervisor.

### **PAY ADVANCE**

Pay advances will not be granted to employees under any circumstances.

### **OVERTIME**

There may be times when you will need to work overtime so that we may successfully meet the needs of our residents. All overtime must be approved in advance by your supervisor. Under the terms of the Fair Labor Standards Act of 1938 (FLSA), overtime eligible employees may not “volunteer” overtime, and we must pay overtime for any extra time worked. It is not an option to work the overtime and not record or “claim” it. Accordingly, do not work extra time without your supervisor’s knowledge and authorization.

Employees who are not exempt from overtime eligibility under the FLSA (other than firefighters or other public safety personnel according to Section 207(k) of the FLSA) will be paid a rate of time and one-half their regular hourly rate for hours worked over 40 in a designated, seven-day work week. The Township will determine the work week, which will be the first or second half of a two-week pay period.

Holidays, vacation, personal days, sick days, and jury duty are considered time worked for purposes of hours worked toward the 40-hour standard, even though the FLSA does not require the Township to do so.

Employees who are firefighters or other public safety personnel according to Section 207(k) of the FLSA will receive overtime according to the rules and regulations established under that section. The Township has adopted a 28-day work period for such employees pursuant to Section 207(k), and overtime will be paid after the employees work 212 hours in a 28-day work period, or as otherwise provided in the Township’s labor agreement with the IAFF or other, adopted policy.

### **COMPENSATORY TIME**

The Township does not grant compensatory time off in exchange for overtime, paying cash overtime instead.

### **ON CALL**

It may be necessary for individuals in certain positions to be available by telephone/pager after

hours during the week or on the weekend. While actual time spent responding to calls or request for work is compensable time, paid at overtime rates if applicable, hours spent on call are not hours worked for overtime purposes.

### **SECTION 3: TIME AWAY FROM WORK AND OTHER BENEFITS**

#### **HOLIDAYS**

Our Township observes eleven holidays during the year. They are:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Memorial Day
- Fourth of July
- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving
- Day After Thanksgiving
- Christmas Day

If one of the above holidays falls on Saturday, it normally will be observed on the preceding Friday. If the holiday falls on Sunday, it normally will be observed on the following Monday.

Full-time employees are eligible for paid holidays immediately upon hire.

On Christmas Eve Day and New Year's Eve Day, the Township may, in the sole discretion of the Township Administrator or Board of Trustees, grant release time for a portion of the day to Township employees who are otherwise scheduled to work. While this release time would be without loss of pay, release time is not considered to be a "paid holiday" as are the days listed above, and employees who are on paid or unpaid leave for that day will still be charged for a full day's leave as if the release time had not been given.

Full-time firefighters will receive all recognized Township holidays, and shall be paid as provided in the collective bargaining agreement. Part-time firefighters will receive holiday pay for Township holidays in the same manner, provided that the employee works on that day.

#### **VACATION**

Full-time employees are eligible for paid vacation time in accordance with the following schedule:

- After 1 year, you will receive 40 hours of vacation.
- After 2 years, you will receive 80 hours of vacation each year.

After 7 years, you will receive 140 hours of vacation each year.  
After 12 years, you will receive 200 hours of vacation each year.  
After 20 years, you will receive 240 hours of vacation each year.

Vacation is calculated according to your anniversary date.

Requests for vacation should be submitted to your supervisor at least 30 days in advance. When possible, vacation periods will be assigned in accordance with employee requests, taking operating requirements into account. Generally speaking, length of employment determines priority when scheduling vacation times and not all requests can be accommodated, though vacation leave already approved will not be cancelled because a longer-serving employee later requests the same time off for vacation.

Vacation pay will not be granted in lieu of taking the actual time off. However, vacation time may be carried over from one year to the next, up to a maximum of 80 hours. Any earned and unused vacation time over two weeks will be forfeited and not compensated. The Township Administrator may, in his sole discretion, allow an employee to carry over additional hours of vacation leave on a non-precedent-setting basis.

Eligible employees who have provided at least two weeks' advance notice of their resignation will be paid for earned but unused vacation upon their leave up to a maximum of 80 hours.

Employees who retire from Sycamore Township with at least 20 years of Sycamore Township service are eligible to have all accrued, unused vacation paid out at their retirement.

“Retirement” is defined as terminating employment upon qualifying and applying for retirement under the Ohio Public Employment Retirement System (OPERS) or the Ohio Police and Fireman Disability and Pension Fund (OPF).

**Note:** Prior employment in another Ohio township will be used in calculating your vacation eligibility. Other employment may be considered at the discretion of the Trustees.

## **PERSONAL LEAVE**

Our personal leave plan provides full-time employees with paid personal leave according to the following schedule:

- During your first two years of employment, you will receive 10 hours of personal leave time each year.
- After 2 years, you will receive 20 hours of personal time each year.
- After 10 years, you will receive 30 hours of personal time each year.
- Eligible employees qualify for this plan after completing their introductory period.
- Personal leave is calculated according to your anniversary date.

- Personal leave is to be used to take care of personal matters.
- Personal leave may be used in increments of one-quarter of an hour.
- Advanced notification of your intent to take personal leave is appreciated but not necessary, though the Township may decline a request for personal leave based on workload or staffing demands.
- Unused personal leave will revert to sick leave upon the employee's anniversary date.
- Personal leave will not be paid in lieu of taking the actual time off.
- Employees will not be paid for earned but unused personal leave upon termination.
- For scheduling purposes, EMS and Fire personnel must give two weeks' prior notice before taking personal leave to allow time to find a suitable replacement for the shift being missed.

## **FLEXTIME**

Township government is a public service that involves work duties that may occur at times other than the normal business hours of the Township. The Township retains the authority to define and change the hours of work, and employees may be required to work at times other than normal business hours. We have to meet the public's needs in an effective way, and that means that the work schedules of Sycamore Township must be adjusted at times, with extra or different work hours. Non-exempt employees under the Fair Labor Standards Act (FLSA) shall be paid overtime compensation in accordance with the overtime provisions found elsewhere in this handbook and federal and state law. Employees who are exempt from overtime-eligibility under the FLSA have flexible hours with the understanding that, in accordance with the nature of their jobs, certain tasks may not lend themselves to a normal, forty-hour work week. FLSA-exempt employees are thus not subject to a fixed, forty-hour work week. Such exempt employees work based on the number of hours their job duties demand. By way of example only, whether an exempt employee can perform his or her job in 35 hours or 45 hours, it is expected that the tasks will be completed. The exact hours spent on the job are not determinative of compensation. It is intended that salaried, FLSA-exempt positions are just that, and the Township Trustees understand and agree that it may not be necessary for an exempt employee to work a set number of hours per day, shift, or week. By the same token, the Trustees expect that sufficient hours will be spent on the job to ensure that the tasks are performed and the public is served. While FLSA-exempt employees are not tied to specific work hours, weekly work-time records for all employees will be maintained for management purposes.

If an exempt FLSA employee is going to be absent from work during normal hours of operation because of this policy, he or she should notify the department supervisor or the Township

Administrator for purposes of public accountability and ensuring that good service continues to be provided to the public.

An example of the time records to be kept is set forth below, provided that the Township reserves the right to change or update this form at any time.

		Time In	Time Out	Regular Hours	Extra Hours	Reason for Extra Hours
Sunday						
Monday	12/23/2002					
Tuesday	12/24/2002					
Wednesday	12/25/2002					
Thursday	12/26/2002					
Friday	12/27/2002					
Saturday	12/28/2002					
Total Regular Hours				0		
Total Extra Hours					0	
<b>Total Hours</b>				<b>0</b>		

		Time In	Time Out	Regular Hours	Extra Hours	Reason for Extra Hours
Sunday	12/29/2002					
Monday	12/30/2002					
Tuesday	12/31/2002					
Wednesday	1/1/2003					
Thursday	1/2/2003					
Friday	1/3/2003					
Saturday	1/4/2003					
Total Regular Hours				0		
Total Extra Hours					0	
<b>Total Hours</b>				<b>0</b>		

<b>Pay Period Total Hours</b>	<b>0</b>
-------------------------------	----------

### SICK LEAVE

Our sick leave plan provides full-time employees with paid sick leave according to the following schedule:

- During your first two years of employment, you will receive 80 hours of paid sick time each year.
- After two years, you will receive 160 hours of paid sick time each year.
- After ten years, you will receive 240 hours of paid sick time each year.

Eligible employees qualify for this plan after completing their introductory period. The following provisions govern the use of sick leave.

- Sick leave is to be used when you are physically too sick to work or your presence at work may spread your illness to other employees.
- When using sick leave, the employee must notify their supervisor directly by telephone. It is not acceptable to send e-mails or text messages or to leave voice mail messages. If your supervisor is not available when you call in, ask for the Township Administrator or his or her office.
- Sick days may also to be used for attending to an ill family member where the employee's presence is necessary. A family member is defined as a relative whether by blood or marriage who is the employee's spouse, mother, father, brother, sister, biological or adopted child, grandmother, grandfather or in-laws of each. The Township Administrator may extend the definition of family on a case by case basis.
- Sick leave may be used in increments of one-quarter of an hour. This is to allow time for medical and dental appointments during regularly scheduled work hours, although appointments should be made during off-duty hours when possible.
- Sick leave allotments are calculated according to your anniversary date.
- Employees absent for three days or more may be required to provide a doctor's excuse verifying their absence, and the Township may request a physician's statement in any case where management feels the need to verify the proper use of sick leave. The Township also reserves the right to have the employee examined by a physician appointed by the Township, at the Township's expense.
- Sick leave not used will not be paid in lieu of taking the actual time off. However, sick leave may be carried over from one year to the next, up to a maximum of 4,160 hours.
- Employees retiring with unused sick leave may "sell" unused days back to the Township at a 3:1 ratio (three sick days equal one full day's pay). The maximum number of unused sick hours that can be sold is 1,440 gross hours. By way of example only; If an employee has an accumulated balance of 2,450 sick hours available to them they may take up to 1,440 of those hours and apply the 3:1 buy back ratio resulting in a buyback of 480 hours. There is no compensation for any remaining hours. If an employee has an accumulated balance of 873 hours available to them, they may apply all 873 hours to the 3:1 ratio. The resulting buy back from the Township will be paid out at 291 hours. Only hours accumulated while employed by Sycamore Township are eligible for this buy back. Hours granted at the time of employment based on service elsewhere are not eligible for the.
- "Retirement" is defined as terminating employment upon qualifying and applying for retirement under the Ohio Public Employment Retirement System (OPERS) or the Ohio Police and Fireman Disability and Pension Fund (OPF).
- Active employee sick leave sell back: When an employee's sick bank reaches a balance

of at least 1,500 hours and they have completed 16 years of full time service with Sycamore Township as defined by vacation accrual, they can elect to sell back up to 288 hours of their sick time balance at a 3 to 1 ratio per calendar year, as stated above. By way of example only; if an employee has 1,750 hours of sick time available and has met the service criteria and elects to buy back 288 hours of sick time within a calendar year they would receive 96 hours of pay based on the 3 to 1 ratio sell back. The employee's sick bank would then be reduced by 288 hours after the sell back. Their new number of available hours would be 1,462.

- If an employee selects the sell back option, their sick bank shall not go below 1,000 hours after the sick time sell back has occurred. As defined above, the maximum number of hours that can be sold back throughout the employee's career is 1,440 hours and if all hours have been sold back, the employee is not eligible for the sick time buy back upon retirement. If not all eligible hours have been sold back, the employee is eligible for the remaining amount upon retirement.
- Employees will not otherwise be paid for earned but unused sick days upon termination from employment, whether voluntary or involuntary; resulting from resignation, failure to report to work, dismissal, or any other circumstance other than official retirement under one of the Ohio public employee retirement systems.
- Sick days are not to be used for attending to personal matters. In fact, using sick leave when you are not ill or contagious or caring for a member of your family who requires your presence is fraudulent and grounds for immediate termination. Claiming sick leave under fraudulent pretenses may even constitute a criminal offense, such as theft by deception or falsification of public records.
- All EMS and Fire Department employees who are unable to report for duty due to illness, injury, or other reason shall notify the shift supervisor at least six hours in advance to allow for coverage. For more information regarding EMS and Fire Department sick leave policies, contact the Fire Chief or Assistant Fire Chief.

## **FUNERAL LEAVE**

Upon death of an immediate family member (defined as spouse, children, mother, father, brother, sister, step parents, mother/father in-laws, guardian, or person residing in the employee's household at time of death) the employee will receive one day off work with pay. Upon request to and the approval of the Administrator, additional leave may be approved and allocated against sick leave.

## **UNPAID LEAVE OF ABSENCE**

With regard to leaves of absence, the Township follows the Family and Medical Leave Act (FMLA) of 1993. Under this Act, generally any eligible employee may take up to twelve



workweeks of unpaid leave during any 12-month period for any of the following reasons:

- 1) the birth of a son or daughter of the employee and in order to care for such son or daughter;
- 2) the placement of a son or daughter with the employee for adoption or foster care;
- 3) in order to care for a spouse or a son, daughter or parent of the employee, if such spouse, son, daughter or parent has a serious health condition;
- 4) because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

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

1. The employee must have worked for the employer at least 12 months, or 52 weeks. The 12 months, or 52 weeks, need not have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. The employee must have worked at least 1,250 hours during the twelve-month period immediately before the date when the leave would begin.
3. A "serious health condition" is an illness, injury, impairment, or physical or mental condition that incapacitates the employee for three consecutive calendar days (not necessarily work days), and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
  - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
  - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

The entitlement to leave which the Act provides for a birth or placement of a child expires at the end of the twelve-month period beginning on the date of the birth or placement.

In any case in which the necessity for leave is foreseeable based on planned medical treatment, or an expected birth or placement, you must provide the Township with at least thirty days' notice before the date the leave is to begin, or in the event circumstances require the leave to begin in less than thirty days, you must provide such notice as is practical.

If the employee has accrued paid leave, the employee must use paid leave first and take the remainder of the twelve weeks as unpaid leave. This includes paid sick leave if the leave is being used for purposes which qualify for paid sick leave under this policy (i.e., the serious health condition of the employee or a covered member of the employee's family).

An eligible employee can take up to 12 weeks of leave under this policy during any 12-month

period. The Township will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the Township will compute the amount of leave the employee has taken under this policy and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time. For example, if an employee used four weeks of FMLA leave beginning February 1, 2018, four weeks beginning June 1, 2018, and four weeks beginning December 1, 2018, the employee would not be entitled to any additional leave until February 1, 2019. On February 1, 2019, the employee would be entitled to four weeks of leave.

For the employee's serious health condition or that of a covered family member, the employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year), or under certain circumstances may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 weeks over a 12-month period. In the case of leave for the birth, adoption, or placement of a child, the Township requires that leave be used continuously rather than intermittently, unless intermittent use is necessary because of the child's own serious health condition.

Except for the substitution of available, paid leave set forth above, any other leave granted under the Family and Medical Leave Act consists of unpaid leave. For a further explanation of your rights under the Act, please contact the Township Administrator.

## **INJURY ON DUTY LEAVE**

Section 1. If an Employee is seriously injured in the course and scope of performing his assigned job duties, thereby sustaining an occupational injury, and cannot perform his assigned duties the employee may be granted up to eight (8) work weeks of paid Injury on Duty (IOD) leave. The approval of IOD leave is a matter of administrative discretion, and the Board of Trustees will make a final determination if IOD is to be granted. An employee will be paid his regular hourly wages for his regularly scheduled work week for each week he is on approved IOD leave. No overtime or premium wages will be paid. Except for those medical expenses which may be covered by the Township medical insurance plan, all medical expenses related to the occupational injury are the responsibility of the Ohio Bureau of Workers' Compensation (BWC) and the Employee. An employee cannot simultaneously claim temporary-total compensation (TT) from the Bureau of Workers' Compensation and IOD leave, and Sycamore Township will not enter into "buy-back agreements." Accordingly, the employee must elect between receiving IOD leave and TT at the outset.

Section 2. Unless the BWC determines that the occupational injury is compensable, an injury or illness which occurs as a result of horse-play, recklessness, self-infliction, involvement in a social or athletic activity (whether or not sponsored by or related to the Township), off-duty physical fitness, activity on behalf of an off-duty employer, or any other activity unrelated to the performance of assigned job duties, will not be considered for IOD coverage. As is true under workers' compensation law, the injury or illness must be sustained in the course of and arising from employment with the Township in order to be eligible for IOD leave.

Section 3. The injured employee must report his injury/illness immediately through the prescribed Township policies. IOD leave may be granted beginning on the eighth calendar day of absence or on the first day the employee is admitted to a hospital as an in-patient. An employee being considered for IOD leave shall go on sick leave status and must use accumulated sick and personal time during the first eight days of IOD leave.

An employee requesting IOD leave must file and pursue an injury claim with the BWC as soon as possible. Upon approval of the claim by BWC, an IOD leave granted on the eighth day of absence shall be made retroactive to the first day of absence and any sick or personal time used by the employee shall be restored. In the event the claim is denied by BWC, the employee shall revert to sick leave status and be charged with sick and personal leave for all time absent from duty, until such accumulated leave is exhausted. As stated above, however, an employee may not draw both IOD leave and temporary total disability (TT) payments from the BWC at the same time, though the employee may receive benefits for medical expenses.

Section 4. Every effort will be made to return an employee to work after an occupational injury. If an employee cannot perform his assigned job duties, a modified duty assignment may be developed. The modified duty assignment shall be in accordance with the transitional work policy below. An employee who rejects an offer for return to work under a transitional work plan may lose his or her eligibility for either IOD pay or temporary total disability (TT) compensation from the BWC.

Section 5. The injured employee shall advise his treating physician to issue the Township Administrator, or the Administrator's designee, a written report fully describing the nature and extent of the employee's injury, the effect of the injury on the employee's ability to perform full or limited duties, and the anticipated time period for recovery from the injury. The employee shall authorize the treating physician to release information to the Township Administrator or designee, regarding the employee's injury and the physician's examination and findings pursuant thereto, including answering pertinent questions of the Township Administrator or designee.

Section 6. Payments for IOD leave under this Article shall cease upon any of the following conditions:

1. Treating physician releases employee to return to work.
2. Employee returns to work for another employer.
3. Employee fails to return to modified duty assignment consistent with the employee's medical restrictions as approved by the injured worker's treating physician or independent medical examination arranged by the Township.
4. Employee fails to appear for Township-sponsored medical examination.
5. Employee's treating physician concludes that employee has reached maximum medical recovery or that the condition has become permanent.
6. The Township determines that the claim is fraudulent after IOD leave has commenced.

7. The injured employee attempts to collect both IOD wage continuations from the Township and temporary total compensation from BWC.
8. Employment termination.
9. Violation of any Township policy or rule.

Section 7. Any IOD leave taken under this Article will count towards time off under the FMLA, if applicable.

Additional information on this plan can be obtained from the Human Resources Director.

## **TRANSITIONAL WORK POLICY**

### **A. Policy Statement**

It is the policy of Sycamore Township to effectively manage workers' compensation losses and invoke cost containment measures for workers' compensation claims while maintaining the working status of our employees. The Township will employ strategies to return the injured employee to work as quickly as possible. The return to work coordinator will assist in the early evaluation of each workers' compensation case to determine the need for early job placement, rehabilitation, or retraining needs. The Transitional Work Policy will be implemented by using the procedures outlined below.

### **B. Transitional Work Guidelines**

1. Eligibility Criteria—Employees who are expected to have a temporary period of job performance limitation (defined as a limitation that is anticipated to last no more than eight work weeks) will be considered for participation in the program. Employees must also meet all of the following criteria:
  - a. Employees remaining on leave beyond eight working weeks shall meet all requirements of Sycamore Township INJURY ON DUTY LEAVE policy, and must have had an injury, accident, illness, or a reoccurrence/exacerbation of a pre-existing condition.
  - b. Have been released by their attending physician to participate in a Transitional Work Policy.
  - c. Have the potential of returning to their original job and performing the essential job functions after recovery.
2. Duration—The duration of each Transitional Work Policy assignment is based on medical need. Continuation of individual programs will require ongoing documentation of medical necessity. All participants will have their case reviewed by the transitional work team on an as needed basis. All Transitional Work Policy assignments will have a maximum of eight working weeks.
  - a. The period will begin with the date of release to limited or restricted work established by the Physician of Record (POR) and will end upon the removal of the restrictions or at the end of the eight working week period, whichever occurs first.

- b. The Transitional Work Policy assignment may be extended beyond eight working weeks depending upon the circumstances of individual cases as determined by the Transitional Work Team.
  - c. The Transitional Work Team will make a recommendation to Township Trustees if an employee has to remain on leave more than the eight working weeks.
3. Full Compensation—The employee will be paid at their normal rate of pay while participating in a TWP and be considered to be in an active pay status for purpose of contractual pay increases and leave accrual.
  4. Identifying Transitional Work Assignments—The Transitional Work Team, working with the employee, should identify assignments that may be accomplished while the injured employee has restrictions.
  5. Personnel Policies and Procedures—All participants in the Transition Work Policy will comply with all personnel policies, procedures, and safe work practices. Employees are required to follow all injury reporting policies and procedures.

### C. Transitional Work Team

To help achieve the goals of the Transitional Work Policy, a Transitional Work Team will be established. The Transitional Work Team consists of the following personnel, Township Administrator, applicable Department Head, Human Resources Coordinator, and Account Executive from the Township’s managed-care organization (MCO) for workers’ compensation. In addition, if the implementation of the Transitional Work Policy involves a Union member, then a Union representative shall be involved if requested. The goal of the Team is to monitor the transitional work participants to ensure a decrease in restrictions, ensure that the policy is adjusted as the Township’s needs change, and educate the Township employees about the program. The members of the Team and their responsibilities are identified below. The Team shall ensure that the medical confidentiality of the injured worker shall be protected.

1. Return to Work Coordinator (RWC)
  - a. Facilitates all case management activity.
  - b. Reviews all forms to ensure that appropriate individuals fully and accurately complete them.
  - c. Informs the employee involved of benefit options and procedures.
  - d. Initiates and maintains contact with necessary parties:
    - i. the injured employee
    - ii. the third-party administrator (TPA), the BWC, and the MCO
    - iii. the medical personnel involved
  - e. Coordinates activities with outside rehabilitation professionals.
  - f. Maintains thorough knowledge of workers’ compensation reporting procedures.

2. Department Head
  - a. Investigates accident scene immediately, talks to affected employee, and makes necessary safety recommendations.
  - b. Completes forms as necessary.
  - c. Assists with additional investigation of claims.
  - d. Provides history of injuries to spot trends.
  - e. Develops and implements training programs as necessary.
  - f. Assists RTW coordinator with placement of injured employee.
  - g. Validates job analysis.
  - h. Notifies committee if injured employee is having difficulty with job assignment.
  
3. TPA or Managed Care Organization (MCO) Account Executive
  - a. Provides assistance and strategies for handling difficult claims.
  - b. Assists in providing history of past claims and accidents to spot trends.
  - c. Recommends physicians, rehabilitation consultants, and other outside support.
  - d. Provides information on employee's compensation benefits.
  
4. Township Administrator  
 Shall oversee all facets of the implementation of the Transitional Work Policy.
  
5. Union Representative  
 When appropriate, the Union representative will monitor the application and progress of the implementation of the program to determine that the program is in accordance with the collective bargaining agreement.

#### D. Transitional Work Assignments

1. Identifying Transitional Work Assignments—The Transitional Work Team, working with the employee, should identify assignments that may be accomplished while the injured employee has restrictions. In constructing a transitional assignment, the following should be considered:
  - a. Whenever possible, the injured employee should return to as close to their regular job assignment as possible.
  - b. The value of the alternative work to the total work unit and to the other employees. Transitional duty should be a meaningful assignment.
  - c. Tasks not being done by others at the present time.
  - d. Jobs that are only being done occasionally by others
  - e. Tasks now being performed, which, if assigned to someone on transitional duty, would allow co-workers time to accomplish additional work assignments.
  - f. Focus on the employee's current skills rather than the tasks they cannot perform.
  
2. Transitional Duty Outside the Immediate Work Area—If transitional duty cannot be accommodated in the employee's immediate work area, the Township will

consider alternative sites. The Transitional Work Team will review tasks that the employee can perform. Other work that may be done by the employee will be considered within the employing department.

If transitional work is established outside of the employing department, the salary of the employee will be the responsibility of the original employing unit. When absolutely necessary, alternative methods of funding will be investigated.

3. Returning the Employee in a Transitional Assignment -- The Transitional Work Team will implement the following procedures with a returning employee.
  - a. Advise the employee that we have established a transitional work assignment with feedback from his or her physician.
  - b. Complete a Return to Work Agreement, signed by the Township Administrator and employee, identifying restrictions and the new assignment.
  - c. Maintain contact with the injured employee and co-workers to ensure good communication and positive reinforcement.
  - d. Emphasize the temporary and dynamic nature of the position and review the employee's progress at regular intervals.
4. Communication with Employees on Transitional Duty and their Co-workers - It is important to make sure that the employee and the entire work unit understands the benefits of transitional work assignments such as: a more rapid return to work; little or no lost wages; continued earnings of sick leave, vacation, and retirement; and feeling part of the team. The co-workers should be:
  - a. Informed that the transitional duty is temporary with the intent of returning the employee to the performance of his or her regular job as soon as is medically possible.
  - b. Informed of the need to adhere to the medical restrictions.
  - c. Made aware that the benefit would be extended to them if necessary and possible.
  - d. Encouraged to build team spirit and welcome the employee back to work.
5. The Department Head and the Return to Work Coordinator - will work together with the employee and the attending physician to return the employee to their permanent position as soon as possible.

## **LEAVES OF ABSENCE FOR PREGNANCY, CHILDBIRTH, AND NEW PARENTS**

While many people use the term "maternity leave," it is important for reasons of law and policy to distinguish between the leave intended to cover the short-term, physical disability involved with pregnancy, child-birth, recovery from childbirth ("pregnancy leave," which obviously only applies to pregnant, female employees) and leaves of absence for the birth of a new child ("new parent leave"), which by law must be available to new mothers and fathers alike, and is also available to employees of both sexes who become parents through adoption or foster-care placement. New parent leave is unpaid (after any available paid leave such as vacation is exhausted) and is subject to the provisions of the FMLA. See the section on FMLA for further

explanation of benefits under that program. An employee using pregnancy leave, on the other hand, may use any accrued sick leave for the period in which she is physically unable to work because of pregnancy, childbirth, and recovery from childbirth. While the need for and length of pregnancy leave must be verified by the employee's physician, typically the Township will accept that up to six weeks can be used for a normal pregnancy, childbirth, and recovery from childbirth without complications. More paid sick leave can be authorized if there are unusual risks in the pregnancy or complications in delivery or with the newborn's health, and the employee must provide medical verification to support the need for additional pregnancy leave. But any pregnancy leave remains distinct from new parent leave, which is covered by the FMLA policy and is for purposes of bonding with a child rather than any temporary physical disability.

The employee requesting pregnancy-related leave must provide the Township with a written notice of the expected due date and the requested start date of leave and the expected date of return. The employee must confirm with the Township her expected date of return to work within 30 days from the date of delivery. If the employee's position requires exposure to potentially hazardous conditions, the employee must provide written approval from her physician stating the type of work that can be performed during the pregnancy.

Any request for new parent leave, for female or male employees, must be made under the Township's FMLA policy. The FMLA's overall limit of 12 weeks of leave within a 12-month calendar year applies to both pregnancy-related and new parent leave, and any additional leave beyond that 12-week annual limit lies in the sole discretion of the Board of Trustees.

Employees may purchase additional short-term disability insurance policies at their own expense. Additional information on these plans can be obtained from the Administrator's office.

## **JURY DUTY**

Full-time employees who are summoned for jury duty will be paid the difference between their normal rate of pay and the jury duty pay for a period of up to two weeks. Employees must provide the Township with a copy of the payment records from the court in order to be compensated. Should you have to serve more than two weeks on duty, you may take unpaid time off.

You should make arrangements with your supervisor as soon as you receive your summons. In fairness to our Township, you are expected to return to your job if you are excused from jury duty during your regular working hours.

## **VOTING LEAVE**

Our Township believes that every employee should have the opportunity to vote in any election.

Should there be a situation where an employee is scheduled for work that leaves him or her insufficient time outside work hours to vote in local, state and national elections, the employee may schedule, at the discretion of the Administrator, paid time off from work to vote. An



employee requiring time off must notify the Township at least one day before Election Day and must present a voter's receipt upon return to work from voting.

## **MILITARY LEAVE**

All employees of Sycamore Township who are members of a reserve component of the Armed Forces or the National Guard are entitled to leave with pay for such time as they are on military duty for periods not to exceed 31 days in any calendar year.

Employees shall be granted a leave of absence without pay to enter active military service to fulfill a military commitment of more than 31 days in a calendar year. This employee, if he/she does not re-enlist or continue in voluntary service, is entitled to reinstatement to his/her position within 90 days after termination of active duty.

## **SECTION 4: INSURANCE, RETIREMENT, AND OTHER BENEFITS**

### **MEDICAL INSURANCE**

Eligible employees may participate in the Township's group medical insurance plan.

Full-time employees or qualified part-time employees may enroll in either a single or a family contract immediately upon hire. However, an employee may not be accepted into the group plan for approximately 30 days due to insurance processing requirements. Information and enrollment forms may be obtained from the Human Resource Director.

Employees may be required to contribute towards the cost of medical insurance as determined by the Board of Trustees. The amount of this employee contribution may be adjusted at any time based on the Township's financial needs and changing market conditions.

Participating employees are also covered under our medical insurance plan's prescription drug and dental insurance programs.

If you have other medical insurance; i.e., through a spouse's employer, you are required to notify the Human Resource Director. This will not affect your entitlement to the Township plan.

Depending upon the circumstances, if you leave our Township, you and/or your dependents have the option of continuing your coverage through our plan under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). This coverage is available for a period of 18 months following your termination. It is important that dependents are aware of this policy should an event require the use of COBRA. To continue on our plan, you or your dependent would be required to pay the full premiums. For more information on this, please contact the Human Resource Director.

## **EMPLOYEE ASSISTANCE PROGRAM**

All Township employees are eligible for the Employee Assistance Program (EAP). EAP is available to provide confidential counseling to employees who are experiencing a personal problem. This service is confidential and available to all employees and members of their household. An appointment can be scheduled by calling Life Management Systems at 513-326-2469 or 1-800-733-0257 (toll free). This program is provided separate from mental health coverage under the Township's health insurance and is available at no cost to employees, though there are limitations on the number of covered visits. Contact Life Management Systems or ask the Human Resource Director for a brochure or web address for more information.

## **LIFE INSURANCE**

Eligible employees may enroll in our Township's group life insurance plan. It is designed to help you plan for your family's financial needs in the event of your death.

Full-time employees qualify for this benefit after one year of employment.

An Accidental Death & Dismemberment rider is included with this insurance plan. Accidental death benefits are paid in addition to your basic coverage benefits. Dismemberment benefits are paid according to a set schedule.

The amount of your coverage is defined as follows:

Length of Employment	Term Life Amount	ADD&D Amount
1 through 4 years	\$15,000	\$15,000
5 through 9 years	\$20,000	\$20,000
10 years or more	\$25,000	\$25,000

The cost of this insurance is fully paid by the Township.

To enroll in this insurance plan, you must complete a life insurance enrollment or beneficiary form on which you designate your beneficiary. You may change this at any time, and be particularly aware to do so, if desired, in the context of a marriage or divorce.

A conversion option is available upon separation of service from the Township.

Additional information on this plan may be obtained from the Human Resource Director.

## **WORKERS' COMPENSATION**

On-the-job injuries are covered by our Workers' Compensation coverage through the State of Ohio, which is provided at no cost to you. If you are injured on the job, no matter how slightly,

report the incident immediately to your supervisor, as detailed in the Injury on Duty section of this Manual. We ask for your assistance in alerting management to any condition that could lead or contribute to an employee accident or injury.

## **PUBLIC EMPLOYEE RETIREMENT SYSTEM**

The Public Employee Retirement System (PERS) of Ohio was created by the Ohio General Assembly to provide retirement, disability retirement, and survivor benefit programs for the public employees of Ohio who are not covered by another state or local retirement system. In most circumstances, covered employees do not pay Social Security Tax. Members currently contribute 10 percent of their gross salaries to PERS, and the Township also contributes 14 percent on the employee's behalf. Employee contributions are refundable upon separation from employment after three months if the employee applies for a refund, and depending on length of service, a portion of the employer contribution may also be refundable. The employee may also leave the funds on deposit to preserve possible eligibility for a retirement benefit based on age and years of service, and we encourage employees to weigh that decision carefully with their financial advisor.

Employers are required to make contributions to PERS on the basis of a percentage of reportable payrolls. Employer contributions are used to supplement the funding of monthly benefits paid to retirees and survivors.

Service credit is based on all service for which contributions to PERS were taken from earnable salary.

In addition to contributing service credit, you may obtain credit for other types of service including years spent in the military, time receiving disability payments under Workers' Compensation, or for prior service with a covered employer. Up to five years of additional credit may be purchased for years spent in military, federal, out-of-state or Ohio municipal retirement system service. These years cannot exceed the actual PERS contributing service.

Complete details of the plan may be found in the plan description. A copy may be obtained from the Human Resource Director, or you can learn more at [www.opers.org](http://www.opers.org).

## **POLICE AND FIRE DISABILITY AND PENSION FUND**

The Ohio Police and Fire Disability and Pension Fund (OP&F) was created by the Ohio General Assembly in 1965 to provide retirement, disability retirement, and survivor benefit programs for police and fire personnel. Covered employees do not pay Social Security Tax. Members currently contribute 12.25% of their gross salaries to OP&F, and the Township makes an employer contribution of 24%. Employee contributions may be refundable upon separation from employment if the employee applies for a refund, and depending on length of service, a portion of the employer contribution may also be refundable. The employee may also leave the funds on deposit to preserve possible eligibility for a retirement benefit based on age and years of service, and we encourage employees to weigh that decision carefully with their financial advisor.

Employer's contributions are determined by the General Assembly and will provide the amount of money needed in addition to the employee's own contributions to finance the pensions promised by the Fund. Employer contributions are used to supplement the funding of monthly benefits paid to retirees and survivors.

Complete details of the plan may be found in the OP&F handbook. A copy may be obtained from the Human Resource Director, or you can get more information at [www.op-f.org](http://www.op-f.org)

### **OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION PROGRAM**

The Ohio Public Employees Deferred Compensation Program is a voluntary deferred income program available exclusively for Ohio Public Employees. Through your employer, you can authorize a portion of your salary to be withheld and invested for payment at a later date, deferring federal and state income tax on the contributions until retirement.

Money contributed to the program and earnings thereon are not subject to Federal or Ohio state income tax until paid to you, at which time they are taxed as ordinary income. Program contributions may be made only by payroll deduction.

The program is intended for you to accumulate funds that will supplement your future retirement income. You may receive payments from the program only upon your separation from service, death, disability, or for an unforeseen financial emergency.

Complete details of the plan may be found in the plan description. A copy may be obtained from the Human Resource Director, and for more information, you can also see [www.ohio457.org](http://www.ohio457.org).

### **TUITION ASSISTANCE PROGRAM**

To encourage professional development, our Township offers a tuition assistance program to eligible employees who complete job-related courses or training with a grade of C or better or a grade of satisfactory or better in programs using that grading system. Books and supplies required for the approved course(s) will be reimbursed. Proof of the requirement to purchase such items must be submitted along with a sales receipt.

To participate in this program, you must be a full-time employee who has completed at least one year of employment.

Each request for reimbursement must be in writing and show the institution offering the course for training, the title of the course or training, and a brief description of the course or training if not readily apparent in the title of the course or training. The course or training must be relevant to the employee's current position or a promotional position in the employee's relevant career ladder, or be part of an overall degree that would meet this criterion of job relevance.

Your application for tuition assistance must be made and approval received by the Administrator prior to registration for the course or training. Our Township will pay 100% of your tuition or training, including books and supplies, up to a maximum of \$2,500 each year.

The Township will reimburse you for such courses or training only upon the successful completion of the course. Proof of grade attainment must be provided to the Administrator before any reimbursement is made.

#### **FOOTWEAR ALLOWANCE**

Steel-toed boots are required for maintenance personnel. The Township will reimburse employees on an annual basis for the cost of new boots, not to exceed \$175 each year, starting the first August after the completion of the introductory period.

Receipts for boots should be submitted to the Superintendent during the last week in August of each year. New employees receiving boots within four months of the annual issue will not receive another pair of boots until the following year.

#### **SECTION 5: ON THE JOB**

##### **NEW EMPLOYEE ORIENTATION**

Upon joining our Township, you will be given a copy of our Employee Handbook and asked to complete personnel, payroll, and benefit forms.

Your supervisor is responsible for the operations of your department and is a good source of information about the Township and your job.

##### **ATTENDANCE AND PUNCTUALITY**

Attendance and punctuality are important factors for your success within our Township. We work as a team and this requires that each person be in the right place at the right time. Regular and timely attendance is an essential function of every position at Sycamore Township.

If you are going to be late for work or absent, you must notify your supervisor as soon as possible. You must directly notify your supervisor if you are unable to work because of illness, and you must speak to your supervisor directly, and if he or she is not available, you must speak with the Township Administrator, the Human Resource Director, or another person in the Administrator's office. This call must be made no later than a half-hour after the employee's normal start time. (The Fire Department will designate the appropriate chain for notification and minimum time to call off for illness.)

If you are absent for three days without notifying the Township, it is assumed that you have voluntarily abandoned your position with the Township, and you will be removed from the payroll.

All EMS and Fire Department employees must report for duty at the predesignated time. If you

are going to be late for work or absent, you must notify the Shift Supervisor immediately so that coverage can be found until you arrive to work. Failure to advise the proper officers of your anticipated tardiness will result in adverse action being taken.

## **WORK WEEK**

Because of the nature of our business, your work schedule may vary depending on your job and department. The Township's normal office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. Our normal maintenance hours are 7:30 a.m. to 4:00 p.m., Monday through Friday during the winter and 7:00 a.m. to 3:30 p.m. during the summer. The designation between winter and summer hours are at the discretion of the Road Superintendent. Check with your supervisor if you have questions on your hours of work. EMS and Fire personnel are on duty 24 hours a day year round.

EMS and Fire Personnel will work either a 24- or 12-hour shift or hours as determined by the EMS/Fire Chief. A 24-hour shift will be from 0600 - 0600 hours, a 12-hour shift will be from 0600 - 1800 hours or from 1800 - 0600 hours. The designated shift hours are subject to change under the discretion of the Chief of the EMS and Fire Department.

## **MEAL TIME**

A thirty minute, unpaid meal break should be taken each day. Your supervisor is responsible for approving the scheduling of this time. During unpaid meal times, overtime non-exempt employees are expected to perform no work duties, and if you do perform duties, including greeting customers and answering telephone calls, during that time, notify your supervisor so that the time can be compensated, and you may be directed not to do so in the future, as non-exempt employees cannot, by law, "volunteer" to work time without compensation.

## **WASH-UP**

At the end of each shift, maintenance employees receive ten minutes for cleaning the work area and washing up.

## **STANDARDS OF CONDUCT**

Each employee has an obligation to observe and follow the Township's policies and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken.

Disciplinary action may include a verbal warning, written warning, probation, or suspension without pay, demotion, and discharge. The appropriate disciplinary action imposed will be determined by the Township management. There is no guarantee that one form of action will necessarily precede another, as this depends upon the circumstances of the conduct or failure to perform as well as the employee's record of service.

The following are examples of misconduct may result in discipline up to and including discharge: flagrant misconduct violation of the Township's policies or safety rules, insubordination, acts or threats of violence toward any person, poor attendance, possession, use, or sale of alcohol or controlled substances on work premises or during working hours, poor performance, theft, use of sick leave or other leave under false pretenses, dishonesty, harassment of a sexual or other discriminatory nature or disrespect toward fellow employees, visitors or other members of the public. These examples are illustrative only and not all inclusive. We emphasize that discharge decisions will be based on an assessment of all relevant factors.

## **RESIDENT AND PUBLIC RELATIONS**

Our Township's reputation has been built on excellent service and quality work. To maintain this reputation requires the active participation of every employee. The opinions and attitudes that residents have toward our Township may be determined for a long time by the actions of one employee. Each employee must be sensitive to the importance of providing courteous treatment in all working relationships.

## **NO SMOKING / TOBACCO FREE PROPERTIES**

Under Ohio law, no one may smoke inside any Township building or facility, including any Township vehicle, or immediately adjacent to any door to a Township building or facility. Employees who smoke are not entitled to any more break time than any other Township employee. In addition, employees are required to follow Resolution 2015-19 which designates certain areas of the Township as Tobacco free.

Please use extreme caution when smoking in any outdoor area. Never smoke around any flammable products.

## **SOLICITATIONS**

The following policy applies to all solicitations at Township facilities conducted for the purpose of advertising, promoting, or selling any product or service, or encouraging membership in a group or association, except that it does not cover solicitations for charitable purposes or health benefit programs which have been approved in advance by the Township Trustees.

1. Solicitations by Township employees must be conducted on non-work time in non-work areas.
2. Posting will be permitted only on bulletin boards designated by the Township Administrator and will be subject to reasonable restrictions regarding size and format.
- c. Solicitation by non-Township staff may be conducted only in non-work areas as designated by the Township Administrator. Employees may not be solicited on work time unless approved by the Administrator.

- d. The Township will not distribute materials to Township staff on behalf of unapproved soliciting organizations. Internal mail system, telephones, copy machine or any other equipment or materials of the Township may not be used for solicitation purposes.

The Township Trustees reserves the right to regulate or prohibit any activity which is disruptive to Township operations or disturbing or offensive to Township staff or residents using Township facilities.

### **CHANGES IN PERSONAL DATA**

We need to maintain up-to-date information about you so we will be able to aid you and your family in matters of personal emergency.

Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin or beneficiaries should be promptly given to the Human Resource Director.

### **DISSEMINATING TOWNSHIP INFORMATION**

Only authorized personnel may discuss Township matters with the media. If a member of the media contacts an employee, refer the media to your supervisor or Administrator. Further, employees may not disseminate in any way, including but not limited to social media, confidential information regarding Township residents or other persons, even when the information may be public record, where the employee only learned the information in the course of his or her work for the Township.

### **CARE OF EQUIPMENT**

You are expected to use proper care when using the Township's property and equipment. No property may be removed from the premises without the proper authorization of management. If you lose, break or damage any property, report it to your supervisor at once.

### **TOWNSHIP VEHICLES**

Operators of Township vehicles are responsible for the safe operation and cleanliness of the vehicle. No employee may smoke while inside any Township vehicle.

In the event of a traffic accident in Hamilton County, the employee operating a Township vehicle will be required to call for a Hamilton County Sheriff regardless of fault or how minor the damage. Accidents involving a Township vehicle must be reported to your supervisor immediately.

Employees are expected to comply with traffic laws and to use care in driving Township



vehicles. Employees shall not use cell phones without Bluetooth or other hands-free technology while driving, and shall avoid any such distraction, particularly in traffic conditions. Employees are personally responsible for any moving violations and fines incurred while operating a Township vehicle, and any such violation must immediately be reported to your supervisor. Depending on the severity of the violation and the employee's driving record otherwise, this may result in disciplinary action.

The use of seat belts is mandatory for operators and passengers of Township vehicles.

### **TRAVEL/EXPENSE ACCOUNTS**

The Township will reimburse employees for reasonable expenses incurred through approved business travel.

### **SEVERE WEATHER**

Severe weather is to be expected during the winter months. Although driving may at times be difficult, when caution is exercised, the roads are normally passable. Personnel assigned to snow removal duty must make every effort to come to work. Time taken off due to poor weather conditions is unpaid. If the Township closes the offices because of severe weather conditions, employees will be paid the hours worked (and charged hours of leave already approved and underway) as if the closure did not occur.

### **PERSONAL TELEPHONE CALLS**

It is important to keep our telephone lines free for incoming calls. Although the occasional use of the Township's telephones for a personal emergency may be necessary, routine personal calls should be kept to a minimum. Long distance personal calls at Township expense are prohibited.

### **DRESS POLICY**

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times. Whether or not your job responsibilities place you in direct resident contact, you represent the Township with your appearance as well as your actions. The properly attired employee helps to create a favorable image for the Township, to the public, and to fellow employees.

Certain employees are required to wear uniforms that are provided by the Township. The number and kind of uniforms you receive is dependent upon your position with the Township. Employees who work outdoors, in road work, or in field assignments will be instructed on appropriate attire during that work, which may, of course, vary seasonally.

EMS and Fire Department personnel are provided uniforms. All EMS and Fire Department employees must report to duty in their uniform, which should be kept clean and pressed. You may not wear any article of clothing that is not approved by the Office of the Chief during your shift. No other insignias may appear on the Sycamore Township EMS and Fire uniform.

If an employee arrives at work in clothing not appropriate for the work environment, the supervisor may send him or her home to change, and this time will not be paid.

## **OUTSIDE EMPLOYMENT**

We hope that you will not find it necessary to seek additional outside employment. However, if you are planning to accept an outside position, you must notify your supervisor. It is imperative than any outside work allow you sufficient rest and sleep time so as not to interfere with the performance of your duties for the Township.

Outside employment must not conflict in any way with your responsibilities within our Township or create even the appearance of a conflict of interest with your Township position. If you elect to accept outside employment, such as a teaching assignment, which conflicts with your work schedule, you must use vacation time for the time away from the Township.

## **WEAPONS OR VIOLENCE IN THE WORKPLACE**

### **Policy**

Township employees are prohibited from storing, possessing, or discharging weapons or other dangerous ordnance of any kind on Township property or in Township vehicles.

### **Guidelines**

This policy is of the utmost importance to protect the public and Township employees. Employees will be held accountable if they possess an item prohibited by this policy. Violations of this policy may result in immediate disciplinary action, up to and including immediate termination.

Prior to bringing an item onto Township property, employees may request a determination by their department heads as to whether it would violate this policy. Department heads may refer the question to the Township Administrator.

Any act of threat of violence toward any official, manager, supervisor, or employee of the Township shall constitute grounds for immediate termination. Any employee who threatens or engages in any act of violence toward someone outside of Township government in the course of his or her duties is also subject to immediate termination.

## **PARKING**

Free parking facilities are available to employees. You may be required to park within

designated areas. The Township is not responsible for loss, damage, or theft of your vehicle or its contents. Therefore, we suggest that you lock your vehicle's doors at all times.

## **BULLETIN BOARD**

Information of interest and importance to you is regularly posted on our bulletin board. We suggest that you look at it regularly to keep up with what is happening. This bulletin board is for administrative use only and employees may not post or remove any information from it without permission.

## **LUNCHROOM**

A lunchroom is available for your use. Although general custodial care is provided by the Township, you are expected to clean up after eating in this room. This room should be kept clean for the next person's use. Any food placed in the refrigerator must be used or removed before spoiling.

## **POSTAGE METER**

Personal use of the postage meter is strictly forbidden. No exceptions will be made. No reimbursement will be accepted.

## **SYCAMORE TOWNSHIP LOCAL/WIDE AREA NETWORK COMPUTER POLICY STATEMENT**

Access to the Sycamore Township Computer Network is a privilege, not a right associated with employment. The following policies have been created regarding use of the Sycamore Township Local Area/Wide Area Network.

### Software:

1. All software use or stored at Sycamore Township or on Sycamore Township equipment, must be covered by a software license which defines Sycamore Township's rights and obligations including rights to copy, transfer, and use the software.
2. Vendor software may not be copied, stored, or transmitted electronically, except as permitted under the license agreement covering that software. Where available, original manuals must be kept with each original copy of vendor software except those maintained strictly for archival purposes.
3. Sycamore Township must approve and provide all needed software.

### E-Mail Access:

1. Sycamore Township's e-mail system is designed for Sycamore Township business and may not be used in violation of any Sycamore Township or Fire

Department policies and procedures or federal, state, or local laws or regulations. For example: Employees may not use e-mail to send chain letters, copies of documents in violation of copyright law, or to make any defamatory, discriminatory, or harassing remarks. All e-mail messages are Sycamore Township records, not personal records, and are available for review by any authorized representative of Sycamore Township for any purpose. E-mail users should understand that e-mail messages are not private and may be read by any person at any time. Sycamore Township reserves the right to access and disclose for any business purposes all messages sent over its e-mail system. Unauthorized access to another person's e-mails is prohibited; any such access must be approved by IT or the employee's supervisor or the Township Administrator. Unless approved by the Administrator, no one may send e-mail from another person's e-mail account (thereby misidentifying that person as the sender of the e-mail) without the other person's express permission. Anyone engaging in such activity is subject to disciplinary action up to and including termination.

2. Sycamore Township may review any e-mail communications of employees at any time for any reason, as such use is in no way private. Similarly, Sycamore Township may use information regarding the number, sender, recipient and addresses of messages sent, received, or transferred using the Sycamore Township's e-mail system or internet access in order to ensure compliance with our policies. NOTE: This may be done without prior notice to or permission of the employee who sent, received, or transferred the message.
3. Sycamore Township may disclose the contents of e-mail to third persons (for business purposes) and to law enforcement officials without prior notice to or permission from the employee who sent, received, or transferred the message. E-mail messages may be public records and disclosed to the public under State law.
4. E-mail system administrators may need to examine the contents of e-mail messages due to technical difficulties or to determine the reason for non-delivery of non-deliverable messages.
5. Requests for access to the contents of e-mail other than your own must be made to the Township Administrator. Such requests must be approved before accessing the contents of any e-mail message that was not sent to you.
6. E-mail system security features such as passwords and message-delete functions do not preclude the ability of Sycamore Township, or a third party, to access any message at any time. When transmitting an e-mail message, the sender should assume that someone might record or forward the message to someone other than the intended addressee. E-mail messages (and related information) which have been deleted by the user may often be recovered. It is especially important for the user to understand this as it relates to the *discovery* process for legal matters and Ohio's public record law.
7. All of the provisions of this policy also apply to any other electronic communication, such as pages or text messages sent on or accessed by a mobile telephone or other electronic device that is issued by or belongs to the Township.

#### Internet Access:

1. Sycamore Township employees are required to use good judgment and discretion when accessing Internet sites, as use of the Township's equipment or network to access websites may present business issues for the Township or reflect poorly on the Township in the public's eyes.
2. Any personal use of the Internet should be limited to lunch or break time, or in the case of an urgent matter, a very brief and rare interruption.
3. Sycamore Township employees should not create or use personal home pages on computers acquired for Sycamore Township use. Further, employees are prohibited from using Sycamore Township computers, devices, or Internet access in furtherance of a personal business or for profit.
4. Employees must avoid using the Internet to engage in activities that are of questionable legality, that violate any other person's copyright or intellectual property rights, or that have the potential to harm Sycamore Township's business interests or reputation or that might otherwise violate Sycamore Township policies. Specifically, employees may not access sites with obscene or sexually explicit content, or any content that is discriminatory or that might otherwise be seen by a reasonable person as potentially creating a hostile work environment based on race, color, religion, sex, national origin, age, sexual orientation, or disability.
5. Sycamore Township employees should be aware that Internet sites accessed through a user's network account may be monitored with respect to the site accessed, the date and time the site was accessed, as well as the account's user identification from which the site was accessed. If an employee accesses websites using a personal device, such as a cellphone or laptop, through the Township's web access, the employee is subject to these policies as if he or she were using the Township's computers or equipment to do so.

#### **IF YOU MUST LEAVE US**

Should you decide to leave your employment with us, we ask that you provide your supervisor with at least two weeks' advance notice. Your thoughtfulness will be appreciated and will be noted favorably should you ever wish to reapply for employment with the Township or seek a favorable reference from us.

Additionally, upon request, all resigning employees must complete a brief exit interview prior to leaving.

Upon termination, you must return this employee handbook, Township keys, uniforms, and any other items owned by the Township or you will be billed for their replacement cost.

## **DISCIPLINARY AND GRIEVANCE POLICY**

SECTION 1. Every employee of the Township shall serve a probationary period, which shall be for a period of one year from the date of employment. While all non-bargaining-unit employees serve at the will of the Board of Trustees and may be terminated with or without cause at any time, during the probationary period, the Township is particularly focused on whether a new hire is suitable for continued, on-going employment. Any failure to perform in an acceptable manner during this period will generally result in termination for failure to complete the probationary period successfully.

SECTION 2. Upon retention of employment after an employee's probationary period, an employee shall be considered a permanent employee of the Township, whether in full-time or part-time status. Employees outside of a bargaining unit remain at-will employees at all times.

SECTION 3. Following completion of the probationary period, employees may be subject to disciplinary action based on the conclusion that the employee has violated rules, directives, or expectations; failed to perform his or her job duties in an acceptable manner; or that the employee is not an acceptable fit for the position held. At all times, continued employment remains in the discretion of the Board of Trustees.

SECTION 4. Disciplinary action typically takes the following forms: verbal warning, written warning, suspension without pay or charged against accrued balance of vacation, demotion with reduction in pay, and termination of employment. The appropriate level lies in the discretion of the supervisor or, in the case of suspension of more than five days, demotion, or termination, the Board of Trustees, based on the nature of the performance failing and the level of seriousness, and this listing is not a required "ladder" of steps. The authority to impose discipline is set forth in Section 5 below.

SECTION 5. Verbal warnings and written warnings may be imposed by an employee's immediate supervisor or a person of higher authority. Suspensions without pay up to five working days may only be imposed by a Department Head or the Board of Township Trustees. Suspensions greater than five working days, demotions with reduction in pay, and termination may only be imposed by the Board of Trustees.

SECTION 6. In the event an immediate supervisor issues written warning to an employee, the employee shall have the right to request a review by the Department Head by submitting a written request for the review with the Department Head within five working days of the warning. The decision of the Department Head is final. Employees may also submit a written rebuttal to any written warning for inclusion in the file.

SECTION 7. In the event a Department Head issues a suspension without pay to an employee, the affected employee shall have the right to request a review by the Township Administrator, who shall meet with the Department Head and employee. The Administrator's decision shall be final.

SECTION 8. Removal of fire department personnel from office shall be in accordance with Ohio Revised Code Section 505.38 and relevant provisions of the collective bargaining agreement, which prevail if in conflict with Section 505.38.

## **SECTION 6: SAFETY IN THE WORKPLACE**

### **EACH EMPLOYEE'S RESPONSIBILITY**

Safety is critical for Sycamore Township and, of course, each of our employees. Our goal is to eliminate or to the very greatest extent possible minimize any risk of injury to employees or members of the public. Each employee, supervisor, and manager must practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately.

Please observe the following precautions:

1. Notify your supervisor of any situation posing a risk to an employee's safety or health. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.
2. The use of alcoholic beverages or illegal drugs or substances, or the abuse of legal prescription drugs during working hours, will not be tolerated. The possession of alcoholic beverages or illegal drugs or substances, including illegally obtained or used prescription drugs, on the Township's property is forbidden and grounds for immediate discharge.
3. Use, adjust, and repair machines and equipment only if you are trained and qualified to do so in a safe and competent manner.
4. Get help when lifting or pushing heavy objects.
5. Understand your job fully and follow instructions. If you are not sure of the safe procedure, don't guess--ask your supervisor.
6. Know the locations, contents, and use of first aid and firefighting equipment.
7. Certain safety or protective equipment may be required for specific jobs. If so, the use of the safety or protective equipment is required at all times, without exception.
8. Steel-toed boots are required for all maintenance personnel.
9. Weight lifting belts are available for use at any time during the workday to provide support and for safety in lifting.

10. When working away from the Township complex, maintenance employees must take a water cooler with fresh water. The cooler must be replenished at least daily and as often as necessary to ensure that water is available. Employees are encouraged to drink large amounts of water especially during periods of heavy exertion and hot weather to avoid dehydration.

A violation of a safety precaution is in itself an unsafe act. A violation may lead to disciplinary action up to and including termination.

## **GOOD HOUSEKEEPING**

Good work habits and a neat place to work are essential for job safety and efficiency. You are expected to keep your place of work organized and materials in good order at all times. Report anything that needs repair or replacement to your supervisor.

## **SMOKING IN THE WORKPLACE**

Our Township is committed to providing a safe and healthy environment for employees and visitors. Smoking is permitted in designated, outdoor areas only. Smoking is not permitted inside any building or structure or any Township vehicle.

## **ALCOHOL AND DRUG TESTING POLICY**

### **A. STATEMENT OF INTENT**

1. Sycamore Township recognizes alcoholism and drug addiction as a disease that is treatable and encourages employees who believe that they may have a drinking or drug problem to seek professional treatment and assistance. No employee who seeks such treatment or assistance will have his job security, promotional opportunities, or other job conditions jeopardized by a request for treatment, and the employee's right to confidentiality and privacy will be recognized in such cases. Nothing in this provision, however, should be construed as limiting the Township's right to discipline employees for reporting to work impaired by drugs or alcohol, consuming alcohol or drugs either on duty or before duty if the employee would be impaired during working hours, or current illegal use of drugs on- or off-duty.
2. Sycamore Township will reasonably accommodate an employee's drug or alcohol dependency if under prescribed treatment. However, it should also be understood that treatment pursuant to this policy will not result in any special regulations, privileges, or exemptions from standard administrative procedures, practices, or policies, including disciplinary action. Nothing in this policy shall be construed as limiting the Township's right to discipline employees for misconduct or poor performance resulting from a drug or alcohol problem.
3. Further, it is the policy of Sycamore Township to maintain a Drug Free Work Place. Henceforth, employees are notified that manufacturing, distributing, dispensing,



possessing, using, or being under the influence of alcohol or while illegally using drugs (including the abuse of prescription drugs) is strictly prohibited during working hours at any location where employees are conducting Township business. Violations may result in disciplinary action, including removal for a first offense.

4. If an employee is properly using prescription drugs that could impair the employee's ability to perform his or her duties in a safe and effective manner, the employee shall notify the supervisor or other manager, and the employee may be required to use sick leave or other authorized leave to protect the safety of the employee and others.
5. Notwithstanding any provision of Ohio law permitting the use of medically prescribed marijuana or cannabis products, such use remains prohibited by federal law, and Sycamore Township by policy will continue to prohibit such use and will not offer any accommodation of marijuana or cannabis use for any purpose.
6. In order to further Sycamore Township's objective of maintaining safe, healthful, and Drug Free Work Place, the Township may require an employee to submit to a urine, breath, saliva (oral) fluid, or blood test if there is reasonable suspicion to believe that an employee is under the influence of a controlled substance. Employees in safety-sensitive positions may be subject to random drug and alcohol testing at the Township's discretion.

#### B. FITNESS FOR DUTY POLICY

1. Employees of Sycamore Township have the right to be provided a safe and healthy working environment. Drug and alcohol testing will help ensure that all employees, regardless of position, report to work without being under the influence and remain free of such influence throughout all working hours. Furthermore, other purposes of this policy are:
  - (a) To comply with Federal and State regulations such as the Drug Free Workplace Act of 1988;
  - (b) To comply with the Township's contractual obligations;
  - (c) To protect the health and safety of employees and the public;
  - (d) To minimize liability;
  - (e) To help decrease health care costs and Workers' Compensation costs; and,
  - (f) To improve productivity.
2. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or the illegal use of drugs on or in Township property, or while performing duties off-premises, is absolutely prohibited.
3. Violations of this policy will result in disciplinary action up to and including removal, and may have other legal consequences. Offenses of this nature will be reported to local law enforcement authorities when deemed appropriate. Employees must, as a condition

of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off-premises while performing duties. A report of a conviction must be made within five days of the conviction.

4. Searches of Township property (vehicles, equipment, lockers, desks, and office spaces) may be made at any time, with no requirement for probable cause, because employees have no reasonable expectation of privacy in such spaces, which are owned by the Township. Searches of employee's personal property (lunch boxes, employee-owned toolboxes, and items clearly identified as personal property of the employee) require reasonable cause to believe a violation of this policy has occurred.
5. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. Sycamore Township recognizes alcohol and drug dependency as an illness and a major health problem. Sycamore Township also recognizes drug and alcohol abuse as a potential health, safety, and security problem. Employees needing help in dealing with drug and/or alcohol problems are encouraged to seek professional assistance and use health insurance plans as appropriate. An employee's decision to seek treatment for drug or alcohol dependency will not jeopardize any employee's job and will not be noted in the employee's personnel record; provided that employees remain subject to discipline and discharge for work-related misconduct and performance failings, even if the disciplinary problem may stem from or be related to the abuse of or addiction to drugs or alcohol.
6. The Township may require employees to undergo alcohol and drug testing and appropriate physical evaluations in a number of circumstances, including but not limited to the following:
  - (a) The Township has reasonable cause to believe that an employee is under the influence of alcohol during work, illegally using drugs, or is otherwise impaired while working.
  - (b) Following an on-duty accident.
  - (c) The employee returns to duty following treatment for drug or alcohol abuse or an incident relating to use of alcohol or illegal use of drugs.
  - (d) Periodic physical examinations such as required by the U.S. Department of Transportation or by the Township.
  - (e) Random testing for alcohol or drugs for employees in safety sensitive positions, such as employees required to have Commercial Driver's Licenses, and other positions as may be so designated from time to time by Sycamore Township.

Testing may include alcohol; any illegal drug; marijuana and any cannabis product, even if medically prescribed; and the illegal use or abuse of prescription drugs such as opiates or any other medication that may impair employee performance.

Employees must report to their supervisors when they are experiencing or may experience a reaction to a prescription or over-the-counter drug that may affect their ability to do their job.

7. **Reasonable Cause Testing.** Employees may be subjected to drug or alcohol testing based on reasonable cause based on observation in accordance with established protocols. After observation, a supervisor will transport the employee to the medical facility for drug and alcohol testing and physical examinations.
8. **Post-Accident Testing.** Drug and alcohol testing is required for all employees performing a function that either contributed to an accident or appears to have contributed to an accident involving any of the following:
  - (a) A death or serious injury of any person and/or
  - (b) Substantial damage to property.

Any such accident must be reported as soon as possible to the appropriate supervisor or, if not available, to the Township Administrator's office. If the employee's performance was a contributing factor to the accident, then the drug and alcohol testing is to occur as soon as possible. At no time in this instance shall the employee transport him- or herself to the medical facility. If the situation is life threatening, however, the ambulance or other means of emergency care will determine where to transport the employee.

9. **Return to Duty Testing.** Any employee who has failed a drug or alcohol test must pass a drug and alcohol test before returning to work and may be subject to random testing for a future period, as determined by the Township.
10. **Periodic Physicals.** In situations where the employee will be undergoing periodic physicals, such as may be required by the Department of Transportation, such employees will be tested for drugs and alcohol at the same time.
11. **Random Testing.** Where permitted by law, the Township may require random drug testing throughout the year for safety-sensitive employees or employees who have previously failed a drug or alcohol test but have completed treatment as a condition for retaining their jobs. Safety-sensitive employees shall be selected for testing using a random method; and employees required to undergo testing following treatment may be tested at any time specified by the Township.
12. **Collection.** Any time an employee is requested to take a drug or alcohol test, the employee may be required to sign an authorization form permitting the medical facility to conduct the test and to release the results to the Township. Refusal to cooperate will be considered an act of insubordination and will subject the employee to termination of employment. On the initial drug test, all the employees will provide urine samples for drug testing under conditions of reasonable privacy. All outer garments will be left behind when providing specimens for example; outer garments are defined as jackets, purses, brief cases. Wallets and billfolds may be retained, though they be be subject to a request to display them. The

collection facilities will follow appropriate, professionally-mandated collection guidelines to ensure integrity in collection and transmitting of specimens to the laboratory. Should the collection site personnel suspect that the specimen has been tampered with (e.g., abnormal temperature, color, or other indicia of tampering) they should ask the donor to provide a second specimen while a person of the same sex as the employee witnesses the collection. Both specimens should be forwarded to the laboratory for analysis.

13. **Medical Review Officer (MRO).** A Medical Review Officer is a physician or other qualified and certified medical professional specifically trained in interpreting drug and alcohol test results. All Invalid, Adulterated, Substituted, and Positive results will be sent to the MRO by the laboratory for review and confirmation.
14. **Positive Test Results.** If the laboratory reports a “Positive” result to the MRO, the MRO will contact the specimen donor and inquire whether there may be a valid, medical explanation for the positive test result. If an acceptable medical explanation is found (for example, a verified prescription (not abused) or medical condition that might affect the test results), the MRO will report a negative result to the Township contact person. If no acceptable medical explanation is found, the MRO will report the positive result to the Township contact person.
15. **Adulterated or Substituted Results.** If the laboratory reports an “Adulterated” or “Substituted” result, the laboratory will also forward the result to the MRO for verification. The Township may, in its sole discretion, offer an opportunity for retesting, but if the information indicates an intentional tampering with the sample, this is grounds for disciplinary action, including immediate termination.
16. **Retest.** A retest is performed as an additional verification of the original result and is performed at the request of, and at the expense of, the donor. It is performed by a different laboratory on the “split” or “B” specimen collected at the time of the original collection. A second specimen collected at a time or date after the original collection is never used for the retest. If the donor desires a retest, he or she will notify and provide the necessary funds to the MRO, who will request the retest in writing from the original laboratory. The original laboratory will be responsible for properly packaging and sending the retest specimen to a second SAMSHA-certified laboratory. The retest laboratory will report the result of the retest to the MRO, who will provide the results to the donor and the Township contact person.
17. **Invalid Test Results.** If a test result is reported as “Invalid,” a second collection will be necessary and will be observed by someone of the same sex.
18. **Rehabilitation.** On a case-by-case basis, the Township may offer employees who have not been previously referred for professional assistance for substance abuse the opportunity for a referral, evaluation, and treatment in lieu of removal. At the time of referral, the employee must sign a release that permits ongoing contact between the recognized treatment facility and a designated manager on behalf of Sycamore Township to ensure the employee’s completion of all requirement treatment components, including any required aftercare.

The release will provide only that the recognized treatment facility will inform the designated contact with Sycamore Township whether the employee has completed the treatment program as recommended in full, including any recommended program of aftercare. Continued employment will be contingent upon the employee fulfilling all recognized treatment facility or physician recommended treatment. The information provided by recognized treatment facility will be kept confidential, with information limited to the designated management contact and Township Administrator, or another manager with an operational need to know.

All employees completing treatment in lieu of discharge will be required to sign a reentry agreement. Employees who have had one referral to the recognized treatment facility for alcohol or substance abuse problems who subsequently violate this policy will be removed from employment.

## **COMMERCIAL DRIVER'S LICENSES**

### **A. STATEMENT OF POLICY**

1. Sycamore Township adopts this policy to comply with regulations of the U.S. Department of Transportation for employees who must hold commercial driver's licenses (CDLs) and to prevent accidents and injuries resulting from the use of alcohol or the abuse of drugs by employees who must drive commercial motor vehicles in the course of their work.
2. The use of alcohol and the abuse of drugs (including the abuse of prescription medication) can cause grave harm to not only the person using the substance but also to fellow employees and members of the public. The effects of alcohol or drug abuse are magnified when the individual is responsible for safety-sensitive functions, such as operating a commercial motor vehicle for the Township. For that reason, drivers of commercial vehicles are strictly prohibited from using alcohol during or proximate to work hours or illegally using drugs at any time, on- or off-duty.

### **B. PURPOSE**

1. The United States Department of Transportation (USDOT) and the Federal Highway Administration (FHWA) have issued federal regulations (49 CFR Parts 40 and 382) implementing the provisions of the federal Omnibus Transportation Employee Testing Act of 1991, which requires alcohol and drug testing of drivers who are required to have a commercial driver's license. These regulations include detailed procedures for urine drug testing and breath alcohol testing of employees in safety-sensitive positions. The purpose of this policy is to establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse of these substances by drivers of commercial motor vehicles. Consequently, Sycamore Township has established the following program to prevent alcohol misuse and drug abuse, and is committed to enforce the policy, through education, testing, rehabilitation, and

disciplinary action where appropriate, for its employees conducting safety-sensitive job functions. Employees should also refer to the Sycamore Township Drug & Alcohol Policy, which addresses the strict enforcement of the ban on work place usage of or impairment by drugs and alcohol.

### C. COVERAGE

1. For the purposes of this policy, Sycamore Township and US Department of Transportation (USDOT) strictly prohibit the use of alcohol or controlled substances by its drivers (employees and volunteers) who are performing, ready to perform, or ceasing to perform the following safety-sensitive job functions:
  - (a) Operation of a commercial motor vehicle and
  - (b) Repair and maintenance of a commercial motor vehicle, where operation of such a vehicle is required as part of the work.
2. Federal Requirements and Restrictions.
  - (a) Federal law prohibits any alcohol misuse that could affect the performance of driving a commercial motor vehicle.

This includes:

- (1) Use on the job.
  - (2) Use during the four - hour period before driving a commercial motor vehicle.
  - (3) Having prohibited concentrations of alcohol in the system while driving a commercial motor vehicle.
  - (4) Use during the eight-hour period following the actual time of accident.
  - (5) Refusal to take a test.
- (b) Federal law prohibits the use of any controlled substance without a licensed physician's written prescription, and provides restrictions on the use of prescribed controlled substances which could impair driver safety.
  - (c) Federal law requires employers to implement certain drug and alcohol testing procedures in accordance with the requirements of 49 C.F.R. Part 382. The law mandates that drivers of commercial motor vehicles be subject to pre-employment testing, reasonable suspicion testing, random testing, post-accident testing, return to duty testing, and follow up testing.
  - (d) The testing procedures utilize an evidential breath device for alcohol testing and urine specimen collection for controlled substance testing. The testing procedures shall be implemented in accordance with the federal requirements contained in 49 C.F.R. Part 40. Every effort will be made to protect the driver and the integrity of the testing processes, to safeguard the validity of the test results, and to ensure that the results are attributed to the correct driver. Alcohol testing will be performed using breath-testing devices approved by the National Highway Traffic Safety Administration (NHTSA) and operated by certified Breath Alcohol Technicians (BAT). Controlled substance

testing will be conducted by a Department of Health and Human Services (DHHS) certified testing laboratory.

- (e) Before performing an alcohol or controlled substances test under this policy, the Township will notify a driver that the alcohol or controlled substances test is required under the policy and federal law.
- (f) Any questions regarding the language, implementation, or consequences of this policy shall be brought to the attention of the Township Administrator.

#### D. DEFINITIONS

For the purposes of this policy, the following definitions shall apply:

1. The term **illegal drug** means drugs and controlled substances, the possession or use of which is unlawful, pursuant to federal, state, or local laws or regulations. This includes medically-prescribed marijuana, even if otherwise allowed by Ohio law, because such use remains illegal under federal law and the applicable USDOT regulations.
2. The term **controlled substance** includes any illegal drug and any lawful drug that is being used in an illegal manner, such as prescription drug that was not legally obtained or is not used for its intended purposes or in its prescribed quantity. The term does not include any legally obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.
3. The term **controlled substance abuse** includes excessive or improper use of alcohol, use of illegal drugs, and the improper use of prescribed drugs, other than for prescribed purposes, in a prescribed manner, and in the prescribed quantity.
4. The term **safety-sensitive functions** include all tasks associated with the operation and maintenance of Township-owned controlled commercial vehicles.
5. The term **CDL holder** means all employees who may drive vehicles, which require a CDL for operation. Fire department employees are exempt from CDL certification.
6. The term **while on duty** means all time from the time the CDL holder begins to work or is required to be in readiness for work until the time he or she is relieved from work and all responsibility for performing work.
7. The term **driver** means a person who operates or maintains a vehicle requiring a CDL to operate, and who performs safety-sensitive functions with respect to such vehicle.

#### E. PROHIBITED CONDUCT

Township policy and federal regulations prohibit employees from engaging in any of the following acts:

1. Using, processing, dispensing, distributing, or receiving alcohol, intoxicants, illegal drugs, or other controlled substances on Township premises, or while on duty or otherwise engaged in Township business.
2. Reporting to work under the influence or with any measurable amount of illegal drugs, or other controlled substances in the employee's system or while having a confirmed breath alcohol concentration of .04 or greater.
3. Reporting to work under the influence of a prescription drug, unless the employee's physician determines that the use of the prescription drug will not adversely affect the employee's ability to perform a safety-sensitive position. Employees should note that the federal regulations include prescription medications containing alcohol in the list of substances banned from use in the work place. Employees should, therefore, not report for duty while taking prescription medication if such medication contains any measurable amount of alcohol.
4. Consuming any amount of alcohol, intoxicants, illegal drugs, or other controlled substances while on duty or within four (4) hours of reporting for duty.
5. The illegal use of controlled substances at any time, whether on or off duty, including medically-proscribed marijuana or cannabis in any form.
6. Refusing to undergo or cooperate in any alcohol or drug testing required by this policy, including failure to report for testing as directed.
7. Use of alcohol for eight hours following an accident requiring a post-accident alcohol test under this policy, or until the employee undergoes the post-accident alcohol test, whichever occurs first.

#### F. PROHIBITED ALCOHOL USAGE

Safety-sensitive employees may not consume alcohol under any of the following conditions:

1. Within four (4) hours performing a safety-sensitive function or otherwise reporting for duty.
2. While performing a safety-sensitive function or otherwise on duty.
3. After a fatal accident involving a commercial motor vehicle unless the employee has been tested or eight (8) hours have elapsed from the actual time of the accident.
4. After a non-fatal accident involving a commercial motor vehicle unless the employee's involvement can be completely discounted as a contributing factor to the



accident, the employee has been tested, or eight (8) hours have elapsed from the actual time of the accident.

#### G. PROHIBITED USE OF CONTROLLED SUBSTANCES

The unauthorized use of any controlled substance is strictly prohibited in all situations, whether on or off duty.

#### H. REQUIRED TESTS

Refusal to take a required test will result in removal of that employee from his or her assignment(s) which, in turn, may result in discipline up to and including discharge.

Testing must be conducted in the following situations:

1. **Pre-employment.** Prior to the first time a driver performs safety-sensitive functions for the employer, the driver must undergo testing for controlled substances. The requirement pertains to all new hires and existing employees transferred to a commercial driver's position. Sycamore Township will not hire, promote or approve for transfer an applicant who fails the drug test for that position.
2. **Post-Accident Testing.** As soon as practicable after an accident involving a commercial motor vehicle, a driver may be tested for alcohol and controlled substances. Testing is required in any accident that involves the loss of human life or where the driver receives a citation under state or local law for a moving traffic violation arising from the accident, or has otherwise been determined to have been responsible, in whole or in part, for the accident. A CDL holder who is subject to post-accident testing shall remain readily available for such testing or shall be deemed by Sycamore Township to have refused to submit to testing. The required testing shall not delay necessary medical attention for injured persons following an accident or prohibit a CDL holder from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.
3. **Random testing.** At a minimum, 25% of the average number of drivers employed by Sycamore Township will undergo annual alcohol testing. The minimum annual percentage rate for random controlled substance testing is 50% of the average number of Township employed drivers of commercial motor vehicles in Sycamore Township. The selection of CDL holders for random alcohol and controlled substances testing shall be made by a scientifically valid method provided by Sycamore Township's drug-testing facility or as otherwise announced. Under the selection process used, each CDL holder shall have an equal chance of being tested each time selections are made.

#### 4. Reasonable suspicion testing.

- (a) A supervisor or other management-level employee may order drivers to submit to testing based on a reasonable suspicion that the employee is using or is under the influence of alcohol or drugs. This determination will be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the driver.

Reasonable suspicion testing is authorized by the regulations during, just preceding, or after a period of the work day in which the driver is required to be drug or alcohol free.

- (b) The required observation for reasonable suspicion testing will be made by any supervisor or management-level employee who is trained in accordance with the requirements of the Federal Regulations. "Reasonable suspicion" also includes receipt of information about an employee's impaired behavior from alcohol or drug use where such information is from a reliable source that has been substantiated by a trained supervisor.
- (c) Once the employee has been removed from the job, the supervisor should contact the Township Administrator. If contact cannot be made at that time, the supervisor is to proceed through the next step of this procedure and make contact with the Township Administrator as soon thereafter as possible.
- (d) The supervisor will then transport the employee to the collection site for drug and/or alcohol testing immediately, but no later than eight (8) hours after having observed the behavior. If the drug or alcohol test is conducted more than two (2) hours but less than eight (8) hours after the supervisor determines there is a reasonable suspicion to believe the employee is under the influence of alcohol or controlled substances, the supervisor will complete a report explaining the reason for the delay in conducting the drug or alcohol test. The supervisor is to wait at the clinic with the employee until the breath test has been completed or the urine sample has been taken.
- (e) Once the drug or alcohol testing has been completed and a positive confirmatory test result has been received, the employee will not be permitted to drive his or her own vehicle home at that time. The employee must make alternative transportation arrangements in order to leave the collection site or employment site, and the supervisor will assist in this process if needed, including the arranging of transportation if needed.

Employees testing in the .02 BAC to a .039 range will not be permitted to drive a Township owned or controlled vehicle for at least 24 hours.

If the employee insists on attempting to drive the vehicle, the supervisor should not attempt to physically restrain the employee. Instead, the supervisor will immediately notify the medical authorities and appropriate law enforcement agencies that a possibly impaired person is driving a motor vehicle. Further, this refusal to comply with a supervisor's directive not to drive under these

circumstances may also constitute independent grounds for discipline up to and including discharge.

5. **Return to duty testing.** After a driver fails to pass an alcohol or controlled substance test, if the driver remains in employment, the driver will be required to undergo and pass another test before the driver is permitted to operate a commercial motor vehicle.
6. **Follow-up testing.** Drivers who are reinstated after problems associated with alcohol misuse or use of controlled substances shall be subject to unannounced follow-up testing as directed by a substance abuse professional. Such testing will include a minimum of six tests during the first twelve months after the return to work.

#### I. CONSEQUENCES FOR VIOLATING ALCOHOL AND DRUG PROHIBITIONS

1. Any driver who has engaged in conduct prohibited by this policy shall be subject to appropriate disciplinary action, up to and including discharge. If the employee is not terminated, he or she shall be advised by Sycamore Township of the resources available to the driver in evaluating and resolving problems associated with the misuse of alcohol and the use of controlled substances, including the names, addresses, and telephone numbers of substance abuse professionals (SAP) and counseling and treatment programs.
2. **Alcohol.** Following a determination that the employee has violated the alcohol prohibitions, including having a test result of .04 BAC or greater, the driver, must, be removed from and cannot be returned to, a driving position until at a minimum:
  - (a) The employee undergoes and completes, at his or her own expense (if not covered by either the employee's Health Insurance or Employee Assistance Plan), an evaluation of addiction, dependence, or abuse of alcohol or controlled substances, and where necessary, rehabilitation within ninety (90) days of the initial positive test;
  - (b) A substance abuse professional determines and signs a statement that the employee has successfully complied with any required rehabilitation and is fully able to return safely to driving duties;
  - (c) The employee undergoes, at his or her own expense, a return-to-duty test administered by Sycamore Township with the result of less than 0.04 BAC; and
  - (d) The employee undergoes (at his or her own expense), follow-up testing, administered by Sycamore Township after the return to work as directed by the substance abuse professional (a minimum of six (6) tests in the first twelve (12) months following the return to work).

3. **Drugs.** Following a determination that an employee has misused controlled substances, as determined through testing, this policy requires that a driver be removed from operating a commercial motor vehicle until, at a minimum:
  - (a) The employee undergoes and completes, at his or her own expense, (if not covered by the employee's Health Insurance or Employee Assistance Plan), an evaluation for addiction, dependence, or abuse of alcohol or controlled substances, and where necessary, rehabilitation within ninety (90) calendar days of the initial positive test.
  - (b) A substance abuse professional determines that the driver has successfully complied with any required rehabilitation, after which the substance abuse professional must sign a statement indicating the employee is fully able to return safely to driving duties, and the employee must take, at his or her own expense, a return-to-duty test with a verified negative test result.
  - (c) The employee undergoes, at his or her own expense, follow-up testing administered by Sycamore Township after the return to work, as directed by the substance abuse professional (a minimum of six (6) tests in the first twelve (12) months following the return to work).
4. Nothing in this section shall be construed to limit Sycamore Township's authority to discipline employees for violations of this policy, or to require treatment and rehabilitation in addition to otherwise appropriate discipline.

#### J. PRESCRIPTION DRUGS

1. Before performing work-related duties, an employee must notify the supervisor if he or she is taking any legally prescribed medication, therapeutic drug, or any non-prescription drug which carries a warning label indicating that the employee's mental functioning, motor skills, or judgment may be adversely affected by the use of this medication. A written report of this notification is to be filed by the supervisor with the Township Administrator.

It is the responsibility of the employee to inform his or her physician of the type of safety-sensitive function that the employee performs in order that the physician may determine if the prescribed substance could interfere with the safe and effective performance of the employee's duties or operation of Township equipment.

As required by the Federal Regulations, however, any employee who tests positive for alcohol will be removed from his or her position, even though the reason for the positive alcohol test is the fact that the employee's prescription medication contains alcohol. Further, the use of marijuana or any cannabis product remains prohibited even if medically prescribed under Ohio law.

2. A legally prescribed drug is one for which the employee has a prescription or other written approval from a physician for the use of the drug in the course of medical treatment. The prescription must include the patient's name, the name of the substance,

the quantity and the amount to be taken, and the period of time for which the use of the medication is authorized.

The misuse or abuse of legal drugs while performing Township business is prohibited. An employee whose proper use of prescribed drugs affects his or her ability to perform the duties of the position in a safe and effective manner may be subject to reassignment, transfer, or temporary or permanent demotion if a vacancy exists or suspension consistent with the requirements of applicable state and federal law. Further, if the permanent use of the drug renders the employee unable to perform the essential functions of his or her job, and no vacant position for which the employee is qualified exists, the employer may remove the employee for an inability to perform the duties of his or her position.

#### K. CONFIDENTIALITY OF RECORDS

Sycamore Township respects the confidentiality and privacy rights of all its employees. Accordingly, the results of any test administered under this policy and the identity of any employee participating in the Township's Employee Assistance Program (EAP) or other assessment or treatment program will not be revealed by Sycamore Township to anyone except as required by law.

An employee may direct Sycamore Township to release his or her own employee records by an express written consent authorizing release to a specified person.

In addition, Sycamore Township will take reasonable steps to ensure that any laboratory or agency used to conduct testing under this policy will maintain the confidentiality of employee test records. The laboratory or testing agency will, however, disclose information related to a positive drug or alcohol test of an individual as follows:

- The individual being tested.
  - The identity of Sycamore Township as the employer.
  - The decision-maker in a court proceeding, administrative investigation or hearing, or other proceeding by or on behalf of the individual which arises from any action taken in response to a positive drug or alcohol test or as otherwise required by law, including compliance with court order or subpoenas.
1. The medical review officer (MRO) will not reveal individual test results to anyone except Sycamore Township unless the MRO has been presented with a written authorization from the tested employee.

The MRO may reveal to Sycamore Township, without an authorization, relevant information as to whether the employee is qualified to perform safety-sensitive functions or whether the employee has tested positive for alcohol or a controlled substance.

Sycamore Township will not release the information on the employee's qualification to perform safety-sensitive functions to a third party without first obtaining the tested employee's written authorization and consent, except to the decision-maker in a court proceeding, administrative investigation or hearing, or other proceeding by or on behalf of the individual which arises from any action taken in response to a positive

drug or alcohol test or as otherwise required by law, including compliance with court orders or subpoenas.

2. All records related to drug and alcohol tests of individual employee will be maintained in individual files separate from the employee's personnel file. These records will be stored in a locked cabinet under the control of the office of the Township Administrator and access will only be allowed to those Township employees who have a legitimate need to review the records of a particular employee.

#### L. QUESTIONS

Any employee having questions with respect to the scope of this policy and its contents may contact the Sycamore Township Administrator.

#### **COMMERCIAL DRIVERS LICENSE REQUIREMENT**

All Township employees who operate a motor vehicle that exceeds 26,500 pounds or a combination vehicle (e.g., dump truck with drag) are required to have a Commercial Driver's License (CDL) as specified in the Ohio Traffic Code. This does not apply to Fire Personnel unless specifically authorized by either the Ohio Traffic Code or Ohio Revised Code. New employees must obtain a CDL within 90 days of their employment as a condition of their employment, and at most one 90-day extension may be granted to obtain the license. An employee who fails to obtain a CDL within the stated times is no longer qualified for the position and may be removed.

#### **DRIVING RECORD AND SAFETY**

Applicants for employment who will be required to drive Township vehicles must consent to a review of their driving records for insurance purposes. Thereafter, applicants who become employees and all other employees required to drive township vehicles may have their driving records reviewed annually. Employees with unsatisfactory driving records shall not be permitted to drive township vehicles and will be subject to dismissal, though the Township may, in its discretion, reassign the employee to an available position that does not require driving.

Employees may not use cell telephones while driving a Township vehicle unless the driver has a hands-free system, such as Bluetooth. Even hands-free systems should not be used while driving in conditions of significant traffic.

#### **PERSONAL DAMAGES**

When an employee supplies evidence that he or she has sustained damage to personal property while performing assigned duties, and that such damage was not the result of misuse or

negligence on the part of the employee, the Township may reimburse the employee for the cost of necessary repairs or replacement up to a maximum of \$500.00 per year, per employee, but not more than fifty dollars (\$50.00) for jewelry items. The employee must present the damaged property for the employer's inspection prior to the repair or replacement of the property. Repair and replacement of the property shall be at the Township's option.

In the event of damage to prescription eye glasses (including frames), contact lenses, or dentures or other oral prosthesis, where the damage occurs in the active discharge of an employee's assigned duties, the Township will pay the difference, if any, between the amount of reimbursement from Worker's Compensation or insurance settlement and the actual cost of repair or replacement.

## **HEALTH, SAFETY, AND LOSS CONTROL POLICY**

Sycamore Township is dedicated to the policy of ensuring the protection of its employees from recognized hazards and working in unsafe conditions. Employee safety and health is our first priority, and we are committed to the prevention of accidental losses. In fulfilling this commitment, Sycamore Township will provide and maintain a safe and healthful work environment in accordance with applicable standards, laws and regulations, as defined by the State of Ohio Public Employment Risk Reduction Program (PERRP) compliance guidelines. Sycamore Township will strive to eliminate or control foreseeable hazards that may result in personal injuries or illness, damage to property, or releases to the environment.

The Township will strive to reduce the chance of injury, illness, or accidental damage to property through good management in direct combination with active employee participation. Good management includes the establishment of appropriate program standards and procedures, personal training, and monitoring compliance with safe practices. Loss prevention is the direct responsibility of every Sycamore Township employee, and all employees must become skilled at recognizing safety and health hazards associated with their jobs. All managers and supervisors have the additional responsibility of making safety an integral part of every job and to ensure compliance with health, safety, and loss prevention requirements through proper project planning and execution and the maintenance of a safe work environment. All employees are expected to perform their jobs in accordance with these established procedures and project plans and to assume responsibility for their individual health and safety as well as that of others with whom we work.

We trust that each individual will join us in a personal commitment to safety and loss prevention in all aspects of our operations.

## **SECURITY**

All employees are responsible to protect and keep safe Township facilities and property. The last person leaving the building must ensure that all lights are turned off, all equipment is shut off and secured as appropriate, and all doors are locked.

Employees who open windows are responsible to close the windows and lock them prior to leaving. Vehicles are to be locked and keys removed when left outside overnight or when the employee exits the vehicle and is not in immediate proximity, such as going into a building or otherwise walking out of sight.

**ACKNOWLEDGEMENT OF RECEIPT**

I have had the opportunity to review this handbook and ask questions about any provisions I do not understand.

My signature below confirms my receipt of this staff handbook and my understanding that my employment is entirely "at-will" in that either I or the Township may discontinue my employment at any time for any reason. I am also confirming my willingness to comply with the standards set forth in the handbook and the understanding that its provisions may be changed or discontinued at any time as deemed necessary by the Township.

Received By: \_\_\_\_\_

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

Witness: \_\_\_\_\_

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