

First Reading: August 19, 2025  
Second Reading: Dispensed

RESOLUTION 2021 - 070

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

**WHEREAS**, The Board of Trustees of Sycamore Township 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 Township Trustees of Sycamore Township, 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.** That the Board finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** The Trustees of Sycamore Township upon at least a majority vote do hereby dispense with any requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

**SECTION 4.** This Resolution shall take effect on the earliest date allowed by law.

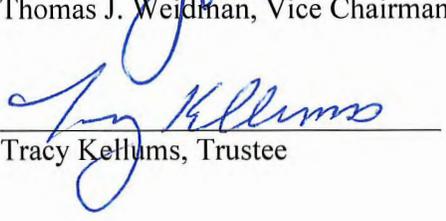
**VOTE RECORD:**

Mr. Kellums       Ms. Schwegmann       Mr. Weidman 

**PASSED** at the meeting of the Board of Township Trustees this 19<sup>th</sup> day of August 2025.

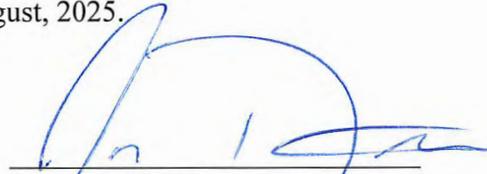
  
\_\_\_\_\_  
Tracy Schweigmann, Chairman

  
\_\_\_\_\_  
Thomas J. Weidman, Vice Chairman

  
\_\_\_\_\_  
Tracy Kellums, Trustee

**AUTHENTICATION**

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer this 19<sup>th</sup> day of August, 2025.

  
\_\_\_\_\_  
Jonathan T. Deters  
Sycamore Township Fiscal Officer

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Lawrence E. Barbieri, Law Director

# SYCAMORE TOWNSHIP



## EMPLOYEE HANDBOOK

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# Article I. PREFACE

## Section 1.01 Introduction

- A. Unless otherwise provided for by law, all employees are “At-Will” employees and their (employees) employment may be terminated without cause and without a hearing before the Board of Trustees.
- B. These policies supersede any previous (written or unwritten) conflicting policies. If anyone is not certain whether a previous policy is still in effect, the employee may contact the Township Administrator for clarification.
- C. The policies contained in this manual apply to employees, except in those instances where the Ohio Revised Code specifically permits dissimilar treatment for certain classes or probationary employees (e.g., appointment, compensation, separation, etc.) or if specifically excluded by contract. The Board of Trustees has the power of appointment to positions within the work force, regardless of subsequent actions by others. None of these policies establish tenure rights or contractual rights for employees.
- D. Policies are defined as the basic rules that guide administrative action in accomplishing an organization's objectives. Clearly defined policies, consistently and fairly administered, are essential to the success of any organization.
- E. This manual is presented for informational purposes only and can be changed at any time by the employer with or without notice. This manual is not an employment contract, expressed or implied. No representative of the employer has the authority to enter into an agreement with an employee that is contrary to the foregoing.
- F. To the extent any of these policies are in conflict with the provisions of a collective bargaining agreement or confer benefits not granted by a collective bargaining agreement, or in addition to a collective bargaining agreement that policy, provision or benefit shall not apply to employees covered by the collective bargaining agreement. This includes, but is not limited to, health care benefits, holidays, sick time usage and accumulation, compensatory time, vacation, retirement, and any other condition of employment specifically addressed in a collective bargaining agreement.
- G. In the event there is a conflict between the policies in this manual and any applicable laws, the applicable law will prevail. Questions regarding the interpretation and application of these policies shall be directed to the Township Administrator.

## Section 1.02 Severability

- A. If any section or part of this manual or any amendment is invalidated by operation of law or by order of a court of competent jurisdiction, or a court restrains compliance with or enforcement of any article or section of this manual, the remainder of this

manual and any amendments shall not be affected. The manual shall remain in full force and effect, unless the context of the manual as a whole indicates that another section should be invalidated as well to conform to the employer's intent.

## Section 1.03 Objectives

- A. The Township recognizes that a personnel system, which recruits and retains competent, dependable personnel, is indispensable to effective government.
- B. The policies and procedures set forth in this manual are designed to:
  - 1. Ensure that all Township operations are conducted in an ethical and legal manner to promote its reputation as an efficient, progressive body in the community and the State;
  - 2. Encourage courteous and dependable service to the public;
  - 3. Promote high morale and foster good working relationships among employees of the Township by providing uniform personnel policies, equal opportunities for advancement, and consideration of employee needs;
  - 4. Enhance the attractiveness of a career with the Township and encourage each of its employees to give their best effort to Sycamore Township and the public;
  - 5. Provide fair and equal opportunity for qualified persons to enter and progress in public service based on merit and fitness as determined through objective and practical personnel management methods.

## Section 1.04 Equal Employment Opportunity

- A. All employees and applicants for employment will be recruited, hired, promoted, transferred, demoted, laid off, terminated, suspended, evaluated in a fair and equitable manner based solely upon merit, fitness and such occupational qualifications as each individual might possess. No personnel decisions shall be based upon race, color, religion, sex, national origin, age, disability, political affiliation, or other non-job related criteria. The Township shall not discriminate on the basis of disability unless the disability renders the individual unable to satisfactorily perform the essential functions of the job with reasonable accommodation.

## Section 1.05 Management Rights

- A. Sycamore Township shall have the exclusive right to administer through the Office of the Township's Administrator the business of the Township in addition to all other

functions and responsibilities that are required by law. Specifically, the Township's exclusive management rights include, but are not limited to the following:

1. To determine the Township's goals, objectives, programs, and services;
2. To maintain and improve the efficiency and effectiveness of the Township's operation;
3. To promulgate and enforce policies and procedures, employment rules and regulations, and to otherwise exercise the prerogatives of management;
4. To determine the budgets;
5. To determine and implement necessary actions in emergencies;
6. To maintain the security of records and other pertinent information;
7. To manage and direct its employees, including the right to:
  - a. Select
  - b. Hire
  - c. Assign
  - d. Evaluate
  - e. Promote
  - f. Transfer
  - g. Layoff
  - h. Recall
  - i. Discipline
  - j. Reprimand
  - k. Suspend
  - l. Demote
  - m. Discharge
8. To manage and determine the location, type, and number of physical facilities, equipment, programs, and the work to be performed;
9. To determine the size, composition, and duties of the work force, the number of shifts required, to establish work schedules, to establish hours of work, to establish, modify, consolidate, or abolish jobs (or classifications); and to determine staffing patterns, including, but not limited to the assignments of employees, duties to be performed, qualifications required, and areas worked;
10. To determine when a job vacancy exists, the standards of quality and performance to be maintained;
11. To determine the necessity to schedule overtime and the amount required thereof;

12. To relieve employees from duty due to the lack of work, lack of funds, or for other legitimate reasons which improve the economy or efficiency of the Township.

## Section 1.06 Amendments

- A. These policies and procedures may be amended or modified from time to time as needed. Where new or modified state or federal laws or regulations necessitate the amendment or modification, it shall be the responsibility of the Township Administrator to effect the change and disseminate copies to all manual holders.
- B. Where the amendment or modification affects an employee benefit or would incur a financial obligation on the Township over \$10,000, the Township Administrator shall prepare a resolution for the Board of Trustees' consideration. The Board, at a regularly scheduled meeting, may adopt, modify, or reject the proposed change. Board approved changes shall be disseminated by the Township Administrator to all manual holders.

# Article II. HIRING AND SELECTION

## Section 2.01 Position Vacancies and Announcement

- A. The Township may post, for ten (10) workdays, vacancies that occur or are imminent within the Township, except in those cases where an employee is eligible for reinstatement from layoff to the vacant position. During the posting period, any employee wishing to be considered for the vacant position shall submit a written notice of interest and any other pertinent information to the Township Administrator. The Board reserves the right to fill vacant positions internally without the use of a public process.
- B. All applications shall be kept in active status for a period of six (6) months from the date filled. After this period (6 months), the application will be placed in an inactive file unless the applicant re-files by updating the information on the original application.
- C. All applications filed with the Township shall be kept for a minimum of three (3) years from the date filed. (Chapter XIV Equal Opportunity Commission, Title 29, Part 1602).

## Section 2.02 Evaluation of Applicants

- A. The Township Administrator, Department Supervisor, or designee shall evaluate all applicants for the position to be filled. Applicants must submit to various

job-related screening procedures as deemed appropriate by the Township Administrator, Department Supervisor, or designee, such as pre-employment drug screenings, reference checks, interviews, background checks, performance tests, and/or other job-related screening procedures.

- B. The Township Administrator, Department Supervisor, or designee may also require a selected applicant to pass an appropriate examination as a condition of employment to determine whether the applicant can physically and/or mentally perform the essential functions of the job, with reasonable accommodation where necessary.
- C. If the Township Administrator, Department Supervisor, or designee requires a physical or psychological examination of applicants for hire or promotion, the Township Administrator, Department Supervisor, or designee will only require such examination after selecting the preferred applicant or applicants for appointment or promotion.

## Section 2.03 Immigration Reform and Control

- A. In accordance with the provisions of the Immigration Reform and Control Act of 1986, the Township has adopted the policy set forth below.
  - 1. Sycamore Township shall not knowingly hire, recruit, or continue to employ any alien hired after November 6, 1986, without substantiating and documenting that alien's eligibility in accordance with provisions established by this policy.
  - 2. The Township has established an employment verification system and shall retain appropriate records establishing that each employee of the Township, hired after November 6, 1986, is lawfully authorized to work in the United States as either a U.S. citizen or as a "properly documented alien".
  - 3. As a condition of continued employment, the Township Administrator Department Supervisor, or designee(s) shall verify both the identity and the employment eligibility of newly hired employees for employment.

# Article III. EMPLOYMENT

## Section 3.01 Employment by Sycamore Township

- A. It is the responsibility of everyone connected with this Township to recognize that the chief function of this local government is to serve the best interests of all people of Sycamore Township at all times.
- B. Employment by the Sycamore Township Board of Trustees is subject to the laws of

the State of Ohio, policies established by the Board of Trustees, and the requirement that employees recognize said laws and agree to abide by these laws and policies as a condition of employment.

- C. The Board of Trustees and the Township Administrator retain the right to enact any additional policies or work rules as deemed appropriate within their jurisdiction.
- D. Departmental Supervisor is a fiduciary/administrative position, with a one-year probationary period. A person filling one of these positions is appointed based on the Board of Trustee's special trust and confidence in their judgment and leadership ability. Each Department Supervisor is an at-will employee and the term of employment is at the sole discretion of the Board of Trustees. The Department Supervisor is prohibited from forming, joining, assisting, or participating in any employee organization pursuant to ORC 4117.01(C)(9).
- E. The Sycamore Township Board of Trustees appoints employees, fixes compensation for, disciplines, and establishes the policies and procedures and other conditions of employment for employees of their departments.
- F. Employees are required to perform all assigned duties in a responsible manner during the working hours designated by The Township Administrator or Department Supervisor.

## Section 3.02 Probationary Period

The probationary period is to make certain an employee is suitable for the position for which they were hired or promoted. It is actually part of the examination process. For the probationary period to be of value, it is important that the Township have the cooperation of each Department Supervisor in seeing that the probationary employee receives adequate on-the-job training and is made aware of any aspect of their work that may need improvement. Completion of the probationary period does not give any employee tenure that is not required by law.

- A. New Employees
  - 1. Individuals hired by the Township as full-time employees shall be required to successfully complete a probationary period of one (1) year beginning on the date of hire.
  - 2. A probationary employee may be dismissed at any time during the probationary period, with or without cause and without right of appeal.
  - 3. Upon completion of an employee's probationary period, the employee's continued service is retroactive to their date of hire.
  - 4. Full-time probationary employees not covered under a collective bargaining

agreement shall be entitled to a full day pay for each holiday observed by the Township.

B. Promoted Employees

1. Employees promoted into a higher-level position shall be required to successfully complete a probationary period of one (1) year beginning on the date of promotion.
2. If performance is unsatisfactory during the probationary period, the employee shall be returned to their former position classification and rate of pay if available.
3. An employee promoted or hired as a departmental supervisor is an at-will employee and does not serve a probationary period and may be terminated without cause at the pleasure of the Board of Trustees.

C. In the event of a layoff, temporary employees, probationary employees, and permanent part-time employees shall be laid off before any permanent employee in the classification to which the probationary employee is assigned.

D. If an employee is rehired after discharge, voluntary resignation, or retirement, the person will be rehired as a new and probationary employee.

### Section 3.03 Performance Evaluation

A. Written performance evaluations provide supervisors with an effective mechanism to measure and communicate levels of job performance to employees. A performance evaluation provides the employee with documented, constructive feedback concerning current job execution. Documented performance evaluations serve as a basis for important management decisions regarding training needs, job assignments, promotion and retention and compensation of employees.

B. Township employees shall be evaluated annually after completion of their probationary period.

C. Employees will be provided a copy of their performance evaluation. The employee's immediate Supervisor shall discuss the report with the employee, and counsel the employee regarding any improvement in performance that appears desirable or necessary.

D. Each employee will be required to sign their performance evaluation to certify that they (employee) have read it. If an employee disagrees with their performance evaluation, the employee may prepare a written response within ten (10) days following their evaluation, which will be kept in the employee's personnel file.

## Section 3.04 Conflicts of Interest Policy

- A. Sycamore Township adopts this Policy to comply with Ohio Ethics Laws and to ensure that public officials and employees are not influenced by personal interests when spending public dollars or making public decisions.

It is the policy of Sycamore Township that Township officers, employees, or officials shall impartially and faithfully exercise their official functions without the influence of private interest and that:

1. No Township officer, employee, or official may take any action to purchase or acquire services or property for the Township where they, their family, or their business associates have a financial interest in the services or the property;
2. No Township officer, employee, or official may take any action to employ their spouses, parents, grandparents, children, grandchildren, siblings, or any other immediate family member;
3. No Township officer, employee, or official may solicit, accept, or use their public position to secure things of value that could have substantial and improper influence on the Township officer, employee, or official;
4. During public service and for one year afterwards, no Township officer, employee, or official may represent anyone on any matter in which they personally participated while they were a Township officer, employee, or official;
5. If a conflict of interest is present, the Township officer, employee, or official must completely abstain from decision making, discussions, voting, or making recommendations.

Failure of any Township officer, employee, or official to abide by this Policy, or to comply with Ohio Ethics Laws and related statutes, will result in discipline, which may include dismissal, as well as any potential civil or criminal penalties under the law.

## Section 3.05 Medical Examinations

- A. A medical (physical or psychological) examination may be required by the Township Administrator or Department Supervisor to ensure that a current employee is physically and mentally able to perform the essential functions of their job. The Township Administrator or Department Supervisor shall select the licensed practitioner and shall pay the cost of the examination.
- B. Incumbents of specified positions such as fire department employees and those employees that may operate motor vehicles or use dangerous or hazardous tools and equipment may be legally required to submit to regularly scheduled medical exams during their period of employment with the Township.
- C. Employees, upon notice from the Township Administrator or a Department Supervisor, shall be required to submit to a chemical test after being involved in a

motor vehicle crash or accident involving dangerous or hazardous tools and equipment. The Township shall pay the cost of such examinations.

- D. Drug/Alcohol testing of employees, who are not subject to the Department of Transportation, Federal Highway Administration rules on "Controlled Substances and Alcohol Use and Testing" may include random testing and may be conducted upon reasonable suspicion. (See Section 6.08)

## Section 3.06 Disability and Accommodation

- A. The Township's goal is to allow a qualified applicant or employee with a disability to enjoy the benefits and privileges of employment, equal to those enjoyed by similarly situated non-disabled employees. Therefore, the Township will provide reasonable accommodation to enable a qualified applicant to perform the essential functions of the job that the applicant is seeking, and to enable a current qualified employee with a disability to perform the essential functions of a job currently held.
- B. Modifications or adjustments may be required in the work environment, in the manner or circumstances in which the job is customarily performed, or in employment policies.
- C. The Township will not be able to make an accommodation that would impose an undue hardship on the Township. The Americans with Disabilities Act defines an undue hardship as an action that requires significant difficulty or expense. Each accommodation request will be handled on a case-by-case basis.

# Article IV. WAGES AND BENEFITS

## Section 4.01 Employee Compensation

- A. The Sycamore Township Board of Trustees sets compensation amounts for Township employees.
- B. All non-exempt employees are responsible for the submittal of accurate payroll information and the Department Supervisor must review and approve department payroll periods.
- C. All exempt employees shall be required to certify that they have worked the minimum required hours (an average of 40 hours weekly) or used the available accrued leave banks in lieu of work. The Administrator or Assistant Administrator is responsible for approving all Department Supervisor certifications. The Administrator is responsible for approving the Assistant Administrator's certification and the Fiscal Officer will approve, or appoint an employee as designee, to approve the Administrator's certification.

- D. Applicable federal, state, and local income taxes, as well as retirement deductions and the employee portion of group health plan premium (if applicable) are withheld from each paycheck. The Township reserves the right to obey all laws that pertain to paychecks, including child support orders and garnishments.
- E. Employees shall immediately notify the Township Administrator or their Department Supervisor when a court ordered garnishment has been awarded that will affect the payroll. Failure to notify the Township Administrator or Department Supervisor may result in disciplinary action.

## Section 4.02 Overtime

- A. Overtime is generally discouraged and is only for emergencies. The appropriate Department Supervisor or designee must approve all overtime. Scheduled overtime, which is subsequently cancelled, shall not entitle the employee to any overtime compensation.
- B. In the event an employee is required to work overtime and the employee is not a member of a Collective Bargaining Group or is guaranteed some special consideration that adjusts a typical work week or regular hours worked in a specific pay period, that employee shall be entitled to overtime compensation at one and one-half (1-1/2) times their regular hourly rate of pay for all hours worked in excess of forty (40) hours in one workweek in ¼ hour increments.
- C. Fire fighter overtime shall remain compliant with Fair Labor Standards Act (FLSA).
- D. For purposes of this policy, paid leave time (paid sick leave, personal, funeral, holidays, vacation) shall be considered time worked. Time spent overnight on official Township business shall not be considered time worked for purposes of calculating overtime.
- E. Full-time employees who are eligible for and work overtime are required to report the overtime worked on their time sheets.
- G. Unless specified otherwise in an employment contract or labor agreement, employees do not generally earn compensatory time. However, when economic necessity so dictates, or at the discretion of the Township Administrator, the Township may offer compensatory time in lieu of cash payment for overtime worked at the rate of 1 ½ hours for each hour worked up to a maximum of 40 hours. Compensatory time must be used, at times agreeable to the employee and the employee's supervisor, within one hundred eighty (180) days of earning, or it will be paid.

## Section 4.03 Expense Reimbursement

- A. Employees of the Township will receive reimbursement for expenses incurred while traveling on official Township business. Employees are eligible for expense reimbursement only when the Board of Trustees, through the Township Administrator or Department Supervisor, has authorized travel. Expenses shall be reimbursed in the following manner.
1. Mileage, Parking, and Tolls
    - a. Employees shall be reimbursed for actual miles when a Township vehicle is unavailable, while on Official Township business, at the IRS approved rate in effect at the time of the travel.
    - b. Charges incurred for parking at the destination, and any highway tolls are reimbursable at the actual amount. Receipts for parking costs and highway tolls are required.
  2. Meals
    - a. Expenses incurred for meals while on official Township business will be reimbursed within the range established by the Board. Meals will be reimbursed upon submission and approval of itemized receipts at actual cost, not to exceed \$50 per day.
  3. Overnight Trips
    - a. Expenses covering the actual cost of a motel room will be reimbursed in full when an employee travels out of the Township on official Township business, and such travel requires an overnight stay. Motel expenses will be reimbursed only with prior written authorization of the Board of Trustees, through the Township Administrator or Department Supervisor.
  4. No alcohol or personal items are to be purchased or reimbursed through township funds.
  5. Employee Owned or Controlled Benefit (Reward) Cards
    - a. Employees shall not be permitted to use Benefit or Reward Cards to personally accumulate cash or anything else of value for or with the purchase of items or services used in conjunction with the Township Operation unless pre-approved by the Township Administrator. Employees shall be permitted to use the Benefit or Reward Cards to upgrade Township travel accommodations or other services that do not result in any additional expense to the Township.

## Section 4.04 Retirement Plan

- A. Most Township employees are required by law to participate in the Ohio Public Employees Retirement System (PERS). Eligible employees are required to contribute a percentage of their gross pay, deducted each pay period, as determined by the PERS.
- B. Full-time firefighters are required by law to participate in the Ohio Police and Fire Disability and Pension Fund (OP&F) or the Ohio Public Employees Retirement System (PERS). Eligible employees are required to contribute a percentage of their gross pay, deducted each pay period, as determined by the OP&F or PERS.
- C. These plans, (PERS & OP&F) are independent of the Federal Social Security System. Information on these retirement plans may be obtained by contacting the Township Administrator. If an employee has any further questions regarding the benefits available under these plans, the employee may contact the following:

Ohio Public Employees Retirement  
System

277 East Town Street  
Columbus, Ohio 43215  
(614) 466-2085

Ohio Police and Fire  
Disability and Pension  
Fund

230 East Town Street  
Columbus, Ohio 43215  
(614) 228-2975

## Section 4.05 Occupational Injury Leave

- A. In lieu of Workers' Compensation, an employee who suffers a service-connected injury or illness incurred in the course of and arising out of employment with the Employer may be eligible for paid injury on duty (IOD) leave. IOD leave is a matter of administrative discretion, and the Board of Trustees will make a final determination if IOD is to be granted. IOD leave may be granted for up to eight weeks. An Employee requesting IOD leave must file and pursue an injury claim with the BWC as soon as possible.
- B. To be eligible for this leave, the employee shall apply to BWC for medical benefits (but not lost income benefits) and the claim must be allowed, or otherwise compensable, by BWC. 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. Where the nature and/or severity of the injury necessitates that the employee remains on leave beyond eight (8) work weeks to complete recovery or rehabilitation, a request to the Board of Trustees for additional IOD leave may be made. Subject to provisions and policies applicable to sick, personal, and FMLA leave, extensions may be granted. Once IOD compensation ends, the employee may apply for lost income benefits from the BWC. The employee may utilize sick time or other approved leave of absence to supplement Workers' Compensation benefits. Total time away from work for a work-related injury shall not exceed fifty-two work weeks.

- C. The Employer has the right to review the employee's physical and mental status each thirty (30) days of absence in order to determine the employee's ability to return to work. In the event of a difference of opinion as to the employee's mental or physical status between the employee's physician and the Employer's physician, the issue shall be submitted to a third physician mutually selected by the employee and the Employer from a list submitted by the Academy of Medicine of Greater Cincinnati. The decision regarding the ability of the employee to perform his regular duties shall be final and binding on both parties. The employee and the Employer shall equally pay the services of the third physician.
- D. The eight-week injury leave is available for each distinct, separate injury or illness. Reoccurrence of the same injury/illness and/or follow-up medical treatment related to the original injury/illness shall be charged to the original eight weeks.
- E. Employees on approved injury leave paid by the Employer remain in active pay status and earn sick leave during the leave. Employees on Workers' Compensation lost income benefits are not in active pay status and do not earn sick leave or other benefits. All IOD leave, both compensatory and non-compensatory, shall run concurrently with FMLA leave.

## Section 4.06 Insurance

- A. The Township may make available health and hospitalization insurance with supplemental benefits to its fulltime employees.
- B. The determination of carriers and/or method of providing insurance is the responsibility of the Board of Trustees. Employees will be notified of any change in carriers or methods of providing insurance.

## Section 4.07 Health Insurance Coverage Following Separation

- A. The Township Administrator or designee shall inform the employee of their right under COBRA to continue coverage under the health insurance group

after cessation from payroll through the assumption of premium costs. The employee's spouse, and/or dependents may also be eligible. The following is general information on how COBRA works. (Specific information may be obtained from the Township Administrator or designee).

- B. The continuation period is thirty-six (36) months for:
  - 1. Children of current employees who lose eligibility because of age;
  - 2. Surviving spouses and children of deceased employees; and
  - 3. Separated, divorced, or Medicare ineligible spouses and children of current employees.
  
- C. The eighteen (18) month continuation option applies to employees and their dependents when coverage would otherwise end due to:
  - 1. Reduction in work hours;
  - 2. Voluntary termination;
  - 3. Layoff for economic reasons; and
  - 4. Discharge for misconduct (other than gross misconduct).
  
- D. Persons eligible for such continuation of group coverage have sixty (60) days from the date that coverage would otherwise end, or the date they are notified of the continuation option, whichever is later, to elect such coverage. Individuals, who choose to continue group coverage, will be required to pay the monthly premium.
  
- E. Coverage may be extended from eighteen (18) to twenty-nine (29) months for those persons deemed to be disabled under the Social Security Act at the time of separation. The beneficiary must notify the Township Administrator of the qualification during the first eighteen (18) months.
  
- F. Such continued coverage will end if:
  - 1. The group terminates all health plans offered to employees;
  - 2. An individual covered under this provision becomes eligible for another health plan due to reemployment, marriage, or attainment of Medicare eligibility;
  - 3. Premium is not paid.
  
- G. The notice does not change any other terms of the group coverage.
  
- H. The employee, spouse, and/or dependents will be responsible for the total

premium payment; and the Township reserves the right to add a two percent (2%) charge for administrative costs.

- I. Questions and/or requests for more information should be referred to the Township Administrator or designee.

## Section 4.08 Tuition Assistance Program

- A. 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.
- B. To participate in this program, you must be a full-time employee who has completed at least one year of employment.
- C. 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.
- D. Your application for tuition assistance, and request for reimbursement of required books and supplies, must be made and approved by the Administrator prior to registration for the course or training or purchasing books and supplies. The Township will pay 100% of your tuition or training, including approved books and supplies, up to a maximum of \$5,000.00 each year.
- E. 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.

## Section 4.09 Footwear Allowance

- A. 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.
- B. 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.

# Article V. ABSENCES AND LEAVES

## Section 5.01 Holidays and Personal Days

- A. Each Full-time Employee shall be entitled to the following holidays and personal days at full pay:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19 <sup>th</sup>
Independence Day	July 4 <sup>th</sup>
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans' Day	November 11 <sup>th</sup>
Thanksgiving Day	Fourth Thursday in November
Thanksgiving Friday	Day after Thanksgiving
Christmas Day	December 25 <sup>th</sup>

- On Christmas Eve Day and New Year's Eve Day, the Township may, at 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.
- B. If a full-time employee with the Township is required to work on a holiday, the employee will receive their regular pay plus time and a half for hours worked on that day. Part-time firefighters not covered by the Collective Bargaining Agreement will be paid time and a half for work on a holiday.
- C. All regular employees paid on an hourly basis will be paid overtime pay for any hours worked in excess of thirty-two (32) hours if that workweek contains a holiday with the Township. Hours reported as overtime, in excess of the thirty- two (32) hour workweek, may not include hours worked on the holiday itself.
- D. If required to work on a holiday, a temporary or part-time employee will be paid time and a half their standard rate.
- E. Holiday pay will be given while an employee is on sick leave or vacation, in which case the employee's absence will not be charged to their sick leave or vacation time.

- F. Holiday pay will not be given while an employee is on an unpaid leave of absence or for disciplinary suspension.
- G. If a holiday occurs on a Saturday, it will be observed on the preceding Friday. If a holiday occurs on a Sunday, it will be observed on the following Monday.
- H. Personal Days:

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 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.
- 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 may not be carried over and will be lost 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.
- Full-time Fire Department employees who are members of the IAFF 3907 shall receive personal leave per the current collective bargaining agreement. 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.

## Section 5.02 Vacation Leave

- A. Township employees (not covered by a Collective Bargaining Agreement\*) will accrue vacation leave after the first six months of employment and thereafter on the

employee's anniversary date according to the following schedule:

**Administration, Fiscal Office, Maintenance, Zoning, and Non-Exempt Employees**

<u>Years of Service</u>	<u>Hours per year</u>
After six (6) months:	40 hours
After one (1) year:	80 hours
After five (5) years:	120 hours
After seven (7) years:	140 hours
After twelve (12) years:	200 hours
After twenty (20) years:	240 hours

\*Full-time Fire Department employees who are members of the IAFF 3907 shall receive vacation leave per the current collective bargaining agreement.

- B. Part-time employees are not entitled to vacation.
- C. Fifty-two (52) weeks equal one year of service.
- D. 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.
- E. Employees, should they leave employment for whatever reason, are not entitled to be compensated for vacation leave earned until they have completed twelve (12) months of employment. The employee will receive a payout of up to 80 hours of accrued but unused vacation if the employee provides two weeks' notice.
- F. 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 Fire Disability and Pension Fund (OP&F).
- G. Requests for vacation should be submitted at least 30 days in advance unless otherwise approved by your supervisor. 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 leave will not be granted on call-in, except in extenuating circumstances to be determined by the Department Supervisor.

- H. Employees who encounter sickness while on vacation may be required to furnish a doctor's certificate for any time which is to be converted from vacation to sick leave. The decision to credit vacation time to sick time shall be at the sole discretion of the Township Administrator or Department Supervisor.
- I. For purposes of calculating vacation leave, years of continuous service in full-time employment with another public employer in the State of Ohio shall be included as years of service at the discretion of the Township Administrator. The decision of the Township Administrator is not appealable. Only full years of continuous service will be counted.

## Section 5.03 Sick & Injury Leave

- A. Our sick leave plan provides full-time employees (not covered by a Collective Bargaining Agreement\*) 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.

\*Full-time Fire Department employees who are members of the IAFF 3907 shall receive vacation leave per the current collective bargaining agreement.

- B. Sick leave shall be granted to an employee for the following reasons:

1. Injury of the employee or illness in which the employee is either to sick to work or the employee's presence at work may spread illness to other employees.
2. Death for someone other than the employee's immediate family (see Funeral Leave). Sick leave usage for this purpose is limited to two (2) days per occurrence. Upon the approval of the Board or Township Administrator, leave may be extended for an additional five (5) days.
3. Medical, dental, or optical examinations or treatment of the employee or a member of the employee's immediate family, when an appointment cannot be made during non-working hours.
4. Pregnancy and/or childbirth related conditions. A limit of five (5) working days may be charged to sick leave for the care of an employee's wife and family during the postnatal period.
5. Sick days may also to be used for attending to an ill family member where the employee's presence is necessary. For purposes of sick leave, immediate

family shall include: spouse, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, child, daughter-in-law, son-in-law, grandchild, grandparent, half-brother, half-sister, legal guardian or other person who stands in place of a parent. The Township Administrator may extend the definition of family on a case by case basis.

C. Procedures

1. An employee who is unable to report to work will notify their Department Supervisor or other designated official within thirty (30) minutes prior to the starting time scheduled for work on the first day of absence unless emergency conditions make it impossible. Subsequent notification beyond the first day of absence will be governed by the nature of the circumstances and the requirements established by the Department Supervisor.
2. 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, when practical, to allow for coverage. For more information regarding EMS and Fire Department sick leave policies, refer to the Collective Bargaining Agreement or contact the Fire Chief or Assistant Fire Chief.
3. If medical attention is required, and the employee finds it necessary to be absent from work for more than two (2) consecutive days, or there is a pattern of absences, the employee may be requested to submit a certificate from a licensed physician stating the nature of the illness at the sole discretion of the Township Administrator or Department Supervisor.
4. Employees shall be required to immediately notify their Department Supervisors of any medication, prescription, or non-prescription taken, used, or applied during their work hours if said medication, prescription or non-prescription may affect the employee's ability to perform all essential functions of their job. All employees are further required to report all instances in which, through the use of prescription or non-prescription medication at any time, their ability to perform all work functions may be impaired or there is a potential that the use of the medication has some impact upon their normal work.
5. An employee who becomes eligible for Workers' Compensation payment for lost time (or for Occupational Injury Leave) may choose to use sick leave before such payments begin.
6. Sick leave may be used in increments of one-quarter of an hour.
7. Sick leave allotments are calculated according to your anniversary date.
8. 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.

9. 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.

## Section 5.04 Sick Leave Conversion

- A. 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 buy back.
- B. “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).
- C. Sick leave conversion is available only for sick leave earned in Sycamore Township employment.
- D. 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, 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.
- E. 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.
- F. 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.

## Section 5.05 Leave of Absence Without Pay

- A. An employee requesting a leave of absence, with or without pay, must complete the Standard Leave Form and when applicable, the Explanation of Leave Form; and, submit it to their Department Supervisor. The leave request should be supplemented with a physician's certificate when applicable.
- B. An employee, who fails to return to duty following the completion of a leave of absence, without explanation to the Township, will be considered absent without leave.

## Section 5.06 Court Leave

- A. An employee necessarily absent from regularly scheduled work duties because of a subpoena to serve on jury duty or to appear as a material witness for any court of the United States, State of Ohio, or political subdivision, shall receive their full pay for the time absent. Fees paid for the above service shall be paid to the Township Clerk for the benefit of the Township. An employee relieved from jury duty or other obligation shall report to work in a timely fashion.
- B. When it is necessary for an employee to appear in court or attend a hearing that is of a personal nature during the employee's regular scheduled hours of work, the employee may use accrued vacation leave, personal leave, or unpaid leave.

## Section 5.07 Funeral Leave

- A. An employee shall be entitled to one (1) paid funeral leave day for each death in the employee's immediate family. For purposes of this policy, the immediate family is defined as: spouse, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, child, daughter-in-law, son-in-law, grandchild, grandparent, half-brother, half-sister, legal guardian or other person who stands in place of a parent.
- B. Funeral leave days are not deducted from the employee's sick leave. (See Sick Leave, for death of someone other than the employee's immediate family).
- C. With approval from a supervisor, an employee may use sick leave in addition to the paid funeral leave for the death of a family member when necessary to care for the needs of the family.

## Section 5.08 Military Leave

- A. Chapter 5923.05 of the Ohio Revised Code governs military leave. In general, any Township employee (other than elected officials and appointed officials serving fixed terms) with more than ninety (90) days tenure who voluntarily or involuntarily

enters any of the Armed Services of the United States shall be granted a military leave of absence without pay. If not accepted for active duty, the employee shall be reinstated to their former position, or a similar position, without loss of seniority or status, or reduction in pay.

- B. An employee who completes their active duty obligation (without voluntarily re-enlisting or extending that obligation) is entitled to their previous position with the Township within thirty (30) days of their written request, provided such request is submitted within ninety (90) days of discharge or release from active duty. If temporary physical disability precludes the employee from performing the job duties, the employee shall be allowed up to one (1) year from the date of application to overcome such disability and return to work.
- C. An employee, who returns to a previous position in accordance with this policy, shall receive credit for military service in areas affecting status, rank, rating, increments, qualifications, etc., as though they had continued their employment with the Township.
- D. Section 5923.05 of the Ohio Revised Code, requires that Ohio National Guard, Ohio Military Reserve, Ohio Naval Militia, and all U.S. Armed Forces reserve component members be authorized up to thirty-one (31) days leave [one hundred seventy-six (176) hours] with pay per calendar year for training purposes. Employees shall be required to submit a copy of Active Duty for Training Orders with such requests for leave.

## Section 5.09 Family and Medical Leave

### A. Purpose

- 1. The purpose of this section is to set forth Sycamore Township's policy and procedures regarding eligibility and use of Family and Medical Leave, mandated by the Family and Medical Leave Act of 1993 (29 C.F.R. 825). Where this policy and procedure may conflict with the Act, the latter controls.

### B. Eligibility

- 1. All employees who meet the following eligibility requirements are qualified for leave under this policy:
  - a. Have worked at least twelve (12) months for Sycamore Township;
  - b. For purposes of computing eligibility, the Township will use a twelve (12) month period measured backward from the date the employee's first FMLA leave begins; Have worked at least 1,250 hours during the twelve (12) months immediately before the date the leave commences. Hours in "active pay status" but not actually worked (e.g., vacation, sick leave, holidays, compensatory time, etc.) shall not be included in the calculation of

1,250 hours. Exempt employees under the Fair Labor Standards Act will be presumed to have worked 1,250 hours in the last twelve (12) months.

C. Leave Entitlements

1. Eligible employees are entitled to a maximum of twelve (12) weeks of unpaid leave during any twelve (12) month period measured backward from the date the employee's first FMLA leave begins. FMLA leave may be granted for the following purposes:
  - a. Birth or adoption of a child provided the leave is concluded no later than the end of twelve (12) months from the date of birth or adoption; or
  - b. Placement of a child with the employee for foster care; or
  - c. To take care of a spouse, son, daughter, or parent of the employee provided such spouse, son, daughter, or parent has a serious health condition; or
  - d. Because of a serious health condition which makes the employee unable to perform the essential functions of the position of such employee.
2. Said twelve (12) weeks of leave may be taken in one (1) lump sum total or may be taken intermittently provided certain criteria are met. For intermittent leave, the following criteria apply:
  - a. The employee must request intermittent leave;
  - b. The use of intermittent leave must be medically necessary and supported by medical certification as set forth below; and
  - c. The minimum amount of leave that may be taken at one time is one (1) hour.
  - d. The employee's available paid leave (sick leave, vacation) must be used prior to being placed on unpaid leave and would be included in the twelve (12) week total. (This applies for lump sum and intermittent leave.)
  - e. The combined period of leave, including paid leave and Family Medical Leave shall not exceed the twelve (12) workweeks during a twelve (12) month period.
  - f. In cases where a husband and wife are both employed by Sycamore Township, the aggregate number of workweeks of leave to which both may be entitled is limited to twelve (12) for the birth, adoption, or placement of a child or for the care of a spouse, son, daughter, or parent who has a serious

health condition.

D. Notices

1. In any case, in which the necessity for leave is because of birth or adoption of a child, or placement of a child for foster care, the employee must provide Sycamore Township with written notice of the employee's intention to take leave. The notice must be submitted not less than thirty (30) days prior to the date the leave is to begin (except if the birth or placement requires that leave begin in less than thirty (30) days, then the employee shall give such written notice as is practicable).
2. In any case where the leave is sought because of a serious health condition of the employee, spouse, son, daughter, or parent, the employee shall provide the Township with at least thirty (30) days written notice of intent to use this leave. In addition, if the need for treatment is foreseeable, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt the operations of the Township; subject to approval of the health care provider of the employee, the spouse, son, daughter, or parent. If the date of treatment requires leave to begin in less than thirty-(30)-days, then the employee shall provide such notice as is practicable.
3. Sycamore Township will provide notice to the employee regarding the employee's rights and obligations under the FMLA, as soon as the leave is determined to qualify as FMLA leave.

E. Health Certifications

1. If the basis for the employee's leave request is because of a serious health condition or if the employee is requesting medical leave to care for a spouse, son, daughter, or parent, the employee must provide written certification by the health care provider of the employee, spouse, son, daughter, or parent, as appropriate which certifies:
  - a. The date on which the serious health condition commenced;
  - b. The probable duration of the condition;
  - c. The appropriate medical facts within the knowledge of the health care provider regarding the condition;
2. If the leave is for the employee, a statement that the employee is unable to perform the essential functions of the employee's position; and if the request is for intermittent leave or leave on a reduced schedule;
3. For planned medical treatment, the dates on which treatment is expected to be given, and the duration of such treatment; or

4. In cases where the leave is in order to care for the spouse, son, daughter, or parent, a statement that the leave is necessary for the care of the spouse, son, daughter, or parent.
5. The Township may request a second opinion at its expense regarding any medical certification received. In the event of a conflict of opinions, the Township may request a third opinion from a physician jointly selected with the employee, at the Township's expense. The results of the third opinion will be final and binding.
6. The failure of the employee to provide medical certification shall result in denial of the requested leave. The Township may also require the employee to submit re-certification on a reasonable basis.

F. Maintenance of Health Benefits

1. Sycamore Township will maintain health care coverage under the group health plan provided to the employee for the duration of FMLA leave at the same level and under the same conditions coverage would have been provided if the employee had continued in employment for the duration of the leave. The employee will be responsible to pay the employee's share of health insurance costs during the leave. The Township will require the employee to repay all premiums paid by the Township during the leave, should the employee fail to return to employment upon expiration of this leave, for any reason other than:
  - a. A properly certified statement from the health care provider that the continuation, recurrence, or onset of the serious health condition that entitled the employee to leave prevented the employee from returning;
  - b. Other circumstances beyond the employee's control prevented the employee from returning.

G. As used in this section, proper certification shall be documentation provided by the health care provider that the employee's serious health condition prevents the employee from being able to perform the essential functions of the employee's position on the date the leave is due to expire. In cases where the leave is due to the serious health condition of a family member, the certification must state that the employee is needed to care for the son, daughter, spouse, or parent who has a serious health condition on the date the leave is due to expire.

H. Restoration of Employment

1. If the employee is taking leave to remedy the employee's own serious health condition, the Township will require certification from the health care provider that upon the employee's return to work, the employee will be able to perform the essential functions of their position.

2. The employee shall be restored to the position of employment held by the employee when the leave commenced or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.
3. The failure of an employee to return to employment upon the termination of this leave, for any reason other than those mentioned in paragraph H. shall be considered either a constructive resignation or "gross misconduct" for purposes of imposing discipline that may result in discharge of the employee's employment with the Township.

I. Procedure

1. In all circumstances, it is Sycamore Township's responsibility to designate leave (paid or unpaid) as FMLA qualifying, based on information provided by the employee. Sycamore Township may require additional information to ascertain whether the leave qualifies as FMLA leave.
2. Sycamore Township shall attempt to immediately notify the employee that the leave is designated and will be counted as FMLA leave. However, the failure of Sycamore Township to notify the employee shall not increase or modify the limits of the FMLA leave.
3. Any employee seeking advance authorization for leave under this policy shall submit a written request along with the necessary certifications to the Township Administrator. The Township Administrator shall approve or deny the request. Any denial may be appealed to the Sycamore Township Trustees who shall consider the appeal at their next regularly scheduled meeting.

## Section 5.10 Disability Leave/Separation

- A. This section outlines the conditions under which Disability Separation may be granted, and procedures for administering its use. It is intended to outline the procedures to be followed after determining that no reasonable accommodation can be made.
- B. Voluntary Reduction: When an employee becomes physically or mentally unable to perform the essential functions of their position, but is still able to perform the duties of a vacant, lower level position, without accommodation, the employee may voluntarily request reduction to the lower level position.
- C. Personal Leave: A physically or mentally incapacitated employee, who has exhausted their accumulated sick leave, vacation leave, compensatory time, and Family and Medical leave, and for whom voluntary reduction or reasonable accommodation is not practicable, may request up to six (6) months of personal

leave without pay. Such request should be in writing, with evidence attached. The Township Administrator shall review the circumstances regarding the request and respond accordingly.

- D. Disability Separation Procedures: A Disability Separation may be granted when a reasonable accommodation cannot be made, an employee has exhausted their accumulated sick leave, vacation leave and any authorized personal leave and is:
  - 1. Hospitalized or institutionalized, or on a period of convalescence following hospitalization or institutionalization as authorized by a physician at the hospital or institution; or
  - 2. Is declared by a licensed medical practitioner as physically or mentally incapable of performing the essential functions of their position, with or without accommodation.
  
- E. Reinstatement Procedures: Reinstatement rights following disability separation extend for one (1) year from the date such leave (including personal leave for medical reasons) is granted. Such employee may be reinstated to the same or similar position within thirty (30) days after making written application and passing a medical examination showing full qualifications to perform the essential functions of the position, with or without accommodation. A physician designated by the Township shall conduct the examination; and the employee shall pay its costs.
  
- F. An employee, who does not return from Disability Separation, formally resigns, or takes a Disability Benefit shall be permanently separated from employment with the Township.

## Article VI. EMPLOYEE CONDUCT

### Section 6.01 Hours of Work, Lunch Periods, and Breaks

- A. Township employees, excluding Fire Department Employees who work 24-hour shifts, shall normally work forty (40) hours per week. The Township's normal office hours are 8:00 a.m. to 4:30 p.m. Monday through Friday. The Township's normal maintenance hours are 7:30 a.m. to 4:00 p.m. Monday through Friday in winter and 7:00 a.m. to 3:30 p.m. Monday through Friday in summer. However, due to the nature of Township operations, work hours may vary to include activities such as public meetings, inspections, snow removal, and road and park maintenance, which may occur outside of normal business hours. Department Heads have the flexibility to establish their department's hours of operation and individual employees' shifts.
  
- B. The appropriate Department Supervisor shall determine the length and timing of an employee's lunch. Lunch periods of at least thirty (30) minutes shall generally not be

considered as time worked and shall be excluded from compensable time. Exceptions exist, however, when an employee is required to remain on duty throughout their lunch period, or their lunch period is interrupted by a call to duty.

- C. The appropriate Department Supervisor shall determine the length and timing of employee breaks.

## Section 6.02 Attendance

- A. The Township shall establish daily work schedules and maintain daily employee attendance records. An employee is expected to report to work when scheduled, remain at work during scheduled hours, and not leave work until the end of the scheduled workday.
- C. Absences may only be excused as defined in this manual. Absence without proper authorization and approval will result in disciplinary action.

## Section 6.03 Severe Weather

- A. Severe weather is 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.

## Section 6.04 Use of Township Vehicles and Equipment

- A. The Township provides tools, supplies, and equipment needed to perform job duties, therefore it is the responsibility of each employee to properly use and maintain the supplied tools and equipment. It is the duty of each Department Supervisor to ensure that tools and equipment are appropriately used and maintained. Township property may only be used for authorized Township business or as directed by the Township Administrator.
- B. Misuse, neglect, theft, and abuse of tools, supplies, or equipment are prohibited. Accidents involving misuse of tools or equipment may result in corrective action.
- C. Use of Township motor vehicles shall be strictly controlled and shall be restricted to Township purposes only. Employees who operate Township vehicles or other motorized equipment are required to have a proper and valid motor vehicle operator's license, or, if applicable, commercial driver's license (CDL) with appropriate

endorsements. The Township requires employees who operate Township-owned vehicles to submit a copy of their Driver's license and allow the Township to conduct a driving record query through the Bureau of Motor Vehicles and, for employees with CDLs, the Federal Motor Carrier Safety Administration (FMSCA) Drug & Alcohol Clearinghouse . The employee shall not use or permit the use of a Township vehicle for any purpose other than official business. Employees shall not permit family members or non-Sycamore Township employees to ride in Township owned vehicles, unless specifically authorized.

- D. Any employee who operates a Township-owned vehicle must exercise caution and responsibility and adhere to safety regulations and traffic laws. Traffic fines or arrests for illegal or improper use of a Township vehicle are the sole responsibility of the employee. Reckless or destructive operation of Township vehicles is grounds for disciplinary action.
- E. All members, except where specifically exempted, and all non-member passengers, will use the installed vehicle safety restraints while operating or riding as a passenger in any township vehicle while the vehicle is in motion.

## Section 6.05 Outside Employment

- A. Under no circumstances shall an employee have other employment which conflicts with the policies, objectives, and operations of Sycamore Township. In addition, an employee shall not become indebted to a second employer whose interests might be in conflict with those of the Township.
- B. An "employment conflict," as set forth in this policy, exists when a second job impairs the employee's ability to perform the duties of their position with the Township. Full-time employment with the Township shall be considered the employee's primary occupation, taking precedence over all other occupations as a condition of employment.
- C. Before accepting "outside" employment (or becoming self-employed), an employee shall notify their Department Supervisor, in writing, of their intention to be employed in a secondary job. The Department Supervisor shall confer with the employee to determine whether the "secondary job" presents a conflict with Township policies, objectives, interests, and/or operations.
- D. Two (2) common employment conflicts that may arise are:
  - 1. Time Conflict: defined as when the working hours required of a "secondary" job directly conflict with the scheduled working hours, or when the demands of a "secondary" job prohibit adequate rest, thereby adversely affecting an employee's job performance.
  - 2. Interest Conflict: defined as when an employee engages in "outside"

employment that tends to compromise their judgment, actions, and/or job performance in the sole discretion of the Employer.

- F. If, in the opinion of the Employer, outside employment is adversely affecting an employee's job performance, the employee shall refrain from such activities as a condition of continued employment. Any conflict, policy infraction, or other specific offense that is the direct result of an employee's participation in outside employment, shall result in discipline consistent with the policies set forth in the manual.
- G. The Employer may withdraw the privilege of "Outside Employment" at any time and for any reason.

## Section 6.06 Dress and Appearance

- A. The Township reserves the right to prescribe appropriate dress and appearance standards that are in the best interest of Township service. The general policy requires that clothing and overall appearance of employees be in good taste. Employees who work around machinery and equipment must observe sound safety regulations, including the use of appropriate articles of clothing (e.g., shoes, goggles, hard hats, etc.).
- B. The Township departments, such as the Fire Department, reserve the right to require employees to adhere to more stringent dress and appearance requirements as may be necessary for the performance of the functions of that department (e.g., uniforms, badges, hair styles, etc.).
- C. The Township reserves the right to prohibit: tattoos, body art, body piercings or other selective body alterations, hair coloring of an un-natural color in the discretion of the Employer or any other personal modification in the sole discretion of the Employer.

## Section 6.07 Bullying and General and Sexual Harassment

### I. Bullying & General Harassment

#### A. Purpose

It has always been the policy of the Township that all our employees should be able to enjoy a work environment and a job site free from all forms of harassment, including bullying.

#### B. Definitions

"Bullying and general harassment" are forms of misconduct that undermine the integrity of the employment relationship.

Bullying means any electronic, written, verbal or physical act of conduct toward an employee or elected official which is based on any actual or perceived trait or characteristic of the employee or elected official and which creates an objectively

hostile work environment that meets one or more of the following conditions:

- Places the employee or elected official in reasonable fear of harm to the employee's or elected official's person or property;
- Has a substantially detrimental effect on the employee's or elected official's physical or mental health;
- Has the effect of substantially interfering with the employee's or elected official's job performance or satisfaction; or
- Has the effect of substantially interfering with the employee's or elected official's ability to participate in or benefit from the services, activities or privileges provided by employment at the township.

“Electronic” means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. “Electronic” includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging, or similar technologies.

### **C. Bullying/General Harassment Behaviors**

Bullying and general harassment may include, but are not limited to, the following behaviors and circumstances:

- Verbal, nonverbal, physical or written harassment, bullying, hazing or other victimization that have the purpose or effect of causing injury, discomfort, fear or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim.
- Implied or explicit threats concerning one's work, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Demeaning jokes, stories, or activities directed at the employee or elected official that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim; and/or
- Unreasonable interference with an employee's or elected official's performance or creation of an intimidating, offensive, or hostile working environment.

### **D. Responsibility**

1. Each supervisor has the responsibility to maintain the job site free of bullying and general harassment. This includes discussing this policy with all employees and assuring them (employees) that, they are not to endure insulting, degrading, or exploitative treatment.
2. It is the policy of Sycamore Township to discipline, up to and including discharge, any employee found to have engaged in bullying and general harassment.

## **E. Policy**

No employee or elected official, either male or female, should be subjected to unsolicited and unwelcome bullying/general harassment overtures or conduct, either verbal or physical. Bullying/general harassment does not refer to occasional friendly jokes with co-workers of a socially acceptable nature. It refers to behavior which is not welcome, which is personally offensive, emotionally and physically harmful, which debilitates morale and which, therefore, interferes with our work effectiveness.

## **F. Complaint Procedure**

1. Any employee who believes that he or she has been the subject of bullying/general harassment should report the alleged abuse immediately. All information disclosed shall be held in strictest confidence to the extent allowed by law, and otherwise will only be revealed on a need-to-know basis in order to investigate and resolve the matter.
2. Step 1: Any employee who believes he or she has been the subject of bullying/general harassment should file a written report describing the alleged act immediately with the Township Administrator or the Board Chair. If the subject of the complaint is the Township Administrator, the employee should report the matter to the Board Chair.
3. Step 2: The individual alleging bullying/general harassment will be asked to complete a report outlining the nature of the complaint.
4. Step 3: Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All employees shall be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint or assisting in an investigation.

## **G. Outside Investigators**

The Township recognizes that determining whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires an investigation of all facts in the matter. Therefore, the township may employ the services of trained investigators such as Police Investigators or other outside resources if necessary.

## **H. False Accusations**

Given the serious nature of any type of discrimination, it is also recognized that false accusations of bullying/general harassment can have serious effects upon innocent individuals. Anyone filing an intentional or malicious false claim may be disciplined.

## **I. Retaliation**

It is also recognized that anyone who retaliates against a person(s) who filed a bullying/general harassment complaint may be disciplined. If the retaliation was unlawful, the matter will be turned over to the local police authorities to handle further. Charges may be pressed resulting in conviction.

## **J. Confidentiality**

Given the serious nature of any type of discrimination, it is also recognized that all parties and complaints shall remain confidential as much as possible to keep the investigation process pure and to help remove the possibility of destructive rumors.

## **II. Sexual Harassment**

### **A. Definition**

1. Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. Examples of conditions that constitute harassment on the basis of sex include:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
  - b. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
  - c. Such conduct has the purpose or effect of substantially interfering with work performance or creating an intimidating, hostile, or offensive working environment.

### **B. Responsibility**

1. Each supervisor has the responsibility to maintain the job site free of sexual harassment. This includes discussing this policy with all employees and assuring them (employees) that they are not to endure insulting, degrading, or exploitative sexual treatment.
2. It is the policy of Sycamore Township to discipline, up to and including discharge, any employee found to have engaged in sexual harassment.

### **C. Policy**

1. No employee or elected official, either male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or

physical. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior which is not welcome, which is personally offensive, which debilitates morale, and which, therefore, interferes with our work effectiveness.

2. Sexual harassment, whether committed by supervisors or non-supervisory personnel, and whether directed at employees or non-employees (e.g., residents, etc.), is specifically prohibited; this includes, but is not limited to:

- a. Offensive sexual flirtations, advances, questions, or propositions;
- b. Continued or repeated verbal abuse of a sexual nature;
- c. Graphic or degrading verbal comments or gestures about an individual or his or her appearance;
- d. The display of sexually suggestive objects or pictures;
- e. Sexually oriented jokes or comments;
- f. Any offensive or abusive physical contact, including patting, pinching, rubbing, or brushing up against the body of another.

3. In addition, no one should imply or threaten that an applicant or employee's "cooperation" of a sexual nature (or refusal thereof) will have any effect on the individual's employment, assignment, compensation, advancement, career development, or any other condition of employment.

#### **D. Complaint Procedure**

1. Any employee who believes that he or she has been the subject of sexual harassment should report the alleged abuse immediately. All information disclosed shall be held in strictest confidence to the extent allowed by law, and otherwise will only be revealed on a need-to-know basis in order to investigate and resolve the matter.
2. Step 1: Any employee who believes he or she has been the subject of sexual harassment should file a written report describing the alleged act immediately with the Township Administrator or the Board Chair. If the subject of the complaint is the Township Administrator, the employee may report the matter to the Board Chair.
3. Step 2: The individual alleging sexual harassment will be asked to complete a report outlining the nature of the complaint.
4. Step 3: Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All employees shall

be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint or assisting in an investigation.

- E. The Township recognizes that determining whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires an investigation of all facts in the matter. Therefore, the township may employ the services of trained investigators such as Police Investigators or other outside resources if necessary.
- F. Given the nature of this type of discrimination, it is also recognized that false accusations of sexual harassment can have serious effects upon innocent individuals. Anyone filing an intentional or malicious false claim may be disciplined.

### **G. Outside Investigators**

The Township recognizes that determining whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires an investigation of all facts in the matter. Therefore, the township may employ the services of trained investigators such as Police Investigators or other outside resources if necessary.

### **H. False Accusations**

Given the serious nature of any type of discrimination, it is also recognized that false accusations of sexual harassment can have serious effects upon innocent individuals. Anyone filing an intentional or malicious false claim may be disciplined.

### **I. Retaliation**

It is also recognized that anyone who retaliates against a person(s) who filed a sexual harassment complaint may be disciplined. If the retaliation was unlawful, the matter will be turned over to the local police authorities to handle further. Charges may be pressed resulting in conviction.

### **J. Confidentiality**

Given the serious nature of any type of discrimination, it is also recognized that all parties and complaints shall remain confidential as much as possible to keep the investigation process pure and to help remove the possibility of destructive rumors.

## **Section 6.08 Commercial Driver's License**

Certain Township positions require a Commercial Driver's License (CDL) to be obtained and retained as a condition of employment.

- A. As of January 1, 1996, Department of Transportation, Federal Highway Administration rules on "Controlled Substances and Alcohol Use and Testing" (49

CFR 382) shall apply to all CDL holders. The procedures for testing are contained in Department of Transportation Workplace Drug and Alcohol Testing Programs (49 (CFR Part 40). The Employer will provide to all affected employees the required awareness training and information regarding the required testing, including random, mandated by the rules.

- B. Sycamore Township will pay for all drug/alcohol testing required by these rules.
- C. The Employer agrees to reimburse the cost of CDL renewal fees for each employee required to maintain a CDL.
- D. Sycamore Township will hire an employee without a CDL and upon obtaining their CDL, the employee will receive an automatic \$2.00/hour raise.

## Section 6.09 Drug/Alcohol Testing

- A. Drug/Alcohol testing of employees who are not subject to the Department of Transportation, Federal Highway Administration rules on "Controlled Substances and Alcohol Use and Testing" may include random testing and may be conducted upon reasonable suspicion. The procedures for testing shall be the same as for those employees covered by the Department of Transportation, Federal Highway Administration rules on "Controlled Substances and Alcohol Use and Testing", including the right of the employee to request confirmatory testing of a split sample by the same laboratory or by a second certified laboratory.
- B. Reasonable suspicion shall be based on specific, current, describable observations concerning the appearance, behavior, speech, or body odors of the employee made during or immediately preceding the employee's work shift.
- C. Random testing shall be conducted at the direction of the Township. Independent computerized probability sampling shall make selection for said testing and each employee shall have an equal chance of being tested each time selections are made.
- D. A confirmed positive test will result in the employee being temporarily relieved from duty pending completion of disciplinary proceedings. The employee will be subject to progressive disciplinary action, in accordance with Employee Handbook. In the event the employee is not terminated in accordance with the Employee Handbook, the employee shall seek professional help for a drug/alcohol related problem for a first offense. A treatment program is not available for subsequent offenses. If the treatment requires that the employee not work for a specific period of time, employee will be considered on sick leave. This leave may be conditional upon receipt of reports that the employee is cooperating and making reasonable progress in the treatment program. In addition, this leave is conditioned upon the employee entering an appropriate treatment program as soon as possible.
- E. Within forty-five (45) days of entering the treatment program the employee must provide satisfactory medical evidence that he/she has completed the program and is

fit to return to work and must pass another drug/alcohol screen. The Township Administrator based on medical or scientific evidence that a longer time is justified can extend this time limit. However, no period longer than six (6) months total from the date of the original positive test result will be permitted. Failure to meet these conditions may result in disciplinary action. Accrued sick leave and accrued vacation may be used for this leave. Otherwise, this leave will be unpaid.

- F. Any employee who has returned to work is subject to retesting at the employee's expense, and if he/she fails the retest, shall be suspended without pay until conclusion of the disciplinary process in the Employee Handbook.
- G. The provisions of this Section shall not require the Employer to offer a rehabilitation/detoxification opportunity to any employee more than once.
- H. If at any time an employee believes he or she is developing a tendency towards drug or alcohol abuse, he or she may avail himself or herself of the Employee Assistance Program without fear of punitive action.

## Section 6.10 Drug Free Workplace

- A. Sycamore Township shall maintain a safe and productive workplace; free of drugs and free of those individuals who use drugs.
  - 1. The unlawful manufacture, distribution, the act of dispensing, possession, or use of a controlled substance by any employee which takes place in whole or in part in the workplace is strictly prohibited, and will result in criminal prosecution and employee discipline which may include discharge from employment.
  - 2. Any employee convicted of any federal or state criminal drug statute must notify the Township Administrator of that fact within five (5) calendar days of the conviction.
  - 3. Any employee who reports for duty in an altered or impaired condition, which is the result of the illegal use of controlled substances, will be subject to disciplinary action. Any decision to take disciplinary action may be held in abeyance pending the completion by the employee of a drug rehabilitation program.
  - 4. Any employee convicted of a drug offense who fails to report the conviction as required by the above will be:
    - a. Terminated from employment.
    - b. Held civilly liable for any loss of federal funds resulting from the failure to report the conviction.
- B. Notice Upon Hiring

1. As a condition precedent to hiring, all prospective employees will receive a copy of the employer's Drug Free Workplace statement and policy; and will be required to sign a receipt that will become a permanent part of the employee's personnel file.
  2. In addition, all prospective employees will be required to acknowledge that compliance with the employer's Drug Free Workplace policies is a condition of employment.
- C. Current Distribution of Drug Free Workplace Policy
1. All current employees will receive a copy of the employer's Drug Free Workplace statement and policy; and will be required to sign a receipt for it, which will become a permanent part of the employee's personnel file.
- D. Training
1. Each Employee will receive an information package containing:
    - a. Information concerning the dangers of drug abuse in the workplace;
    - b. A current copy of the employer's posted/published statement;
    - c. A current copy of the employer's Drug Free Workplace policy;
    - d. Information concerning any available drug counseling, rehabilitation, and employee assistance programs;
    - e. Information concerning the penalties that will be imposed for the breach of the employer's Drug Free Workplace policy.
    - f. Notice to the employee that any work related conviction of any Federal or State criminal drug statute must be reported in writing to the employer within five (5) calendar days after such conviction.

## Section 6.11 Tobacco Free Workplace

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

## Section 6.12 Contact with the News Media and Residents

- A. Any employee contacted by the news media (radio, television, newspaper) or a Township resident regarding a story related to Township operations should request that the member of the news media or resident contact the appropriate Department Supervisor to discuss the matter. This policy is designed to avoid duplication, ensure accuracy, and to protect employees from breaches of confidentiality. This policy is intended to be helpful to both employees and the media.

## Section 6.13 Health and Safety

- A. It is the goal of Sycamore Township to provide all employees with a safe and healthful work environment. Sycamore Township Trustees, Township Administrator, and Department Supervisors believe that safety must always be foremost in the minds of Township employees. Sycamore Township Trustees, Township Administrator, and Department Supervisors do not believe that health and safety practices and procedures should be sacrificed in order to complete a task faster or more inexpensively.
- B. Township Trustees Responsibility
  - 1. The responsibility of each Township Trustee is to support the Township Administrator and Department Supervisors in their efforts to provide a safe and healthful workplace, and to provide the Township Administrator and Department Supervisors with the resources necessary to reach this objective. Township Trustees will also take corrective measures, or support the corrective measures taken by the Township Administrator and Department Supervisors, when an employee violates health and safety rules.
- C. Department Supervisor Responsibility
  - 1. The responsibility of Department Supervisors is to properly instruct employees, enforce health and safety regulations, correct unsafe acts and conditions, ensure that only authorized and adequately trained personnel operate equipment, report and investigate accidents/incidents, inspect areas of responsibility for hazards, ensure equipment is properly maintained, and instill safety awareness in employees.
- D. Employee Responsibility
  - 1. The responsibility of all Township employees is to follow safe work procedures, know and comply with applicable regulations, report injury or illness immediately, report unsafe acts and conditions, and participate in any Township sponsored health and safety meetings, programs, or committees.
  - 2. Any employee questions regarding health and safety should be directed to the

employee's Department Supervisor.

## Section 6.14 Ethics

### A. Personal Conduct

1. Township employees are expected to maintain the highest possible ethical and moral standards and to perform their duties within the laws of the State of Ohio, and rules, codes of ethics and the standards established by the Township. Conduct that interferes with normal operations, brings discredit to the Township, is illegal, or is offensive to the public or fellow employees will not be tolerated. Such conduct includes, but is not limited to:
  - a. Engagement in any transaction, business, or any other interest which is in conflict with the proper discharge of official Township duties;
  - b. Disclosure of confidential information, without proper authorization, regarding the property, government, or affairs of the Township;
  - c. Use of confidential information or influence of official Township position to advance personal, financial, or other private interests;
  - d. Acceptance of any gift, in the form of service, loan, item, or promise from any person, firm, or organization that may tend to influence a Township employee in the proper discharge of official Township duties;
  - e. Engaging in any matter which represents a conflict of interest with the Township, or undermines the integrity of the Sycamore Township Trustees; and
  - f. Failure to impartially perform one's duties; enforce the law, or to provide service to the public.
  - g. No employee shall use any electronic recording system to record public or inter-office telephone conversations or any other discussions without the proper expressed permission of the person being recorded or without the direction of a Department Supervisor.

### B. Political Activity

1. Certain specific political activities are legally permitted or prohibited to all employees, including employees on authorized leave of absence from their positions. Employees who are generally paid with federal funds distributed directly by the Federal Government or by the State of Ohio are also subject to the Federal Merit Standards.

These employees are more restricted than other Township employees.

2. All employees are encouraged to exercise their constitutional rights to vote. References in this policy to politics and political activity refer to partisan activities, campaigns, and elections involving primaries, partisan ballots, or partisan candidates. The following are examples of permissible and prohibited activity, but the lists are not necessarily all-inclusive:
3. Activities **Prohibited** to all Employees (including employees not subject to Federal Merit Standards)
  - a. Soliciting a contribution from any person while the soliciting employee is performing his or her official duties.
  - b. Soliciting a contribution while the soliciting employee is in those areas of a public building where official business is transacted or conducted.
  - c. Soliciting a contribution from a public employee while that employee is performing his or her official duties.
  - d. Soliciting a contribution from a public employee while that employee is in those areas of a public building where public business is transacted.
  - e. Coercing, intimidating, or causing harm to another person or threatening to do so, because that person makes or does not make a contribution to a candidate, campaign committee, political party, legislative campaign fund, or political action committee.
  - f. Campaigning on duty.
4. Activities **Permitted** for Employees Including those Subject to Federal Merit Standards
  - a. Registering and voting.
  - b. Expressing opinions, either orally or in writing, but not political campaigning.
  - c. Voluntarily financially contributing to political candidates or organizations.
  - d. Circulating non-partisan petitions or petitions stating views on legislation.
  - e. Attending political rallies. Employees may attend political rallies that are open to the public.

- f. Signing nominating petitions in support of individuals.
  - g. Displaying political pictures in the employee's home or on the employee's property.
  - h. Wearing political badges or buttons while not working or representing Sycamore Township in any fashion or displaying political stickers on private vehicles.
5. Activities Prohibited to Employees Subject to Federal Merit Standards
- a. Participating as a candidate for public office in a partisan election, or in a non-partisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party.
  - b. Filing petitions meeting statutory requirements for partisan candidacy to elective office.
  - c. Circulating official nominating petitions for any candidate participating in a partisan election during working hours.
  - d. Holding an elected or appointed office in any partisan political organization.
  - e. Accepting party-sponsored appointment to any office normally filled by partisan election.
  - f. Campaigning by writing for publications, by distributing political material or by making speeches on behalf of a candidate for partisan elective office during working hours.
  - g. Soliciting, either directly or indirectly, any assessment, contribution, or subscription, either monetary or in-kind, for any political party or political candidate during working hours.
  - h. Soliciting the sale of or selling political party tickets, materials, or other political manner during working hours.
  - i. Engaging in partisan activities at the election, such as soliciting votes, assisting voters to mark ballots, or transporting or helping get out the voters on Election Day while working for Sycamore Township.
  - j. Acting as recorder, checker, watcher, judge, or board of election poll worker for any party or partisan committee during working hours.
  - k. Engaging in political caucuses of a partisan nature during working hours.

1. Participating in a political action committee that supports partisan activity during working hours.

## Section 6.15 Information Systems

- A. Information, and the way it is transmitted, received, collected and stored is a vital Sycamore Township asset in the same way that the physical facilities and equipment are assets and all employees of the township are responsible for the care, maintenance, security and integrity of this asset. The *Information System* belongs to Sycamore Township, exclusively, and all employees should understand that they have no right to privacy concerning, but not limited to their use of any aspect of the system, including the publication, transmission, or receipt of any information or data while using the system.
- B. Some examples of the Sycamore Township *Information System* include, but are not limited to:
  1. Information or data, in any form, media, or content such as printed paper, digital and video;
  2. Any computer, computing hardware, software, operating system and/or any other device which is used to access, manipulate or store information in any manner;
  3. The networks, both internal and external which allow the user to access, transport, share and/or manipulate information; and
  4. Any other device that allows the user to transmit, send, receive or share information.
- C. Other specific examples of the Information System include: Desktop and laptop computers, Servers (physical and virtual), Printers (including 3D printers), Networking equipment (routers, switches, access points), Storage devices (SSDs, HDDs, NAS, cloud storage, USB drives, etc.), Displays (monitors, touchscreens, VR/AR headsets), Software applications (cloud-based and on-premises), Databases (SQL, NoSQL, distributed), Networks (LAN, WAN, VPN, Wi-Fi, 5G, Internet), Mobile devices (smartphones, tablets, ruggedized devices), IoT devices (smart sensors, connected appliances), Email and messaging platforms (e.g., Slack, Microsoft Teams), Video conferencing systems, Cameras (digital, IP, webcams, drones), Audio-visual equipment (microphones, speakers, streaming devices), Media production tools (video editing software, audio workstations, live-streaming hardware), Augmented reality/virtual reality production tools, Telephone systems (VoIP, softphones, mobile phones), Multifunction devices (printers/scanners/copiers), Digital documentation (reports, files, images, charts, graphs, presentations), Wearable technology (smartwatches, fitness trackers), and Collaboration tools (shared drives, project management software). This list is not exhaustive and is provided only as an example.

#### D. Policy

1. The use of the *Information System* shall be solely for the express interest of furthering the goals and objectives of the Board of Trustees and Sycamore Township.
2. All employees understand and agree that all articles, products, papers, discs, documents, files: produced, reviewed, edited or otherwise received, while acting in the capacity of a Sycamore Township employee or received through a mechanism, copied received, transmitted or otherwise handled through the property of Sycamore Township, are and remain the property of Sycamore Township.
3. All employees further understand and agree that all articles, products, papers, documents and files: produced, reviewed, edited or otherwise received while acting in the capacity as a Sycamore Township employee or received through any mechanism, copied, received, transmitted or otherwise handled through the property of Sycamore Township are subject to inspection, at any time, with or without prior notice, by any appointed representative of the township, including Department Supervisor, authorized by the Board of Trustees through the office of the Township Administrator, subject to local, state and federal laws.
4. Only the authorized user on an *Information System* account, such as electronic mail, will be permitted to use that account, and all use of the account shall be for authorized purposes only. Account owners are ultimately responsible for all activity under their account. Incidents involving improper use shall be immediately reported to the township, through a department accepted procedure. Failure to report incidents of improper use of *Information System* may result in correction action.

#### E. Prohibitions

1. No Township employee shall, without authorization, access, use, destroy, alter, dismantle or disfigure any township information systems, properties, or facilities, including those owned by the Township, or leased and operated by the Township from third parties. This includes, but is not limited to, the opening of computers, computer cases, printers, fax machines, audio visual equipment, recording devices, and/or the adding or removing of parts of computers, computer cases, printers, fax machines, audio visual equipment, recording devices without the express authorization of a Township or department representative.
2. No Township employee shall use any Township *Information Systems*, or any *Information Systems* leased and operated by the Township from third parties for illegal, harassing, vandalizing, inappropriate or obscene purposes or in support of such activities. Illegal activities shall be defined as violation of local, state, and/or federal laws, or township policy and procedure. Harassment is defined as slurs, comments, jokes, innuendoes, unwelcome compliments, cartoons, pranks, and/or other verbal conduct relating to an individual which has the purpose or

effect of creating an intimidating, hostile or offensive environment; has the purpose or effect of unreasonably interfering with an individual's work performance or interferes with township operations. Vandalism is defined as any malicious attempt to harm or destroy hardware, operating systems, application software or data of another user. Inappropriate use is defined as a violation of the intended use of the *Information System*, and/or purposes and goals. Obscene activities are defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.

3. No Township Employee will attempt to gain access to the Internet without express consent of township management. All access to the Internet will be in support of township work consistent with the purposes of the township.
4. The Township also characterizes as unacceptable, and just cause for taking corrective action, and/or legal action, any activity through which any Township employee:
  - a. Violates such matters as institutional or third-party copyright, license agreements or other contracts;
  - b. Interferes with the intended use of information resources, or the work being done by other users;
  - c. Seeks to gain or gains unauthorized access to information resources;
  - d. Seeks information on, obtains copies of, or modifies files or other data, or gains and communicates passwords belonging to other users;
  - e. Uses or knowingly allows another to use any computer, computer network, computer system, program, or software to devise or execute any artifice or scheme to defraud or to obtain money, property, services, or other things of value by false pretenses, promises, or representations;
  - f. Without authorization, destroys alters, dismantles, disfigures, prevents rightful access to or otherwise interferes with the integrity of computer hardware including disk drives, computer-based information, and/or information resources whether on stand-alone or networked computers;
  - g. Without authorization, invades the privacy of individuals or entities that are creators, authors, users, or subjects of the information resources;
  - h. Uses any township system for commercial product advertisement or political lobbying;
  - i. Acts to disrupt the use of any township system by other users;
  - j. Illegally or without management consent, installs any software on

township computers;

- k. Uses any system to access, forward, copy, display, forward or process obscene or pornographic material, inappropriate text files, or files dangerous to the integrity of the network (hacking software);
- l. Intentionally develops or disseminates a program that harasses other users, infiltrates computers or computing systems and/or damages or alters software components of a computer or computing system (virus);
- m. Reveals their system password to any other person or allows others to access systems under their password.

F. Corrective Action, for violations of the *Information Systems* policy, consistent with Section 7 of the Personnel Policy Manual, may include the classification of a single offense as Group III. Any question concerning the *Information System* policy should be directed to a department supervisor, or an authorized representative of Sycamore Township.

## Section 6.16 Social Media Use

### A. Purpose

1. Open communication and transparency are priorities for Sycamore Township and its Board of Trustees. Many social media websites, especially Facebook and Twitter, are being utilized by governments as a vehicle to share information and to receive feedback from citizens. Sycamore Township's primary communication objective on social media should be to be as transparent as possible by sharing information consistently through as many venues as possible in order to reach as many residents as possible. Sycamore Township participates in several social media platforms using approved guidelines to ensure content remains appropriate for all audiences. Sycamore Township's intent is not to create a public forum, but to post and distribute information.
2. "Social Media" is an umbrella term that encompasses the various activities that integrate technology, social interaction, and content creation. Social media includes but is not limited to, forums, social networking sites such as X (Twitter), Facebook, LinkedIn, YouTube, and MySpace, and any and all other community-oriented online sites.

### B. Establishing a social media page

1. Departments may request to use social media and create accounts through the Township Administrator. Once approved, the Administrator will work with the department contact to establish a business page for the requesting department.

### C. Use of social media

1. All official Sycamore Township presences on social media sites or services are considered an extension of the Township's information networks and fall under the scope of the Public Records Policy. The main uses of social media fall into three major categories:
  - a. Disseminating time-sensitive information, such as emergency information, as quickly as possible.
  - b. Marketing Sycamore Township to prospective residents, businesses, and partners in a way to reach the broadest possible audience.
  - c. Serving as an update center for Township meetings, changes of dates and other community messages and news.
2. Wherever possible, content posted on Sycamore Township's social media sites should contain links directing users back to the Township's official websites for in-depth information, forms, documents or online services necessary to conduct business with Sycamore Township.
3. Department Supervisors are responsible for the content and upkeep of any social media sites their department may create. Content shall comply with all appropriate Sycamore Township policies and procedures.

D. Standards for use of social media

1. Guidelines for Sycamore Township's use of the government's official social media accounts are a crucial part of the social media policy. Township employees who post and/or interact with Sycamore Township accounts must be aware of what is expected of the employee.
2. Employees representing Sycamore Township via social media outlets must conduct themselves in a manner and demeanor becoming of the Township at all times as representatives of the township. Employees who fail to conduct themselves in an appropriate manner shall be subject to disciplinary action.
3. The Township's intent is not to create a public forum, but to post and distribute information. Comments from third parties must directly relate to topics posted by the Township, with language appropriate for all citizens, including minors. The following content shall be considered inconsistent with the intent of these guidelines and is subject to removal:
  - a. Comments not topically related to the particular posting being commented upon.
  - b. Profane language or content.
  - c. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation
  - d. Sexual content or links to sexual content. e.

Solicitations of commerce.

- f. Conduct or encouragement of harassment or illegal activity.
  - g. Information that may compromise the safety or security of the public or public systems.
  - h. Content that violates copyright, trademark or other legal ownership interest of any other party.
  - i. Comments considered political in nature or promote a specific candidate or issue.
  - j. Comments of any kind which specifically name or promote an individual, organization and/or business.
  - k. Comments that are not consistent with the goals and/or intent of the use of social media.
4. This policy is not intended to interfere with or restrict an employee or citizens' right to engage in activities protected by the First Amendment of the U.S. Constitution.
  5. Township employees are prohibited from making personal attacks on residents, elected officials, employees, supervisors, and the operations or work performed by the Township on the Township's social media accounts and are otherwise prohibited from engaging in activity which can be construed as insubordinate.

#### E. Site Monitoring

1. Township social media sites shall be monitored regularly, and prompt corrective action shall be taken when an issue arises that places, or has potential to place, the Township at risk.
2. Department Supervisor shall review site activity routinely in an effort to eliminate exploitation or abuse.

#### F. Personal Social Media Use

1. The Township maintains certain expectations with regards to employees' personal social media sites and/or chat groups. Township employees are prohibited from making personal attacks on elected officials, employees, supervisors and the operations or work performed by the Township on their own or on others' social media sites (including but not limited to Facebook, Twitter, Instagram, and other community chat groups) and are otherwise prohibited from engaging in activity which can be construed as insubordinate. Photos, images or likenesses of elected officials, staff or Township equipment or property are not to be used on any site without permission from the Administrator and/or the subject in the photo.

## Section 6.17 Electronic Communications

### A. Purpose

1. This Policy applies to all Sycamore Township employees and volunteers and all Sycamore Township records, regardless of format.
2. Failure to comply with this Policy may result in disciplinary action up to and including termination from Township service.

### B. Electronic Records

1. Electronic records must be retained in electronic format and remain useable, retrievable, and authentic for the applicable retention period. Printing and retaining a hard copy is not a substitute for the electronic version. Examples of electronic records include web pages and databases.
2. Electronic records must be retained and disposed of based on content rather than format. The same retention schedule applies to paper and electronic records.
3. In making decisions about how long to retain electronic records, employees should first check the retention schedule to ensure compliance and verify that the records are not subject to a legal hold. Many electronic records can be disposed of at the discretion of the employee under the following guidance:
  - a. If the electronic record is the primary or only copy of an official document, it must be retained for the time period specified by the retention schedule. Once the required retention has been met, the record should be deleted and documented on a records destruction certificate. Departments should contact the Fiscal Office for direction on electronic records designated as “archival.” Examples of official records include policies and procedures, executive level correspondence, and final reports.
  - b. If the electronic record is transitory in nature with no administrative, legal, fiscal, or archival value, then the record can be deleted at the discretion of the user. Examples include secondary copies of memos, general office notices, general information, working copies, transmittal memos, meeting announcements, invitations to retirement parties, drafts.
  - c. E-mail records are subject to the same retention schedule as paper records. Many email records are transitory in nature and may be deleted when they are no longer needed. Emails, both sent and received, that require retention must be managed accordingly. The Township may use programs to aid in the management, retention, and disposition of email, including deletion of messages after specific retention periods based on record series. Employees are expected to make use of these programs to ensure that proper retention is applied and that emails that do not need to be retained are deleted appropriately.

- d. Some examples of email subject to retention include policy and procedure directives; correspondence or memoranda related to official business; documentation of actions, decisions, operations, and responsibilities, documentation of legal or audit issues; documents that initiate, authorize, or complete a business transaction; final reports or recommendations.
  - e. Most email consists of transitory messages and attachments that may be deleted when no longer needed. An email that has no administrative, legal, fiscal, or archival retention requirements may be deleted as soon as it has served its purpose. Some examples of email not subject to retention include personal messages and announcements not related to official business; information only or duplicate copies; copies of publications; miscellaneous notices or memoranda of a general and non- continuing nature (meeting notices, reservations, confirmations); preliminary drafts of notes, letters, reports, worksheets which do not represent significant steps in the preparation of record documents; requests for routine information or forms.
  - f. Use of personal email accounts (such as Hotmail or Gmail) for conducting Township business is prohibited. In the event email related to the conduct of Township business is received at a personal email address, it should be immediately forwarded as an attachment to the Township email system.
4. Records created related to Township business—including text messages, voicemail messages, and other electronic communications—are Township records. These records therefore (1) should be managed according to the applicable retention schedule, and (2) may be subject to disclosure under the Public Records Act. The following is intended to help manage the business-related messages you send or receive on smart phones, tablets, or similar devices (iPhone, iPad, Android, etc.)
- a. With department director authorization, employees may use text messaging only for routine or transitory messages that don't need to be retained by the Township. Examples include informal notices of meetings, directions, scheduling information, and other routine messages that would not be kept in a file if it were a paper communication.
  - b. Text messages may not be used to document the organization, functions, policies, decisions, procedures, operations, or other activities of Sycamore Township. Sensitive information should not be sent by text message, including social security numbers, credit card numbers, and passwords.
  - c. Delete transitory, business-related text messages as soon as possible.
  - d. If a text message needs to be retained pursuant to a retention schedule, employees must transfer the messages to the Township's network and/or devices.

## Section 6.18 Electronic Device Policy

### A. Purpose

1. This policy establishes rules for the use of Sycamore Township (“Township”) owned electronic devices by the employees of Sycamore Township. Electronic device includes, but is not limited to, cell phones, tablets, laptops, and computers. Township owned electronic devices are property of the Township and the Township Administrator and/or individual Department supervisors will determine which employees will be assigned a Township owned device.

### B. Damage or Loss of Device

1. Employees given a Township owned electronic device are responsible for the safekeeping, care and custody of the device assigned to them. Employees shall immediately report loss, theft, or damage of the device to their Department supervisor and the Township reserves the right at its sole discretion to decide whether to replace such device.

2. If a device breaks, the Township may pay for one (1) replacement device in a 24-month period. The employee will be responsible if more than one (1) breakage occurs in one 24-month period.

### C. Cell Phones

1. The Township will pay for the lowest model smartphone up to \$299.99. If the employee wishes to upgrade to a more expensive model, the employee will be responsible for the difference in price between the Township issued smartphone and the upgrade. The Township will provide one case and one screen protector per smartphone.

2. Once eligible, an employee who wishes to upgrade a Township issued cell phone within 24 months of receiving a Township issued cell phone must pay for the entire purchase price of the upgraded device.

3. Employees are eligible for a replacement cell phone every 24-month period. The employee’s Department supervisor has the sole discretion to reassign Township issued cell phones as replacements. An employee has the option to purchase the issued phone at a depreciated value determined by the trade-in value of the lowest value smartphone based on good/average condition. If the smart phone is damaged, the purchase price may be reduced as determined by the Township’s phone provider and approved by the employee’s Department supervisor or Township Administrator

4. Upon resignation or termination, the employee has the option to immediately surrender the cell phone or purchase the cell phone at a depreciated value. If the employee chooses to surrender the cell phone, the monthly service package will be immediately discontinued. If the employee chooses to purchase the cell phone, the purchase price will be at a depreciated value determined by the trade-in value of the lowest model smart phone as listed by the Township’s

phone provider based on cell phone's condition. If the device is damaged, the purchase price may be reduced as determined by the Township's phone provider and approved by the employee's Department supervisor or Township Administrator

5. Exempt employees are required to carry and answer their Township issued cell phone at all times. Non-exempt employees must carry and answer their Township issued cell phone while on-duty. Non-exempt employees are prohibited from using their Township issued cell phone while not on-duty.

6. Employees may use their Township issued cell phone for personal calls and messaging provided that it does not interfere with the timely performance of assigned duties and does not result in excess charges. Employees issued Township owned cell phones, or those who use a personal cell phone to conduct official Township business, understand they are subject to Public Record Laws.

7. Employees not issued a Township owned cell phone, but who use the cell phone to conduct official business of the Township, are eligible for a reimbursement of \$65.56 per month unless otherwise specified in the employee's employment contract.

8. Use of a Township issued cell phone while operating a motor vehicle or piece of equipment in the performance of an essential function of the employee's position shall be prohibited. Employees are encouraged to use "hands free" devices or to pull over in a lawfully designated area to park the vehicle and continue to make or take any call. Employees must adhere to Ohio's distracted driving laws with respect to the use of all electronic devices.

#### D. Other Township Electronic Devices

1. All Township owned electronic devices, not including Township issued cell phones, may be accessed at any time by authorized officials of the Township. Employees should have no reasonable expectation of privacy in anything they create, store, send, or receive using these devices.

2. Employees are permitted to use Township owned devices for Township related activities only and not for personal purposes.

3. Upon separation or termination with the Township, employees who have been issued an electronic device must immediately surrender the device to their Department supervisor.

## Section 6.19 Public Records Policy

### A. Purpose:

It is the policy of Sycamore Township in Hamilton County, Ohio that openness leads to a better informed citizenry, which leads to more transparent government and sounder public policy. It is our policy to strictly adhere to the state's Public Records Act as well as other state and federal laws.

The Public Records Act evolved from the principle that Ohio’s citizens are entitled to access the records of their government. We agree that to advance that principle, the Public Records Act should be interpreted liberally in favor of disclosure.

**B. Scope:**

This Policy applies to all elected officials; appointed officials; full-time and part-time employees; permanent, temporary, or intermittent employees; interns; consultants; and contractors of the Township; and any other holders of Township records.

All Township employees are required to comply with this Policy. Each office or department that maintains records has a designated employee who serves as the custodian of all records created and maintained by that office or department.

The Township maintains records for the length of time determined by its retention schedules.

Under Ohio law, a public office may only create records that are necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency and for the protection of the legal and financial rights of the state and persons directly affect by the agency’s activities. In addition, the Public Records Act and this Policy applies to all of the Township’s records, regardless of where the records are kept.

**C. Definitions:**

The Township adopts the definitions used in the Ohio Public Records Act, Ohio Revised Code Section 149.43.

For purposes of this Policy and consistent with state law, a “record” is defined to include the following: a document in any format or medium—paper, electronic, audio, video, or any other format or medium in which the Township must conduct its business—that is created, received by, or otherwise comes under the jurisdiction of the Township that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Township.

A “public record” is a “record” that is kept by the Township at the time a public records request is made, subject to the applicable exemptions from disclosure permitted under state or federal law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

**D. Public Records Requests**

**A. Timing**

1. Township records shall be organized and maintained so that they are readily available for inspection and copying, to the maximum practical extent.
  
2. Public records maintained by the Township shall be promptly prepared and made available

for inspection to any person at all reasonable times during regular business hours, with the exception of the Township's published holidays. Copies of public records will be made available within a reasonable period of time.

a. "Prompt" and "reasonable" take into account the volume of records requested, the proximity of the location where the records are stored, and the necessity for any legal review of the requested records.

b. The regular business hours for the Township are 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays.

3. Record retention schedules will be updated regularly and posted wherever the Township posts its public records policy.

a. No record shall be removed, changed, modified, or destroyed except by a Township employee in the performance of his or her official duties and only as authorized under state or federal law.

## B. Processing Requests

1. There is no specific language required to make a public records request. The requester must at least identify the records requested with sufficient clarity to allow the Township to identify, retrieve, and review the records. The Township is under no obligation to create new records to respond to a request. In addition, the Township has no obligation to research information that a requester might have.

2. Requesters seeking access to inspect public records and/or to receive copies of public records are not required to make a written request or reveal their identity or the reason for their request.

a. The Township may ask the requester to voluntarily complete a written request explaining or identifying the records they wish to inspect and/or receive copies of, particularly if it would enhance the ability of the Township to identify, locate, or deliver the requested public records. The Township will first advise the requester that a written request is not mandatory.

b. In no event shall a requester be denied access to inspect and/or obtain copies of public records based on their refusal to identify themselves or complete a written request.

3. The Township does not limit the number of public records that it will make available to a single person and does not limit the number of public records that it will make available during a fixed period of time.

4. If a person requests a copy of a public record, the Township shall permit the requester to have the public record duplicated on paper or upon the same medium upon which the Township maintains the public record, or upon any other medium on which the Township

determines the record can reasonably be duplicated.

5. Currently incarcerated individuals are not permitted to inspect or obtain a copy of a public record concerning a criminal investigation unless the judge who imposed the sentence first finds that the information is necessary to support what appears to be a justiciable claim.

6. The Township Administrator will ensure that department supervisors and/or other designated employees are familiar with this Policy and shall assist in complying with the procedures outlined in this Policy to respond to all public records requests within a reasonable period of time.

### C. Denying Requests

1. If a requester makes an ambiguous or overly broad request or has difficulty making a request for copies or inspection of public records and the Township cannot reasonably identify what public records are being requested, the Township may deny the request, but will provide the requester an opportunity to revise the request by informing him or her the manner in which the Township records are maintained and accessed.

2. Requests for records that are not maintained, or records that are prohibited from release pursuant to state or federal law, will be denied.

a. If the record that is requested is prohibited from release due to applicable state or federal law, the responsible Township employee shall respond to the requester, citing the applicable state or federal law.

b. If the record that is requested is not a record used or maintained by the Township, the requester will be notified that in accordance with Ohio Public Records law, the Township is under no obligation to create records to meet public record requests.

3. The Township will not provide records that do not exist at the time of the response to Public Records request, or records that are acquired after a response to a request is complete.

### D. Withholding and Redacting Records

1. In certain cases, all or part of a public record might be exempted from release as a public record pursuant to state or federal law. In that situation, the Township may—or in some cases, is required to—withhold or redact records that are exempted from release. The Township will notify the requester of any withholding or redaction and make the redaction plainly visible. When a withholding or redaction is made to a requested public record, the Township will provide the requester with an explanation, including legal authority, setting forth why the information was redacted. If the initial request was provided in writing, the explanation also shall be provided to the requester in writing.

2. When a public record is in need of redaction, the Township employee will adhere to the following procedure electronically in the Township's electronic public records request system:

- a. Make a copy of the original record;
- b. Place the date and name of the requester on the provided page;
- c. Make the redaction electronically on the provided page (not the original);
- d. Provide a copy of the reproduced page, which will be provided to the requester

#### E. Costs

1. The Township may charge a requester the actual cost to make copies of responsive records. The charge for paper copies is ten (10) cents per page after the first six (6) pages. Cost may vary.
2. For audiovisual or electronic copies of records provided to the requester on physical storage media (disc, thumb drive, etc.), the fee shall be the replacement cost of the blank media. The Township may not charge the cost of labor to respond to a public records request.
3. The Township may require that the requester pay in advance the cost involved in providing the copy of the public record.
4. If a requester asks that records be mailed or delivered to them, the Township may charge the actual costs of the postage and mailing supplies or other actual costs of delivery.
5. There is no charge for e-mailed records.

#### F. Grievances

1. If a person is aggrieved due to the alleged inability to inspect or to receive a copy of the public record, the person will be advised that they may:
  - a. contact the Township Administrator (this is encouraged as a first step in order to try to quickly and amicably resolve any disagreement, misunderstanding, or dispute as to the request and the Township's response or other treatment of it);
  - b. file a mandamus action pursuant to R.C. 149.43(C)(1)(b); or,
  - c. file a complaint with the clerk of the court of claims pursuant to R.C. 2743.75.

## Article VII. CORRECTIVE ACTION

### Section 7.01 Corrective Action Principles (Discipline)

- A. The Sycamore Township Board of Trustees expects employees:
  1. To perform assigned duties at satisfactory levels,

2. To follow accepted standards of workplace behavior, and
  3. To comply strictly with all laws, rules, and regulations
- B. The purpose of corrective action is:
1. To rectify problem situations,
  2. To provide an atmosphere in which the employee can learn from past mistakes, and,
  3. To minimize the employee's loss of dignity and self-esteem
- C. Furthermore, the Township believes that certain basic principles must be consistently applied in order to effectively and fairly remedy inappropriate job performance and behavior.
1. Employees shall be advised, within reason, of expected job performance and behavior, the types of conduct that the Township has determined to be unacceptable, and the usual penalties for unacceptable job performance or behavior;
  2. Immediate attention shall be given to job performance or behavior infractions;
  3. Corrective action shall normally be applied uniformly and consistently, and each offense shall be dealt with as objectively as possible;
  4. Corrective action shall normally be progressive in nature; and
  5. An employee's Department Supervisor shall normally be responsible for any corrective action before suspension, demotion, or removal. Department Supervisors shall normally be permitted input regarding the appropriateness of suspensions, demotions, or discharge.

## Section 7.02 Corrective Action Procedure (Discipline)

- A. The Township reserves the right to terminate an employee without cause and without a hearing before the Board of Trustees.
- B. The Township has adopted this policy as a guide for the uniform administration of corrective action. It is not, however, to be construed in any ways as a limitation of management's rights when dealing with inappropriate job performance or behavior.
- C. The Township will normally follow a system of progressive corrective action when dealing with inappropriate job performance or behavior. However, when serious infractions occur, the Board of Trustees may impose the most serious of corrective measures or discharge, without following a course of progressive discipline.

- D. This policy provides standard penalties for specific misconduct; however, the examples of specific misconduct provided are not intended to be all-inclusive, but to merely serve as a guide. The standard corrective measures provided in this policy do not preclude the application of more or less severe measures for a given infraction when such is deemed appropriate. In those cases where the corrective measure deviates from the normal measure, the Department Supervisor administering the corrective action should note the reasons for such deviation in writing.
- E. A Department Supervisor or designee, upon learning of an instance involving employee misconduct, will conduct an investigation into the details of the allegation. (The extent and procedure of the investigation shall be at the discretion of the Department Supervisor).
- F. If an allegation of misconduct is not sustained, the Department Supervisor shall notify the employee that the matter investigated has been unfounded or not sustained.
- G. If an allegation of misconduct is sustained, the Department Supervisor shall impose Corrective Action consistent with the severity of the allegation, unless the Corrective Action involves a recommendation for suspension, demotion, or discharge.
- H. If a recommendation for suspension, demotion, or discharge is applied a pre-disciplinary hearing before the Township Administrator shall be conducted.
- I. If the Township Administrator sustains the allegation and recommendation for discipline that includes suspension, demotion, or discharge, the Township Administrator shall prepare a written report and charges to the Board of Trustees for final action.
- J. The Board of Trustees shall hold a hearing on the recommendation of the Township Administrator regarding discipline that includes suspension, demotion, or discharge of an affected employee. At the conclusion of the Hearing, the Board will impose an appropriate level of discipline, if the allegation is sustained.
- K. Forms of disciplinary action, but not necessarily the order of discipline are:
  - 1. Written record of Verbal counseling;
  - 2. Written reprimand;
  - 3. Suspension without pay;
  - 4. Demotion in pay and position; and
  - 5. Discharge.
- L. Records of verbal counseling or written disciplinary action shall cease to have force and

effect eighteen (18) months from their effective date, providing the employee does not receive additional corrective discipline within the same period.

- M. All other discipline shall cease to have force and effect after twenty-four (24) months from the effective date of issuance, providing the employee does not receive additional corrective discipline within the same period.

## Section 7.03 Pre-disciplinary Conference

- A. At the pre-disciplinary conference, the Township Administrator shall take evidence from both the Department Supervisor and employee as to the nature of the infraction and the reasons why suspension, demotion, or discharge is warranted. The employee may appear at this pre-disciplinary conference with or without a representative and may, without penalty, either participate or not participate in the presentation of evidence.
- B. The employee may waive a pre-disciplinary conference by filing a written waiver with the Township Administrator along with their notice to contest the suspension, demotion, or discharge.
- C. At the pre-disciplinary conference, the employee shall have the right to call witnesses on their behalf or present any other evidence they feel is warranted in defense. In addition, the employee may cross-examine witnesses, including the Department Supervisor. The employee shall be entitled to one (1) continuance of the pre-disciplinary conference for a period of not more than two (2) days, if the request for a continuance is in writing and delivered to the Township Administrator at least 24 hours prior to the proposed hearing date and time.
- D. Pre-disciplinary conference will be recorded at the request of either party.
- E. Either party may provide a written brief to the Administrator before the pre-disciplinary hearing provided the other party is also provided a copy of it.

# Article VIII. GRIEVANCE MANAGEMENT

## Section 8.01 Policy & Procedure

1. The Township recognizes that within any organization, there will be occasional differences among its employees regarding interpretations of rules or other problems stemming from conditions of employment. In order to provide employees with an orderly process by which to seek resolution of such differences, the Township has established the following grievance procedure.

## 2. Grievance Procedure

1. Step 1: Any employee having a grievance may lodge their complaint in writing with their Department Supervisor. In order for the grievance to be recognized, it must be lodged within three (3) working days from the date the alleged incident, which prompted the complaint, occurred. Within fifteen (15) working days from the date the employee first presented their grievance, the Department Supervisor will meet with the employee and attempt to resolve the matters.
  2. Step 2: If the grievance is not resolved in Step 1, the employee may pursue the matter by forwarding the unresolved grievance to the Township Administrator, or other designated person, within three (3) working days of the reply received in Step 1. The Township Administrator, or designee will if deemed necessary, meet with the grievant and up to one representative to discuss the matter. The Township Administrator shall hear and decide on the matter. The decision of the Township Administrator shall be final.
- C. In the event of extenuating circumstances, a time limit may be extended, by the mutual agreement of both parties, in writing.
- D. Grievances not processed by the employee to the next step of the procedure within the specified time limits, or any written extension thereof, shall be considered resolved on the basis of the decision at the previous step.
- E. Any grievance not answered within the prescribed time limit, or extension thereof, shall be considered to have been answered in the negative and may be advanced by the employee to the next step.

# Article IX. EMPLOYMENT SEPARATION

## Section 9.01 Voluntary Employment Separation

- A. Employees who voluntarily terminate their employment (voluntary resignation, disability leave, or retirement) shall give two (2) weeks' notice to their Department Supervisor. Failure to give such notice may jeopardize future re-employment. The Township Administrator may make the notice date the final day of work, with wages paid through the final notice date. The Township Administrator or designee may conduct an exit interview with the terminating employee.
- B. Employees who voluntarily provide notice of an employment termination (voluntary resignation, disability leave or retirement) shall be considered final. Any request to rescind or reconsider a resignation date shall be made to the Township Administrator. The decision of the Township Administrator is not grievable and shall be final.

## Section 9.02 Reduction In Force

- B. When the Township determines that a layoff or reduction in employment is necessary, employees shall be notified as far in advance of the effective date of the layoff or reduction in employment as possible, but no less than thirty (30) work days before the effective date.
- C. Layoffs shall be in inverse order of seniority within classification, and shall be implemented by classification in the following order:
  - 1. Temporary employees (including intermittent and seasonal);
  - 2. Probationary employees;
  - 3. Permanent part-time employees; and
  - 4. Full-time employees.
- C. Employees who are laid off shall be placed on a recall list for a period of twelve (12) months. If there is a recall, employees who are still on the recall list shall be recalled, in inverse order of their layoff. Any recalled employee must meet the position qualifications in existence at the time of recall.
- D. Notice of recall shall be sent to the employee by certified mail. The Township shall be deemed to have fulfilled its obligations by mailing the recall notice by certified mail, return receipt requested, to the last mailing address provided by the employee.
- E. The laid off employee shall have seven (7) calendar days following the date of receipt of the certified mail recall notice to notify the Township of their intention to return to work. The laid off employee shall then have fifteen (15) calendar days following the date of receipt of the recall notice in which to report for duty, unless a different date for returning to work is otherwise specified in the notice or as agreed.
- F. An employee failing to notify the Township of their intention to return within seven (7) days, or failing to report for duty within fifteen (15) days of notice shall be removed from the recall list and be deemed to have resigned.

## Article X. TRANSITIONAL WORK

### Section 10.01 Injury Occurrence & Eligibility

- A. For purposes of this Article and at the discretion of the Employer, not subject to the grievance procedure, an injury may include an illness.

- B. When an employee sustains an injury while at work the following shall occur:
1. The employee shall obtain immediate medical treatment at the appropriate level of care for the nature of injury. If an Emergency Medical Unit is required, the supervisor or an appropriate employee shall accompany the injured worker to the hospital or meet the employee at the hospital at the earliest possible time.
  2. The affected employee will access a facility that is reasonably necessary and appropriate for their condition(s).
  3. The affected employee shall cooperate with the requirements of the Drug Free Workplace Program as outlined in the Sycamore Township Employee Handbook.
  4. The affected employee is expected to report the injury to their immediate supervisor as soon as reasonably possible.
  5. The supervisor shall complete a First Report of Injury Form and notify the Transitional Work (TW) Coordinator as soon as possible.
- C. An injured employee is eligible for the Transitional Work Program if all of the following apply:
1. The affected employee is classified as full-time.
  2. The affected employee is not currently involved in a discipline or corrective action measure.
  3. The affected employee is capable of performing a job with the Township that does not present a risk of additional injury or harm to anyone including the employee.
  4. The affected employee has the potential of returning to his/her original job, original job with permanent modifications, or another targeted job that may be identified and performing the essential job functions after recovery.

## Section 10.02 Return to Transitional Work

- A. An injured employee may return to work in a transitional work capacity if all of the following apply:
1. The employee has physician's agreement and prescription.
  2. The employee has been evaluated by a Township Selected Physician certifying the ability of the employee to enter the Transitional Work Program

3. The employee is capable of completing a job eligible for Transitional Work.
  4. The employee agrees to resume active and full duty status upon full recovery.
  5. The affected employee complies with all regulations from the Bureau of Workers' Compensation if applicable.
- B. The jobs available for the Transitional Work Program will be based on a 40-hour work week with no overtime or premium wages and will be assigned without regard to Department and employees may be assigned accordingly.
  - C. The jobs available for the Transitional Work Program shall be compliant with all regulations set forth in the Americans with Disabilities Act.
  - D. Employees assigned to Transitional Work will not be used to permanently replace fulltime positions with the township.
  - E. During assignment in the Transitional Work Program affected employees will be paid normal wages and receive benefits consistent with their full-time classification.

## Section 10.03 Duration and Return to Full Duty Status

- A. The Transitional Work period is expected to last for a period of time consistent with the convalescence of the affected employee with permission of the Employer, generally no more than 60 days. Extensions may be granted on a case-by-case basis at the discretion of the Board of Trustees if deemed medically necessary.
- B. Upon full recovery and prior to a return to full unrestricted duty, the employee shall:
  1. Obtain a return to work certification from their physician
  2. Notify their supervisor who may require an examination from the Township Selected Physician prior to returning to full duty. Complete any requirements of the Bureau of Workers' Compensation and the Employer.

# Article XI. DEFINITIONS

## Section 11.01 Definitions

- A. For the purpose of this manual, the following words or phrases shall be defined as outlined below. The only exceptions shall be when a specific word or phrase is redefined for the purpose of a particular policy.

Active Service: Being present and able to perform the duties to which an employee has been assigned, which includes, but is not limited to, vacation leave, sick leave, and personal leave.

Administrator: The Board of Trustees pursuant to the terms and conditions of the Ohio Revised Code appoints the Township Administrator. The Township Administrator is a fiduciary employee who serves without a probationary period and at the will of the Board of Trustees. The employee may be terminated with or without cause.

Anniversary Date: The date one year from the original employment date. For salary increases, the anniversary date shall be that date one year from the effective date of the Employee's last performance review.

Break in Service: A termination of employment for more than thirty (30) days for any reason other than layoff or approved leave.

Continuous Service: The uninterrupted service of an employee with the Township.

Day: A calendar day unless specified otherwise.

Demotion: A change in the rank of personnel from a position in one class to a position in another class having a lower minimum starting salary and with less discretion and/or responsibility.

Department Supervisor: An employee appointed by the Board of Trustees as a Chief Executive Officer of a specific division. The Department Supervisor is a fiduciary employee who serves without a probationary period and at the will of the Board of Trustees. The employee may be terminated with or without cause and with or without a public hearing unless required by the Ohio Revised Code.

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

Employee: Any person holding a position subject to appointment, removal, promotion, or reduction by the Township.

Employer: The Sycamore Township Board of Trustees.

Examinations: Methods used to determine eligibility of applicants for employment. Examinations may include but are not limited to written, oral, or physical performance tests, ratings of training and experience; or any combination of these.

Excused Absence: Being absent from work with the approval of the Township Administrator or Department Supervisor.

Exempt Employees: A person appointed by the Board of Trustees consistent with the provisions and conditions set forth in the Fair Labor Standard Act. The employee may be terminated with or without cause and with or without a public hearing unless

required by the Ohio Revised Code. This person is not eligible for overtime.

Full-time: An employee who typically works at least forty (40) hours per week and is eligible for Township benefits.

Grievance: Any complaint concerning the interpretation or application of any lawfully adopted personnel resolution or of the related personnel policies, governing personnel practices, working conditions, or decisions relative to any disciplinary action, dismissal, demotion, or charge of discrimination or sexual harassment. Non-grievable subjects include the negotiation of wages, salaries, or benefits; any work activity accepted as a condition of employment; and those subjects covered in existing resolutions, personnel policies, or procedures. The Township Administrator will decide any question as to whether a matter is grievable or non-grievable.

Incompetency: Being incapable of performing job duties due to loss of license, certification, continuing education, or mental or physical capacity required to maintain employment.

Job Description: A narrative statement that summarizes the nature of a job including essential functions, other specific job responsibilities, qualifications, knowledge, skills, and abilities.

Layoff: Separation from employment due to lack of work, lack of funds, abolishment of position(s), or for other changes in duties or organization, in accordance with established policy.

Malfeasance: An act that is positively wrongful and unlawful.

Misfeasance: The improper performance of an act that a person may lawfully do.

Neglect: To omit or fail to comply with an order that can be done; the absence of care or attention in the doing; an omission of a given act or a designed refusal or unwillingness to perform one's duty.

Nonfeasance: The non-performance of an act that should to be performed; omission to perform a required duty at all, or total neglect of duty.

Oral Reprimand (Warning): The discussion a supervisor holds with an employee in which the supervisor disciplines the employee for their conduct and impresses upon him the need for improvement. This method of discipline can eliminate misunderstandings immediately and set and maintain desired standards of conduct and performance. A notation of the date, time, and reason for an oral reprimand shall be kept in the employee's personnel file.

Part-time Employee: An employee whose regular hours of duty are less than forty (40) hours per week for a particular department and/or works less than 1500 hours per calendar year.

Pay Period: The period of time during which the payroll is accumulated, as determined by the Board of Trustees.

Performance Review: A method of evaluating employees on a periodic basis as to their performance on the job.

Permanent Employee: Any classified employee who has completed the applicable probationary period and occupies an authorized position involving full-time pay and benefits.

Probationary Period: The period at the beginning of an original appointment, hiring, or promotion. This period may vary according to collective bargaining agreements or departments. During this period, an employee may be terminated or reduced to a lower classification.

Promotion: A change in rank of an employee from a position in one class to a position in another class having a higher minimum salary and carrying a greater scope of discretion and responsibility.

Recall: The re-employment of personnel previously separated from employment with the Township because of a layoff.

Regular: An employee who has completed their probationary period in a satisfactory manner and has thereby obtained regular employment status with the Township.

Resignation: The voluntary separation (voluntary resignation, disability leave or retirement) from the Township by the employee.

Seasonal Appointment: An appointment where an employee works a certain season or period of the year performing work limited to that season or period.

Seniority: The length of continuous employment with the Township.

Suspension: The relieving of an employee from duty without pay, usually for a short period of time [i.e., one (1) to thirty (30) days] as a disciplinary measure aimed at improving the employee's conduct.

Temporary: An employee employed to work a defined period not to exceed six (6) months duration and who is not eligible for Township benefits.

Township: Sycamore Township; Hamilton County.

Transfer: A lateral move from one position to another having the same salary range and same level of responsibility within the classified service.

Vacancy: A position duly created and existent but not occupied by an individual.

Volunteer: An individual who is assisting the Township in a non-pay status who is not eligible for Township benefits.

Working Hours: The time spent by an employee, under the direction and control of the employer (Sycamore Township) and while being paid by Sycamore Township. The actual hours may vary based upon the specific job.

Written Reprimand (Warning): A written record of disciplinary action, usually issued after an oral warning has failed to improve an employee's conduct.

## Article XII. PERSONNEL FORMS

### FORM #1 RECEIPT OF EMPLOYEE HANDBOOK

Please sign the attached and present the acknowledgment slip below to your supervisor for inclusion in your personnel file.

Unless explicitly implied by bargaining statutes, I understand that I am an at-will employee and that the Board of Trustees may terminate me at any time.

I have also reviewed a copy of Sycamore Township's Employee Handbook that outlines my privileges and obligations as an employee of the Township. I will familiarize myself with the information in these directives and understand that they, govern me,

Since the information in these directives may be subject to change by action of the Board of Trustees, it is understood that I will be notified through the usual channels of dissemination.

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Employee Signature

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Date

**FORM #2**

**DRUG FREE WORKPLACE NOTICE**

Sycamore Township supports the Drug Free Workplace Act of 1988. Consequently, any unlawful manufacture, distribution, dispensation, possession, or use of controlled substances on these premises by employees is strictly prohibited and violators will be subject to corrective action and criminal prosecution.

This policy is to be regarded as a condition of employment. Any employee convicted of a work related drug offense must notify the Township Administrator no later than five (5) calendar days after conviction.

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**DRUG FREE WORKPLACE POLICY RECEIPT**

The purpose of this document is to verify that I have received a copy of the Township's Drug Free Workplace Notice and Policy.

---

Employee Signature

---

Date

## REQUEST FOR LEAVE FORM

### SECTION I (to be completed by employee requesting leave)

\_\_\_\_\_  
Last Name                      First                      Classification                      Date

Please check the type of leave requested, complete appropriate blanks and provide the requested documentation.

#### **CIVIL LEAVE** (attach copy of subpoena) - Check One:

I choose to receive my Township wage for time on civil leave and turn over to the Township any compensation received for civil duty.

I choose to waive my Township wage for time on civil leave and retain compensation received for civil duty.

I choose to retain civil duty compensation and take an earned and approved vacation day.

#### **LEAVE OF ABSENCE WITHOUT PAY**

Personal

Education/Training/Specialized Experience

Disability Leave (attach supporting documentation)

Other Reason:

Military Leave –

My leave will extend from \_\_\_\_\_ to \_\_\_\_\_  
Date                      Date  
(month/year)      (month/year)

Family Medical Leave

I understand the provisions and regulations governing the use of and return from my leave as outlined in the Sycamore Township Policy Manual.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

SECTION II

ADMINISTRATIVE ACTION

Recommended     Not Recommended     Approved     Disapproved

\_\_\_\_\_  
Department Supervisor Signature

\_\_\_\_\_  
Township Administrator Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

COMMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_