



AGENDA
CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY
COMMITTEE MEETING
TUESDAY, MARCH 20, 2018
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
10:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE MARCH 6, 2018 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2018-0052: A Resolution adopting various changes to the Cuyahoga County Non-bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective. (See Page 5)
 - b) R2018-0054: A Resolution confirming the County Executive's reappointment of various individuals to serve on the Child Abuse and Child Neglect Regional Prevention Council of the Ohio Children's Trust Fund representing the Great Lakes Region for various terms, and declaring the necessity that this Resolution become immediately effective: (See Page 50)
 - i. Councilmember Dale Miller for an unexpired term ending 6/24/2019.
 - ii. Robin Martin for an unexpired term ending 5/25/2018.
 - iii. Robin Martin for the term 5/26/2018 - 5/25/2020.

- c) R2018-0055: A Resolution confirming the County Executive's appointment of Kenneth Surratt to serve on the Cuyahoga County Tax Incentive Review Council for an unexpired term ending 12/31/2018, and declaring the necessity that this Resolution become immediately effective. (See Page 56)
- d) O2018-0001: An Ordinance providing for modifications to and adoption of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective. (See Page 62)
- e) O2018-0004: An Ordinance amending Sections 303.02, 303.03 and 303.05 of the Cuyahoga County Code to update the Civil Service Code of Cuyahoga County; and declaring the necessity that this Ordinance become immediately effective. (See Page 242)

6. MISCELLANEOUS BUSINESS

7. OTHER PUBLIC COMMENT

8. ADJOURNMENT

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*



**MINUTES
CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY
COMMITTEE MEETING
TUESDAY, MARCH 6, 2018
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
10:00 AM**

1. CALL TO ORDER

Chairwoman Brown called the meeting to order at 10:15 a.m.

2. ROLL CALL

Ms. Brown asked Assistant Deputy Clerk Johnson to call the roll. Committee members Brown, Gallagher, Jones, Miller and Conwell were in attendance and a quorum was determined.

3. PUBLIC COMMENT RELATED TO THE AGENDA

There were no public comments given.

4. APPROVAL OF MINUTES FROM THE FEBRUARY 27, 2018 MEETING

A motion was made by Ms. Brown, seconded by Mr. Miller and approved by unanimous vote to approve the minutes from the February 27, 2018 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2018-0043: A Resolution confirming the County Executive's reappointment of various individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for an unexpired term ending 6/30/2021, and declaring the necessity that this Resolution become immediately effective:

- i. Reginald C. Blue
- ii. Harvey A. Snider

Mr. Matthew Carroll, Chief Economic Growth and Opportunity Officer, addressed the Committee regarding Resolution No. R2018-0043. Discussion ensued.

Committee members asked questions of Mr. Carroll pertaining to the item, which he answered accordingly.

In lieu of his attendance, Mr. Mr. Reginald Blue submitted a written statement to the Committee.

Mr. Harvey A. Snider addressed the Committee regarding his nomination to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County. Discussion ensued.

Committee members asked questions of Mr. Snider pertaining to his experience, expertise and qualifications, which he answered accordingly.

On a motion by Ms. Brown with a second by Mr. Jones, Resolution No. R2018-0043 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. OTHER PUBLIC COMMENT

There were no public comments given.

8. ADJOURNMENT

With no further business to discuss, Chairwoman Brown adjourned the meeting at 10:46 a.m.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0052

Sponsored by: Councilmember Brown on behalf of Cuyahoga County Personnel Review Commission	A Resolution adopting various changes to the Cuyahoga County Non-bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 9.03 of the Charter of Cuyahoga County states that the Cuyahoga County Personnel Review Commission shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification; and,

WHEREAS, Section 2.01 of the Cuyahoga County Personnel Policies and Procedures Manual (Ordinances No. O2011-0015 and O2011-0028) states that the employment of all classified County employees is subject to the provisions of the Ohio Revised Code, the Ohio Administrative Code, the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and

WHEREAS, the Personnel Review Commission submitted several proposed changes to the Cuyahoga County Non-Bargaining Classification Plan; and

WHEREAS, the Personnel Review Commission considered this matter and has undergone significant review, evaluation and modification of such submitted changes to the Cuyahoga County Non-Bargaining Classification Plan; and

WHEREAS, on February 21, 2018, the Personnel Review Commission met and recommended the classification changes (attached hereto as Exhibits A through J) and recommends to County Council the formal adoption and implementation of the attached changes; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby adopts the following changes to the Cuyahoga County Non-bargaining Classification Plan:

Modification of the following Classifications: (See Attached Classification Specifications)

Proposed Revised Classifications:

Exhibit A: Class Title: *C.A.D. Technician 1*
Class Number: 1061122
Pay Grade: 5
*Revised specification to update essential job duties and education and experience requirements.

Exhibit B: Class Title: *C.A.D. Technician Assistant*
Class Number: 1061121
Pay Grade: 4
*The education and experience requirements were updated to be consistent with other positions in the series.

Exhibit C: Class Title: *Principal Support Officer Supervisor*
Class Number: 1056613
Pay Grade: 13
*The essential job functions have been updated to better reflect the current duties. Updated specification to new format to include distinguishing characteristics, FLSA status, and percentages of time for essential functions.

Exhibit D: Class Title: *Support Specialist Supervisor*
Class Number: 1011214
Pay Grade: 8
*Updated specification to new format to include distinguishing characteristics, FLSA status, and percentages of time for essential functions.

Proposed New Classifications:

Exhibit E: Class Title: *Foster/Adoptive Recruitment Specialist*
Class Number: 1056281
Pay Grade: 6

Proposed Deleted Classifications

Exhibit F: Class Title: *C.A.D. Technician*
Class Number: 1061111
Pay Grade: 4

- Exhibit G: Class Title: *Case Control Reviewer*
Class Number: 1014411
Pay Grade: 8

- Exhibit H: Class Title: *Justice Affairs Manager*
Class Number: 1056541
Pay Grade: 15

- Exhibit I: Class Title: *Public Information Officer*
Class Number: 1053422
Pay Grade: 7

- Exhibit J: Class Title: *Senior Public Information Officer*
Class Number: 1053423
Pay Grade: 11

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: March 13, 2018

Committee(s) Assigned: Human Resource, Appointments & Equity

Journal _____
_____, 20__

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

EXHIBIT A

Class Title:	C.A.D. Technician 1	Class Number:	1061122
FLSA:	Non - Exempt	Pay Grade:	5
Dept:	Public Works		

Classification Function

The purpose of this classification is to update, prepare and maintain the tax maps and G.I.S parcel maps; to review legal descriptions, plats of surveys, maps of official records, annexations, vacations, and dedications for incorporation/conversion into the Shared Land Base System.

Distinguishing Characteristics

This is an entry level, technical classification that utilizes a computer aided drafting program to digitize and create hardcopies of documents and maps. This classification works under a framework of well-defined procedures. This class requires a limited exercise of judgment and consults with a supervisor as new or unusual situations arise. This class is distinguished from the Engineer Map Supervisor that oversees the work of this class and requires a higher level of education and experience.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 60% +/- 10%
- Updates, prepares, and maintains the tax maps and G.I.S parcel maps; digitally captures data from various sources including C.A.D. design or drawing files, geocoded point data, field surveys, and hardcopy drawings using G.I.S software; prints out deeds for confirmation of legal descriptions and location of parcels; assigns new permanent parcel numbers to newly created parcels; assists with reviews of survey plats for accuracy and compliance with Ohio Revised Code (ORC) and conveyance standards.
- 10% +/- 5%
- Creates compiles and maintains geospatial datasets; draws plats into a microstation; measures acreage.
- 30% +/- 10%
- Performs standard database queries and special analysis; runs queries and expressions to update database; runs validations and checks for errors; assists the public and other county agencies in reviewing real property deed legal descriptions; maintains proficiency with GIS technology and stays current with developments in the field.

Experience Required to Perform Essential Job Functions

High School diploma or equivalent with two (2) years of experience with CAD or GIS systems using Coordinate Geometry (COGO) as it relates to land surveying; or any equivalent combination of training and experience.

Additional Requirements

No special license or certification is required.

Proposed DATE:

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate automated office machines including computers, copier, and peripheral equipment.

Mathematical Ability

- Ability to add, subtract, multiply, divide, calculate decimals and percentages, and perform basic algebra and geometry.

Language Ability & Interpersonal Communication

- Ability to perform basic level of data analysis including the ability to review, classify, categorize, prioritize and/or reference data, statutes and/or guidelines and/or group, rank, investigate and problem solve. Requires discretion in determining and referencing such to established standards to recognize interactive effects and relationships.
- Ability to comprehend a variety of informational documents including plats, legal descriptions, and City ordinances.
- Ability to comprehend a variety of reference books and manuals including Ohio Revised Code, County Conveyance Standards, departmental and county policy manuals, reference and computer manuals, aerial photos, plats, and legal documents.
- Ability to prepare tax maps and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret basic engineering and land use related terminology and language
- Ability to communicate with supervisor, co-workers, other County employees, and the general public.

Environmental Adaptability

- Work is typically performed in an office environment.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

EXHIBIT B

Class Title:	C.A.D. Technician Assistant	Class Number:	1061121
FLSA:	Non - Exempt	Pay Grade:	4
Dept:	Public Works		

Classification Function

The purpose of this classification is to perform clerical and tax map maintenance duties for the Tax Map unit in the Public Works Surveyor's Section.

Distinguishing Characteristics

This is an entry level classification that performs some drafting duties and utilizes a computer aided drafting program to revise tax map books, and performs clerical work for the unit. This classification works under a framework of well-defined procedures. This class requires a limited exercise of judgment and consults with a supervisor as new or unusual situations arise. This class is distinguished from the C.A.D. Technician I that requires a higher level of experience using C.A.D. software and works with greater independence in performance of duties.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 20% +/- 10%
- Draws in revisions in the Fiscal Officer's tax map books with protractors, triangles, etc. and using basic C.A.D. software.
- 10% +/- 10%
- Performs daily deed transfers in Fiscal Officer's tax map books; receives, indexes and copies daily deed assignments.
- 20% +/- 10%
- Assists attorneys, title companies, surveyors, and the general public in the map room; performs research for the Land and Right-of-Way Divisions.
- 50% +/- 20%
- Performs a variety of clerical duties, including operating reproduction equipment, assembling and compiling data for reports, and delivering copies, prints and/or office supplies to front office

Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or equivalent with one (1) year of experience with CAD or GIS systems; or any equivalent combination of training and experience.

Additional Requirements

No special license or certification is required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate automated office machines including computers and peripheral equipment.

Proposed DATE:

Mathematical Ability

- Ability to understand and apply addition, subtraction, multiplication, and division.

Language Ability & Interpersonal Communication

- Ability to perform basic level of data analysis including the ability to review, classify, categorize, prioritize and/or reference data, statutes and/or guidelines and/or group, rank, investigate and problem solve. Requires discretion in determining and referencing such to established standards to recognize interactive effects and relationships.
- Ability to comprehend a variety of informational documents including plats, legal descriptions, and City ordinances.
- Ability to comprehend a variety of reference books and manuals including departmental and county policy manual, reference and computer manuals, plats and deeds.
- Ability to prepare copies, updates on tax maps and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to record and deliver information, to explain procedures, to follow instructions.
- Ability to develop and maintain effective working relationships with a variety of individuals within and outside the department.
- Ability to use and interpret basic engineering and land use related terminology and language
- Ability to communicate with supervisor, co-workers, attorneys, title companies, surveyors, and the general public.

Environmental Adaptability

- Work is typically performed in an office environment.

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CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

Class Title:	Principal Support Officer Supervisor	Class Number:	1056613
FLSA:	Exempt	Pay Grade:	13
Department:	Job and Family Services		

Classification Function

The purpose of this classification is to supervise support officers and clerical support employees who provide case management services to customers.

Distinguishing Characteristics

This is a supervisory-level classification that is responsible for supervising Support Officers and other assigned staff and overseeing case management service activities. The employee exercises discretion in applying policies and procedures to resolve issues and to ensure that assigned activities are completed in a timely, accurate, and efficient manner.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 40% +/- 10%
- Oversees and coordinates delivery of child and family support services to clients and oversees related data management activities; provides child support case management services including establishing paternity and child support orders, collecting regular and consistent current child support, collecting child support arrears, modifying child support orders, providing findings and recommendations for termination of support, and conducting investigations to locate individuals, assets, and income sources; establishes new records in databases; maintains, updates, and monitors data tracking and filing systems; performs records management tasks; generates various documents associated with case processing; processes documentation through cases management systems, trackers, logs, and forms; analyzes incoming and outgoing documents and ensures proper distribution to the appropriate destination; shares and re-routes case documentation for internal/external departmental review; compiles data and creates, updates, and analyzes reports; assists staff with issues regarding case management services, data management, and auditing.
- 30% +/- 10%
- Supervises a unit of employees responsible for providing child support case management services to customers; directs staff to ensure work completion and maintenance of standards; plans, assigns, and reviews work; provides training and instructions; evaluates employee performance; conducts and facilitate staff meetings; responds to employee questions, concerns, and problems; approves employee timesheets and leave requests and completes related documentation; develops unit work plans and work performance standards; recommends personnel actions including selection, promotion, transfers, discipline, or discharge.

Proposed DATE

10% +/- 5%

- Monitors and evaluates unit operations, policies, and procedures; ensures daily operations, case management, and data management are in compliance with County, state, and federal guidelines; ensures work is completed by the required deadlines; documents performance outcomes; reviews program work, data entry, and documentation for accuracy and completeness; identifies errors and determines corrective actions; researches federal and state rules, regulations, laws, and requirements to assess impact on local policy and procedures; reviews, analyzes, and recommends policies and procedures and assists with development; interacts with management staff to coordinate work flows, develop policies, and clarify issues.

5% +/- 2%

- Participates in program planning and implementation; researches, tests, and plans new services and programs; coordinates work with internal groups and develops reports and plans for service and program implementation.

15% +/- 10%

- Performs related administrative responsibilities; prepares and maintains various reports, records, and other documents; responds to emails and phone calls; attends various trainings, conferences, and meetings; develops training materials; receives and responds to requests for information from various agencies, court personnel, upper management, and the general public; functions as department liaison with other agencies, the courts, and other states; provides information on case management activities.

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree with five (5) years of human services experience; or any equivalent combination of training and experience.

Additional Requirements for all levels

No special license or certification is required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines including computer and copier.

Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees and to maintain standards.
- Ability to provide instruction to other employees.
- Ability to solve and act on employee problems.
- Ability to recommend the transfer, selection, evaluating, or promotion of employees.
- Ability to recommend the discipline or discharge of other employees.

Mathematical Ability

- Ability to add, subtract, multiply, divide and calculate decimals and percentages and perform routine statistics.

Language Ability & Interpersonal Communication

- Requires the ability to perform mid-level data analysis including the ability to audit, deduce, assess, conclude and appraise. Requires discretion in determining and referencing such to established criteria to define consequences and develop alternatives.
- Ability to comprehend a variety of informational documents including data reports, basic court documents, billing reports, overtime logs, time sheets, interface reports, information system reports, performance evaluations, correspondence, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including Ohio Revised Code, Ohio Administrative Code, Personnel Policies and Procedures, agency policies and procedures, federal, state, County codes and regulations, and union contracts.
- Ability to prepare monthly reports, logs, time sheets, supply requisitions, case tracking reports, court related documents, training materials, performance evaluations, memos, correspondence, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, and to follow instructions.
- Ability to identify, develop, and implement targeted training and coaching needs for employees.
- Ability to communicate effectively with managers, clients, subordinates, Court personnel, union representatives, other County employees, and the general public.

Environmental Adaptability

- Work is typically performed in an office environment.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

Class Title:	Support Specialist Supervisor	Class Number:	1011214
FLSA:	Non-exempt	Pay Grade:	8
Dept:	Job and Family Services		

Classification Function

The purpose of this classification is to supervise employees responsible for the electronic processing of data and information.

Distinguishing Characteristics

This is a supervisory-level classification that is responsible for supervising Information Processors I and II and Support Specialists I and II overseeing electronic data and information processing activities. The employee exercises discretion in applying policies and procedures to resolve issues and to ensure that assigned activities are completed in a timely, accurate, and efficient manner.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 40% +/- 10%
- Oversees and performs data entry, database information maintenance and document processing functions; establishes new records in databases; reviews data and documentation for accuracy, completeness, and errors; maintains, updates, and monitors data tracking and filing systems; produces, researches, verifies, and retrieves documentation; reviews and interprets journal entries; generates various documents associated with case processing; processes documentation through case management systems, trackers, logs, and forms; analyzes incoming and outgoing documents and ensures proper distribution to the appropriate destination; shares and re-routes case documentation for internal/external department review; compiles and analyzes data and creates and updates reports; assists staff with issues regarding electronic data processing and information.
- 30% +/- 10%
- Supervises a unit of employees responsible for the electronic processing of data and information; directs staff to ensure work completion and maintenance of standards; plans, assigns, and reviews work; provides training and instructions; evaluates employee performance; conducts and facilitates staff meetings; responds to employee questions, concerns, and problems; approves employee timesheets and leave requests and completes related documentation; develops unit work plans and work performance standards; recommends personnel actions including selection, promotion, transfers, discipline, or discharge.
- 10% +/- 5%
- Provides communication and administrative support to the child support enforcement casework function; reviews and processes case management information in child support program software and databases; monitors and tracks cases submitted to the Prosecutor's Office and the courts; monitors and completes all information processing activities for cases in the confidential caseload.

Proposed DATE:

5% +/- 2%

- Monitors and evaluates unit operations, policies, and procedures; ensures daily operations, case management, and data processing are in compliance with County, state, and federal guidelines; ensures work is completed by the required deadlines; documents performance and outcomes for reports; researches federal and state rules, regulations, laws, and requirements to assess impact on local policy and procedures; reviews, analyzes, and recommends policies and procedures; assists with policy and procedure development, program planning, and implementation; interacts with management staff to coordinate work flows, develop policies, and clarify issues.

15% +/- 10%

- Performs related administrative responsibilities; prepares and maintains various reports, records, and other documents; responds to emails and phone calls; attends various trainings, conferences, and meetings; develops training materials; receives and responds to requests for information from various agencies, court personnel, upper management, and the general public; acts as department liaison; provides information on case management documentation.

Minimum Training and Experience Required to Perform Essential Job Functions

Associate's Degree with five (5) years of information processing experience; or any equivalent combination of training and experience.

Additional Requirements for all levels

No special license or certification is required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines including computer and copier.
- Ability to perform information processing functions with high degree of accuracy.

Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees and to maintain standards.
- Ability to provide instruction to other employees.
- Ability to solve and act on employee problems.
- Ability to recommend the transfer, selection, evaluating, or promotion of employees.
- Ability to recommend the discipline or discharge of other employees.

Mathematical Ability

- Ability to add, subtract, multiply, divide and calculate decimals and percentages and perform routine statistics.

Language Ability & Interpersonal Communication

- Requires the ability to perform basic level of data analysis including the ability to review, classify, categorize, prioritize and/or reference data, statutes and/or guidelines and/or group, rank, investigate and problem solve. Requires discretion in determining and referencing such to established standards to recognize interactive effects and relationships.
- Ability to comprehend a variety of informational documents including data reports, basic court documents, billing reports, overtime logs, time sheets, interface reports, information system reports, performance evaluations, correspondence, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including Ohio Revised Code, Ohio Administrative Code, Personnel Policies and Procedures, agency policies and procedures, federal, state, and County codes and regulations, and union contracts.
- Ability to prepare monthly reports, logs, time sheets, supply requisitions, case tracking reports, court related documents, training materials, performance evaluations, memos, correspondence, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to communicate with managers, clients, subordinates, Court personnel, union representatives, other County employees, and the general public.

Environmental Adaptability

- Work is typically performed in an office environment.

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CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

Class Title:	Foster/Adoptive Recruitment Specialist	Class Number:	1056281
FLSA:	Non-Exempt	Pay Grade:	6
Dept:	Children & Family Services		

Classification Function

The purpose of this classification is to coordinate the recruitment of foster and adoptive parents for the Cuyahoga County Department of Children and Family Services.

Distinguishing Characteristics

This is an entry-level classification that works under the general supervision of the Social Services Supervisor and is responsible for the recruitment of foster and adoptive parents for the Cuyahoga County Department of Children and Family Services. The employee works within a framework of policies, procedures and regulations. The incumbent ensures that activities are performed in a timely manner and according to policies, procedures and related regulations.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 50% +/- 10%
- Recruits foster and adoptive parents for Cuyahoga County Division of Children and Family Services; schedules and attends community events and activities; actively recruits potential foster and adoptive parents; coordinates event registration; provides information on policies and procedures to potential parents; determines if there are barriers to candidates becoming foster or adoptive parents; processes foster and adoptive parent applications; reviews application materials to ensure all required information is provided; notarizes foster and adoptive parent applications; enters candidate information into databases; creates reports of foster and adoptive parent information; participates in strategic planning and goal setting of DCFS recruitment plan.
- 25% +/- 10%
- Coordinates and supports foster and adoptive parent Pre-Service Orientation training; enters applicant training attendance data into databases; provides training verification to other agencies as requested.
- 20% +/- 10%
- Performs fingerprinting duties; fingerprints applicants for background check; distributes results of background check to the appropriate parties; enters and tracks background check results data into spreadsheet; fingerprints clients in their home when necessary.
- 5% +/- 2%
- Performs related administrative responsibilities; prepares various reports, records and other documents; responds to emails and phone calls; attends various trainings and meetings; attends adoption mixers held by adoptions department; provides technical assistance to collaborative partners in the community.

Proposed DATE

Minimum Training and Experience Required to Perform Essential Job Functions

- Bachelor's degree in communications, marketing or related field with six (6) months of strategic planning, public speaking, or project management or any equivalent combination of training and experience
- Valid Ohio Driver's License, proof of automobile insurance, and a reliable vehicle.

Additional Requirements for all levels

- Must obtain and maintain Notary Public within 6 months of hiring.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines including computer and copier.
- Ability to lift, push and pull up to 25 lbs. and ability to bend and twist.

Mathematical Ability

- Ability to add, subtract, multiply, divide and calculate decimals and percentages, and perform routine statistics.

Language Ability & Interpersonal Communication

- Requires the ability to perform basic level of data analysis including the ability to review, classify, categorize, prioritize and/or reference data, statutes and/or guidelines and/or group, rank, investigate and problem solve. Requires discretion in determining and referencing such to established standards to recognize interactive effects and relationships.
- Ability to comprehend a variety of informational documents including agency weekly reports, fingerprint results, contracts and other reports and records.
- Ability to comprehend a variety of reference books and manuals including Ohio Administrative Code, Personnel Policies and Procedures Manual, Department of Children and Family Services Policies and Procedures, Bureau of Criminal Investigation rules, Federal Bureau of Investigation rules and Ohio Revised Code.
- Ability to prepare pre-service attendance reports, recruitment monthly statistics, application reports, community partner reports, fingerprint logs, correspondence and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret marketing and basic legal terminology and language.

Foster/Adoptive Recruitment Specialist

- Ability to communicate with prospective foster and adoptive families, applicants, relatives of applicants, coworkers, supervisors, other County employees, community partners, and the general public.

Environmental Adaptability

- Work is typically performed in an office environment and at community and recruitment events.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

Class Title:	C.A.D. Technician	Class Number:	1061111
		Pay Grade:	4

Departments:	Community Services, only
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Classification Function

The purpose of this classification is to prepare and design maps using a C.A.D. Geographic Information System (GIS).

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Prepares and maintains maps using a C.A.D. Geographic Information System (GIS) (e.g. - designs and generates sanitary, storm plan and profile sheets on GIS; prepares maps for contractors as-built sanitary and storm sewers in participating communities; converts paper drawings into digital format using C.A.D. computer and software; plots work order maps for maintenance supervisors and field crews; plots tributary areas for engineers, service directors and the public; maintains sewer maps for assessment billings)
- Maintains database systems (e.g.- installs new and existing upgrades of Intergraph software; creates, compiles and maintains geographic databases; completes maintenance reports for computer input; maintains Emergency Management and Hazardous Facilities and Hospitals' graphic database; manages backing-up and restoring information for Intergraph System).

Minimum Training and Experience Required to Perform Essential Job Functions

Associate's degree in cartography or computer science and one year of related experience; or any equivalent combination of training and experience.

Additional Requirements

C.A.D. Workstation certification is required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines including personal computer with departmental software, Intergraph workstation, plotter, digitizer, and tape drives.
- Ability to use drafting tools.

Mathematical Ability

- Ability to add, subtract, multiply, divide and calculate decimals and percentages.

Language Ability & Interpersonal Communication

- Ability to comprehend a variety of informational documents including blueprints, street maps, sewer maintenance reports, parcel reports, subdivision maps and other reports and records.

- Ability to comprehend a variety of reference books and manuals including sewer maps, as-built drawings, computer manuals such as DBase III, Lotus 1-2-3, and Intergraph Micro station. etc.
- Ability to prepare maps, reports, forms, correspondence, memos, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret engineering and computer terminology and language.
- Ability to communicate effectively with supervisor, other County employees, engineers and the general public.

Environmental Adaptability

- Work is typically performed in an office environment.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

EXHIBIT G

Class Title:	Case Control Reviewer	Class Number:	1014411
		Pay Grade:	8

Departments:	Human Services, only
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Classification Function

The purpose of this classification is to conduct quality assurance reviews of income maintenance cases to reduce the error rate of County public assistance programs.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Conducts quality assurance reviews of income maintenance cases to reduce the error rate of County public assistance programs (e.g.- reviews income maintenance case records; interviews clients and gathers information; describes and explains objective to clients; analyzes and evaluates case information to determine if corrective action is needed; develops and implements corrective action plans as needed).
- Performs administrative duties (e.g.- completes quality assurance duties; prepares related correspondence and memoranda; attends meetings, conferences, workshops, committee meetings, etc.).

Minimum Training and Experience Required to Perform Essential Job Functions

Associate's degree in social science or related field with one year of public assistance experience; or any equivalent combination of training and experience.

Additional Requirements

No special license or certification is required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines including computer terminal, printers, fax machine, calculator, telephone, copier, and typewriter.

Mathematical Ability

- Ability to add, subtract, multiply, divide, and calculate decimals and percentages.

Language Ability & Interpersonal Communication

- Ability to comprehend a variety of informational documents including entitlement case records, correspondence and other reports and records.
- Ability to comprehend a variety of reference books and manuals including public assistance manual, food stamp manual, CRIS-E Manual, computer manuals and federal standards.

- Ability to prepare quality assurance reports, statistical reports, monthly reports, correspondence, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to convince and influence others, to record and deliver information, to explain procedures, maintain confidentiality of restricted information, and to follow instructions.
- Ability to use and interpret public assistance and legal terminology and language.
- Ability to communicate effectively with clients and their families, supervisors, bank personnel, school personnel, and other County employees.

Environmental Adaptability

- Work is typically performed in an office environment.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

Class Title:	Justice Affairs Manager	Class Number:	1056541
FLSA:	Exempt	Pay Grade:	15
Departments:	Justice Affairs, only		

Classification Function

The purpose of this classification is to manage entire operations of a Justice Affairs division (Division of Treatment Services, Division of Treatment Alternatives to Street Crime, Division of Witness/Victim Services, or the Criminal Justice Service Agency).

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Manages entire operations of a Justice Affairs division (Division of Treatment Services, Division of Treatment Alternatives to Street Crime, Division of Witness/Victim Services, or the Criminal Justice Service Agency) (e.g.- develops and implements new division programs and services to meet identified needs or accomplish established service delivery goals; analyzes and evaluates policies and procedures; develops new policies and procedures and revises current policies and procedures; audits service records and case files; reviews and evaluates service delivery to clients to identify accomplishments and deficiencies; monitors and approves expenditures of division budget).
- Manages employees of a Justice Affairs division (e.g.- manages employees through subordinate supervisors; assigns tasks and projects and reviews progress and completed work assignments; responds to employee problems; evaluates employee performance; interviews and recommends employees for hiring and promotion; recommends disciplinary and discharge procedures).
- Functions as liaison with various community agencies and organizations (e.g.- works with police departments, Courts, probation officers, referees and judges in the provision of services; communicates with criminal justice referral agencies regarding existing services; serves on various committees and task forces; coordinates community outreach among networking agencies).
- Performs administrative functions as required (e.g.- prepares reports, audits and statistics for public and private agencies; provides consultative assistance in preparation of grant proposals; prepares and monitors working agreements with treatment agencies and courts; monitors contractual agreements).

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in criminal justice, business administration or related field with six years of criminal justice or social services experience; or any equivalent combination of training and experience.

Additional Requirements

For the Manager of Emergency Management, must complete required courses at stated in the Ohio Revised Courses within a three-year period from the date of appointment.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**Physical Requirements**

- Ability to operate a variety of automated office machines including personal computer, printer, copier, adding machine, calculator and telephone.

Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

Mathematical Ability

- Ability to add, subtract, multiply, divide and calculate decimals and percentages.

Language Ability & Interpersonal Communication

- Ability to comprehend a variety of informational documents including employment applications, performance evaluations, requests for leave, attendance records, travel requests, budget forecasts, annual budgets, auditor's reports, inventory reports, billing invoices, vouchers, contracts, grant applications, client/service records, correspondence and other reports and records.
- Ability to comprehend a variety of reference books and manuals including personnel policy manuals, criminal, domestic, juvenile and civil codes and regulations, criminal justice, treatment and advocacy publications and the Ohio Revised Code.
- Ability to prepare service delivery audits, employee performance evaluations, monthly, annual and semi-annual statistical reports, correspondence, purchase orders, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to manage, supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures and to follow instructions.
- Ability to use and interpret legal, counseling, accounting and personnel terminology and language.
- Ability to communicate effectively with Director, subordinate supervisors, employees, police, judges, court personnel, probation officers, treatment providers, criminal justice referral agency, clients and families.

Environmental Adaptability

- Work is typically performed in an office environment.
- Work may involve responding to crisis situations.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION EXHIBIT I

Class Title:	Public Information Officer	Class Number:	1053422
		Pay Grade:	7

Departments:	All departments
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Classification Function

The purpose of this classification is to perform public information and public relations tasks for a County department.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Performs public information and public relations tasks for a County department (e.g.- implements outreach programs and projects; contacts media with press releases and responds to media questions; acts as department liaison to elected officials, state and federal management teams, customers, advocacy groups and professional organizations; receives, investigates and responds to consumer concerns).
- Functions as legislative liaison for department (e.g.- tracks state and federal legislation; evaluates impact of legislation on department; responds to legislation and testifies when necessary; develops drafts of implementation plans for new mandates; participates in work of task forces and committees set up to draft legislation; acts as in-house department contact for legislative updates and information).
- Appears as department designee at various meetings and functions (e.g.-attends state administrative hearings; performs community education tasks; participates in work of County committees, etc.).

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in public relations, communications or related field with one year of public relations experience, or any equivalent combination of training and experience.

Additional Requirements

No special license or certification is required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines including personal computer, typewriter, fax machine and telephone.

Mathematical Ability

- Ability to add, subtract, multiply, divide, calculate decimals and percentages.

Language Ability & Interpersonal Communication

-

Environmental Adaptability

- Work is typically performed in an office environment.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION EXHIBIT J

Class Title:	Senior Public Information Officer	Class Number:	1053423
		Pay Grade:	11

Departments:	All departments
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Classification Function

The purpose of this classification is to plan and administer a public information program for a County department.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Plans and administers public information program for a County department (e.g.-designs and produces marketing and public relations materials including brochures, reports and correspondence; develops, prepares, proofs and issues news releases; develops and presents informational and educational displays, programs, materials and speeches to the media or general public; writes, edits and produces lay-out work for publications, articles or newsletters; responds to requests for information from other agencies, the general public and news media for information about department programs).
- Advises and consults with department director and staff regarding public relations issues (e.g.- serves as resource person for information on positive public presentation of department programs and activities; responds to requests for information from general public and media; delivers speeches and gives presentations on behalf of the department director).
- Appears as department designee at various meetings and functions (e.g.-attends Administrative Hearings pursuant to 2301.353 of the Ohio Revised Code (ORC); attends State administrative hearings; participates in work of County committees, etc.).

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in public relations, communications or related field with three years of public relations experience; or any equivalent combination of training and experience.

Additional Requirements

No special license or certification is required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines including typewriter, personal computer, fax machine and telephone.

Mathematical Ability

- Ability to add, subtract, multiply, divide and calculate decimals and percentages.

Language Ability & Interpersonal Communication

- Ability to comprehend a variety of informational documents including media/consumer requests for information, proposed legislation, legislative reports, statistical reports, committee reports, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including Ohio Revised Code, Ohio Administrative Code, Federal Register, legal journals.
- Ability to prepare speeches, outreach programs, legislative analysis, rules/clearance responses, policy statements, summary appeals, findings of fact and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret legal terminology and language.
- Ability to communicate with media, advocacy groups, customers, lawyers, judges, referees, Directors, managers, support staff, legislators and elected officials.

Environmental Adaptability

- Work is typically performed in an office environment.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.




F. Allen Boseman, Commissioner
 Thomas L. Colaluca, Commissioner
 Deborah Southerington, Commissioner

**CUYAHOGA COUNTY
 PERSONNEL REVIEW COMMISSION
 MEMORANDUM**

DATE: February 22, 2018

TO: Cuyahoga County Council President Dan Brady
 Shontel Brown, Chairwoman, Human Resources, Appointments & Equity
 Committee
 Council Members, Human Resources, Appointments & Equity
 Committee

FROM: Chairman Deborah Southerington, 
 Cuyahoga County Personnel Review Commission

RE: Recommending Modifications to Class Plan

Please be advised that on February 21, 2018, the Personnel Review Commission considered and approved recommending modifications to the County's classification plan. In accordance with PRC Rule 4.06, these proposed changes were posted on the PRC's website for twenty (20) days before any formal action was taken on them. Details of the recommended changes are below:

PROPOSED NEW CLASSIFICATIONS

Classification Title	Classification Number	Pay Grade & FLSA	Department
Foster/Adoptive Recruitment Specialist	1056281	6/ Non-Exempt	Children and Family Services

PROPOSED REVISED CLASSIFICATIONS

Classification Title & Classification Number	CURRENT PAY GRADE & FLSA	NEW PAY GRADE & FLSA	Department
C.A.D. Technician I 1061122	5/Non-Exempt	5/Non-Exempt (No Change)	Public works
C.A.D. Technician Assistant 1061121	4/Non-Exempt	4/Non-Exempt (No Change)	Public works

Principal Support Officer Supervisor 1056613	13/Exempt	13/Exempt (No Change)	CJFS
Support Specialist Supervisor 1011214	8/Non-Exempt	8/Non-Exempt (No Change)	CJFS

PROPOSED DELETED CLASSIFICATIONS

Classification Title	Classification Number	Pay Grade	Department
C.A.D. Technician	1061111	4	Public Works
Case Control Reviewer	1014411	8	CJFS
Justice Affairs Manager	1056541	15	Public Safety and Justice Affairs
Public Information Officer	1053422	7	All Departments
Senior Public Information Officer	1053423	11	All Departments

cc: F. Allen Boseman, Commissioner
Thomas Colaluca, Commissioner
Rebecca Kopcienski, PRC Director
Armond Budish, County Executive
Douglas Dykes, Chief Talent Officer
Holly Woods, Dir. of HR Benefits and Compensation
Melissa Foldesi, Compensation Manager

Joseph Nanni, Council Chief of Staff
Kelli Neale, Program Officer 4
Jeanne Schmotzer, Clerk of Council
Robert Triozzi, Law Director
Kristen Moore, Paralegal
Maggie Keenan, Director of OBM

PROPOSED NEW CLASSIFICATION

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1056281	Foster/Adoptive Recruitment Specialist	Children and Family Services	Non-Exempt	6

Requested By:	Personnel Review Commission
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Rationale:	This is a new classification that reflects the essential functions and minimum qualifications of the position. This position is currently classified as a Program Officer 1. Pay grade remained the same at a PG 6.
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No. of Employees Affected:	2
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Dept.(s) Affected:	Children and Family Services
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Fiscal Impact:	PG 6 \$37,876.80 - \$53,040.00 Incumbent's Current Salaries: \$37,876.80 Step Placement TBD by Human Resources
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Staffing Implications:	None
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PRC Contact(s):	Verona Blonde, Classification and Compensation Specialist Albert Bouchahine, Manager of Classification and Compensation
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Human Resources and Management Contact(s):	<u>Date of Contact:</u>	<u>Type of Contact:</u>	<u>Reason:</u>
Melissa Foldessi, Compensation Manager	3/27/2017	Email	Copied on Communications
Kelli Neale, HR	3/27/2017	Email	Copied on Communications
Michael Brown, HR	3/27/2017	Email	Copied on Communications

Melanie Zabukovec, Social Service Supervisor	8/5/2016 8/10/2016 8/22/2017 3/27/2017	Email Email Call Email	Questions to Supervisor Clarification Clarification Review of Final Draft
Cynthia Weiskittel, Director	3/27/2017	Email	Review of Final Draft
Jim Battigaglia, Archer Consultant	4/11/2017 9/22/2017	Email Email	Pay Grade Evaluation Reminder for Evaluation

CURRENT CLASSIFICATION

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1061122	C.A.D. Technician 1	Public Works	Non-Exempt	5

PROPOSED REVISED CLASSIFICATION

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1061122	C.A.D. Technician 1	Public Works	Non-Exempt	5

Requested By:	Personnel Review Commission
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Rationale:	PRC routine maintenance. Classification last revised in 2012. The essential job functions and education and experience requirements were updated.
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No. of Employees Affected:	1
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Dept.(s) Affected:	Public Works
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Fiscal Impact:	None
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Staffing Implications:	None
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PRC Contact(s):	Verona Blonde, Classification and Compensation Specialist Albert Bouchahine, Manager of Classification and Compensation
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Human Resources and Management Contact(s):	Date of Contact:	Type of Contact:	Reason:
Norm Hoovler,	8/4/2017	Email	Questions to Supervisor Clarification Reminder
Engineering Map	8/8/2017	Email	
Supervisor	8/23/2017	Email	

	08/25/2017	Email	Final Draft Review
David Marquard	08/25/2017	Email	Final Draft Review
Jim Battigaglia, Archer Consultant	9/18/2017	Email	Pay Grade Evaluation
Melissa Foldesi, Compensation Manager	08/25/2017	Email	Copied on Communications
Kelli Neale, HR	08/25/2017	Email	Copied on Communications
Michael Brown, HR	08/25/2017	Email	Copied on Communications

CURRENT CLASSIFICATION

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1061121	C.A.D. Technician Assistant	Public Works	Non-Exempt	4

PROPOSED REVISED CLASSIFICATION

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1061121	C.A.D. Technician Assistant	Public Works	No-Exempt	4

Requested By:	Personnel Review Commission
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Rationale:	PRC routine maintenance. Classification last revised in 2012. The education and experience requirements were updated to be consistent with other positions in the series.
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No. of Employees Affected:	None
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Dept.(s) Affected:	Public Works
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Fiscal Impact:	None
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Staffing Implications:	None
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PRC Contact(s):	Verona Blonde, Classification and Compensation Specialist Albert Bouchahine, Manager of Classification and Compensation
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Human Resources and Management Contact(s):	<u>Date of Contact:</u>	<u>Type of Contact:</u>	<u>Reason:</u>
Norm Hoovler	08/25/2017	Email	Final Draft Review

David Marquard	08/25/2017	Email	Final Draft Review
Jim Battigaglia, Archer Consultant	9/18/2017	Email	Pay Grade Evaluation
Melissa Foldesi, Compensation Manager	08/25/2017	Email	Copied on Communications
Kelli Neale, HR	08/25/2017	Email	Copied on Communications
Michael Brown, HR	08/25/2017	Email	Copied on Communications

CURRENT CLASSIFICATION

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1056613	Principal Support Officer Supervisor	JFS	Exempt	13

PROPOSED REVISED CLASSIFICATION

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1056613	Principal Support Officer Supervisor	JFS	Exempt	13

Requested By:	Personnel Review Commission
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Rationale:	PRC routine maintenance. Classification last revised in 2009. The essential job functions have been updated to better reflect the current duties. Updated specification to new format to include distinguishing characteristics, FLSA status, and percentages of time for essential functions.
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No. of Employees Affected:	21
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Dept.(s) Affected:	Job and Family Services
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Fiscal Impact:	None
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Staffing Implications:	None
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PRC Contact(s):	Albert Bouchahine, Manager of Classification and Compensation
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Human Resources and Management Contact(s):	<u>Date of Contact:</u>	<u>Type of Contact:</u>	<u>Reason:</u>
Kevin Gowan, Deputy Director	4/11/2017 5/3/2017	Email Email	Questions to Supervisor Reminder

	5/22/2017 7/21/2017 7/25/2017 8/11/2017	Email Email Email Email	Reminder Clarification Final Draft Review Reminder
David Merriman, Director	7/25/2017 8/11/2017	Email Email	Final Draft Review Reminder
Ashombia Hawkins, SPA3	4/11/2017	Email	Questions to Supervisor
Christine Meznarich, SPA3	4/11/2017	Email	Questions to Supervisor
Thomas Lempke, Support Enforcement Manager	4/11/2017	Email	Questions to Supervisor
Jeffrey Bloom, Support Enforcement Manager	4/11/2017	Email	Questions to Supervisor
Jim Battigaglia, Archer Consultant	9/18/2017	Email	Pay Grade Evaluation
Melissa Foldesi, Compensation Manager	7/25/2017 8/11/2017	Email Email	Copied on Communications
Kelli Neale, HR	7/25/2017 8/11/2017	Email Email	Copied on Communications
Michael Brown, HR	7/25/2017 8/11/2017	Email Email	Copied on Communications

CURRENT CLASSIFICATION

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1011214	Support Specialist Supervisor	JFS	Non-Exempt	8

PROPOSED REVISED CLASSIFICATION

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1011214	Support Specialist Supervisor	JFS	Non-Exempt	8

Requested By:	Personnel Review Commission
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Rationale:	PRC routine maintenance. Classification last revised in 2001. The essential job functions have been updated to better reflect the current duties. Updated specification to new format to include distinguishing characteristics, FLSA status, and percentages of time for essential functions.
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No. of Employees Affected:	3
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Dept.(s) Affected:	Job and Family Services
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Fiscal Impact:	None
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Staffing Implications:	None
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PRC Contact(s):	Albert Bouchahine, Manager of Classification and Compensation
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Human Resources and Management Contact(s):	Date of Contact:	Type of Contact:	Reason:
Kevin Gowan, Deputy Director	4/11/2017 5/3/2017	Email Email	Questions to Supervisor Reminder

	5/22/2017 7/21/2017 7/25/2017 8/11/2017	Email Email Email Email	Reminder Clarification Final Draft Review Reminder
David Merriman, Director	7/25/2017 8/11/2017	Email Email	Final Draft Review Reminder
Ashombia Hawkins, SPA3	4/11/2017	Email	Questions to Supervisor
Christine Meznarich, SPA3	4/11/2017	Email	Questions to Supervisor
Thomas Lempke, Support Enforcement Manager	4/11/2017	Email	Questions to Supervisor
Jeffrey Bloom, Support Enforcement Manager	4/11/2017	Email	Questions to Supervisor
Jim Battigaglia, Archer Consultant	9/18/2017	Email	Pay Grade Evaluation
Melissa Foldesi, Compensation Manager	7/25/2017	Email	Copied on Communications
Kelli Neale, HR	7/25/2017	Email	Copied on Communications
Michael Brown, HR	7/25/2017	Email	Copied on Communications

PROPOSED DELETED CLASSIFICATIONS

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1061111	C.A.D. Technician	Public Works	Exempt	4

Requested By:	Personnel Review Commission
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Rationale:	The duties of this position have been incorporated into other related classifications in the department.
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No. of Employees Affected:	None
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Dept.(s) Affected:	Public Works
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Fiscal Impact:	None
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Staffing Implications:	None
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PRC Contact(s):	Verona Blonde, Classification and Compensation Specialist Albert Bouchahine, Manager of Classification and Compensation
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Human Resources Contact(s):	Kelli Neale, Program Officer 4 Melissa Foldesi, Compensation Manager
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Management Contact(s):	Michael Dever, Director
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PROPOSED DELETED CLASSIFICATIONS

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1014411	Case Control Reviewer	Health and Human Services	N/A	8

Requested By:	Personnel Review Commission
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Rationale:	All employees in this position are now bargaining employees and the classification is no longer needed.
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No. of Employees Affected:	None
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Dept.(s) Affected:	Health and Human Services
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Fiscal Impact:	None
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Staffing Implications:	None
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PRC Contact(s):	Verona Blonde, Classification and compensation Specialist Albert Bouchahine, Manager of Classification and Compensation
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Human Resources Contact(s):	Kelli Neale, Program Officer 4 Melissa Foldesi, Compensation Manager
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Management Contact(s):	Candace Williams, Case Control Supervisor Christy Nicholls, Social Program Administrator 4
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PROPOSED DELETED CLASSIFICATIONS

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1056541	Justice Affairs Manager	Public Safety and Justice Affairs	Exempt	15

Requested By:	Personnel Review Commission
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Rationale:	This classification is being deleted because each division in the Department of Public Safety and Justice Services now has a unique classification incorporated into the County's plan. Therefore, the general "Justice Affairs Manager classification is no longer needed.
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No. of Employees Affected:	0
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Dept.(s) Affected:	Public Safety and Justice Affairs
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Fiscal Impact:	None
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Staffing Implications:	None
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PRC Contact(s):	Verona Blonde, Classification and Compensation Specialist Albert Bouchahine, Manager of Classification and Compensation
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Human Resources Contact(s):	Kelli Neale, Program Officer 4 Melissa Foldesi, Compensation Manager
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Management Contact(s):	Melinda Burt, Administrator
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PROPOSED DELETED CLASSIFICATIONS

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1053422	Public Information Officer	All Departments	N/A	7

Requested By:	Personnel Review Commission
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Rationale:	The department no longer needs the job duties performed by this specification or the duties have been redistributed to other classifications in the department.
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No. of Employees Affected:	None
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Dept.(s) Affected:	All Departments
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Fiscal Impact:	None
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Staffing Implications:	None
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PRC Contact(s):	Verona Blonde, Classification and Compensation Specialist Albert Bouchahine, Manager of Classification and Compensation
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Human Resources Contact(s):	Kelli Neale, Program Officer 4 Melissa Foldesi, Compensation Manager
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Management Contact(s):	Mary Louise Madigan, Communications Director
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PROPOSED DELETED CLASSIFICATIONS

Class Number	Classification Title	Department	FLSA Status	Pay Grade
1053423	Senior Public Information Officer	All Departments	N/A	11

Requested By:	Personnel Review Commission
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Rationale:	The department no longer needs the job duties performed by this specification or the duties have been redistributed to other classifications in the department.
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No. of Employees Affected:	1 (Employee was moved to another position)
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Dept.(s) Affected:	Communications Department
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Fiscal Impact:	None
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Staffing Implications:	Employee was moved to a more appropriate position that better described her job duties.
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PRC Contact(s):	Albert Bouchahine, Manager of Classification and Compensation
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Human Resources Contact(s):	Kelli Neale, Program Officer 4 Melissa Foldesi, Compensation Manager
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Management Contact(s):	Mary Louise Madigan, Communications Director
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<u>Job Title</u>	<u>Classification Number</u>	<u>Current Pay Grade & FLSA</u>	<u>RECOMMENDED PAY GRADE & FLSA</u>	<u>Department</u>	<u>Rational</u>
<u>NEW</u>					
Foster/Adoptive Recruitment Specialist	1056281	6/Non-Exempt	N/A	Children and Family Services	This is a new classification that reflects the essential functions and minimum qualifications of the position. This position is currently classified as a Program Officer 1. Pay grade remained the same at a PG 6.
<u>REVISED</u>					
C.A.D. Technician 1	1061122	5/Non-Exempt	5/Non-Exempt (No Change)	Public works	PRC routine maintenance. Classification last revised in 2012. The essential job functions and education and experience requirements were updated.
C.A.D. Technician Assistant	1061121	4/Non-Exempt	4/Non-Exempt (No Change)	Public works	PRC routine maintenance. Classification last revised in 2012. The education and experience requirements were updated to be consistent with other positions in the series.
Principal Support Officer Supervisor	1056613	13/Exempt	13/Exempt (No Change)	CJFS	PRC routine maintenance. Classification last revised in 2009. The essential job functions have been updated to better reflect the current duties. Updated specification to new format to include distinguishing characteristics, FLSA status, and percentages of time for essential functions.
Support Specialist Supervisor	1011214	8/Non-Exempt	8/Non-Exempt (No Change)	CJFS	PRC routine maintenance. Classification last revised in 2001. The essential job functions have been updated to better reflect the current duties. Updated specification to new format to include distinguishing characteristics, FLSA status, and percentages of time for essential functions.
<u>DELETE</u>					
C.A.D. Technician	1061111	4	N/A	Public Works	The duties of this position have been incorporated into other related classifications in the department.
Case Control Reviewer	1014411	8	N/A	CJFS	All employees in this position are now bargaining employees and the classification is no longer needed.
Justice Affairs Manager	1056541	15	N/A	Public Safety and Justice Affairs	This classification is being deleted because each division in the Department of Public Safety and Justice Services now has a unique classification incorporated into the County's plan. Therefore, the general "Justice Affairs Manager classification is no longer needed.
Public Information Officer	1053422	7	N/A	All Departments	The department no longer needs the job duties performed by this specification or the duties have been redistributed to other classifications in the department.
Senior Public Information Officer	1053423	11	N/A	All Departments	The department no longer needs the job duties performed by this specification or the duties have been redistributed to other classifications in the department.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0054

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s reappointment of various individuals to serve on the Child Abuse and Child Neglect Regional Prevention Council of the Ohio Children’s Trust Fund representing the Great Lakes Region for various terms, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, pursuant to Ohio Revised Code Section 3109.172, a board of county commissioners within a region may appoint up to two representatives to the Great Lakes Regional Prevention Council of the Ohio Children’s Trust Fund to represent the County on overseeing its work; and,

WHEREAS, pursuant to Ohio Administrative Code 5101:5-1, the Regional Prevention Council is charged with establishing standing workgroups; developing and completing needs assessments; and developing, approving and implementing a regional child abuse and child neglect prevention plan based on the Ohio Children’s Trust Fund criteria, collecting data on the implementation of the plan and submitting a progress report and an annual report to the Ohio Children’s Trust Fund; and,

WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that “[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;” and,

WHEREAS, County Executive Budish has nominated the following individuals to be reappointed to serve on the Child Abuse and Child Neglect Regional Prevention Council of the Ohio Children’s Trust Fund representing the Great Lakes Region for various terms as follows:

- a) Councilmember Dale Miller for an unexpired term ending 6/24/2019;
- b) Robin Martin for an unexpired term ending 5/25/2018; and
- c) Robin Martin for the term 5/26/2018 – 5/25/2020; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that Charter

requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive’s reappointment of various individuals to serve on the Child Abuse and Child Neglect Regional Prevention Council of the Ohio Children’s Trust Fund representing the Great Lakes Region for various terms as follows:

- a) Councilmember Dale Miller for an unexpired term ending 6/24/2019;
- b) Robin Martin for an unexpired term ending 5/25/2018; and
- c) Robin Martin for the term 5/26/2018 – 5/25/2020.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at eight (8) members of Council, this Resolution shall become immediately effective.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee: March 13, 2018
Committee(s) Assigned: Human Resource, Appointments & Equity

Journal _____
_____, 20__



March 6, 2018

Dan Brady, President
Cuyahoga County Council
2079 E. Ninth Street
Cleveland, OH 44115

RE: Ohio Children's Trust Fund – Great Lakes Regional Prevention Council

Dear President Brady,

The Ohio Children's Trust Fund (OCTF) was created in 1984 with the mission of preventing child abuse and neglect by investing in strong communities, healthy families, and safe children. As Ohio's sole public funding source dedicated to child abuse and neglect prevention, the OCTF funds regional prevention councils throughout the state, which in turn funds community-based primary and secondary prevention strategies at the local level.

Pursuant to Ohio Revised Code 3109.172, I submit the following nominations for reappointment to the Great Lakes Regional Prevention Council:

- Councilmember Dale Miller for an unexpired term ending 6/24/2019
- Robin Martin for an unexpired term ending 5/25/2018; and
- Robin Martin for the term 5/26/2018-5/25/2020

Bios/resumes are attached.

There are no known conflicts of interest for which an advisory opinion has been requested. This board is uncompensated.

Thank you for your consideration of these reappointments. If you need further information, please contact me.

Sincerely,



Armond Budish
Cuyahoga County Executive

District 2 - Dale Miller



A long-time Cuyahoga County resident, Dale Miller supports honest and efficient government. Through his role in the Council, he intends to create positive conditions for job creation, improve human services with a preventive focus, strengthen the skills of our workforce, and build hope for a better future.

Miller is a 1967 graduate of Garfield Heights High School who went on to achieve a Bachelor of Science in Psychology from Case Western Reserve University, and a Master of Science and Ph.D. in Clinical Psychology from the University of Utah. He also participated in Leadership Cleveland in 1983.

Before entering politics, Miller worked as a program evaluator at a health center in North Platte, Nebraska, and a psychologist with the Community Guidance Center in Cleveland. He was elected to Cleveland City Council, and then served as a State Representative and most recently as a State Senator.

Miller helped pass legislation for the Rock & Roll Hall of Fame, Great Lakes Science Center, and Cleveland stadiums. He actively supported creation of Third Frontier high-technology jobs program, and was an early supporter of Cuyahoga County Land Bank. He also sponsored legislation to enable more senior citizens to receive home and community-based care.

Miller has celebrated 25 years of marriage to his wife, Carol.

Mr. Miller is chair of the [Finance & Budgeting Committee](#).

Robin R. Martin joined the Family and Children First Council in February 2005 as a Program Officer and was promoted in April 2007 as Director. For the past 11 years, she has been responsible for Service Coordination for children and youth birth to 24. She also played an integral part in the early development the Cuyahoga County Youth Development system which includes out-of-school time, year-round youth internships, and youth engagement programming.

Prior to her role at the Family and Children First Council, Robin served as Service Coordination Liaison working on cross-system cases for the Cuyahoga County Department of Children and Family Services and as a Senior Training Officer. Having served almost 25 years in social services, Robin has a great deal of experience with program development, implementation, and knowledge of working with child serving public systems, schools, and non-profits.

Robin earned a Bachelor of Arts in Political Science with a certificate African American Studies from the University of Akron, and a Master of Business Administration with honors from the University of Phoenix. She has certificate from the American Logistics Group in Project Management.

Robin serves on the Ohio Children's Trust Fund Northeast Ohio Regional Board. She is member of Delta Mu Delta International Business Society. Robin lives in Shaker Heights, Ohio with her 12-year-old son, Braxton.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0055

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s appointment of Kenneth Surratt to serve on the Cuyahoga County Tax Incentive Review Council for an unexpired term ending 12/31/2018, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Section 5709.85 calls for the creation of Tax Incentive Review Council; and

WHEREAS, Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that “[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;” and

WHEREAS, Chapter 114 of the Cuyahoga County Code provides the requirements for submission of appointments to County Council; and

WHEREAS, the County Executive has nominated Kenneth Surratt to serve on the Cuyahoga County Tax Incentive Review Council for an unexpired term ending 12/31/2018; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the County Council hereby confirms the County Executive’s appointment of Kenneth Surratt to serve on the Cuyahoga County Tax Incentive Review Council for an unexpired term ending 12/31/2018.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in the preamble. Provided

that this Resolution receives the affirmative vote of at least eight members of Council, this Resolution shall become immediately effective.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee: March 13, 2018

Committee(s) Assigned: Human Resource, Appointments & Equity

Journal _____
_____, 20__



March 7, 2018

Dan Brady, President
Cuyahoga County Council
2079 E. Ninth Street
Cleveland, OH 44115

RE: Tax Incentive Review Council (TIRC)

Dear President Brady,

Pursuant to Ohio Revised Code Chapter 5709.85, I submit the following nomination for service on the Cuyahoga Tax Incentive Review Council (TIRC):

- Kenneth Surratt (New) of Cleveland Heights (replacing Marionette Richardson-Scott) for an unexpired term ending 12/31/2018

Kenneth Surratt is an employee of Cuyahoga County in the Department of Development. Kenneth is Deputy Director of Housing and Community Development. His resume is attached.

There are no other candidates on file for this position. There are no known conflicts of interest. This board is uncompensated.

Should you or any of your colleagues have any questions, please feel free to contact me.

Sincerely,



Armond Budish
Cuyahoga County Executive

SUMMARY

A proven leader with years of experience working in government, nonprofit and for-profit organizations. Possesses strong project management, teamwork, and interpersonal skills. Knowledge and experience includes strategic planning, financial analysis, operations management, process improvement, public policy, and school/program development.

WORK EXPERIENCE

CUYAHOGA COUNTY, Cleveland, OH

02/2013 – Present

Deputy Director of Housing & Community Development

04/2015 – Present

- Manages team of 12 and directs the development and implementation of plans, goals, and objectives of community development division within the Department of Development. Includes leading housing programming and policymaking such as Cuyahoga County Demolition Program and Community Development Block Grant programs for non-entitlement communities within the County.
- Leads development and implementation of countywide housing plan through coordination of multiple county agencies and over 40 community stakeholder organizations.
- Serves as Chair of the Cuyahoga County Small Business Enterprise Grievance Board and Planning Commission Boards, as well as the County Executive designee for the Cuyahoga County Land Reutilization Corporation (Land Bank) Board and Budget Commission.

Acting Deputy Chief of Staff, Operations

07/2014 – 04/2015

- Management and oversight of the fiscal, information technology, human resources and public works departments.
- Led diversity and inclusion efforts for the county that resulted in legislation to create both an MBE/FBE program and support Community Benefits Agreements. Legislation was adopted in 2016.
- Drafted updated travel policies for county employees to be implemented in 2017.
- Served on Cuyahoga County Solid Waste District Board of Directors and Cuyahoga County Audit Committee.

Special Assistant to the County Executive

02/2013 – 06/2014

- Leveraged multiple county departments and agencies to design and implement one of the largest college savings programs in the country where each Cuyahoga County resident entering kindergarten received a college savings account and \$100 initial deposit from the County.
- Negotiated all vendor contracts and managed the technical development of savings account product with our partner bank.
- Coordinated data sharing with the 31 school districts and over 150 non-public schools within the County.
- Worked with banking partner and multiple community groups on plans to provide financial education to the students and families.

BREAKTHROUGH CHARTER SCHOOLS, Cleveland, OH

04/2011 – 02/2013

Chief Financial Officer

- Managed the network's \$26 million budget as well as information technology and compliance departments.
- Led all financial management for the school services and fundraising organizations that support the schools.
- Analyzed and reported on financial, operational and academic performance to inform network and school decision-making and provide direction on achieving network-wide sustainability while maintaining academic excellence at the schools.
- Led network-wide RFP processes to gain consensus on selection of vendors and negotiated contracts saving approximately \$80,000 annually across the network.
- Created and refined policies for startup network. Built tools, templates, and processes for strong fiscal management.
- Created budgets and allocation frameworks for two successful multi-million dollar grants from the US Department of Education. Awarded over \$18 million for school replication and performance based compensation for teachers.
- Oversaw the design and implementation of central technology infrastructure across the network of schools. Included moving all entities to a central email solution, creating shared file storage, transitioning one school from SUN network to Microsoft-based network, and implementing a common VOIP phone system.

CREDO (CENTER FOR RESEARCH ON EDUCATION OUTCOMES), Stanford, CA

06/2006 – 03/2011

Assistant Director

- General and program management of staff of seven full-time research analysts working on over 10 multi-year projects focused on evaluation of school performance.
- Successfully negotiated agreements with seven state education agencies and school districts to share their student data for research. Also managed relationships with 15 state education agencies and districts for research partnerships.
- Created presentations for clients and managed production of all reports including the often cited, *Multiple Choice: Charter School Performance in 16 states* (2009), the largest charter school performance study at the time.
- Presented findings of CREDO research at national and state charter school conferences and with media in seven markets.
- Delivered performance management trainings to schools, state charter associations, and charter authorizers focused on using common metrics to evaluate charter school performance. Developed a related web-based training course. Formed group of charter school finance experts and facilitated meetings to develop the financial metrics.

SAN FRANCISCO UNIFIED SCHOOL DISTRICT, San Francisco, CA

08/2005 – 06/2006

Policy Analyst

- Managed No Child Left Behind (NCLB) tutoring program for the district that served over 8,000 children in the district. Responsibilities included marketing service to parents, contracting with providers, managing the budget, and evaluation of the program on student achievement. Also trained central office staff, principals, and parents on the requirements for schools in the various NCLB Program Improvement status levels.
- Managed review of all academic support programs by the state department of education for the district. Responsibilities included working with various program managers to ensure that programs complied with state and federal regulations and reported status to district leadership.

KIPP (Knowledge is Power Program), Washington, DC and San Francisco, CA

01/2003 – 07/2005

Manager of School Inspections

07/2004 – 07/2005

- Managed the inspection and evaluation process for the then 38 middle schools across the country.
- Coordinated and managed teams of British school inspectors and KIPP staff that performed quality assurance reviews of teaching, learning, leadership, and operations at KIPP schools.
- Analyzed past KIPP inspections which resulted in identification of areas of best practices in KIPP schools and areas for development in the KIPP School Leadership Program training.
- Created and led inspection training programs for KIPP staff and KIPP school leaders.

Manager of Business Operations – Eastern Region

01/2003 – 07/2004

- Trained and supported school leaders of 17 public charter schools in business operations.
- Served on team to evaluate proposed school plans and charters to ensure that school budget allocated resources consistent with school plan and was sustainable.
- Developed training and curriculum to teach school leaders about finance and accounting topics and created a financial tool used to evaluate the financial feasibility of opening schools in identified communities of need.

IBM GLOBAL SERVICES, Bethesda, MD

08/2001 – 06/2002

Consultant

- Performed analysis of distribution sector operations including management of sales opportunities and performance against financial targets. Prepared summary reports and presentations for sector executive management which were used to focus sales efforts.
- Conducted internal analysis of the services performed by the consumer packaged goods practice. Prepared presentation for senior management that detailed the most profitable services and top customers for the practice.

ARTHUR ANDERSEN LLP, Cleveland, OH

09/1995 – 07/1999

Audit Senior

- Planned and coordinated audits, reviews and special projects for eight public and private clients in the retail, hospitality, and manufacturing industries. Determined the scope of work and staffing requirements. Managed client relationships, established and managed annual budgets of over \$350,000.
- Led teams of two to five people to successfully complete engagements within regulatory or client imposed reporting requirements and internal budgets. Analyzed and documented client controls and processes relating to fixed asset management, expenditure cycle, revenue generation, and inventory planning control by interviewing client personnel.

- Identified and researched risk areas and benchmarked against best practices. Presented recommendations for improvement to senior management of clients.
- Conducted due diligence procedures for seven companies. Performed financial and operational audits which resulted in successful acquisitions of over \$8 million by clients.

EDUCATION

THE FUQUA SCHOOL OF BUSINESS, Duke University, Durham, NC

Master of Business Administration, May 2001.

One Term Exchange: University of Warwick, Coventry, England, UK

McINTIRE SCHOOL OF COMMERCE, University of Virginia, Charlottesville, VA

Bachelor of Science in Commerce, May 1995.

Concentrations in Accounting and Management.

SOFTWARE KNOWLEDGE

Proficient with QuickBooks, Microsoft Word, PowerPoint, Access, and Excel. Familiar with multiple project management software programs and Adobe InDesign.

LEADERSHIP, AWARDS AND PERSONAL

Board Leadership: Magnolia Clubhouse Inc., – Board Member and Treasurer; Black Professional Association Charitable Foundation – Past Board member; Hastings Square West Home Owners Association – Past President; INROADS Alumni Association of Northeast Ohio.

Education Leadership: University School – Alumni Executive Council, Strategic Plan Steering and Headmaster Search Committees; Ohio Department of Education Straight A Fund Grant Sustainability and Program Scorer; Cleveland Metropolitan School District Preschool Compact Committee (PRE4CLE); Higher Education Compact of Greater Cleveland Operations Committee; Literacy Cooperative Strategic Planning Committee; National Best Collaborative Practice Between Charter and Traditional Public Schools Selection Committee.

Housing/Community Development Leadership: Bellaire-Puritas CDC Strategic Planning Committee; Cleveland Heights CDC Exploration Committee

Speaking Engagements: Inauguration of Cuyahoga Community College President, Dr. Alex Johnson; Panelist - Rising Tide Lifts Black Male Achievement – The Foundation Center Education; Plenary Panelist - NAACP 2010 Annual Convention; Guest Speaker - Democracy Now

Awards: Crain's Cleveland Magazine 40 under 40; Kaleidoscope Magazine's Forty/Forty Club

Personal: Avid Cleveland sports fan who enjoys traveling, listening to music, and working to improve urban communities.

County Council of Cuyahoga County, Ohio

Ordinance No. O2018-0001

Sponsored by: County Executive Budish/Department of Human Resources	An Ordinance providing for modifications to and adoption of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the County Executive/Department of Human Resources has recommended to amend the Human Resources Personnel Policies and Procedures Manual; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Adoption of Revised Human Resources Personnel Policies and Procedures Manual: Council hereby adopts the amended version of the County's Human Resources Personnel Policies and Procedures Manual as effective for all County employees, and shall remain in full force and effect and shall be followed by County employees under the authority of the County Council and the County Executive. The Department of Human Resources shall disseminate the amended manual to all employees subject to the manual in accordance with the Department's usual method of dissemination.

SECTION 2. All prior employment actions are hereby approved including, but not limited to, payments to employees for work done in excess of forty hours per week.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: February 13, 2018
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal _____
_____, 20__

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1 INTRODUCTION

1.01 Message from the County Executive

[INSERT TEXT HERE]

1.02 Profile of the County
[INSERT HERE]

1.03 Mission, Vision and Core Values

Mission

To drive regional growth, economic opportunity, and individual well-being by mobilizing cross-sector resources and providing superior services.

Vision

We are a vibrant and prosperous region where everyone thrives, and all things are possible.

Core Values

Integrity

Provide reliable and accurate services to all customers, as part of an honest, open and equitable culture.

Courage

Act boldly and be willing to make change while using good judgment to do the right thing for all citizens of Cuyahoga County

Teamwork

Create and strengthen internal and external partnerships to best accomplish our goals through collaborative actions

Innovation

Invest in people and their creative ideas and challenge the status quo to positively impact the prosperity and sustainability of our region

Results

Define and be accountable for meeting expectations, inspire accomplishment and achieve measurable successes

2 PURPOSE OF EMPLOYEE HANDBOOK

This handbook is intended as a reference to the guidelines and resources employees need to know in their role at Cuyahoga County. Employees are expected to know the guidelines contained in this handbook, as well as any additional guidelines set by their department.

All matters relating to the administration of the procedural guidelines in this handbook are under the general supervision of the Director of Human Resources. Questions regarding interpretation and application of this Handbook should be directed to Human Resources.

Bargaining employees are expected to know the terms of their Collective Bargaining Agreement (CBA). The terms and conditions of that agreement supersede this handbook on any subject covered by the CBA.

The procedural guidelines covered in this handbook do not diminish the County's management rights and should not be considered a waiver of these rights. Unless restricted by law, the County reserves all rights to manage its workforce. The procedural guidelines contained in this handbook do not reflect or represent every conceivable situation but addresses those that are often encountered. Situations may differ and will be handled on a case-by-case basis, at the discretion of the County as permitted by applicable law.

The procedural guidelines outlined in this handbook will be applied at the discretion of the County in accordance with the law. The County reserves the right to change, for any reason, at any time and without prior notice, the procedures, benefits, and working conditions described in this handbook to the extent permitted by law. The latest version of this handbook will be available on the Human Resources website. Every effort will be made to notify employees when an official change in the procedural guideline has been made. Upon said notification it is the responsibility of the employee to review and familiarize themselves with any changes.

Any provision requested to be waived in this handbook must first be approved by the County Executive, or designee. There will not be any provisions waived without permission from the County Executive, or designee.

Any violations of the procedural guidelines outlined herein are subject to discipline up to and including removal.

3 EQUAL OPPORTUNITY & COMMITMENT TO DIVERSITY

3.01 Commitment to Diversity & Inclusion

The County is committed to fostering a diverse and inclusive workforce, which includes building an environment that respects the individual, promotes innovation and offers opportunities for all employees to develop to their full potential.

A diverse workforce helps the County realize its full potential. The County benefits from creativity and innovation that results when people who have different experiences, perspectives, and cultural backgrounds work together.

3.02 Equal Employment Opportunity

The County is committed to providing equal employment opportunities for all individuals regardless of race, color, ancestry, national origin, language, religion, citizenship status, sex, age, marital status, sexual preference or orientation, gender identity/expression, military/veteran status, disability, genetic information, membership in a collective bargaining unit, status with regard to public assistance, political affiliation, or on the basis of association with an individual that falls into a protected category.

Equal opportunity extends to all aspects of the employment relationship, including but not limited to hiring, transfers, promotions, training, terminations, working conditions, compensation, benefits, and other terms and conditions of employment.

3.03 Accommodations for Religious Beliefs

The County respects the religious beliefs and practices of all employees and, upon written request, will make accommodations that are reasonable (accommodations that do not create an undue hardship on the County's business operations), as required by law.

Requesting a Religious Accommodation

Employees who seek a religious accommodation must submit a written request for the accommodation to Human Resources. The written request should include the type of religious conflict that exists and the requested accommodation. Human Resources will respond to the employee's request within a reasonable time.

3.04 Americans with Disabilities Act

The County is committed to complying with the Americans with Disabilities Act (ADA) and its amendments and ensuring equal opportunity in employment for qualified persons with disabilities. The ADA and its amendments make it unlawful for an employer to discriminate against qualified applicants or employees with a disability.

The County will accommodate qualified applicants or employees with disabilities to enable them to perform the essential job duties, unless such accommodation(s) would impose an undue hardship on the operation of the County.

This policy is neither exhaustive nor exclusive. The County is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

Definitions

Qualified employees and applicants with disabilities are employees or applicants with disabilities who can perform the essential functions of the position they are pursuing or currently hold with or without reasonable accommodation.

Employees and applicants with disabilities are persons whose impairments substantially limit one (1) or more of their major life activities (e.g., walking or hearing), who have a history of such impairments, or who are regarded as having such impairments.

Reasonable accommodations are modifications to work environment or schedule that allow applicants or employees to perform the essential functions of the position they pursue or currently hold, that do not create an undue hardship for the County.

Requesting an Accommodation

An employee with a disability in need of an accommodation must complete an *accommodation request form*. The accommodation request form includes a section for medical documentation from the employee's healthcare provider. The accommodation request form is available online, or a paper copy can be requested from Human Resources.

Upon submission of medical documentation presenting a disability, the County will engage with the employee and their healthcare provider to identify reasonable accommodations for the employee.

Medical information obtained by the County regarding applicants or employees is maintained in a separate file and disclosed only in accordance with the ADA and its amendments, as well as applicable federal and Ohio laws. The County may be required to release this information under Ohio Public Records laws or subpoenas.

3.05 Reporting Harassment, Discrimination, or Retaliation

Employees who believe they are the victim of harassment, discrimination or retaliation must immediately report the issue to Human Resources. An employee can also report their concern to their supervisor or department director. Any supervisor or department director made aware of an employee concern regarding harassment, discrimination or retaliation must immediately contact Human Resources.

Employees who are aware of or witness potential harassment, discrimination or retaliation must report such conduct immediately. Supervisors and department directors must immediately report any potential instances of harassment, discrimination or retaliation involving employees or others to Human Resources.

Investigation

The County will investigate all reported concerns. An investigation may include conducting interviews, obtaining written statements, and reviewing records. The County will complete investigations in a prompt manner. The length of the investigation will vary based on the circumstances involved.

After obtaining and reviewing all available information, the County will determine if any employee violated any County policy. The employee who made the report and the accused employee(s) will be notified in writing of this determination.

If the County finds that an employee has violated any County policy then Human Resources, in consultation with the employee's department director or designee, will determine the appropriate action, which may include corrective action (see section 6.09), disciplinary action (see section 7.11), mediation, training, or transfer.

Confidentiality of Reports

The County will maintain the confidentiality of all investigations, to the extent possible and allowable under applicable Ohio law and may share information on a need-to-know basis. The County will advise all concerned parties to keep information relating to the investigation confidential. Employees should be aware that information obtained during an investigation may be released to comply with a subpoena, public records request, or other disclosure required by law.

Unauthorized disclosure of facts or opinions and/or spreading of information about a report, its participants, investigation or resolution, whether accurate or not, is prohibited and may subject an employee to disciplinary action.

False Allegations

Employees are prohibited from making a report the employee knows is not true. If an investigation reveals that an employee knowingly made a false allegation, the employee may be subject to disciplinary action.

3.06 Prohibited Retaliation

The County strictly prohibits retaliation against any individual who:

- Reports discrimination or harassment
- Cooperates with an investigation of reported discrimination or harassment
- Complains about discrimination or harassment
- Threatens to report discrimination or harassment
- Refuses to obey a directive the employee reasonably believes to be discriminatory
- Pickets in opposition to discrimination
- Requests a reasonable accommodation based on a religion or disability

Retaliation includes, but is not limited to:

- Any negative employment action, such as termination, refuse to hire, or denial or promotion
- Other actions impacting employment such as threats, unjustified negative evaluations, unjustified negative references or increased surveillance
- Any other action, such as assault or unfounded civil or criminal charges likely to deter a reasonable person from pursuing their rights

Any individual who experiences prohibited retaliation should immediately report the issue using the procedures outlined in section 3.05.

4 ETHICS AND SUNSHINE LAWS

4.01 Code of Ethics

All employees are required to demonstrate a high standard of ethical conduct. New employees are required to complete ethics training within the first thirty (30) days of their employment. All employees are required to complete ethics training annually. The County has an Ethics Code, which applies to all employees under the County Executive and is administered by the Agency of the Inspector General. The Ethics Code can be found in Title 4 of the County Code.

4.02 Sunshine Laws and Records

Ohio's Public Records and Open Meetings laws, collectively known as the "Sunshine Laws," give Ohioans access to government meetings and records. The County has also adopted, by ordinance, a public records policy. Employees should be aware that their work may be open to public inspection, and that their work must be preserved for public inspection, consistent with state law and the County Code. In many cases, this includes emails an employee sends and receives.

Each department has a public records policy and a public records manager. Departments also have records retention schedules, which list what records the department keeps, and for how long. Employees must comply with the law and their department's policies regarding records. Employees should consult with their supervisor or public records manager for assistance.

Privacy Expectations

Employees do not have a right, nor should they have an expectation, of privacy while using any County electronic equipment. Records created by an employee when using County electronic equipment (including emails, Internet usage history, etc.) may be released to the public, consistent with state law.

5 TALENT MANAGEMENT

5.01 Filling of Job Vacancies

The County encourages employees to apply for new and vacant positions as they become available. The County is committed to fairly evaluating its employees' qualifications against external candidates' qualifications and selecting the best qualified candidate for the position. The County considers interested applicants' qualifications, abilities, quality of past work performance, discipline, attendance and all other relevant factors. Job vacancies are typically filled as a new hire, promotion, lateral transfer, demotion or a temporary work level (TWL) assignment. In each, the employee must meet the minimum requirements of the job.

- A **new hire** is when a job candidate who does not currently work at the County is hired to fill a vacant, or soon to be vacant position.
- A **promotion** is when an employee moves from one classification or job to another classification or job in a higher pay grade.
- A **lateral transfer** is when an employee moves from one classification or job to another classification or job in the same pay grade.
- A **demotion** is when an employee moves from one classification or job to another classification or job in a lower pay grade.
- A **temporary working level** (TWL) is when an employee is temporarily assigned duties of a position with a higher pay grade for a minimum of a two (2) week period, but not to exceed one (1) year. TWLs are described in section 9.05.

Job Announcement Postings

Job announcements are posted on the Human Resources website and may also be posted on designated bulletin boards throughout the County. They may also be posted on other organizational and recruiting websites, and/or sent to various external recruitment agencies, advertised in newspapers or other media when applicable. These announcements summarize minimum qualifications, and key job duties of the position being filled, but may not be all inclusive. Announcements will also include information about any required civil service testing.

Application Process

Non-employees apply for posted vacancies through the Human Resources website. The website allows applicants to view current vacancies, create a profile and apply for one or more vacancies.

Current employees can apply for posted vacancies through the Human Resources website. Certain posted vacancies are for current employees only. Any restriction on who can apply will be noted on the posting. Vacancies that are for current employees of a specific department only will not be posted on the Human Resources website. Employees who are eligible to apply for these vacancies will be notified directly by email or other means.

Vacancies for positions covered under a CBA will follow the application process outlined in the CBA.

Selection Process

Classified Positions

The PRC screens applicants for minimum qualifications, conducts civil service examinations, and certifies an eligibility list to the hiring manager. For internal promotions, Human Resources may conduct a screening process and determine candidates to interview without requesting an eligibility list from the PRC.

Human Resources may conduct additional screenings, which may include, but are not limited to, physical agility assessments, criminal record checks, driving record checks, background checks, past work record reviews, job knowledge assessments/tests, job performance prediction assessments, etc.

The hiring manager, along with an interview panel, interviews selected applicants from the eligibility list. The department identifies the preferred candidate to Human Resources, which makes a recommendation to the County Executive. Once approved, Human Resources extends a job offer to the candidate.

Unclassified Positions

Human Resources screens resumes and applications for minimum qualifications and refers qualified applicants' information to the hiring manager.

Human Resources may conduct additional screenings, which could include physical agility assessments, criminal record checks, driving record checks, background checks, past work record reviews, job knowledge assessments/tests, job performance prediction assessments, etc.

The hiring manager, along with an interview panel, interviews selected qualified candidates. The department identifies the preferred candidate to Human Resources, which makes a recommendation to the County Executive. Once approved, Human Resources extends a job offer to the candidate.

Certain unclassified positions are appointed directly by elected officials (e.g., the County Executive and County Council), and these positions may be filled through a separate process managed by the elected official, in consultation with Human Resources.

5.02 Background Checks

The County conducts appropriate background checks on applicants who have received a conditional offer of employment, employees, trainees, paid and unpaid interns/co-ops/fellows, volunteers, and appropriate non-employees performing work on County premises or otherwise on behalf of the County as permitted or required by law.

The County may perform the following background checks, in compliance with relevant laws, including but not limited to:

- Personal Background
- Criminal Background
- Financial Background
- Work History Background
- Educational History Background
- Other Backgrounds as required

Pursuant to County Code, the County does not ask applicants about their criminal background as part of the application process, except as permitted by law. The County may ask applicants who have received a conditional offer of employment about their criminal background. When evaluating an applicant or employee with criminal convictions, the County will consider the nature of the offense, the length of time since conviction, the relationship between the conviction and the duties and responsibilities of the position, and any positive changes demonstrated since the conviction.

5.03 Newly Hired Employees

Onboarding

The County provides an onboarding process, facilitated by Human Resources, to prepare newly hired individuals to succeed as County employees. All new employees will receive onboarding during their first year of employment. This will assist new employees in learning about the County and understanding the County's core values, mission, vision and goals.

During the onboarding process, new employees will submit all new-hire paperwork and receive relevant information that will assist them in making a smooth and effective transition to the County.

As part of the onboarding process, Human Resources provides a new hire orientation to new employees. New hire orientation is typically completed within the first thirty (30) days of employment.

Identification Badge

Upon hire, employees receive an identification badge from the County at no cost. Employees are required to visibly wear their identification badges while on County property, and/or while performing County business. Employees must notify their supervisor immediately if their identification badge is lost, stolen, damaged or stops working. The employee or supervisor can submit a *request for ID badge replacement form* to ID Card Services to have a new identification badge issued. The request for ID badge replacement form is available from ID Card Services.

Employees may be charged a replacement fee if their badge is lost, stolen, damaged, or stops working. The County may waive the replacement fee for inoperable identification badges. The County may collect and issue, at no cost, a new identification badge to an employee who transfers departments.

Employees must return to their identification badge to their supervisor or Human Resources upon end of employment.

Orientation Period (Probation)

The employee orientation period is a time devoted to the development and evaluation of the employee in their new position with the County. All full-time and part-time employees that are newly hired, transferred, promoted or demoted shall be subject to an initial orientation period of one hundred eighty (180) calendar days, beginning the first day of their assignment.

No appointment is final until the employee satisfactorily completes their orientation period. An employee may be removed or displaced at any time for failure to successfully complete their orientation period or for any other lawful reason. The removal or displacement of an employee in their orientation period is not subject to appeal. The Director of Human Resources may extend an employee's orientation period to allow additional time to review the employee's performance, up to a maximum of one (1) year. Neither days spent on any unpaid leave of absence, nor days spent on a paid leave of absence for more than five (5) consecutive working days will be counted towards the orientation period. Probationary periods and related requirements for bargaining employees are set forth in each applicable CBA.

6 GENERAL EMPLOYMENT PRACTICES

County employees are expected to perform their jobs and to conduct themselves in a professional manner in a way that advances the goals of the County and boosts public confidence in County government. County employees must exercise the required care for the safety and security of persons and property. County employees must refrain from any behavior which might be harmful to the County's interests, or conflict with County policy. For this reason, the County is committed to selecting individuals for employment who are committed to achieving and supporting the goals and objectives of the County.

It is the desire of County government that all employees have a successful and rewarding tenure and maximize their potential both personally and professionally. Identifying strengths and areas of needed improvement help to prepare employees for promotional opportunities.

6.01 Employment Status

The employment status of County employees includes full-time regular, part-time benefits eligible, part-time non-benefits eligible, and temporary. As defined in the Fair Labor Standards Act (FLSA), employees are overtime non-exempt or exempt. Per the Ohio Revised Code, non-bargaining County employees are also designated as classified in the civil service or unclassified. For the purposes of this handbook, elected County officials are not considered employees of the County.

Full-Time

Full-time employment is defined as scheduled to work a yearly average number of hours greater than or equal to forty (40) per workweek. Full-time employment is generally based on a pre-arranged schedule and full-time status is indicated during an initial job offer or change in employment status. Full-time employees are eligible for benefits (see section 10).

Part-Time Benefits-Eligible

Part-time benefits-eligible employment is defined as scheduled to work a yearly average number of hours less than forty (40) per workweek and up to and including thirty-nine (39) per work week but not less than thirty (30) hours per workweek. Part-time benefit-eligible employees are eligible for certain benefits (see section 10).

Part-Time Not Benefits-Eligible

Part-time employment that is not benefits-eligible is defined as working a yearly average number of hours fewer than thirty (30) hours per workweek and are not eligible for benefits.

Temporary Employment

Temporary employment is defined as employment for a specified project or time frame, not to exceed one hundred eighty (180) continuous days. Temporary employment may be designated as part-time or full-time. Temporary employees are not eligible for benefits.

Exempt or Non-Exempt

The Fair Labor Standards Act (FLSA) and its amendments provide rules to determine whether a position is designated as exempt or non-exempt. Non-exempt employees may receive overtime pay or compensatory time off calculated at time and one-half (1.5) their regular rates for hours worked more than forty (40) in a workweek (see section 9.06). Exempt employees do not receive overtime pay (i.e., time and one-half) but may, in extraordinary circumstances, receive exchange time or straight pay for hours worked more than forty (40) in a workweek (see section 9.07)

Classified or Unclassified

Classified positions are subject to the civil service provisions of the Ohio Revised Code, the Ohio Administrative Code, the County Charter and the County Code. Classified employees may file appeals with the Personnel Review Commission (PRC) if they feel their civil service protections have been violated.

Unclassified positions are exempt from civil service examination and are not subject to civil service protections. Unclassified employees are at will employees and serve at the pleasure of the County.

Bargaining or Non-bargaining

A position is considered bargaining if it is covered under a CBA. Non-bargaining positions are not covered under a CBA. The terms and conditions of a CBA supersede this handbook on any subject covered by the CBA.

6.02 Job Descriptions

Classified Positions

The PRC maintains the County's class plan. Each classified position has a classification specification that describes the classification's function, distinguishing characteristics, essential job functions, and minimum requirements. All classification plan change requests must be made to the PRC by completing a *non-bargaining classification plan revision request form*, found in the PRC's website. Departments are responsible for communicating any proposed job function changes, in advance of any change to employees' duties, to the PRC.

Classification specifications are located on the PRC's website, and can be requested from Human Resources or the PRC.

Unclassified Positions

Human Resources maintains job descriptions for unclassified positions. Job descriptions consist of essential job functions, including job duties, responsibilities and requirements. Job descriptions will be updated when substantial changes are made.

Departments are responsible for communicating any proposed job description changes for unclassified positions, in advance, to Human Resources. Human Resources will work with the supervisor and others to ensure suggested changes are appropriately incorporated.

Employees who believe their job has significantly changed should notify their supervisor and Human Resources for a position audit (see section 6.03).

Unclassified job descriptions can be requested from Human Resources.

6.03 Position Audit

A position audit is a formal process for classified employees. An employee who believes their position is incorrectly classified can request a position audit. Human Resources will request information from the employee, the employee's supervisor and the department director regarding the employee's current duties and responsibilities to determine if the employee's position is appropriately classified. After reviewing all available information, Human Resources will determine whether the employee's position is properly classified. An employee who disagrees with Human Resources' determination can appeal to the PRC.

Position audits are fully described in Section 303.01 of the County Code. Employees who wish to request a position audit should contact Human Resources.

6.04 Direct Deposit of Pay and Payroll Deductions

Employees are paid bi-weekly and must participate in the County's Direct Deposit program. A *direct deposit form* must be completed as part of the employee's new hire paperwork or when the employee experiences any changes to their applicable financial account. Employees are responsible for notifying Human Resources if their direct deposit bank(s) and/or account(s) change. Any questions regarding direct deposit or deductions should be directed to Human Resources.

Human Resources publishes an annual payroll calendar that notes each pay day. The payroll calendar is available online or by contacting Human Resources.

Various payroll deductions will be taken out of each employee paycheck. These deductions fall into two (2) categories, mandatory and voluntary.

- **Mandatory Deductions.** Mandatory payroll deductions are mandated by statute. They include federal, state, city and school district taxes, OPERS contributions, support orders, union dues/fair share fees, Medicare, tax levies, bankruptcy, garnishments and other applicable obligations.
- **Voluntary Deductions.** Voluntary payroll deductions are authorized by the employee. These include health, accident, charitable contributions, disability and life insurance, retirement plans, flexible spending accounts, credit union deductions, parking and transit costs and union dues.

Deductions can be pre-tax or post-tax depending on the nature of the deduction.

6.05 Timekeeping

The County must comply with applicable laws that require records to be maintained of the hours worked by employees. To ensure that accurate records are kept of an employee's work hours and that employees are paid in a timely manner, employees and their supervisor are required to maintain accurate time and attendance records. Attendance or use of leave should be recorded daily for non-exempt personnel or within the actual pay period for exempt employees.

Time entry for non-exempt employees must be completed daily and accurately by employees. After reviewing and resolving any discrepancies, the supervisor (or department designee) must approve the number of hours worked or on leave in the County's timekeeping system.

Time entry for exempt employees must be completed within the actual pay period. After reviewing and resolving any discrepancies, supervisors (or department designee) must approve the number of hours to be paid for time worked or on approved paid or unpaid leave in the County's timekeeping system.

Senior level employees designed by the Director of Human Resources (including department directors), may attest to working a full payroll period, based on eighty (80) hours instead of logging their daily time hour-for-hour. Those who do not work eighty (80) hours in a pay period must record usage of paid leave. Employees who opt for this timekeeping method are not eligible to accrue exchange time, but can retain and use granted exchange time (see section 9.03).

All employees are expected to provide accurate information regarding time and attendance. Falsification is an act of misconduct and considered a violation of the County's policy and procedural guideline and may be subject to disciplinary action.

6.06 Standard Workweek and Hours

The normal workweek for full-time County employees is five (5) days per week, usually Monday through Friday. The normal workday is from 8:30 a.m. to 4:30 p.m. The normal workweek and hours of work may vary based on operational needs, and/or in the case of 7-day/24-hour-a-day operations or in situations covered by a CBA.

Lunch and Breaks

Employees shall be allowed a one (1) hour paid lunch period. To qualify for the paid lunch period, employees must work a minimum of five and one half (5.5) hours inclusive of the lunch period. In addition, County employees may receive two paid breaks of up to fifteen (15) minutes in duration. All breaks and lunch periods are to be scheduled by the employee's immediate supervisor based on the operational needs of their unit and in accordance with the following provisions:

- one break may be taken in the first half of the work day and one may be taken in the second half of the work day
- breaks shall not abut the end or beginning of the lunch period
- breaks and lunch periods cannot be used to make-up tardiness or quitting early. For example, an employee who is scheduled to end their day at 4:30 may not leave for the day at 3:30 p.m. and take their lunch from 3:30 to 4:30 p.m.
- an employee must return to work after a lunch period for that period to be considered a lunch period. For example, an employee may not take their lunch period from 12 p.m. to 1 p.m. and then take sick leave from 1 p.m. until the end of the day. The employee will be required to use their own leave time to cover the period from 12 p.m. to 1 p.m. If, however, the employee only used sick leave from 1 p.m. until 2 p.m. and returned to work for the remainder of the day, the 12 p.m. to 1 p.m. period would be considered a proper lunch period.

6.07 Flexible Work Schedules

To meet challenges and provide options for work-life balance, a department director may grant flexible work schedules. These variations must allow for operational needs to be met, may not alter the total number of hours worked in a workweek and must be approved by the employee's supervisor and department director. The County recognizes three (3) types of flexible work schedules:

- **Alternative Start/End Time.** A department director may grant an alternative start/end time that enables employees to start earlier or later than the designated start time, then work an eight (8) hour workday.
- **Daily Flexible Schedule.** A department director may grant a daily flexible schedule that enables employees to come to work early and go home early, arrive to work late and stay late, or take extra time at lunch that is made up by arriving to work early or staying late. Employees who work daily flexible schedules are required to work within their agency/department's core operational hours.
- **Compressed Work Week.** A compressed work week enables employees to work a four (4) day work week, ten (10) hours each day.

Employees wishing to work flexible work schedules must make their request to their supervisor. Supervisors must complete an operational analysis to determine the feasibility of the request and meet with Human Resources before final approval.

Employees who work a flexible schedule greater than eight (8) hours per day will receive a maximum of eight (8) hours of pay for each recognized holiday. If the holiday falls on a regularly scheduled workday, employees may, at the discretion of the supervisor, make up the additional time or use vacation time to account for the difference in hours.

If the recognized holiday does not fall on a regularly scheduled workday, eligible employees who work a flexible schedule, will be given eight (8) hours of time off at their normal rate of pay.

A floating holiday example would include: employees who work a Tuesday–Saturday schedule, missing a Monday holiday; therefore, employees may take an approved floating holiday.

Working a flexible work schedule is a privilege, not an employee right. Flexible work schedules are not appropriate for all job situations. A flexible work schedule can be rescinded with at least five (5) business days' notice to the employee.

6.08 Voluntary Reduced Work Schedules

Management, in consultation with Human Resources, may authorize or revoke authority for employees to participate in a voluntary reduced work schedule. Eligibility for benefits could be affected. Exempt employees who participate in a voluntary work reduction program shall not be eligible to accumulate exchange time.

6.09 Telecommuting

For some positions within the County, working away from the office, or telecommuting, may be permitted. No one position shall be designated as a "telecommuting position." Rather, certain positions may from time to time be suitable for employees working away from the office, and in such a case, management may allow all or part of the duties of the position to be performed away from the office on a temporary basis, up to three months, with the possibility of re-approval. However, no such arrangement is promised or guaranteed, and the duration of telecommuting is subject to change and/or revocation at the discretion of the department director, consistent with applicable law. Telecommuting is an option that may be available when it does not conflict with the operational needs of the County and there is a legitimate business reason to permit it. If telecommuting is allowed for a position, it will last only when it is appropriate for both the employee and County. Each department director, in consultation with Human Resources, shall have the discretion to determine whether department employees may be permitted to telecommute.

All County policies, procedural guidelines, rules and practices shall apply at the telecommuting site, including, but not limited to, policies on confidentiality, communications with the public, employee rights and responsibilities, facilities and equipment management, financial management, information resource management, purchasing of property and services, safety, etc. Failure to follow County policies, procedural guidelines or rules may result in termination of the telecommuting arrangement and/or disciplinary action. Management staff shall be accountable to ensure that employees permitted to telecommute are complying with policies, guidelines, etc., and are meeting performance expectations.

This procedural guideline applies to work outside of the office for one or more days a week on a routine basis. This procedural guideline does not apply to temporary or occasional work arrangements such as dependent care, inclement weather, recovery from an illness, caring for an ill family member, or infrequent and irregular instances where an employee is assigned to work at home.

Telecommuting enables employees to work at a place other than their traditional workplace on specified day(s). The telecommuting location may be the employee's home or another suitable location. Employees may use telephones and, in many instances computers, to communicate effectively.

Eligibility

Non-union employees in managerial level positions, who have completed their orientation period and normally work an established workday are eligible to apply for telecommuting opportunities. An employee's work must be of a nature wherein face-to-face interaction is minimal or may be scheduled to permit telecommuting.

To be eligible for consideration of a telecommuting opportunity, management will consider the employees disciplinary record, productivity, and job performance in addition to the following:

- must have no record of disciplinary suspension within the preceding two (2) years
- must have the ability to effectively work independently
- must have the ability to establish and follow clear objectives
- must match operational needs and promote efficient operations

Employees will be selected based on the suitability of their jobs, an evaluation of the likelihood of the employee being a successful telecommuter, and an evaluation of their supervisor's ability to manage remote workers. Each department will make its own determinations, with guidance from Human Resources. The Director of Human Resources has the authority to revoke an authorization to telecommute with three (3) days' notice to the employee, consistent with applicable law.

Telecommuting may not be suitable for all employees. The need for the telecommuting employee to require specialized material or equipment must either be minimal or flexible and or consistent with guidelines on reasonable accommodation.

Both the employee and supervisor will be expected to complete a training course designed to prepare them for how to manage the telecommuting work schedule. All telecommuters must sign a *Telecommuting Agreement*.

Job Responsibilities While Telecommuting

Employees job responsibilities will not change due to telecommuting. Professionalism in terms of job responsibilities, work output, and customer orientation will continue to follow the standards set by the County. The amount of time an employee is expected to work will not change due to telecommuting. Employees work hours will be discussed and approved by the employee's supervisor. If business conditions require the telecommuting employee's presence at the employee's regular work location, or in a meeting, or other event, the employee is expected to report to the appropriate work location.

General Guidelines

Employees interested in telecommuting opportunities must obtain supervisors' approval in advance regarding work schedules, locations, and durations. In addition, employees participating in telecommuting opportunities are held to the same performance standards, including but not limited to quantity and quality of work, and must:

- be accessible to customers, colleagues, and supervisor during scheduled work hours
- participate in required scheduled meetings, by being physically present or through other means as determined by the employee's supervisor
- adhere to the County's policies and procedural guidelines regarding the use of the County's Electronic Calendar System
- adhere to the County's policies regarding the use of the electronic Time and Attendance System

Application & Agreement

Employees who desire to work at some place other than the primary workplace on specified days shall complete a *telecommuting application* form and submit it to their supervisor. The telecommuting application form is available online, or a paper copy can be requested from Human Resources.

Employees who are approved for telecommuting shall sign and abide by a *Telecommuting Agreement*. The agreement may require modification to fit individual telecommuting-site circumstances. A copy of the Agreement will be retained in the employee's personnel file.

6.10 Performance Management

The County strives to help employees understand the impact their contributions have on organizational goals and provide opportunities for professional growth. To achieve this goal, the County has established a performance management program that culminates in a performance review. The performance management process is ongoing as the County plans, manages, reviews, and recognizes good performance.

An effective performance management system is designed to:

- ensure employees have a clear understanding of work expectations
- provide ongoing feedback to employees regarding their performance relative to expectations
- identify development opportunities
- address performance that does not meet expectations

A comprehensive performance management system empowers employees to have greater input into their personal career progression and enables supervisors to better identify and recognize performance based upon a set of criteria.

The County's performance management process consists of a three-phase cycle: planning, managing and reviewing.

- **Planning Phase.** In this phase, individual goals and objectives are set for the performance period. SMART (specific, measurable, achievable, relevant, and time based) goals increase employee motivation and commitment to goal attainment, leading to greater performance and productivity.
- **Managing Phase.** In this phase, through formal and informal conversations, the parties discuss progress towards the successful completion of goals and expectations. Regular communication between the supervisor and employee is critical during this part of the performance management cycle. Discussion enables the supervisor to provide timely feedback and coaching as the year unfolds. It is important for supervisors and employees to keep track of key performance highlights and challenges that occur during the performance period. These notes will assist employees and supervisors during subsequent conversations and when it is time to prepare the performance review.
- **Reviewing Phase.** After the evaluation cycle, the supervisor meets with the employee to conduct a performance review. If SMART goals have been set (planning phase) and ongoing communication/feedback has taken place (managing phase), the overall outcome of the annual review should come as no surprise to the employee. The employee may provide written comments relevant to the performance review on the form within five (5) workdays after receiving it. The employee will acknowledge receipt of the performance review on the form. An employee's acknowledgement of receipt does not indicate agreement with its contents.

6.11 Corrective Action/Performance Improvement

The County has adopted a corrective action process to help employees understand that performance concerns or opportunities for improvement exist, to clarify management's expectations and to prevent a recurrence of unsatisfactory behavior and/or performance concerns.

Documented Counseling

Documented counseling involves a meeting between supervisor and employee, whereby the employee is informed of the inappropriate conduct and of any corrective action that may be necessary. The supervisor shall complete, sign, and date a documented counseling form. The supervisor shall indicate on the form the date when the employee received the form. The supervisor shall retain the original and the employee shall receive a copy of the form.

Performance Improvement Plan

It is the County's desire that each employee performs at an optimal level. If performance is below an acceptable level, the supervisor may decide that a Performance Improvement Plan (PIP) is necessary. The supervisor will document a description of the performance problem, corrective action to be taken by the employee and how the employee's performance will be measured, along with target dates for improvement. The supervisor shall consult with Human Resources on the development of a PIP.

The supervisor will meet with the employee to implement the PIP. If the employee's performance continues to fall below expectations, the County may choose to modify the PIP, conduct a Pre-Disciplinary

Conference to determine the appropriate discipline, or otherwise address the deficiency, up to and including removal.

Mandatory Referral to Employee Assistance Program

Human Resources may require an employee to seek assistance through the County's Employee Assistance Program (EAP) to identify and resolve issues that may be interfering with job performance. Supervisors may initiate a mandatory EAP referral by contacting Human Resources. A referred employee's attendance, motivation level, and willingness to follow recommendations will be reported back to County management by the EAP administrator.

6.12 End of Employment

The County strives to build long-term mutually beneficial relationships with its employees and wishes future success to employees who exit employment.

Resignation

Employees may resign from employment with the County by providing written notice to Human Resources or their supervisor. Upon receipt, Human Resources will confirm acceptance to the employee in writing. An employee may not rescind a notice of resignation after acceptance unless Human Resources, in conjunction with the employee's department director, approves the request to rescind in writing. Employees are requested, when possible, to provide at least fourteen (14) calendar days advance written notice of their intention to resign.

Retirement

Employees may retire from County service by submitting the appropriate forms to the Ohio Public Employees Retirement System (OPERS) and providing written notice to Human Resources. Forms may be found on the OPERS website: www.OPERS.org or by contacting Human Resources. Upon receipt, Human Resources will confirm acceptance to the employee in writing. An employee may not rescind a notice of retirement after acceptance unless Human Resources, in conjunction with the employee's department director, accepts the employee's request to rescind. Employees are requested, when possible, to provide fourteen (14) calendar days advance written notice of their intention to retire.

Disability Separation

An employee who is unable to perform the essential job functions of their position due to a disabling illness, injury or condition, and has exhausted all paid sick leave and applicable unpaid leave, may be disability separated in accordance with the ADA and other applicable law. A disability separation may be voluntary or involuntary. The County may require the employee to submit to a medical or psychological fitness for duty examination with a physician chosen by the County for determining whether the employee can perform the essential job functions of their position, with or without reasonable accommodation.

Voluntary Disability Separation

A disability separation is voluntary when an employee requests to separate. The County may grant an employee's request for voluntary disability separation or may require the employee to submit to a medical

or psychological examination. If the examination supports the employee's request, the County shall grant the employee's request for voluntary disability separation. If the medical examination does not support the employee's request, the County shall not approve the employee's request for voluntary disability separation.

An employee who is granted a voluntary disability separation shall retain the right to be reinstated to their position for two (2) years from the date that the employee is no longer in active work status.

Involuntary Disability Separation

A disability separation is involuntary when there is a dispute between the County and the employee regarding the employee's ability to perform the essential functions of their position, with or without reasonable accommodation. The County must have medical evidence of an employee's disabling illness, injury or condition that documents the employee's inability to perform one or more essential functions of their position. The County will schedule a pre-separation hearing and the employee shall be provided with written notice at least seventy-two (72) hours in advance. If the employee does not waive their right to the hearing in writing, the employee has the right to examine the County's evidence of disability, rebut that evidence, and present testimony and evidence on their own behalf at the hearing. If the County determines, after weighing the testimony and evidence admitted, that the employee is unable to perform one or more essential functions of their position, with or without reasonable accommodation, then the County shall separate the employee. Unless otherwise specified in the employee's CBA, an involuntarily disability separated employee shall have the right to appeal to the Personnel Review Commission (PRC) by following the PRC Administrative Rules.

Reinstatement from Disability Separation

An employee on disability separation for less than two (2) years may make a written request to the County for reinstatement accompanied by credible medical evidence that the employee can perform the essential functions of their position, with or without reasonable accommodation. A request cannot be made less than three (3) months from the date the employee was no longer in active work status. Upon receipt of this evidence, the County shall either reinstate the employee or require the employee to submit to a medical or psychological fitness for duty examination to determine whether the employee can perform the essential functions of their position, with or without reasonable accommodation. The County shall notify the employee of its decision to approve or deny the reinstatement request no later than sixty (60) calendar days after it receives the employee's written request. If the County determines that the employee is unable to perform one or more of the essential functions of the position, with or without reasonable accommodation, the County will schedule a hearing and provide the employee written notice at least seventy-two (72) hours in advance. If the employee does not waive the right to the hearing, the employee has a right to examine the County's evidence of continuing disability, rebut that evidence, and to present testimony and evidence on their own behalf. If the County then finds the employee incapable of performing one or more of the essential functions of their position, with or without reasonable accommodation, the employee will be notified of this decision in writing and shall have the right to appeal to the PRC by following the PRC Administrative Rules. The employee shall not make subsequent requests for reinstatement more than once every three (3) months from the date the employee is notified of a reinstatement denial. If the County determines that the employee is to be reinstated, the employee will be assigned to a position in the classification the employee held at the time of disability separation if

a position is available. If that classification no longer exists or is no longer utilized by the County, or if there is no available position, the County shall endeavor to place the employee in a similar classification. If no vacancy in a similar classification exists, or if the employee no longer meets the minimum qualifications, the employee may be laid off.

Disability Retirement

Employees who are unable to perform the essential duties of their position, with or without reasonable accommodation, due to a disabling illness, injury or medical condition, may be eligible for disability retirement through OPERS. Employees must contact OPERS to initiate the disability retirement process. Employees seeking reinstatement from a disability retirement pursuant to applicable state law shall be required to submit appropriate documentation of their ability to work and may be required to submit to an examination to determine whether they can perform essential functions of their position, with or without reasonable accommodation.

Layoff

Whenever the County determines that it is necessary or advisable to reduce its workforce, the County shall lay off employees or abolish their positions in accordance with the County Code and any applicable provisions of the Ohio Revised and Administrative Codes. Affected employees will be provided with information related to order of layoff, displacement rights, reinstatement rights and other information related to the layoff process (e.g., job placement services and unemployment).

Bargaining employees should refer to their CBA for information regarding layoffs.

Disciplinary Removal

Employees may be subject to involuntary separation based on disciplinary action as described in this handbook or their CBA.

Employee Separation Appeal

Classified employees who are involuntarily separated may appeal their separation to the PRC by following the PRC Administrative Rules. Bargaining employees who are involuntarily separated may appeal their separation based on the terms outlined in their CBA.

Final Paycheck

Upon separation of employment, compensation for accrued vacation leave and compensatory time will be included in the last paycheck or may be included in a separate check (provided that all County property i.e. laptop, keys, have been returned). There is no compensation for unused sick leave or exchange time except upon retirement. An employee with ten (10) or more years of service may receive payment for one-fourth (1/4) the value of accrued, unused sick leave, not to exceed 240 hours (30 days).

6.13 Delayed Openings/Early Closing

Emergency Delayed Openings/Early Closing

As a general practice, the County does not close buildings unless the health, safety and/or security of County employees are threatened. In addition, from time to time the County may delay opening, suspend operations or release employees because of an emergency such as power failure, hazardous weather conditions, acts of God, or similar situations. These situations may necessitate the delayed opening or early closing of multiple buildings and/or ceasing all work activities.

Certain jobs are considered essential during an emergency and require designated personnel to be present for work. Employees should consult with their supervisor or department director to determine if they are considered an essential employee.

Notification

In the event of an emergency, the County Executive, or their designee, will be responsible for initiating delayed opening or early closing procedures.

If the decision to delay opening or early close more than one (1) County site has been made, the County's Department of Communications is responsible for initiating general notification to County employees and the public. Other designees, including the County Executive, department directors and Human Resources, may also disseminate the notification.

Employee notifications can occur in multiple ways, for example:

- contact by a County official
- local media, including local radio, television stations and their corresponding websites
- The County's Internet home page at www.cuyahogacounty.us and/or intranet site
- Notification from "ReadyNotify." Employees are encouraged to register with ReadyNotify (<https://ready.cuyahogacounty.us>) to receive all emergency notifications
- posting on an official County social media platform

Employees are encouraged to listen to local radio and watch for television announcements during periods of adverse weather or states of emergency to determine the status of their facilities. In addition, employees can also call the County main emergency message number, (216) 443-7000, and listen to a recorded message.

Employees Operating During Delayed Openings/Early Closings

The County may require employees to work during delayed openings or early closing. Department directors are responsible for identifying, designating and notifying employees responsible for carrying out critical functions who are expected to report to work in the event of a delayed opening or early closing.

Pay Provisions During Delayed Openings/Early Closings

Non-exempt employees who are at work when a delayed opening or early closing is declared may be sent home and will be paid for the balance of their scheduled hours. Exempt employees will receive their regular pay for the day.

Employees on approved leave (e.g., vacation, sick, personal day, etc.) will be charged according to their leave arrangements.

The County reserves the right to determine pay provisions based on the circumstances. Factors that may be considered include, but are not limited to, notice to employees not to report and duration of the emergency.

Non-Emergency Delayed Openings/Early Closings

The County Executive may authorize the delayed opening or early closure of one (1) or more buildings or offices for any reason deemed appropriate. In the event of an authorized non-emergency delayed opening or early closure, the provisions regarding notification, essential employees working, and pay for emergency delayed openings or early closures shall apply.

7 STANDARDS OF CONDUCT

7.01 Anti-Harassment and Anti-Bullying

The County is committed to providing a workplace free from harassment, including sexual harassment and bullying. Conduct that unreasonably interferes with an individual's work performance, that creates an intimidating, offensive or hostile work environment, and/or adversely affects employment opportunities is strictly prohibited.

An employee who is found to have harassed or bullied an employee, or anyone engaged in County business, or anyone on County property, may be subject to corrective action (see section 6.09), disciplinary action (see section 7.11), training, mediation, or transfer. This includes any employee who interferes with the resolution of a complaint, retaliates against an individual for filing a complaint, or knowingly files an unfounded or fraudulent complaint intended to cause harm.

Harassment and bullying can be intentional or unintentional. It is the impact of the employee's actions, not intent, that determines if harassment or bullying occurred.

Definitions

Workplace Harassment is any unwelcome verbal, written or physical conduct that demeans or shows hostility, or aversion, toward an individual, or their relatives, friends or associates, because of their race, color, ancestry, national origin, language, religion, citizenship status, sex, age, marital status, sexual preference or orientation, gender identity/expression, military/veteran status, disability, genetic information, membership in a collective bargaining unit, status with regard to public assistance, and political affiliation, or on the basis of association with an individual that falls into a protected category of the County's equal opportunity policy, which can reasonably be considered to adversely affect the work environment.

Such harassing conduct may include, but is not limited to:

- Epithets, slurs, jokes, negative stereotyping or threatening, intimidating or hostile comments or acts
- Written or graphic material which demeans or shows hostility or aversion toward an individual or group

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual nature, from one of the opposite sex, or from one of the same sex when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual's employment

- Such behavior has the purpose or effect of unreasonably interfering with an individual's work performance, or is so pervasive or severe that it creates an intimidating, hostile or offensive environment

The terms "intimidating," "hostile" and "offensive" are interpreted according to legal standards generally from the viewpoint of a reasonable person in similar circumstances as the complaining party.

Examples of sexual harassment include, but are not limited to:

- unwanted sexual advances
- demands for sexual favors in exchange for favorable treatment or continued employment
- repeated sexual jokes, flirtations, advances or propositions
- verbal abuse of a sexual nature (e.g., graphic comments about a person's body or sexual prowess)
- whistling or leering
- touching, pinching, or assault
- coerced sexual acts
- suggestive insulting, obscene comments or gestures
- displaying sexually suggestive objects, pictures or written material in the workplace

Bullying is egregious or repeated inappropriate behavior, intentional or unintentional, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons toward a co-worker or anyone engaged in County business, on County property and/or that could reasonably be expected to impact the workplace.

When an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when enforcing this policy. It is the effect of the behavior upon the individual that is important. The County considers the following types of behavior examples of bullying (this list is not all inclusive):

- **Verbal or Written:** slandering, ridiculing or maligning a person or their family; persistent name calling that a reasonable person would consider hurtful, insulting or humiliating; using a person as the center of jokes; abusive and offensive remarks.
- **Physical:** pushing; shoving; kicking; poking; tripping; assault, or threat of assault; damage to a person's work area or property.
- **Gesture:** non-verbal threatening gestures or glances which a reasonable person would consider threatening.
- **Cyber:** the use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature.

Prohibited Retaliation

Any form of retaliation against those who bring forward complaints or perceived violations of this administrative guideline, or against those who oppose discrimination or harassment or participate in an investigation of a complaint, is strictly prohibited. Any action that is perceived to be retaliatory should immediately be reported to Human Resources.

Reporting Workplace Harassment, Sexual Harassment, Bullying, or Retaliation

Employees who believe they are the victim of workplace harassment, sexual harassment, bullying, or retaliation must immediately report the issue to Human Resources. An employee can also report their concern to their supervisor or department director. Any supervisor or department director made aware of an employee concern regarding workplace harassment, sexual harassment, bullying, or retaliation must immediately contact Human Resources.

Employees who are aware of or witness potential workplace harassment, sexual harassment, bullying, or retaliation must report such conduct immediately. Supervisors and department directors must immediately report any potential instances of workplace harassment, sexual harassment, bullying, or retaliation involving employees or others to Human Resources.

Investigation

The County will investigate all reported concerns. An investigation may include conducting interviews, obtaining written statements, and reviewing records. The County will complete investigations in a prompt manner. The length of the investigation will vary based on the circumstances involved.

After obtaining and reviewing all available information, the County will determine if any employee violated any County policy. The employee who made the report and the accused employee(s) will be notified in writing of this determination.

If the County finds that an employee has violated any County policy then Human Resources, in consultation with the employee's department director or designee, will determine the appropriate action, which may include corrective action (see section 6.09), disciplinary action (see section 7.11), mediation, training, or transfer.

Confidentiality of Reports

The County will maintain the confidentiality of all investigations, to the extent possible and allowable under applicable Ohio law and may share information on a need-to-know basis. The County will advise all concerned parties to keep information relating to the investigation confidential. Employees should be aware that information obtained during an investigation may be released to comply with a subpoena, public records request, or other disclosure required by law.

Unauthorized disclosure of facts or opinions and/or spreading of information about a report, its participants, investigation or resolution, whether accurate or not, is prohibited and may subject an employee to disciplinary action.

False Allegations

Employees are prohibited from making a report the employee knows is not true. If an investigation reveals that an employee knowingly made a false allegation, the employee may be subject to disciplinary action.

These procedures are not designed or intended to limit the County's authority to discipline or take remedial action for workplace conduct it deems unacceptable, regardless of whether that conduct satisfies the definition of harassment or bullying.

7.02 Resolving Work-Related Concerns

The County strives to maintain a workplace that fosters a productive and harmonious working environment where work-related concerns are managed promptly, impartially and justly.

Minor problems can develop into larger disputes, if they are not dealt with quickly and effectively. It is the County's intent to foster positive and collaborative relationships amongst employees and our customers. The County encourages quick and decisive resolutions to work-related concerns.

An employee with a work-related concern should first attempt to address the concern informally, with their supervisor. If the employee cannot resolve the issue informally with their supervisor, the following process must be used:

- **Step 1:** The employee must bring their concerns to the attention of their supervisor, in writing, for a resolution. Once made aware, the supervisor must seek to resolve the concern within a timely manner, generally not to exceed fifteen (15) workdays. The supervisor's response will be in writing.
- **Step 2:** If the employee believes the situation remains unresolved, the employee must make a written request to their department director or designee outlining the concern, the date when the employee advised their supervisor of the concern, and that the concern remains unresolved. The department director or designee must seek to resolve the concern within a timely manner, generally not to exceed fifteen (15) workdays. The department director or designee's response will be in writing.
- **Step 3:** If the employee believes the situation remains unresolved, the employee must bring the written concern to the Director of Human Resources or designee. The Director of Human Resources or designee must seek to resolve the concern within a timely manner, generally not to exceed fifteen (15) workdays. The Director of Human Resources or designee's response will be in writing.
- **Step 4:** If the employee believes the situation remains unresolved, the employee must bring the written concern to the County Executive or designee. The County Executive or designee's decision is final, and the employee shall be notified in writing.

If employees are uncomfortable, or feel it is inappropriate to address the issue with a level(s) of management identified in this procedure, they may consult directly with Human Resources. An employee who skips one (1) or more steps in this procedure without reasonable cause, as determined by the

Director of Human Resources or designee, may be required to complete the skipped step(s) before any further action will be taken regarding the employee's concern.

When this handbook establishes a process for reporting a concern (e.g., for reporting workplace violence, harassment, sexual harassment, discrimination, bullying, or retaliation), employees should follow the procedures for those circumstances. Bargaining employees should consult their CBA regarding the resolution of work-related concerns.

Retaliation against an employee for following this process is strictly prohibited. Human Resources may be consulted at any step in this procedure for assistance.

7.03 Employee Dress/Appearance

The County has adopted a business-casual work apparel environment for its employees. Business-casual work apparel is intended to encourage a more relaxed and productive environment at work while at the same time maintaining an atmosphere of neat, well-groomed, business-like appearance among employees. Projecting a positive image of our workplace to our customers, volunteers and fellow employees should be a high priority for all employees.

Employees should exercise reasonable judgement and may consult with their supervisor to determine when professional business attire is necessary for specific work obligations.

With the approval of the Director of Human Resources, departments may have more specific work-apparel guidelines based on the nature of the work performed (examples include but are not limited to, employees working outside, uniformed employees, etc.).

If a supervisor decides that an employee's dress or appearance is not appropriate as outlined in this procedural guideline, they may take corrective action and require the employee to leave the work area and make the necessary changes to comply with the procedure. An employee who is dressed inappropriately may be sent home to change their clothes and may be subject to disciplinary action. An employee who is sent home shall be placed in unpaid status or may use appropriate leave (e.g., vacation, exchange, or compensatory time) to cover a reasonable amount of time that they are away from the worksite.

Nothing in this guideline is intended to limit an employee's rights relating to non-discrimination or to hinder the advancement of diversity at the County. The County will reasonably accommodate those employees whose bona fide religious belief or disability requires special attire.

7.04 Attendance

Timely and regular attendance is an expectation of performance for all County employees. To ensure appropriate staffing levels, positive employee morale, and to meet expected productivity standards throughout the organization, employees will be held accountable for adhering to their workplace

schedule. In the event an employee is unable to meet this expectation they must obtain approval from their supervisor in advance of any requested schedule changes. This approval includes requests to use appropriate accruals, as well as late arrivals to or early departures from work. Departments have discretion to evaluate and issue discipline when appropriate. Employees covered under a CBA should refer to their CBA for time and attendance requirements, if applicable.

Punctuality and regular attendance are essential to ensure optimal productivity and customer service. Employees are required to maintain a satisfactory record of attendance. The County recognizes that employees will at times experience illness, or on an occasion be late for work due to unusual circumstances. This policy attempts to acknowledge both management and employee concerns.

Occurrences

An occurrence is defined as an unapproved absence, two (2) tardies or two (2) missed time clock punch-ins/outs. The total number of days or partial days that an employee is unavailable for work due to unapproved absence are considered when applying discipline, as outlined in the table below.

Unapproved Absences

An absence is deemed unapproved when an absence of more than one hour is not covered by an approved leave (e.g., sick, FMLA, vacation, compensatory or exchange time).

Employees will be docked pay for all hours missed due to unapproved absences.

Tardy

An employee is tardy when the following occurs involving periods of one hour or less:

- failure to report to work on time, as scheduled
- taking an extended meal or break period without prior approval

Time Clocks and Failure to Clock Punch-in/out

Employees who use timeclocks are required to follow established guidelines for recording their actual hours worked. A missed clock punch-in/out is a violation of procedural guidelines, as is punching-in/out early or late without prior approval.

Department Notification

Employees are expected to follow departmental notification procedures if they will be late for work, will not be at work, or are requesting planned time away from work. Employees must request in advance to their supervisor or designee if they wish to arrive early or leave early from an assigned shift. Incidences of not following departmental notification procedures will be addressed in accordance with the County's progressive discipline guidelines. Please note that no call/no show is defined as AWOL below and treated differently from other notification violations.

The employee must follow their departmental notification procedures when an absence is due to a documented/approved leave of absence (e.g., FMLA, military leave, etc.) to ensure appropriate tracking of leave utilization.

Absence Without Leave (AWOL)

Employees who are absent for three (3) or more consecutively scheduled workdays without prior notification to their supervisor will be AWOL, and the County may accept that the employee has voluntarily resigned without notice. Supervisors should immediately consult with Human Resources if this situation occurs. A single day of no call/no show is subject to corrective action based on the circumstances of each individual case.

Progressive Discipline for Attendance

An occurrence is documented as a tardy and/or missed time clock punch-in/out. Supervisors and department management staff are responsible for tracking accumulated occurrences and for initiating the discipline process in consultation with Human Resources to ensure consistent application of discipline across the organization.

The following table is a guideline for discipline based on the total number of occurrences. Occurrences will be considered active for discipline purposes using a rolling twelve (12) month period. Occurrences will not be issued for absences that are protected under FMLA, ADA, Workers’ Compensation, or legal proceedings leave.

Definition	Occurrences	Disciplinary Action
An occurrence is equal to any of the following: <ul style="list-style-type: none"> ▪ 2 tardies ▪ 2 missed clock punch-in/outs ▪ 1 full or partial day unapproved absence 	2	Verbal reprimand
	3	Written reprimand
	5	1-day suspension
	7	3-day suspension
	9	Termination
<ul style="list-style-type: none"> ▪ Day of no call/no show 	1	1-day suspension
	2	3-day suspension
	3	Termination
<ul style="list-style-type: none"> ▪ AWOL (3 or more consecutive days of no call/no show) 	1	Employee deemed to have voluntarily resigned through job abandonment.

If an employee accumulates several occurrences within a single pay period, the employee may be advanced to the level of discipline called for in these guidelines even if the employee has no prior discipline. For example, an employee with no prior discipline who accumulates five (5) occurrences in a pay period will be issued a one (1) day suspension.

This procedural guideline will be administered in conjunction with the timelines contained in this handbook and the County’s CBAs for the expiration of active discipline. For example, if the timeline for the expiration

of active discipline is twenty-four (24) months, a verbal reprimand issued under this procedural guideline will remain active for twenty-four (24) months and will be used as the basis of future discipline. If the discipline immediately prior to the one being assessed was less than twenty-four (24) months ago, the next discipline assessed will progress based on that prior discipline, unless the guidelines recommend discipline that is more severe. Examples: 1) If an employee has an active one (1) day suspension for missed clock punch-in/out and then is charged with two occurrences of tardiness, the employee will receive a three (3) day suspension. 2) If a three (3) day suspension has been imposed pursuant to this guideline and remains active, the next discipline will be termination.

7.05 Employee Responsibility for County Property

Employees shall not abuse, neglect, waste or misappropriate County property. All employees are responsible for the proper care of any tools, materials, equipment, vehicles, etc. assigned for the performance of their jobs. No County property shall be used for any purpose other than authorized work-related activities, this includes computers and the Internet. No County property shall be taken from the worksite for any purpose unless specifically authorized by the employee's supervisor.

In most cases, unless otherwise designated, uniforms, tools and equipment (e.g., County-issued cell phones, pagers, computers, keys, uniforms, identification badges, etc.) must be returned upon separation from employment. As a condition of employment, all employees agree that if the employee does not return County property the replacement cost of the item(s) will be deducted from the employees' salary and leave balance(s) due (except when prohibited by law). If the amount does not cover the costs, the employee will be responsible for paying the difference.

7.10 Notification of Criminal Arrest or Conviction

Any County employee that is arrested, charged and/or convicted for any crime, other than a minor traffic violation, must immediately report the incident to Human Resources. Examples of crimes that must be reported include, but are not limited to:

- felonies (or being arrested for a crime punishable as a felony)
- a crime involving dishonesty, fraud, or theft (e.g., forgery, burglary, robbery, credit card fraud, perjury, bribery, tax evasion)
- Crimes of moral turpitude (e.g., sex offenses, pandering, prostitution, importuning, public indecency)
- Crimes involving physical violence (e.g., assault, patient abuse or neglect)
- Drug-related crimes (e.g., trafficking offenses, drug possession)

Criminal activity or an undisclosed criminal arrests or convictions may constitute cause for discipline. Determination of such action will be based on an analysis of the responsibilities of the position and the nature and time frame of the conviction.

7.11 Progressive Discipline

The County subscribes to a policy of progressive discipline. Progressive discipline is not intended to be punitive. The goal of progressive discipline is to help the employee recognize and correct unacceptable behavior before it becomes serious enough, or frequent enough, to warrant termination of employment.

Application

When progressive discipline is applied, the County shall examine the totality of the employee's current disciplinary record, including, but not limited to, attendance and tardiness discipline that remains active.

Procedure

Supervisors and managers are responsible for exercising independent judgement to identify and recommend the need for discipline.

When a management representative recommends discipline, they shall consult with Human Resources for guidance and to ensure consistency across the organization. Prior to recommending discipline, supervisors must have investigated and obtained documentation of the alleged conduct.

After a supervisor has recommended discipline, the role of Human Resources is to provide guidance on the level of discipline to be imposed. If the facts of the case may justify a suspension, demotion, or removal, the management representative will complete a request for Pre-Disciplinary Conference (PDC).

The purpose of the PDC is to provide the employee with a final opportunity to present their side of the case and to provide any additional information or documentation that the employee desires to be considered. Human Resources will coordinate the PDC and will provide written notice to the employee and supervisor regarding the date, time, and location of the PDC. Employees shall be provided with the option of waiving the PDC.

Depending on the nature of the discipline that is ultimately issued, employees will be notified of discipline by their supervisor or Human Resources.

All disciplinary actions that are imposed shall be filed with Human Resources. Disciplinary actions will remain active for two (2) years for purposes of progressive discipline. The two (2) year period shall be measured backward from the date of the subsequent offense to the date the prior discipline was imposed.

Levels of Disciplinary Action

The County reserves the right to skip one or more levels of progressive discipline depending on the circumstances and/or severity of the offense.

- **Verbal Reprimand:** A verbal reprimand is an articulation of the problem by the supervisor to the employee. A verbal reprimand shall note the date and nature of the problem, as well as specifically state the employee is receiving a verbal reprimand.

- **Written Reprimand:** A written reprimand is formal, written notice by the supervisor to the employee that their conduct is inappropriate, what actions are necessary to correct the misconduct, and the consequences of continued misconduct.
- **Working Suspension:** A working suspension results with an employee is required to report to work to serve a suspension. An employee serving a working suspension shall be compensated at their regular rate of pay for hours worked. The working suspension shall be recorded in the employee's personnel file and has the same effect as a suspension for the purposes of progressive discipline.
- **Suspension:** A suspension is a forced, unpaid leave of absence from employment for one (1) or more days.
- **Demotion:** A demotion is a forced transfer of the employee from one classification or job to another classification or job in a lower pay grade.
- **Removal:** A removal is a forced separation of employment.

A record of any disciplinary action must be made using a form prescribed by Human Resources and will be placed in the employee's personnel file.

At the sole discretion of the Director of Human Resources or designee, an employee may be temporarily placed on paid administrative leave. This may be necessary because the employee's actions indicate that remaining on the job or returning to the job may be detrimental to the employee, co-workers, customers or the County. Employees who are placed on paid administrative leave shall be prepared to return to work each day and may be subject to other requirements determined by Human Resources.

Prohibited Conduct

The County considers the following to be a non-exhaustive list of unsatisfactory conduct that may be considered grounds for progressive disciplinary action:

- Absence from duty without reasonable cause
- Absence without leave
- Being away from assigned work area without permission of supervisor
- Conduct that might endanger the safety of others
- Conduct unbecoming an employee of the County
- Creating a hostile, intimidating or offensive work environment based upon a protected characteristic
- Excessive absenteeism
- Excessive tardiness
- Failure to comply with safety regulations, procedures and/or guidelines
- Failure to cooperate in a workplace investigation
- Failure to follow call in procedures
- Failure to follow the orders of a supervisor
- Failure to properly report work status
- Failure to report known safety hazards
- Failure to wear required safety equipment

- Falsification
- Fighting
- Harassment, discrimination or retaliation against another
- Insubordination
- Intimidation or threats
- Misfeasance, malfeasance or nonfeasance
- Neglect of duty
- Offensive language or conduct toward another
- Poor job performance
- Possession of weapons on County premises without authorization
- Reckless operation and/or misuse of County vehicles and equipment
- Reporting for or being on duty in an unfit condition to work
- Reporting to work under the influence of alcohol and/or drugs
- Sleeping while on duty
- Theft
- Use of or possession of alcohol and/or drugs on County property
- Destruction of County property
- Violation of policies, procedures, rules, regulations, or guidelines

Evaluation of Inappropriate Conduct

All inappropriate conduct shall be evaluated on a case by case basis, considering the following factors:

- Level of disruption to County business.
- Level of harm to the County's interests.
- Level of damage to the public's trust and confidence in Cuyahoga County government.
- The employee's position and the degree of responsibility inherent in that position (i.e., supervisory vs. non-supervisory positions). Employees who occupy a supervisory or management position are held to a higher standard of conduct commensurate with the level of leadership required of them.
- Whether the employee's conduct is part of a continuing problem.
- Whether the employee's conduct put a co-worker, vendor or customer's safety and/or security at risk.
- Whether the employee's truthfulness brought into question because of his or her conduct.
- Whether there are extenuating or mitigating circumstances.

Appeals

The Cuyahoga County Charter provides classified non-bargaining employees an appeals process for certain disciplinary action through the Personnel Review Commission (PRC). Details are available on the website of the PRC. Bargaining employees should review their CBA regarding appeals.

8 WORKPLACE SAFETY

8.01 Workplace Violence Prevention

The creation and maintenance of a safe environment for all employees is one of the County's highest priorities. The County's goal is to prevent workplace violence through early intervention and investigation of threats or acts by or against employees while engaged in the performance of their duties.

All employees must make a reasonable effort to recognize potentially violent situations and take the appropriate measures to prevent escalation. All individuals are entitled to a non-threatening environment while on County property, or off County property when serving the County. Therefore, any form of violence, whether actual or perceived, will not be tolerated.

Definition

Workplace violence is defined as any act of aggression or violence or any statement that could be perceived by a reasonable person as an intent or threat to cause harm to a person or to property. Workplace violence can occur on or off County property and includes acts that could reasonably be expected to impact the workplace, including acts committed when an employee is off duty.

Reporting Workplace Violence

Any employee who witnesses or experiences workplace violence must promptly report the incident. All reports will be treated seriously and investigated accordingly. In the event of an imminent danger to themselves, or others, or property, employees should handle the situation as outlined below:

- Immediately call Protective Services at your location or, if direct telephone access is available call 911 to inform them of the incident. Until Protective Services staff or the police arrive, retreat to safety and try to avoid physical confrontation. If the circumstances permit, immediately notify your supervisor or manager of the incident. Do not attempt to take matters into your own hands.
- When the situation is so serious that immediate removal of an employee from property is necessary, the Director of Human Resources may place an employee on immediate paid or unpaid leave and have the employee removed from County property. In this case, the employee's supervisor should contact Human Resources regarding the need for disciplinary action.
- After an incident, any person who witnesses or has knowledge of the incident may be required to provide a statement to the manager or supervisor, describing the event. This is in addition to any statements given to Protective Services and/or local police.

In instances when the situation is not an emergency, employees should report the incident to their supervisor or manager immediately. If employees are not comfortable reporting the matter to a supervisor, reports of workplace violence may be made to Protective Services or Human Resources.

Supervisors and Protective Services staff are required to immediately communicate any complaints of workplace violence (or any acts of workplace violence that they witness or become aware of) to Human Resources.

Human Resources and department management will review each report and determine the appropriate response, which may include further investigation. If Human Resources finds that an employee has violated any County policy then Human Resources, in consultation with the employee's department director or designee, will determine the appropriate action, which may include corrective action (see section 6.09), disciplinary action (see section 7.11), mediation, training, or transfer. Additionally, if appropriate, the investigation findings may be forwarded to the proper authorities for further action, including criminal prosecution.

The County strictly prohibits retaliation against employees who report workplace violence. However, any employee who knowingly makes a false report may be subject to disciplinary action. In addition, nothing in this or any other policy or procedure should be construed as limiting employees' right to contact public safety officials in emergency circumstances.

Weapons

The County strictly prohibits the wearing, transporting, storage, presence or use of dangerous weapons on County property, or while engaged in business with or on behalf of the County, regardless of whether the person is licensed to carry the weapon under Ohio law. This prohibition does not apply to any law enforcement or Protective Services personnel engaging in official duties. Employees who violate this prohibition are subject to disciplinary action.

Employees who observe a person with a dangerous weapon on County property must immediately contact Protective Services.

For purpose of this policy, **County property** is defined as all County-owned or leased buildings and surrounding areas, such as sidewalks, walkways, parking lots and driveways under the County's ownership or control. Furthermore, this procedure applies to all County-owned or leased vehicles. Private vehicles that come onto County property are not included.

For questions regarding whether an item is covered under this prohibition, employees should contact Human Resources. It is the responsibility of every employee to make sure any item in their possession is not prohibited by this prohibition.

8.02 Smoke and Tobacco Free Workplace

To protect the health and safety of County employees and our customers, and to create a cleaner and more sustainable work environment, the County has established a smoke and tobacco free workplace, including owned and leased buildings, grounds, and vehicles.

Definitions

- **County premises** shall include all property owned or leased by the County, including all vehicles.
- **County time** shall include all time during which employees are on County premises or performing work for the benefit of the County. Breaks (including lunch breaks) shall not be counted as County

time if the employee is not on County property and is not performing work for the benefit of the County during the break.

- **Smoking** is defined as the use of smoke-producing tobacco products, including but not limited to cigarettes, cigars, cigarillos, mini-cigars, e-cigarettes, tobacco alternative vapor or vaping products and hookahs. All forms of smoking are prohibited.
- **Tobacco use** is defined as the use of any tobacco product including, but not limited to cigarettes, cigars, cigarillos, mini-cigars, hookah, chewing tobacco, snuff, and other smokeless tobacco products. All forms of tobacco use are prohibited.
- **E-Cigarette use or vaping** is defined as the use of electronic smoking devices and/or electronic nicotine delivery systems.

Prohibited Conduct

Employees are not permitted to smoke, use tobacco, e-cigarettes, or vape while on County property or while on County time. Employees are permitted to use FDA-approved tobacco/nicotine cessation aids, such as nicotine patches and gum.

Cessation Programs

The County provides access to resources for those who are interested in quitting the use of tobacco products. The County also offers an Employee Assistance Program, or you can contact the Ohio Tobacco Quit Line at 1-800-QUIT NOW.

8.03 Substance-Free Workplace

The County strives for a substance-free workplace to assist in maintaining a safe and productive work environment. To achieve this, the goal is to inform employees of the hazards of substance use, clarify the County's expectations for employees with respect to substance use and the potential consequences of violations of those expectations, and ensure availability of rehabilitative assistance programs to substance users. Because of the importance of maintaining a safe and productive workplace, substance abuse will result in discipline up to and including removal.

Individuals Covered

This guideline applies to all employees. Applicants for employment are subject to pre-employment testing requirements as described in this procedure.

Definitions

- **County premises** shall include all property owned or leased by the County, including all vehicles.
- **County time** shall include all time during which employees are on County premises or performing work for the benefit of the County. Breaks (including lunch breaks) shall not be counted as County time if the employee is not on County property and is not performing work for the benefit of the County during the break.
- **Employee Assistance Program (EAP)** is an employee benefit program intended to help employees address personal problems and/or behavior that may adversely impact work

performance, health and well-being. EAP's generally include assessment counseling and referral services for employees and their household members.

- **Last Chance Agreement (LCA)** is an agreement between the County, employees and the employee's union, for bargaining employees, which may be offered to employees found to be in violation of this policy. If offered, the last chance agreement sets forth behavior or performance the employee agrees to change in exchange for an opportunity for the employee to remain in employment with the County.
- **Legal drug** means any substance, the possession or sale of which is not prohibited by state law, including prescription drugs and over-the-counter drugs.
- **Prohibited drug** means any drug in any detectable amount which is not legally obtainable under state law; any drug which is legally obtainable but has not been legally obtained; any prescribed drug not legally obtained; any prescribed drug not being used for the prescribed purpose; any over-the-counter drug being used at a dosage level different than recommended by the manufacturer or being used for a purpose other than intended by the manufacturer; and any drug being used for a purpose not in accordance with bona fide medical therapy.
- **Reasonable suspicion** means suspicion based on personal observations that the County's representatives can describe concerning employees' appearance, behavior, speech, breath, body odor, and other physical or behavioral indicators of possible drug and/or alcohol use. Reasonable suspicion also may be based, in part, upon the documented observation of change in employees' typical behavior (e.g., excessive absence/tardiness or work performance changes), which suggests the use of drugs and/or alcohol.
- **Refusing to cooperate** means to refuse to sign a consent form, to obstruct the specimen collection process, including any attempt to tamper with the collection or testing process, or to fail to provide breath and/or urine specimens adequate for testing when directed to do so. Refusal to cooperate will typically result in suspension pending discharge unless the employee promptly establishes a valid medical basis for the failure to provide such specimens.
- **Substance Abuse Professional (SAP)** means a qualified professional, as defined by federal regulation who evaluates employees who have violated a drug or alcohol program regulation applicable to commercial driver's licenses. The SAP generally makes recommendations concerning employee education, treatment, follow-up testing and aftercare.
- **Under the influence** means that the result of a laboratory's analysis of the employee's urine or blood specimen shows a blood alcohol concentration of more than 0.02 of alcohol or a positive result for any prohibited drug or for a legal drug in contrary to the conditions identified in "Prohibited Conduct" (failure by employee to report immediately to their supervisor any duty-related limitations as a result of prescription or over-the-counter medications and employees may not be under the influence of any legal drug while on County time or premises). Employees holding a commercial driver's license will be held to the standard determined by federal or Ohio law or regulations adopted by the U.S. Department of Transportation.

Prohibited Conduct

Behaviors and activities that are strictly prohibited by this guideline include:

- Selling; distributing; transferring; delivering; purchasing; using, possessing, or being under the influence of alcohol or any prohibited drugs or prescription drugs obtained illegally on the County's premises or while on County time or in or on County vehicles or while representing the County in any way.
- Refusing to cooperate with administration of drug/alcohol testing procedures.
- Failure by employees to report immediately to their supervisor any duty-related limitations from prescription or over-the-counter medications they are taking. Prescription or over-the-counter medications that do not impair the employee's safety or job performance or the safety or job performance of others are not required to be reported.
- Employees may not use or be under the influence of any legal drug while on County time or while on the County's premises if said drug may adversely affect the employee's safety or job performance, or the safety or job performance of others.
- Failing to report a work-related vehicular accident to immediate supervisors or other designated County personnel where such non-reporting results in a failing to comply with the post-accident testing requirements of this procedure.

Engaging in prohibited conduct will subject an employee to disciplinary action and/or the imposition of an LCA.

Testing Categories

Post-Offer, Pre-Employment Substance Testing

Applicants who receive an offer of employment will be required to undergo a pre-employment substance screen test conducted at the County's designated testing facility. Any offer of employment that an applicant receives from the County is contingent upon, among other things, satisfactory completion of the examination, screening and substance testing.

The County may rescind an offer of employment that has been extended to any applicant who tests positive for drugs and/or alcohol or any other violation of this administrative procedure.

Reasonable Suspicion Testing

If the County has reasonable suspicion based on observations reported by a supervisor or another employee and documented on an Observation Checklist, the employee may be immediately sent for substance testing.

The supervisor who made a referral for substance testing may complete and sign an Observation Checklist setting forth the observations upon which the supervisor relied in making the referral for drug and/or alcohol testing. If possible, the Observation Checklist will be prepared before the end of the current shift, but no later than twenty-four (24) hours after the end of the current shift. A copy of the Observation Checklist shall be provided upon request to the subject employee.

The employee may be placed on administrative leave and/or re-assigned temporarily to other work duties until the County receives the results of a reasonable suspicion test.

Post-Accident Testing

When employees are involved in a work-related accident (e.g., industrial safety, motor vehicle), they must report the accident to the supervisor or manager immediately. Employees shall be subject to post-accident testing if:

The employee is involved in a work-related accident that the County's representatives conclude was in whole or in part caused through the employee's action or inaction; or the accident resulted in damage to property either leased or owned by the County.

Post-accident testing involving a motor vehicle by an employee who holds a CDL will be completed within two (2) hours, unless not feasible due to extenuating circumstances.

Commercial Driver's License Testing

Employees required to have a valid Commercial Driver's License will also be subject to random testing as required by federal and Ohio regulations. Testing shall be performed by medical facilities/personnel and laboratories certified to perform such testing by the U.S. Department of Transportation and the Ohio Department of Transportation.

Return to Duty for Employees After a Positive Test Result

An employee with a CDL, or who operates a motor vehicle as part of their work duties, or who carries a firearm as part of their work duties, whose test result shows a urine or blood specimen with a blood alcohol concentration of more than 0.02 of alcohol or a positive result for any illegal drug or for a legal drug in contrary to the conditions identified in the Prohibited Conduct section of this guideline may be immediately relieved of duty for at least twenty-four (24) hours. The requirements of this provision are in addition to any disciplinary action and/or LCA to which the employee may be subject.

An employee with a CDL, who operates a motor vehicle as part of their work duties, who receives a positive test result that includes a blood alcohol content result of 0.04 or greater, or refuses to complete a test when required, shall not be permitted to operate a motor vehicle as part of their work duties until the employee completes a return to duty process with an SAP. A return to duty process concludes when the SAP certifies the employee has successfully completed all recommended referrals (e.g., treatment) and the employee completes a return-to-duty test with a negative result and with a blood alcohol concentration less than 0.02. The requirements of this provision are in addition to any disciplinary action and/or LCA to which the employee may be subject.

8.04 Fitness for Duty

Drug and Alcohol Testing

If a supervisor has a reasonable suspicion that an employee may be under the influence of alcohol or drugs, the supervisor shall immediately contact Human Resources, which shall determine if a reasonable suspicion test shall be conducted (see section 8.03).

Physical and Mental Health

The County may require that an employee submit to a medical or psychological examination to determine an employee's fitness for duty. If a management representative has a reasonable suspicion that an employee's behavior warrants a Fitness for Duty exam, they should contact Human Resources. Human Resources may place the employee on paid administrative leave pending the results of the examination.

An employee's refusal to submit to an examination or the unexcused failure to appear for an examination amounts to insubordination, which may result in disciplinary action. An employee will be responsible for the costs associated with an unexcused failure to appear at a scheduled examination (i.e., missed appointment fee).

Upon completion of the examination, the County will receive a physician's report outlining the results of the employee's fitness for duty. If the physician determines that the employee is fit for duty, the employee shall return to work on the day immediately following the day they are notified of the physician's findings or as soon as practicable. Failure to return to work may subject the employee to discipline pursuant to the Attendance Policy.

If the physician determines that the employee is not fit for duty, the employee will not be returned to work, will be removed from paid administrative leave and will be required to use their accrued paid leave (e.g., sick, vacation, exchange time, and/or compensatory time) or go on an unpaid leave. The employee will remain off work until they submit medical documentation, acceptable to the county, to Human Resources stating that they are able to perform the essential functions of their position, with or without reasonable accommodation.

8.05 Workers' Compensation

The State of Ohio Workers' Compensation Laws covers County employees. A County employee who sustains a job-related injury or occupational disease may be eligible to receive benefits from the Bureau of Workers' Compensation (BWC). A County employee who is involved in a work-related accident/injury should seek medical treatment and/or care immediately.

Employee Procedures

An employee who is involved in a work-related accident/injury or is diagnosed with an occupational disease must adhere to the following procedure:

- The employee must notify their supervisor of the work-related accident/injury or occupational disease diagnosis immediately or as soon as possible.
- The employee must obtain an Injury Reporting Kit and complete the Accident Investigation Report (AIR) within 24 hours of the occurrence, unless confined to a hospital. If confined to a hospital, the employee must complete the accident report within 24 hours of release from the hospital. Failure to complete the AIR may cause a denial of the claim and result in progressive discipline.
- The employee may seek treatment at the medical provider of their choice so long as the provider is BWC certified. If medical care is needed, the employee should obtain a Managed Care

Organization (MCO) card from Human Resources to give their provider. If immediate medical care is needed, the employee does not need to obtain a MCO card. Rather, the employee should inform their provider that they have a work-related injury and refer them to the County's MCO.

- An employee who is involved in a work-related accident/injury may be required to submit to a drug and/or alcohol test. The results of the drug and/or alcohol test, or the employee's refusal to submit to the test may affect the employee's eligibility for compensation and benefits and will subject the employee to the provisions of the County's Fitness for Duty Program.

Employees who are off work due to a work-related accident/injury or occupational disease are responsible for keeping their supervisors notified of their work status and to provide appropriate documentation from their physician. Appropriate documentation includes certification of total disability (BWC Form C-84) and physician's reports of work ability (BWC Form Medco-14).

If the employee is released to light or full duty, the employee must immediately provide appropriate documentation from their physician to Human Resources.

If an employee is required to attend an Industrial Commission hearing, he or she will be given up to two (2) hours of paid leave. The employee must present the Hearing Notice from the Industrial Commission to their supervisor prior to the hearing date to be granted the paid leave.

If an employee is required to attend a County or BWC mandated medical examination, he or she will be given up to four (4) hours of paid leave time to attend. The employee must present their supervisor with the written letter from the BWC, MCO or TPA to be granted the paid leave.

Time off for attendance at any medical appointment not mandated by the County or BWC must be covered by the employee's own leave time.

Supervisor Procedures

Immediately upon receipt of notification from an employee of a job-related accident/injury or occupational disease diagnosis, the supervisor shall:

- Provide the employee with an Injury Reporting Kit. Reporting kits can be obtained from Human Resources. The reporting kits contain the AIR that must be completed by the employee. Upon receipt of the completed AIR from the employee, the supervisor shall immediately give the form to Human Resources.
- Notify Human Resources of the incident.
- If the incident in question involves a vehicle accident, the supervisor is also required to complete a Fitness for Duty form and contact Protective Services.

Relationship to Leave Time

Employees who are off work for more than seven (7) calendar days due to a work-related accident/injury or occupational disease may be entitled to disability benefits through the BWC. It may be several weeks before the BWC determines eligibility and issues the first disability check to an injured employee. Employees who are off work due to a work-related accident/injury or occupational disease have the following options while waiting for the BWC to determine eligibility and issue disability payments:

- **Sick Leave.** The employee may elect to use their accrued sick leave and will continue to receive wages and benefits while using sick leave. Neither the BWC nor the County, will reimburse an employee for the usage of sick time. The BWC will not issue retroactive payment of disability payments to cover the time where sick leave was used.
- **Vacation/Compensatory/Exchange/Personal Leave.** An employee may elect to use their accrued vacation, compensatory, exchange or personal leave. The employee will continue to receive wages and benefits while using vacation, compensatory, exchange or personal leave. Should the BWC determine that the employee is eligible for disability payments, the BWC will issue retroactive disability payments to cover eligible periods where vacation, compensatory, exchange or personal leave were used. The County, however, will not reimburse or re-credit the employee for the vacation, compensatory, exchange or personal leave time used.
- **Unpaid Workers' Compensation Leave.** Injured employees also have the option of not receiving a paycheck from the County and waiting on BWC wage benefits. However, the decision to go into unpaid status may affect health care benefits. Should the BWC determine that the employee is eligible for disability payments, the BWC will issue retroactive disability payments to cover eligible periods where unpaid workers' compensation leave was used. Should the BWC determine that the employee is ineligible to receive disability, the employee will not receive any retroactive payment or reimbursement from the BWC or the County.

Absences from work for 3 or more consecutive days due to injury or illness covered under workers' compensation will be deducted from the employee's FML available leave balance. The employee should consult the County's FML policy and procedures for more information.

8.06 Alternative Work Program

When an employee is injured, the County's MCO will review the employee's medical records and discuss restrictions with the employee's physician. The employee must file a workers' compensation claim with the BWC and complete the County's AIR before being considered for alternative work.

Human Resources will work in conjunction with department management to determine whether there is an appropriate alternative position. Human Resources will inform the employee of the new assignment, reporting time and work hours. For bargaining employees, the employee's union will be notified of the assignment. The employee will maintain their current rate of pay and their bargaining status. The County will make a reasonable effort to assign the employee to their regular shift.

An employee will be eligible for alternative work for up to sixty (60) calendar days. This initial sixty-day period may be extended by agreement between the County and the employee. At no time may an alternative work assignment exceed one hundred twenty (120) days.

For an employee to be allowed to return to their prior position, the employee must provide documentation, acceptable to the County, indicating that the employee can perform the essential functions of the position, with or without accommodation, or have been granted a reasonable accommodation under the ADA.

9 COMPENSATION

The County takes a holistic approach to employees' compensation centered around total rewards and administers a fair and equitable compensation program. The County categorizes compensation in two ways: direct and indirect.

Direct compensation is the money paid to an employee in exchange for their work. Direct compensation includes, but is not limited to, salaries/wages and other compensation such as retention payments and any other form of monetary compensation.

Indirect compensation is a benefit given to an employee that has a financial value but is not a direct monetary payment. This may include, but is not limited to, healthcare coverage (medical and supplemental), life insurance, retirement contributions, career planning, EAP services, wellness programs, employee recognition programs, flexible working schedules, paid vacation and sick time, County-issued cellular phones and learning and development opportunities. Indirect compensation provided to employees is described in Chapter 10 of this handbook.

The Personnel Review Commission administers the County's classification plan and salary administration for classified positions. Human Resources administers and maintains the County's compensation policies and procedural guidelines described below.

9.01 Salary/Wages

The County strives to pay wages that are competitive with organizations based on factors that may include, but are not limited to scope of operations, number of employees, industry and geographic location.

The determination of an employee's pay shall not be arbitrary or capricious, based on nepotism, political affiliation or any other factor that violates the Code of Ethics codified in Title 4 of the County Code or any other County, state or federal law. Pay determinations are based on relevant factors, including but not limited to, the pay range, direct experience performing the job functions, qualifications, the labor market, the pay of other employees assigned to similar positions, and other factors relevant to the employee's case.

An employee's salary/wages shall be approved by the County Executive or designee at the time of appointment or when any change is made to the employee's salary.

9.02 Retention Payments

Retention payments may be offered as an incentive to retain a key employee during a crucial time, such as implementation of critical projects, mass retirements, disruptive periods of organizational change, etc. Retention payments shall be approved by the County Executive or designee.

9.03 Premium Pay

Premium pay may be offered in exchange for obtaining and maintaining a job-related professional license/certification or formal demonstration of the employee's mastery of skills, knowledge, and/or competencies, beyond what is required. Premium payments shall be approved by the County Executive or designee.

9.04 Equity Adjustments

An equity adjustment is a mechanism for addressing salary inequities arising from external pressures in high demand fields and/or internal salary comparisons.

Reasons for equity adjustments may include, but are not limited to:

- a substantial increase in ongoing responsibilities that are not sufficient enough to warrant a reclassification or reassignment
- an unacceptable internal salary inequity between positions that are of comparable worth in a department or throughout the organization
- an unacceptable salary inequity between an employee's salary and the average salary of similar positions in the market
- the need to retain a key employee whose experience or special skills are uniquely critical

Equity adjustments may be made when approved by the County Executive, as the County's budget permits.

9.05 Compression Adjustment

A compression adjustment may occur when the salary/wages of a direct supervisor is/are too close to the salary/wages of their direct reports.

Human Resources, in consultation with the department director, will determine when a compression adjustment is appropriate. A compression adjustment may occur during organizational restructuring or when an employee is hired or promoted into a vacant position. There may be circumstances when compression adjustments are not made, including but not limited to:

- a temporary working level (TWL) assignment causes compression between a supervisor and their subordinates
- a supervisor has an atypical reporting structure
- a supervisor leads subordinates with specialized skills and/or significant, relevant experience whose pay is commensurate with their skill and experience
- an adjustment is not supported by the labor market

Compression adjustments shall be approved by the County Executive or designee.

9.06 Temporary Work Level (TWL)

A temporary work level (TWL) may be granted when an employee is temporarily assigned 50% or more of the duties of a position with a higher pay range for a minimum of a two (2) week period, but not to exceed one (1) year.

Time served in a TWL will not be applied towards the length of service requirement to qualify for reclassification through a position audit (see section 6.03).

The employee must meet the minimum qualifications for the position in the higher pay range to be granted a TWL. An employee who is granted a TWL will be placed on a step that reflects at least a 5% increase in his or her salary, or the lowest step in the higher pay range, whichever is greater.

A supervisor must consult, in advance, with Human Resources regarding a TWL. Human Resources will review TWL and makes a recommendation to the County Executive for final approval.

9.07 Non-Exempt Employees: Overtime/Compensatory Time

Non-exempt employees can earn overtime or compensatory time (a form of paid leave) when they work more than forty (40) hours in a workweek. Time spent on paid leave (i.e., sick, vacation, compensatory time off, etc., except for County-recognized holidays), does not count towards the forty (40) hours work requirement.

Employees must be granted prior authorization from their supervisor to work beyond forty (40) hours in a workweek.

State and federal law define overtime as compensation to non-exempt employees at time and one-half the regular rate for work beyond forty (40) hours in a work week. The County may pay an employee an overtime cash payment or can credit the employee compensatory time. Normally, the County will credit the employee with compensatory time. A department director may request, based on compelling or extraordinary operational needs, that the Director of Human Resources approve an overtime cash payment for an employee or group of employees in lieu of compensatory time.

An employee who has requested paid leave using compensatory time shall be permitted to use it within a reasonable time after the request, so long as it does not unduly disrupt their department's operations.

Compensatory time not used within one hundred eighty (180) days after it is accrued shall be converted to an overtime cash payment and paid to the employee. When ending employment, all unused compensatory time is paid at the employee's regular rate at the time of payment.

Non-bargaining employees may accrue up to the FLSA maximum of two hundred forty (240) hours of compensatory time. Eligible non-bargaining law enforcement employees may accrue up to four hundred

eighty (480) hours. Once employees reach the maximum compensatory time accrual, the County will pay for additional overtime hours worked.

Employees moving from a non-exempt position to an exempt position will receive payment for their accrued compensatory time at the time of the move.

9.08 Exempt Employees: Exchange/Straight Time

Exempt employees can earn exchange time (a form of paid leave) or a straight time cash payment when they work more than forty (40) hours in a workweek, provided the following:

- there is a compelling, extraordinary reason for the exempt employee to be required to stay beyond normal working hours – staying to finish up normal assignments does not qualify
- there is a “meeting of the minds” between the exempt employee and the supervisor - the employee must either be required to work over or be granted prior authorization by their supervisor to work the additional hours

Time spent on paid leave (i.e., sick, vacation, exchange time, etc., except for County-recognized holidays), does not count towards the forty (40) hours work requirement.

The County may pay an exempt employee a straight time cash payment (based on the employee’s hourly rate of pay) or can credit the employee with exchange time. Normally, the County will credit the employee with exchange time. A department director may request, based on compelling or extraordinary operational needs, that the Director of Human Resources approve a straight time cash payment for an employee or group of employees in lieu of exchange time.

Exchange time is accrued in increments of one-minute. The maximum balance of exchange time an exempt employee may accrue is forty (40) hours. Exchange time earned in lieu of holiday premium pay is not subject to the forty (40) hour requirement.

An employee who has requested paid leave using exchange time shall be permitted to use it within a reasonable time after the request, so long as it does not unduly disrupt their department’s operations.

Exchange time not used within six (6) months of accrual shall expire. If a critical or extraordinary operational need exists, the Director of Human Resources may authorize an employee to accrue up to two hundred (200) hours of exchange time and may extend the expiration timeframe up to one (1) year. At no time shall exchange time be paid out to the employee.

9.09 Executive and Special Compensation

Executive and Special Compensation procedural guidelines are administered by Human Resources. The Director of Human Resources determines which employees are eligible for, and may receive, Executive

and Special Compensation. If provided, Executive and Special Compensation is in addition to direct (salary/wage) and indirect (benefits) compensation.

Eligibility

The following job categories and/or job levels may be eligible for Executive and Special Compensation, as determined by the Director of Human Resources:

- Senior level positions (e.g., department directors, deputy directors)
- Hard-to-fill positions (e.g., highly technical roles within Information Technology or other departments)

Components of Compensation

Components may include, but are not limited to the following:

Lump-sum Signing Payments

A **lump-sum signing payment** is a one or two-time payment to a new or re-hired employee for accepting the County's job offer.

Total expenditure of a lump-sum signing pay shall not exceed 10% of the employee's annualized base salary. The County may require repayment of lump-sum signing pay if the employee separates their employment prior to a specified period, as determined by the Director of Human Resources. The terms and conditions associated with a lump-sum signing payment shall be included in the employee's offer letter. Lump-sum signing payments shall be approved by the County Executive or designee.

Incentive Pay

Incentive pay is a form of additional compensation paid to an employee for achieving specific job performance goals or hitting predetermined targets (e.g., extraordinary or mission critical objectives). Performance pay is compensation beyond normal wages and is typically awarded after a performance appraisal and analysis of projects completed by the employee over a specific period. Incentive pay can be added to an employee's current salary/wage or paid in a lump-sum. The terms and conditions associated with incentive pay shall be included in the employee's offer letter. Incentive pay shall be approved by the County Executive or designee.

Granted Exchange Time

Granted exchange time is a lump-sum amount of paid leave credited to an employee's exchange time balance, on a one time or reoccurring basis, that has not been accrued through the County's regular earned exchange time policy and procedures. Unused granted exchange time expires six (6) months after it is granted, unless otherwise approved by the Director of Human Resources in writing and will not be paid out upon separation from employment.

Total advanced exchange time that can be offered shall not exceed 120 hours within a calendar year.

The terms and conditions associated with granted exchange time shall be included in the employee's offer letter. Granted exchange time shall be approved by the County Executive or designee.

Executive Physical

Executive physicals are comprehensive wellness evaluations, typically offered to senior level positions. A standard executive physical requires up to eight (8) hours of the participant's time. Executive physicals are geared to discover potential health problems, target, reduce and eliminate medical risk factors and promote wellness, nutrition, fitness and stress management.

Relocation Reimbursement Assistance

Relocation expenses are incurred when an eligible employee relocates because of the County's offer of employment. Relocation Reimbursement Assistance is designed to provide financial relocation assistance to the eligible employee to minimize their inconvenience during the relocation.

Relocation Reimbursement Assistance is not intended to cover all costs related to the relocation of a new employee, their family, household goods and out of pocket and other related expenses. Relocation expenses must be accounted for and substantiated on the "Employee Business Travel and Expense Report" form with supporting documentation and approved by the Director of Human Resources.

The Internal Revenue Service (IRS) requires that the County withhold tax on certain moving-related reimbursements and to report all reimbursable relocation expenses for an employee, whether taxable or not. These expenses will be listed on the employee's W-2 Form and noted as "Moving Expenses."

The terms and conditions of any relocation reimbursement assistance shall be included in the employee's offer letter. Any offer of relocation reimbursement assistance shall be approved by the County Executive or designee.

Eligibility

Relocation Reimbursement Assistance may be available for employees who qualify for Executive and Special Compensation, either as new hires, or, in certain cases, are re-hired.

To be eligible for Relocation Reimbursement Assistance, a qualified employee must meet the guidelines established by the Internal Revenue Service for the deduction of moving expenses on annual income taxes. Applicable taxes will be deducted from the employee's wages for any reimbursement made by the County that are not entitled to be deducted based on the Internal Revenue Service Code.

Relocation assistance may be authorized for new employees who meet the following criteria:

- the commuting distance from, and to the old residence to the employee's assigned work location is 50 or more miles
- the relocation must be approved in advance by Human Resources and be stipulated in the new employee's offer letter
- the relocation benefit must be used within the first year of employment

- if an employee is a rehire (as a regular full-time employee), relocation benefits may only be extended if the individual was either not eligible for the benefit when they were previously employed, or they did not utilize the benefit when they were previously employed.

Qualified Uses of Relocation Reimbursement Assistance

Identifying Permanent Housing

The County may pay for up to a maximum of two (2) house hunting and family visitation trips for the new employee and up to three qualified family members to travel round-trip between Cuyahoga County and their current residence. Such trips will be limited to a maximum of eight (8) nights and nine (9) days per trip. Reimbursement will be for reasonable travel, lodging and meal expenses in accordance with the County's travel policy.

Temporary Living Expenses

The County may pay for temporary living expenses in Cuyahoga County at the fair market value rate, normally not to exceed three (3) months or until establishment of a permanent residence, if less than three (3) months from the start of employment.

Moving Household Belongings

The County may pay for moving expenses, including but not limited to, packing and crating, transportation, insurance of household goods, etc.

Transportation

The County may pay for transportation of the new employee's family to the Cuyahoga County area. Air travel must be at the lowest fare available or coach fare, whichever is less. Mileage will be reimbursed by the County at the IRS standard mileage rate for moving expenses in effect on the date of the move. Mileage reimbursement will be provided for a maximum of two (2) of the employee's vehicles.

Relocation Assistance Maximum and Repayment Period

The amount of relocation reimbursement for identifying permanent housing, temporary living expenses, moving household belongings, and transportation, including tax gross-up, shall not exceed a maximum dollar amount of \$15,000. The Director of Human Resources must provide final approval of any reimbursement of expenses. Employees who receive relocation reimbursement assistance and leaves the County for any reason other than death or disability separation within twenty-four (24) months of their original hire or rehire date with the County, will be required to repay 100 percent of all relocation assistance they received.

10 BENEFITS

10.01 Healthcare Benefits

Cuyahoga County is committed to promoting and sustaining the well-being of its employees and their families by providing quality and integrative health and wellness programs. Employees are offered comprehensive and competitive benefits programs which include, but are not limited to medical, prescription drug, dental, vision and life insurance and a wellness program.

Eligibility

Full-time regular and part-time benefits-eligible employees may receive healthcare benefits on the first day of the month following their date of hire, unless hired on the first day of the month, in which case benefits will be effective on the date of hire. Employees have thirty (30) days from their date of hire to make their benefit elections and to submit documentation regarding proof of relationship for their dependents. If an employee fails to make benefit elections within that time, the employee must either wait until the next open enrollment period or experience an IRS approved qualifying event to elect benefits.

If an employee is eligible for medical, dental or vision coverage under another County employee's policy (due to marriage or dependent eligibility), and that employee needs coverage, enrollment in one policy to cover both employees is required.

Dependent Eligibility

An employee's dependents may be covered by the County's healthcare benefits. Eligible dependents include an employee's legal spouse, children, step children, legally adopted children from the employee or the employee's spouse, or any children who, by court order, must be provided healthcare coverage by the employee. Healthcare benefits may also cover other dependent children if the employee has legal guardianship, as outlined in each of the County's group insurance carrier contracts. Healthcare benefits will be extended to dependent children up to age twenty-six (26), in accordance with federal law and the Ohio Department of Insurance guidelines. No employee or dependent can be covered by more than one County sponsored benefit plan.

Documentation showing proof of relationship is required to be submitted to Human Resources before dependents can be added to medical, dental and vision plans. Employees are bound by the deadlines designated by Human Resources to submit proof of relationship documentation. Acceptable documentation includes, but is not limited to a marriage certificate, and a bill (i.e., utility, credit card, insurance, etc.), recent tax record or other County-approved document showing the names of the employee and spouse and their address, and a certified birth certificate or adoption paperwork for a child.

If an employee is covered by healthcare coverage elsewhere, the employee can waive County coverage and may be entitled to receive a taxable opt-out payment.

Employee contributions for benefits are paid through a pre-tax payroll deduction.

By enrolling in a County benefit plan, an employee agrees to comply with eligibility rules for themselves and for their dependents in these plans. Enrolling ineligible dependents may be considered fraud. Employees may be subject to eligibility audits. An employee selected for an eligibility audit will be required to submit copies of documentation showing proof of relationship such as certified birth certificate(s), marriage certificate(s), income tax return(s) and/or other related documentation including affidavits.

Any person who, with intent to defraud or knowing that they are facilitating fraud, submits an application or files a claim containing a false or deceptive statement may be guilty of insurance fraud. Any employee found making false or deceptive statements may be subject to disciplinary action.

10.02 Open Enrollment and Qualifying Events for Mid-Year Enrollment in Benefits Coverage

Open Enrollment, which generally occurs in the last quarter of each year, is a time when employees can change their benefits enrollments and/or sign up for benefits. Annually, employees may be required to reenroll in benefits by the Open Enrollment deadline. Employees who fail to enroll by the Open Enrollment deadline will default to the medical plan designated by the County. Once an employee defaults, the plan cannot be changed unless an approved Internal Revenue Service (IRS) qualifying event occurs.

Employees are responsible for notifying Human Resources when a qualifying event occurs that may impact their dependents' coverage. All changes require the appropriate certification and documentation within thirty (30) days of the qualifying event. Employees may not be able to change their election until the next Open Enrollment period if appropriate notice is not received.

Examples of qualifying events that require mid-year election changes include:

- marital status (marriage, divorce, legal separation, death of spouse)
- number of dependents (birth, adoption, placement for adoption, legal guardianship, death)
- employment status of employee (i.e., part-time to full-time)
- dependent eligibility (Loss of student status, age limit)
- residence (dependent moves out of plan service area)
- loss or gain of employment by the employee's spouse or dependent
- significant cost or change in coverage of spouse or dependent under another employer plan
- loss of certain other health coverage (plans provided by governmental or educational institutions)
- Health Insurance Portability and Accountability Act (HIPAA) special enrollment right events
- judgement, decree or order resulting in change in legal custody (Qualified Medical Child Support Order)
- entitlement to Medicare or Medicaid

A qualifying event can affect the employee's single/family coverage entitlement for medical, prescription drugs, dental and vision, as well as impacting flexible spending accounts and life insurance. In the case of divorce, legal separation or annulment, employees must adjust their covered dependents by removing former spouses within thirty (30) days of divorce, legal separation or annulment. Copies of the first and

last pages of the court document must be submitted to Human Resources. Failure to adhere to this requirement may subject the employee to disciplinary action.

Divorced employees who are required by court order to pay benefits for their ex-spouse cannot cover the ex-spouse under County benefits. A separate policy must be purchased outside of County benefits.

10.03 Optional Employee Benefits

At the sole discretion of the County, certain additional optional employee benefits may be offered to employees, at the employee's expense, including but not limited to:

- Voluntary benefits, such as accident insurance, critical life events insurance, universal life insurance with long term care rider, and/or short-term disability
- Discounted public transportation bus/transit passes and parking

Employees will be notified of these benefits as they become available.

10.04 Wellness Program

The County encourages employees to actively participate in our wellness program. The wellness program is designed to assist employees and their families in making positive and healthy lifestyle choices with a focus on wellbeing. The wellness program has several components including health screenings, education, activities, weight management, newsletters, on-site fitness programs, financial education, healthy lifestyle incentives and more.

10.05 Flexible Spending Accounts (FSA)

Flexible Spending Accounts (FSA) are Internal Revenue Service (IRS) sanctioned benefits that provide employees the opportunity to have pre-tax amounts withdrawn from their paycheck and deposited into Medical, Dependent Care and/or Transportation FSA(s). These accounts are offered by the County as an additional benefit that allow employees to pay for related eligible expenses using pre-tax dollars.

Eligibility

Full-time regular and part-time benefits-eligible employees may enroll in flexible spending accounts during Open Enrollment. New employees can enroll within thirty (30) days from their date of hire or during Open Enrollment.

Medical FSA

The Medical FSA allows employees to use pre-tax dollars for many healthcare expenses not covered by medical and dental plans (i.e., copays, deductibles, orthodontia, etc.), vision care expenses for prescription eyeglasses and contact lenses, as well as prescription medication. Medical FSAs are pre-funded, allowing participants access to their annual elections on the first day of participation. For a complete list of eligible expenses, review IRS Publication 502 (Medical and Dental Expenses Expenses)

online at www.irs.gov. Enrollment in a Medical FSA is available upon hire or annually during Open Enrollment. Additionally, changes to enrollment in a Medical FSA can be made if the enrolled employee experiences an approved IRS qualifying event.

Dependent Care FSA

The Dependent Care FSA allows employees to use pre-tax dollars for charges that are incurred for the care of dependents. This includes expenses for eligible dependents under age thirteen (13) and may apply to a spouse or parent who resides with the employee and is physically or mentally incapable of self-care. For a complete list of eligible expenses, review IRS Publication 503 (Child and Dependent Care Expenses) online at www.irs.gov. Enrollment in a Dependent Care FSA is available upon hire or annually during Open Enrollment. Additionally, changes to enrollment in a Dependent Care FSA can be made if the enrolled employee experiences an approved IRS qualifying event.

Transportation (Parking, Transit, RTA, Bicycling) FSA

The Transportation FSA allows employees to use pre-tax dollars for charges that are incurred for work-related parking, mass transportation, and bicycling. For a complete list of eligible expenses, review IRS Publication 15-B (Employer's Tax Guide to Fringe Benefits) online at www.irs.gov.

There are strict deadlines associated with the submission of claims for withdrawal of funds from flexible spending accounts. Employees that fail to submit claims prior to the deadline will forfeit any remaining balances in their flexible spending accounts. More information regarding specific deadlines can be obtained by contacting the Department of Human Resources. Enrollment in a Transportation FSA is available at any time.

10.06 Retirement – Ohio Public Employee Retirement System

Employees are required to participate in the Ohio Public Employees Retirement System (OPERS). OPERS is the pension system utilized by the County instead of the Federal Social Security system. OPERS offers three retirement plans to its members: The Traditional Pension Plan (Defined Benefit), the Member-Directed Plan (Defined Contribution), and the Combined Plan (Combination of both Defined Benefit and Contribution). Additional information can be found on the OPERS website.

Contributions

The State of Ohio sets the employee and employer contribution rates. The employee's contribution rate is deducted from the gross bi-weekly salary/wage of the employee's pay. This amount is added to the County contribution rate and deposited into the employee's individual account with OPERS.

Tax-Deferred Basis

The Internal Revenue Code allows public employee pension plan contributions to be remitted on a tax-deferred basis. This means the employee pension contribution will not be included in taxable income when calculating federal and state income tax withholding. This yields an immediate tax savings to the employee.

City taxes will continue to be deducted from the employee's portion of the OPERS contribution. Also, the amount of pension contribution that is tax-deferred may be subject to federal and state taxation when it is withdrawn, either at retirement or upon separation of employment.

Other Information

Depending on the plan chosen, other benefits available may include survivor and disability benefits as well as healthcare benefits upon retirement.

OPERS service time continues to accrue during paid leaves of absence including Family Medical Leave. OPERS contributions are not remitted during an unpaid leave. Some leaves, such as military and workers' compensation may be eligible for free service credit. Credit for approved unpaid leaves may be purchased.

Information is available by contacting OPERS directly or at the OPERS website, www.opers.org.

10.07 Deferred Compensation

Employees can choose to contribute to a Deferred Compensation Plan. Employees may authorize a portion of their pay to be withheld and invested to supplement their future retirement income. Unless otherwise provided by law, money contributed to a Deferred Compensation Plan and any earnings on those contributions are not subject to federal or state income tax until those monies are paid to the employee, at the point of retirement or at the point of an approved withdrawal. Contact Human Resources for more information on Deferred Compensation Plans.

10.08 Employee Assistance Program

The County is committed to the health, safety, and welfare of its employees and their families. The County offers the EAP to provide employees and their eligible dependents with tools and resources to assist with personal matters. The EAP offers employees and their dependents short-term assessment and problem resolution by licensed counselors for a range of common concerns. The County funds the initial counseling sessions for employees and eligible dependents. The Employee Assistance Program (EAP) is designed to offer employees and their dependents assistance with issues including but not limited to:

- Addiction/Chemical Dependency
- Adolescent Issues & Guidance
- Chronic Physical Illness
- Depression/Anxiety
- Eating Disorders
- Family/Dependent Care Resources
- Financial Management Assistance
- Legal Consultation
- Major Life Events, including births, accidents and deaths

- Management Consultation
- Marital Conflict or Divorce
- Retirement Coaching
- Stress Management
- Wellness Advice
- Workplace Conflict Resolution

Following completion of the initial sessions, counselors may recommend a plan, which may include additional counseling and/or needed services. Subsequent services may be covered by the employee's medical provider and insurance.

Employees' current job and future advancement will not be jeopardized by using EAP services. The EAP provides strict confidentiality, following all federal and Ohio laws. As with all health-related documents, if EAP records are provided to the County, the EAP's records will be maintained in a confidential manner. The County may, upon recommendation or request by management, and when appropriate, refer employees to the EAP to assist with workplace and/or performance issues.

Participation in the EAP does not excuse employees from complying with the County's policies or from meeting job requirements during or after receiving assistance. Nor will participation prevent the County from taking corrective action for performance problems that occur before or after employees seek assistance through the plan.

Additional information regarding the EAP can be obtained from Human Resources.

10.09 Lactation Accommodation

Cuyahoga County supports and complies with all federal and Ohio laws and regulations by providing accommodations to employees who are nursing mothers who wish to express breast milk during the workday.

Break Time for Lactation Purposes

Employees who are nursing mothers can take reasonable, paid break periods during the workday to express breast milk. Employees should work with their supervisor to make reasonable efforts to minimize disruption to departmental operations.

Lactation Rooms

For the convenience and privacy of employees who are nursing mothers, the County has designated rooms at various facilities where a mother can express breast milk. These rooms will include reasonable and appropriate amenities.

Usage rules for these designated rooms and room amenities, will be posted at each facility. To ensure privacy, nursing mothers may reserve/schedule a location room at a time convenient to their needs. Each

facility handles the reservations/scheduling in a different manner. Employees should contact Human Resources for information on the reservations/scheduling process.

Resources

For more information about lactation accommodations, employees should contact Human Resources. Other information and resources for nursing mothers who have returned to work are available through the Employee Assistance Program.

10.10 Life Insurance & Accidental Death & Dismemberment (AD&D)

The County provides a basic term Life and Accidental Death and Dismemberment (AD&D) insurance benefit.

Eligibility

Full-time and part-time benefits-eligible employees are eligible to receive a basic term Life and Accidental Death and Dismemberment (AD&D) insurance benefit.

Employees are eligible to receive benefits on the first day of the month following their date of hire, unless hired on the first day of the month, in which case benefits will be effective on the date of hire. Employees may elect additional supplemental coverage.

The County provides Accidental Death and Dismemberment Insurance that will pay an amount if employees become disabled or die due to a non-work-related accident. The payment amount varies according to the type of disability or death.

The County's group term life insurance has two features allowing employees to take a portion or all of their life insurance with them under an individual arrangement with the County's insurance carrier:

- The "conversion provision" allows employees to convert the basic insured amount, if applicable to their group, and the supplemental coverage into a whole life policy.
- The "portability provision" allows employees to take the insured amount that is more than the basic coverage and create an individual term life policy at the same prevailing group premium. Changes in premium still occur at the same five-year (5) age intervals as when employed.

There are deadlines associated with both the "conversion" and "portability" provisions of the County's sponsored life insurance program.

10.11 Consolidated Omnibus Budget Reconciliation Act (COBRA)

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides qualified beneficiaries who lose their healthcare benefits the right to choose to continue those benefits for limited periods due to qualifying life events. Qualified beneficiaries may be required to pay the entire premium for coverage, in addition to an administrative fee.

Qualified Beneficiaries

A qualified beneficiary generally is an individual covered by a group health plan on the day before a qualifying event for someone who is an employee, the employee's spouse or an employee's dependent child. In addition, any child born to or placed for adoption with a covered employee during the period of COBRA coverage is considered a qualified beneficiary.

Qualifying Life Events

Qualifying life events are certain events that would cause an individual to become eligible for COBRA. The type of qualifying life event will determine who the qualified beneficiaries are and the length of time under which continuation of healthcare coverage will be provided under COBRA.

Qualifying Life Events for Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in the number of hours of employment (including military leave of absence)

Qualifying Life Events for Spouses

- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee (including military leave of absence)
- Covered employee becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Qualifying Life Events for Dependent Children

- Loss of dependent child status under the healthcare plan rules
- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee (including military leave of absence)
- Covered employee becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Under COBRA, employees and/or their qualified beneficiaries must notify Human Resources of a divorce, legal separation or a child losing dependent status under the plan within sixty (60) days of the qualifying event.

The County provides employees with written notice of their rights under COBRA when they become eligible for coverage under the health insurance plan, as well as when a qualifying event occurs. Employees should contact Human Resources with any questions.

11 TIME OFF AND LEAVES OF ABSENCE

All time off and leave is subject to prior approval, unless otherwise noted. Employees must request leave using the procedures and forms outlined by Human Resources and their department.

Every request for leave will be given fair consideration in accordance with the following procedural guidelines and the staffing needs of the employee's department. Any leave approved based on false information is invalid and any approved leave shall terminate if the reason for granting the leave is no longer applicable. Moreover, employees providing false statements or documentation may be subject to disciplinary action.

Employees are solely responsible to ensure that they have adequate vacation leave, sick leave and/or compensatory/exchange time when requesting and/or taking paid leave.

11.01 Paid Vacation Leave

The County provides paid vacation leave to full-time and part-time benefits-eligible employees. Vacation accrual is based on years of service and begins on the first day of employment with the County. Employees who have previous service with any political subdivision of the State of Ohio may receive service credit for vacation accrual. To receive credit, employees must provide Human Resources with a *service credit verification form*, completed by their former employer(s), within sixty (60) days of their date of hire. Forms received after sixty (60) days will be accepted; however, any service accrual granted will start from the beginning of the pay period in which the form is received. The service credit verification form is available online, or a paper copy can be requested from Human Resources.

Eligible full-time employees in active pay status accrue vacation each pay period based on the following years of service:

Years of Service	Biweekly Accrual Rate	Yearly Accrual Total	Maximum Accrual Allowance
Less than 5	3.1 hours	80 hours/10 days	240 hours/30 days
5 to less than 15	4.6 hours	120 hours/15 days	360 hours/45 days
15 to less than 25	6.2 hours	160 hours/20 days	480 hours/60 days
25 or more	7.7 hours	200 hours/25 days	600 hours/75 days

Eligible part-time employees in active pay status accrue vacation each pay period based on the following years of service:

Years of Service	Biweekly Accrual Rate	Yearly Accrual Total	Maximum Accrual Allowance
Less than 5	2.47 hours	64 hours/8 days	192 hours/24 days
5 to less than 15	3.70 hours	96 hours/12 days	288 hours/36 days
15 to less than 25	4.93 hours	128 hours/16 days	384 hours/48 days
25 or more	6.16 hours	160 hours/20 days	480 hours/60 days

Once an employee’s vacation leave balance reaches the maximum accrual allowance, no further vacation leave will accrue until the balance drops below the maximum amount.

There is no waiting period after an employee is hired or promoted before vacation time can be used. Employees must have their supervisor’s approval to use vacation leave.

An employee separating from the County is eligible for payout of their accrued vacation leave balance, minus any fees, charges or outstanding financial obligations the employee may have to the County.

11.02 Paid Holidays

The County provides full-time and part-time benefits-eligible employees with paid time off on the following, recognized holidays:

- New Year’s Day
- Martin Luther King Day
- President’s Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

Eligible employees who work on a County-recognized holiday and are in a paid status on the regular work day immediately preceding or following a holiday are entitled to holiday pay for their regularly scheduled work hours. If the employee’s work schedule is other than Monday through Friday, the employee is entitled to a floating day off, to be used within thirty (30) calendar days and with prior approval.

An employee in a non-exempt position who is required to work on a County holiday shall be entitled to regular pay in addition to holiday premium pay at one and one-half (1.5) times for each hour worked. Exempt employees who are required to work on a County holiday will receive regular pay in addition to holiday premium pay at their regular rates for each hour worked, or exchange time. Normally, the County will credit the employee with exchange time. A department director may request, based on compelling or extraordinary operational needs, that the Director of Human Resources approve holiday premium pay for an employee or group of employees in lieu of exchange time.

Part-time benefits-eligible employees are entitled to holiday pay for their scheduled hours if the recognized holiday falls on their regularly scheduled workday.

Part-time benefit non-eligible employees and temporary employees are not entitled to holiday pay or premium holiday pay even if they work on a recognized holiday.

11.03 Paid Sick Leave

The County provides paid sick leave to full-time and part-time benefits-eligible employees. Sick leave can be used for the following reasons:

- illness, injury, or pregnancy-related condition of the employee or the employee's immediate family member
- exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees
- death of an employee's immediate family member (*in conjunction with the bereavement policy*)
- healthcare appointment with an appropriate healthcare practitioner for the employee, or the employee's immediate family member where the employee's presence is reasonably necessary

For purposes of this section, immediate family member includes the employee's spouse, child, step-child, parent, parent-in-law, grandparent, sibling, brother- or sister-in-law, or persons to whom the employee stands in loco parentis, or any other relative residing with the employee (proof of residency required).

Sick leave accrues at the rate of 0.0575 hours for each hour of service. Employees must be on active pay status to accrue sick leave. Sick leave is used in a minimum of one (1) minute increments. Sick leave payment shall not exceed the normal, scheduled workday earnings.

Employees must follow their department's guidelines regarding appropriate notification for using sick leave. When the need for leave is foreseeable, the employee must notify their supervisor by making a leave request in advance. In unforeseen circumstances, an employee must follow their department guidelines regarding notification.

The employee shall record their absence in the applicable timekeeping system. If the pay period ends before the employee returns to work, the employee's supervisor shall record the employee's absence.

The County reserves the right to require documentation to support the employee's sick leave request (i.e., medical certification) for all absences of three (3) or more days, or when the County has a reasonable suspicion that sick leave is being abused. Abuse of sick leave may subject the employee to disciplinary action.

An employee's supervisor must notify Human Resources anytime an employee is out on sick leave for 3 consecutive work days to ensure the employee receives information regarding FMLA.

Unused Sick Leave

Upon retirement, an employee with ten (10) or more years of service shall be paid for one-fourth (1/4) of the accrued, unused sick leave balance up to a maximum of two-hundred forty (240) hours. Payment for unused sick leave is not available under any other circumstance.

Sick Leave Credit

Employees who have a balance of sick leave earned while employed by another political subdivision of the State of Ohio within the past ten (10) years may have the unused sick leave balance credited to their current sick leave balance with the County. Employees can contact Human Resources for more information on how to receive this credit.

11.04 Paid Bereavement Leave

All full-time employees who experience the loss of a spouse, mother, father, step-parent, child, step-child, or persons to whom they stand in loco parentis or who stood in loco parentis to them, will be granted up to five (5) days of paid bereavement leave.

Full-time employees are entitled to up to three (3) days of paid bereavement leave for the loss of a brother, sister, half-brother, half-sister, step-brother, step-sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild, or any relative residing with the employee (proof of residency required).

Full-time employees are entitled to one (1) day of paid bereavement leave for the loss of an uncle, aunt, first cousin, niece or nephew.

Part-time benefits-eligible employees who experience the loss of a spouse, mother, father, step-parent, child, step-child, or persons to whom they stand in loco parentis or who stood in loco parentis to them, will be granted up to three (3) days of paid bereavement leave.

To be eligible for bereavement leave, the employee must provide appropriate documentation supporting the request for leave (e.g., obituary, funeral/memorial service program, death certificate, etc.). Bereavement leave must be used within six (6) months of the loss. Bereavement leave may be taken as a continuous period or on an intermittent basis. If an employee needs additional time away from work, the employee may request to use accrued sick leave, vacation leave, compensatory and/or exchange

time with the approval of their supervisor. Once these paid leaves are depleted, employees may request an unpaid personal leave of absence.

11.05 Paid Legal Proceedings Leave

Employees may receive legal proceedings leave when they are:

- summoned for jury duty by a court of competent jurisdiction
- subpoenaed to attend a court proceeding for a matter that is work-related and employee acted within the proper scope of their employment
- participating in any hearing of the PRC as the appellant, a summoned witness or at the request of the County

To receive this leave, employees shall submit, to their supervisor, a copy of the summons or request as soon as the notice is received.

An employee out on legal proceedings leave is required to immediately report to work after they are released, unless there would be less than one (1) hour left in the employee's regularly scheduled work day upon reporting to work. For example, an employee on an 8:30 – 4:30 schedule who is released from jury duty at 1 p.m. is required to immediately report to work. If the employee is released from jury duty at 4 p.m., they would not be required to report to work.

The County will compensate an employee on legal proceedings leave at their normal rate of pay, provided that the employee, upon receipt of any compensation paid by the court, submits the compensation to the County. Checks received in the name of the employee must be endorsed and provided to their supervisor for deposit to the County Treasurer. The employee, however, shall not be granted any mileage, travel or other related expenses.

11.06 Unpaid Personal Leave of Absence

Full-time and part-time benefits-eligible employees may apply for an unpaid personal leave of absence. A personal leave involves a temporary separation from active pay status. Employees may apply for a personal leave of absence without pay for a maximum of one (1) month, unless approved for a longer period by the Director of Human Resources.

Job performance, absenteeism and departmental requirements may be considered before a request is approved. Approval for leave is within the sole discretion of County management. Leave must not unduly disrupt the department's normal operations.

Employees requesting a personal leave must complete a *request for unpaid leave* form. The request must be submitted to the employee's supervisor at least sixty (60) days prior to the beginning of the leave, or as soon as possible when extenuating circumstances make it impossible to give at least 60 days'

notice. The request for unpaid leave form is available online, or a paper copy can be requested from Human Resources.

If the employee's supervisor approves the request, then request must then be forwarded to the employee's department director and Human Resources for approval, in that order.

An employee must exhaust all applicable paid leave before beginning a personal leave of absence. For example, an employee requesting an unpaid leave of absence to campaign for an elected office would first have to exhaust all vacation and exchange/compensatory time but would not have to exhaust their sick leave. The effective date of the personal leave will be the employee's first non-working day following the exhaustion of any of the employee's applicable, available paid leave balances (i.e., sick and vacation leave, compensatory and exchange time).

A personal leave is a temporary separation from active pay status. Sick and vacation leave and OPERS service time do not accrue during the leave. However, an employee on personal leave may continue their voluntary benefits, at their own expense. To continue benefits, a *benefits continuation form* must be completed and submitted to Human Resources prior to commencement of the personal leave of absence. The benefits continuation form is available online, or a paper copy can be requested from Human Resources.

If the employee chooses to continue their benefits, the employee must pay for coverage by prepaying, in full, their contributions for the duration of time they will be on a personal leave of absence. Payment must be received by the end of the month prior to the month for which the leave has been approved. If the employee does not pay for their contribution for their benefits while on a personal leave of absence, benefits will be cancelled.

Any extensions for personal leaves of absence beyond the maximum one (1) month period will be considered on a case-by-case basis by the department director and Human Resources.

Failure to return to work upon the expiration of the personal leave, without reasonable explanation, may subject the employee to disciplinary action. An employee who fails to return to service from a personal leave and who is subsequently terminated or voluntarily resigns from service shall not receive service credit for the time spent on personal leave. In this case, the employee's termination date will be the start date of the personal leave.

An employee may be permitted to return to work prior to the originally scheduled expiration of the personal leave if the earlier return date is agreed to by both the employee and Human Resources.

11.07 Family Medical Leave

The Family and Medical Leave Act (FMLA) and its amendments provide employees with the right to take job-protected unpaid time off for various identified reasons.

Employees with at least one (1) year of service who have worked at least 1,250 hours in the previous year are eligible, and can request up to twelve (12) workweeks (480 hours) of Family Medical Leave (FML), during a 12-month period, for one of the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth
- The birth or placement of a child for adoption or foster care
- To care for an immediate family member (as defined by this procedure to only include spouse, child or parent) with a serious health condition
- To take medical leave when employees are unable to work because of their own serious health condition

Employees may take up to twelve (12) weeks of approved leave within a rolling twelve (12) month period. The twelve (12) month period is measured backward from the commencement date of FML, during this time the employee must have worked 1,250 hours.

If two married employees both work for the County and each wants to take leave for the birth of a child, adoption or placement with the employee of a child in foster care, or to care for a parent with a serious health condition, the employees may take only a combined total of twelve (12) weeks of leave.

A serious health condition is defined as a condition that requires in-patient care at a hospital, hospice or residential medical care facility, or a condition that requires continuing care by a licensed healthcare provider as defined in the FMLA. In general, a period of incapacity of more than three (3) days, and two (2) visits to a healthcare provider within thirty (30) days (the first within seven [7] days of the onset of incapacity), would be considered a serious health condition. A serious health condition leaves employee unable to perform their job. Questions about what health conditions are covered under this procedural guideline should be directed to Human Resources.

Employees must use all accumulated paid time off allowances during their FML. FML that exceeds an employee's accumulated paid time off allowance is unpaid, and employees are responsible for financially arranging to continue their benefit coverage, at their expense, during the absence. For serious health conditions, employees must provide a healthcare provider's verification of the medical need for leave. On return from FML, employees are placed in their former or comparable jobs.

Leave Categories

- Continuous Leave: Employees may take leave in a continuous block of time.
- Intermittent Leave: Employees may take leave in separate blocks of time due to a single illness or injury, rather than for one continuous period and may include periods of leave from an hour or more (with appropriate notice for non-emergency circumstances such as regular treatment visits, etc.) to several weeks. Examples of intermittent leave would include leave taken for chemotherapy that includes time taken on an occasional basis for a medical appointment or leave taken several days at a time spread over a period of six (6) months. Intermittent leave increments are limited to a minimum of one (1) hour and are calculated in hours in light of employees' regular work schedule.

- **Reduced Leave Schedule:** Employees may take leave that reduces their usual number of working hours per workweek, or hours per workday. In other words, a reduced leave schedule is a change in the employee's schedule for a period, normally from full-time to part-time. Such a schedule reduction might occur, for example, when employees work part-time after the birth of a child or employees recovering from a serious health condition cannot work a full-time schedule. The difference between the employee's reduced schedule and regular schedule will be charged against the employee's available FML weeks/hours. Documentation of medical necessity of reduced schedule is required.

Military Family Leave Entitlement

Eligible employees with a spouse, child or parent on active duty or called to active duty status in the National Guard or Armed Forces Reserves in support of a contingency operation may use their 12-week leave entitlements to address qualifying exigencies. Qualifying exigencies may include attending military events, arranging for alternative childcare, addressing financial and legal arrangements, attending counseling sessions and attending post-deployment reintegration briefings.

FML also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered service member during a single 12-month period. This type of Military Family Leave is available only once. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Armed Forces Reserves, who has a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation or therapy, is in outpatient status or on the temporary disability retired list.

Applying for Leave

Employees must contact Human Resources to initiate FML and must provide Human Resources with a thirty (30) day notice, if the leave is foreseeable. The County reserves the right to require an employee delay the start of their FML if thirty (30) days' advance notice is not provided when the need for FML is foreseeable. If the leave is not foreseeable, notice must be given as soon as possible.

Certification and Recertification of Serious Health Conditions

The County will ask for certification of the employee's serious health condition or that of a family member. Employees must respond to such a request within fifteen (15) days or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification may be provided by using the Medical Certification form.

Certification of a serious health condition will include the following:

- The date when the condition began
- The condition's expected duration
- The medical facts regarding the condition; and
- A brief statement of treatment

For employee's serious health condition, a statement noting the employee is unable to perform work of any kind or unable to perform the essential functions of the job. For a seriously ill family member, a statement indicating assistance is required, what that assistance is and/or that the employee's presence would be beneficial.

The County reserves the right to ask for a second opinion and will pay for employees to get a certification from a second healthcare provider selected by the County.

If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third healthcare provider. The County's healthcare provider and the employee's healthcare provider will jointly select the third healthcare provider, and the County will pay for that opinion. The third opinion will be final.

The County may request recertification of a chronic or episodic serious health condition requiring intermittent leave or reduced schedule every six (6) months, or less, as indicated by the healthcare provider's certification.

No additional opinions or re-certifications will be requested in the case of leave to care for a military service member, in conformance with the regulations.

Status and Benefits While on FML

While on paid FML, the County will continue employees' benefit coverage at the same level and under the same conditions as if they had continued to work. All available paid leave must be used and charged against the employee's FML before unpaid FML will be initiated. The employee's accrued time must be used in the following order: Sick, Compensatory/Exchange, Vacation. Sick and vacation leave will accrue during the employee's paid FML as it normally would; however, the time accrued during the leave may not be used until the employee returns to work. All usual payroll deductions will be taken during the employee's paid FML.

While on unpaid FML, if employees choose to continue their benefit coverage, employees will be responsible for making payment arrangements for the employee paid portion of benefits for the duration of unpaid FML. If for any reason employees allow their benefit coverage to lapse while on unpaid FML, benefits will be cancelled. Vacation and sick leave do not accrue during unpaid FML.

Leave Donation

Employees may donate accrued sick or vacation leave to a fellow employee who has a serious health condition as defined under the FMLA and are in critical need of time off due to the condition. Donation of leave time is strictly voluntary. FML leave will run concurrently with the donated leave time.

An employee may receive donated leave provided that the employee:

- is first approved for FML leave that removes them from the workplace for fifteen (15) consecutive work days for their own serious health condition. Employees on intermittent FML leave do not qualify to participate in the program. Any unused donated leave will be returned to the employee
- has exhausted all sick leave, vacation leave and compensatory/exchange time
- has not had any discipline for attendance within the previous year

An employee may donate accrued sick or vacation leave provided the donating employee:

- voluntarily elects to donate leave to a designated, approved recipient, and does so with the understanding that donated leave will not be returned
- retains a sick balance of at least one hundred twenty (120) hours after their donation
- is in active pay status at the time their sick time is to be used

Employees interested in receiving donated time should contact Human Resources. Employees who qualify may receive leave through the Leave Donation Program for up to twelve (12) weeks.

An employee may request donation leave from other employees or may designate a non-supervisory employee to make such a request on their behalf. Supervisors and managers may not solicit leave donations for or from any employee in their chain of command.

When an employee has exhausted all donated time, they may be placed on an unpaid extended sick/medical leave or may be separated in accordance with County policy or their CBA.

Returning from FML

Most employees who take leave under this procedural guideline will be able to return to the same job or a job with equivalent status, pay, benefits, and other employment terms and conditions. The job will be the same or one that requires substantially equivalent skill, effort, responsibility and authority. However, employees' rights to reinstatement cease if the employment relationship ends (e.g. loss of job due to reduction in force while on leave or situations where the organization learns of circumstances that would otherwise result in the termination of employment). The County may exempt certain highly-compensated employees from this requirement and not return them to the same or similar position.

Before employees may return to work from a leave of absence, they may be required to present to the County a medical certificate from their healthcare provider indicating any restrictions on their ability to perform the essential functions of the job to which they are returning. For scheduling purposes, this release must be received no less than two (2) business days before the employee's anticipated return date. The County may also require a physical examination at its expense to determine fitness for duty.

All family and medical leave taken, for whatever reason (including leaves for workplace injury), will be counted against employees' available leave of absence period under the FMLA.

11.08 Unpaid Medical Leave

Employees who are not eligible for FML (see section 11.07), or who have exhausted their FML, may be granted unpaid medical leave of absence because of personal illness or injury that disables the employee from performing the essential functions of their job (including medical conditions related to pregnancy or childbirth) or an illness/injury of an employee's child (including a child for whom the employee is the legal guardian), spouse, or parent, but not including the employee's parents in-law. The County reserves the right to require medical or other relevant documentation to justify the leave.

Unpaid medical leave may be granted for up to a total of twelve (12) weeks within a rolling twelve (12) month period. The twelve (12) month period is measured backward from the commencement date of unpaid medical leave. Unpaid medical leave must be taken in continuous blocks of time of at least five (5) consecutive workdays.

To be eligible for unpaid medical leave, any accumulated paid leave must be exhausted, and the employee must comply with their department's call-off procedure. The employee must demonstrate that the probable length of absence will not exceed twelve (12) weeks and the employee must present Human Resources at the time that the request is made with sufficient medical documentation, acceptable to the County, demonstrating that the employee is unable to perform the essential functions of their position and containing the probable period for which the employee will be unable to perform the essential functions of their position. If the need for leave is for the employee's covered family member, the documentation must demonstrate that the employee is needed to care for the covered family member.

If an employee takes unpaid medical leave to care for a covered family member and does not return to work within twelve (12) weeks, the employee shall be considered to have voluntarily resigned. Such employees shall have no right to reinstatement but remain eligible for future employment through the County's regular hiring process. The County may initiate the disability separation process (see section 6.12) for an employee who takes unpaid medical leave for their own medical condition and does not return to work within twelve (12) weeks, consistent with the ADA or other applicable law.

When the County has a reasonable belief that an employee who has been on extended unpaid medical leave may be unable to perform the essential functions of their position, with or without reasonable accommodation, the County may require the employee to submit to and satisfactorily pass a medical examination before being permitted to return to work. The purpose of the medical examination shall be to determine if they can perform the essential functions of their position, with or without reasonable accommodation, consistent with the ADA or other applicable law. In the event of a difference of opinion as to the employee's physical status between the employee's physician and the County's physician the employee shall be referred to a mutually agreed upon physician whose opinion shall be binding.

11.09 Paid Parental Leave

The County offers Paid Parental Leave to employees, due to the birth of an employee's child or the placement within an employee's home of an adopted child. Parental leave gives parents additional flexibility and time to bond with their new child, adjust to their new family situation and balance their work obligations.

Paid parental leave is available to full-time and part-time benefits-eligible employees who are FML eligible (see section 11.07). An employee is FML eligible when they have at least one (1) year of service with the County and have worked at least 1,250 hours in the previous year.

Paid parental leave is two (2) continuous weeks of paid leave, which will run concurrently with FML, and is in addition to any other paid leave that may be available for the employee to use while on FML.

Paid parental leave will be based on an employee's normal rate of pay (based on full-time equivalency), not including premiums or scheduled overtime. Part-time benefits-eligible employees will receive two (2) continuous weeks of paid leave, with pay based on the average number of hours worked during the previous year.

Vacation and sick leave continue to accrue during paid parental leave. The County will continue to pay its share of the cost of an eligible employee's group health insurance during paid parental leave. The eligible employee's share of the premium will be deducted from the eligible employee's pay in accordance with normal practices.

Paid parental leave must be utilized within twelve (12) weeks following the birth or adoption of a child. Paid parental leave will not reduce eligibility for other types of paid and unpaid leaves such as sick leave, vacation, unpaid personal leave and holiday. Bargaining employees should review their CBA (if applicable) and contact Human Resources.

An employee is eligible for paid parental leave once within a rolling twelve (12) month period. The fact that a multiple birth or adoption occurs (for example, the birth or adoption of twins) does not increase the length of paid parental leave granted for that event. If both parents are eligible employees, each will be able to utilize the appropriate provisions of this procedural guideline.

Documentation

Eligible employees must submit a completed *leave request form* to Human Resources at least thirty (30) days prior to the anticipated date of the leave. To the extent the 30-day notice is not possible; employees must submit a leave request form to Human Resources as soon as possible.

Eligible employees will be required to furnish appropriate medical documentation for the birth of a child. If applicable, the medical certification requirements for FML will govern (see section 11.07). The medical documentation must be completed and signed by the individual's health care provider.

Eligible employees will be required to furnish appropriate adoption documentation, such as a letter from an adoption agency, or from the attorney in cases of private adoptions.

11.10 Military Leave

The County supports employees who volunteer or are called to active military service. Military leaves are governed by federal and Ohio law and will be treated in accordance with the Uniform Services Employment and Reemployment Rights Act (USERRA).

Paid Military Leave

Under Ohio law, employees who are members are the Ohio National Guard, the Ohio defense corps, the Ohio naval militia, or any reserve component of the United States armed forces are entitled to a paid leave of absence not to exceed twenty-two (22) workdays in any one (1) calendar year. The leave can be continuous or intermittent.

Unpaid Military Leave

Under federal law, employees who are members of the United States armed forces shall be granted up to five (5) years of unpaid military leave with reinstatement rights to serve in the armed forces. The five (5) year maximum may be extended in certain cases, consistent with applicable law.

An employee on unpaid military leave of thirty (30) days or less may continue their healthcare benefits by directly paying the employee's portion of their health insurance premium. An employee on unpaid military leave longer than thirty (30) days will be provided information on continuation of benefits for up to twenty-four (24) months at the employee's expense (see section 10.11).

An employee on unpaid military leave may use vacation leave or exchange/compensatory time to cover part or all of their military leave.

An employee returning from unpaid military leave must apply for reinstatement within the timeframe established by applicable law. The County will promptly reinstate the employee in the position they would have attained had they not been on unpaid military leave and with the same seniority, status, and pay, as well as other rights and benefits determined by seniority.

Requesting Paid or Unpaid Military Leave

An employee seeking military leave (paid or unpaid) should contact Human Resources as soon as possible. Any supervisor or department director who becomes aware of an employee's possible need for military leave should immediately notify Human Resources.

12 MISCELLANEOUS

12.01 Personnel Information and Privacy

The County is committed to treating personal information about employees as sensitive and respects the need to protect each employee's privacy. Human Resources manages and maintains official personnel records for all County employees. Personnel records may be in the form of paper, digital, or microfiche.

Access

Personnel files are stored in secured areas (e.g., within locked file cabinets, on secure computer servers). Authorized supervisors may review their employees' personnel files, in coordination with Human Resources. Employees are granted access to their own personnel file and records in accordance with the procedures outlined herein.

Medical information about employees is maintained separately from other records. Access to medical information is restricted to appropriate Human Resources and Law Department employees on a need-to-know basis.

Handling Personnel Information

If an individual requests copies of information in an employee's personnel file, Human Resources will make copies of the information and will work with the appropriate authority to distribute the copies to the requesting party. Copies may be redacted, consistent with applicable law. When practical, Human Resources will notify an employee when information from their personnel file is provided to a third party.

Questions or issues about the application or enforcement of these security measures should be addressed to the Director of Human Resources and/or the Director of Law.

Employees' Access to Information

Employees may review information contained in their personnel file during non-working time (e.g., breaks, lunch, before or after work). All reasonable and timely requests for access to personal information will be honored on employees' own time (e.g., paid time off).

Employees interested in reviewing the contents of their personnel file shall contact Human Resources and provide at least two (2) working days' notice of their desire to schedule a mutually convenient time for an appointment.

Accuracy of Information

To ensure that personnel files are up to date and contain accurate, complete information, employees must notify Human Resources of any change in their personal information. It is the responsibility of employees to notify Human Resources of any changes in the following, within one (1) month of the event, by making updates in Employee Self Service:

- Legal name
- Telephone number(s)
- Home address
- Marital status
- Number of dependents
- Beneficiary designations
- Scholastic achievements, other awards or certifications
- Emergency contacts

It is in the employee's interest to keep records of acquired new skills or experience, if the employee wants those records to be reviewed for any job advancements.

In addition, the County may initiate personal information updates by requiring all employees to review and verify their personal information on file.

Additions, Deletions or Changes

Employees may request corrections or deletions of information in their personnel records, as appropriate, to Human Resources. Human Resources ordinarily checks with the department director where the record originated, if applicable, and with the Director of Law as to any public record restrictions. Human Resources will notify the employee, in writing, as to whether the requested amendment will be made. A copy of the written response will be included in the employee's record.

12.02 Recording of Conversations

The County has established the following guidelines for the recording of conversations concerning County business. This policy shall not apply to public meetings or any other meeting or forum involving the discussion of County business that is open to members of the public, including, but not limited to, public hearings. Any violation of this policy could result in disciplinary action.

County employees shall not record any conversations involving the discussion of County business unless at least one of the following applies:

- The Director of Law Director or designee authorizes in writing an employee to record a conversation; or
- The department director, with the approval of the Director of Law, authorizes recording as a standard course of business in the interest of the public (e.g., all telephone calls to the 696-KIDS hotline and 911 calls are recorded).

12.03 Workplace Search

The County has the right to conduct investigations pertaining to security or work-related matters. During these investigations, authorized personnel may request that employees open for inspection any package, bag, container or vehicle brought into or taken from the County premises. In addition, work areas (e.g., desks, files, computers, cabinets and lockers) are County property and may be subject to search when the County reasonably suspects a policy violation has occurred. Failure to cooperate with an investigation or search is a violation of County guidelines and the employee may be subject to disciplinary action.

This does not apply to inspections of work areas to locate documents or information when an employee is unavailable. The County reserves the right to conduct such inspections and retrieve documents, other work materials, information, etc., based upon operational needs.

A supervisor, department director or Human Resources may question employees and/or search any personal property or any area from which the County conducts business, including any/all spaces, facilities and/or vehicles leased by the County, when there are reasonable grounds for suspecting that the search will enable the County to:

- safeguard another employee's safety or property
- safeguard a County customer or their property
- protect County property from destruction and/or theft
- investigate possible violations of County policy
- carry out an internal workplace harassment/discrimination investigation

Some storage equipment (e.g., cabinets, lockers) may be locked to secure its contents from theft or damage. The County reserves the right to search locked storage equipment when there are reasonable grounds to do so. County management will obtain authorization from either Human Resources or Protective Services prior to conducting a workplace search.

In the event a search is initiated the following procedures will be followed:

- The employee, a supervisor, Protective Services or law enforcement, and a union steward/representative (for bargaining employees) should be notified of and present for a search. Lack of availability of any of the above will not delay or prevent a search.
- If the employee is not present during a search, Protective Services or law enforcement will be instructed to remove any locking device, if one is present. The employee can receive reimbursement for their personal lock, at a reasonable cost, if applicable. If the employee is present, Protective Services or law enforcement will direct the employee to open/grant access to the area. If the employee refuses to grant access, the lock will be removed, at the employee's expense. An employee may be responsible for any damage occurring from gaining access to areas secured by the employee.

- All property obtained from a search will be inventoried. After the inventory is complete, all observers will sign the inventory sheet. Items identified to be inappropriate for the workplace will be confiscated. The following are some items that are prohibited in the workplace:
 - drugs (without prescription in employee's name)
 - alcohol
 - guns and other weapons prohibited by law
 - pornography

This list is not exhaustive. If any of the items removed from County property violate the law, law enforcement will be contacted. Inventoried items that are confiscated may be returned to the owner for removal from County premises or in the case of County property, returned to its appropriate area(s). Employees may be subject to disciplinary action for inappropriate items brought onto County property.

County employees may periodically be required to submit to a search using a metal detector.

12.04 Health Insurance Portability and Accountability Act (HIPAA)

On occasion, the County receives Personal Health Information (PHI) relative to an employee's employment. Under the Health Insurance Portability and Accountability Act (HIPAA), the originator of the information is required to advise affected employees of how this information may be used or disclosed and how employees can receive a copy of the information being sent. The actual Privacy Notice can be obtained from the Human Resources Department and/or on the County's Intranet web page.

Types of Personal Health Information Received by the County

The following list, though not all-inclusive, represents the type of information received by the County and which may be shared as requested under Ohio law, such as through a public record request or subpoena:

- Pre-employment clearances
- Workers' Compensation documentation
- Return-to-Work testing results
- Fit-for-Duty exam results
- Substance-testing clearances
- FMLA medical certifications
- Disability accommodation documentation

Retention of Personal Health Information

The County takes reasonable precautions to protect employees' personal health information. Information received that contains genetic information or is otherwise not applicable to one's employment, benefits or required by federal, state or local law is either redacted or destroyed, consistent with the County's records retention policy.

12.06 Furlough Programs

The County may establish mandatory or furlough programs in accordance with applicable law. A furlough program involves the taking of unpaid furlough days by County employees.

12.07 Professional Licenses

Any County employee who is required, as a condition of employment, to possess and maintain in good standing, a professional license (e.g., social worker license, license to practice law, etc.) shall immediately report any change in the employee's licensure status to their department management.

12.08 Other Policies

The County may adopt other policies that effect employees (e.g., public records policy, travel policy, electronic communications and equipment policy). Employees are expected to know and comply with policies that apply to their employment and may be subject to disciplinary action for failure to follow these policies.

[PROPOSED SUBSTITUTE]

County Council of Cuyahoga County, Ohio

Ordinance No. O2018-0001

Sponsored by: County Executive Budish/Department of Human Resources	An Ordinance providing for modifications to and adoption of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the County Executive/Department of Human Resources has recommended to amend the Human Resources Personnel Policies and Procedures Manual; and

WHEREAS certain "overtime payments" were made in the past to county employees, which employees were in fact, overtime exempt under the Fair Labor Standards Act; and

WHEREAS, such "overtime payments" were not expressly authorized by any personnel policy (or any other policy) of the County at the time such payments were made; and

WHEREAS, County Council desires to ameliorate any possible adverse consequences that individual overtime exempt County employees may suffer as a result of the receipt of overtime not expressly authorized by any personnel or other policy; and

WHEREAS, Council's ratification of such unauthorized payments is and shall be specifically limited to those past payments specifically set forth herein; and

WHEREAS, any current or future payments of compensation to overtime-exempt employees, including policies regarding payment of overtime and accrual of compensatory or exchange time, will be governed in accordance with the Human Resources Personnel Policies and Procedures Manual adopted herein, and as the same may be amended or codified in the future by Council; and

WHEREAS, pursuant to Section 9.01 of the County Charter it is County Council's authority to establish personnel policies by ordinance, and Council has previously approved policies regarding payment of overtime and accrual of

compensatory or exchange time when it approved prior versions of the County's Personnel and Procedure Manual, which is amended herein and may be amended in the future by Council.

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Adoption of Revised Human Resources Personnel Policies and Procedures Manual: Council hereby adopts the amended version of the County's Human Resources Personnel Policies and Procedures Manual as effective for all County employees, and shall remain in full force and effect and shall be followed by County employees under the authority of the County Council and the County Executive. The Department of Human Resources shall disseminate the amended manual to all employees subject to the manual in accordance with the Department's usual method of dissemination.

SECTION 2. All prior employment actions are hereby approved including, but not limited to, payments to employees for work done in excess of forty hours per week. Council hereby ratifies and authorizes, as if the same were fully and duly authorized at the time of their occurrence, any and all payments made to county employees prior to the enactment of this ordinance which satisfy the following criteria:

(1) The employee was designated as overtime exempt under the Fair Labor Standards Act at the time the payment or payments were made;

(2) The employee was compensated at his or her regular rate of pay for hours worked beyond forty (40) in a given work week or received premium pay for working on a county holiday (40) in a given work week;

(3) The employee received prior authorization to receive such pay from a supervisor, director, or other officer of the county, on which he or she reasonably relied; and

(4) The employee actually worked the hours beyond forty (40) in a given week or the holiday for which he or she was compensated.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 13, 2018

Committee(s) Assigned: Human Resources, Appointments & Equity

Journal _____
_____, 20__

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1 INTRODUCTION

~~1.01 Message from the County Executive~~
~~[INSERT TEXT HERE]~~

1.012 Profile of the County

The County is an independent political subdivision of the State of Ohio and operates subject to the provisions of the Ohio Constitution, the Charter and various sections of the Revised Code. The County is located on the southern shore of Lake Erie in northeastern Ohio. The County covers an area of 458.3 square miles and contains two townships and 57 cities and villages. The State established the County on February 8, 1808, and the first meeting of the Cuyahoga County Board of County Commissioners was held in June 1810. The County is substantially fully developed and, according to the 2010 census, had a population of 1,280,122, making it one the most populous counties in the State.[INSERT HERE]

On November 6, 2009, the voters of the County adopted a County Charter that changed the form of the County's government. The Charter was effective January 1, 2010, with 2010 being a year of transition to the new form of government. The Charter eliminated the elected positions of County Commissioners, County Auditor, County Treasurer, County Recorder, Clerk of Courts, County Coroner, County Engineer and Sheriff. In place of the previously elected officers, the Charter provides for an elected County Executive, an elected 11-member County Council and an elected Prosecuting Attorney. The County Executive and the Prosecuting Attorney are elected by all the voters of the County, and each member of Council is elected by voters in one of 11 districts established by the Charter. As a charter government, the county has the same home-rule powers as are vested in charter municipal governments.

The County Executive is the chief executive officer of the county and, with the approval of the Council, appoints the following: (i) a Fiscal Officer who has the duties of an elected county auditor, an elected county recorder and an elected clerk of courts (other than those related to the operations of the County Courts); (ii) a Medical Examiner who performs the duties of an elected county coroner; (iii) a Clerk of Courts to carry out the duties of an elected clerk of courts related to the operations of the courts; (iv) a Director of Public Works who performs the duties of an elected county engineer and a sanitary engineer; (v) a Director of Law who serves as the legal advisor and representative to the County Executive and Council; (vi) a Treasurer who performs the duties of an elected county treasurer; (vii) a Sheriff who performs the duties of an elected county sheriff; and (viii) a Director of Health and Human Services who manages the administration of the County's various human service agencies, programs and activities. The County Executive has powers and duties of an administrative nature, including overseeing most personnel and collective bargaining matters, executing contracts, conveyances and indebtedness on behalf of the County, introducing ordinances and resolutions for Council's consideration and submitting tax and operating budgets, capital improvement plans, a five-year financial forecast for County operating funds and a related written message annually.

The 11 member Council holds the legislative power and is the taxing authority of the County. The Council elects a President, and has authority to establish procedures governing the making and administration of County contracts and public improvements. Council also has authority to adopt the annual tax budget and the County's operating and capital budgets, to make appropriations to provide for the acquisition, construction and maintenance of property, and to establish a procedure for the levying of special assessments. The Council may override a veto of the County Executive if at least eight members of Council vote to approve the vetoed measure. The Council has investigative as well as legislative powers.

This handbook is intended to govern employees under the authority of the County Executive and County Council.

~~1.03 Mission, Vision and Core Values~~

Mission

~~To drive regional growth, economic opportunity, and individual well-being by mobilizing cross-sector resources and providing superior services.~~

Vision

~~We are a vibrant and prosperous region where everyone thrives, and all things are possible.~~

Core Values

Integrity

~~Provide reliable and accurate services to all customers, as part of an honest, open and equitable culture.~~

Courage

~~Act boldly and be willing to make change while using good judgment to do the right thing for all citizens of Cuyahoga County~~

Teamwork

~~Create and strengthen internal and external partnerships to best accomplish our goals through collaborative actions~~

Innovation

~~Invest in people and their creative ideas and challenge the status quo to positively impact the prosperity and sustainability of our region~~

Results

~~Define and be accountable for meeting expectations, inspire accomplishment and achieve measurable successes~~

2 PURPOSE OF EMPLOYEE HANDBOOK

This handbook is intended as a reference to [inform employees of the county's human resources policies and systems, including](#) the guidelines and resources employees need to know in their role at Cuyahoga County. Employees are expected to know the [policies and](#) guidelines contained in this handbook, as well as any additional [policies and](#) guidelines set by their department.

All matters relating to the administration of the [policies and](#) procedural guidelines in this handbook are under the general supervision of the Director of Human Resources. Questions regarding interpretation and application of this [h](#)Handbook should be directed to Human Resources.

Bargaining employees are expected to know the terms of their Collective Bargaining Agreement (CBA). The terms and conditions of that agreement supersede this handbook on any subject covered by their CBA.

The procedural guidelines covered in this handbook do not diminish the County's management rights and should not be considered a waiver of these rights. Unless [limited or prohibited in this handbook, or otherwise](#) restricted by law, the County reserves all rights to manage its workforce. The [policies and procedural guidelines contained in this handbook are intended to promote equity, consistency, and standardization of benefits, but](#) do not reflect or represent every conceivable situation but addresses those that are often encountered. Situations may differ and will be handled on a case-by-case basis, at the discretion of the County as permitted by applicable law. [Whenever this discretion used to justify a managerial decision by the County, such action will be logged by Human Resources.](#)

The procedural guidelines outlined in this handbook will be applied at the discretion of the County in accordance with the law. The County reserves the right to change [by ordinance](#), for any reason, at any time and without prior notice, the procedures, benefits, and working conditions described in this handbook to the extent permitted by law. The latest version of this handbook will be available on the Human Resources website. Every effort will be made to notify employees when an official change in the procedural guideline has been made. Upon said notification it is the responsibility of the employee to review and familiarize themselves with any changes.

~~Any provision requested to be waived in this handbook must first be approved by the County Executive, or designee. There will not be any provisions waived without permission from the County Executive, or designee.~~

Any violations of the procedural guidelines outlined herein are subject to discipline up to and including removal.

3 EQUAL OPPORTUNITY & COMMITMENT TO DIVERSITY

3.01 Commitment to Diversity & Inclusion

The County is committed to fostering a diverse and inclusive workforce, which includes building an environment that respects the individual, promotes innovation and offers opportunities for all employees to develop to their full potential.

A diverse workforce helps the County realize its full potential. The County benefits from creativity and innovation that results when people who have different experiences, perspectives, and cultural backgrounds work together.

3.02 Equal Employment Opportunity

The County is committed to providing equal employment opportunities for all individuals regardless of race, color, ancestry, national origin, language, religion, citizenship status, sex, age, marital status, sexual preference or orientation, gender identity/expression, military/veteran status, disability, genetic information, membership in a collective bargaining unit, status with regard to public assistance, or political affiliation, ~~or on the basis of association with an individual that falls into a protected category.~~

Equal opportunity extends to all aspects of the employment relationship, including but not limited to hiring, transfers, promotions, training, terminations, working conditions, compensation, benefits, and other terms and conditions of employment.

3.03 Accommodations for Religious Beliefs

The County respects the religious beliefs and practices of all employees and, upon written request, will make accommodations that are reasonable (accommodations that do not create an undue hardship on the County's business operations), as required by law.

Requesting a Religious Accommodation

Employees who seek a religious accommodation must submit a written request for the accommodation to Human Resources. The written request should include the type of religious conflict that exists and the requested accommodation. Human Resources will respond to the employee's request within a reasonable time.

3.04 Americans with Disabilities Act

The County is committed to complying with the Americans with Disabilities Act (ADA) and its amendments and ensuring equal opportunity in employment for qualified persons with disabilities. The ADA and its amendments make it unlawful for an employer to discriminate against qualified applicants or employees with a disability.

The County will accommodate qualified applicants or employees with disabilities to enable them to perform the essential job duties, unless such accommodation(s) would impose an undue hardship on the operation of the County.

This policy is neither exhaustive nor exclusive. The County is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

Definitions

Qualified employees and applicants with disabilities are employees or applicants with disabilities who can perform the essential functions of the position they are pursuing or currently hold with or without reasonable accommodation.

Employees and applicants with disabilities are persons whose impairments substantially limit one (1) or more of their major life activities (e.g., walking or hearing), who have a history of such impairments, or who are regarded as having such impairments.

Reasonable accommodations are modifications to work environment or schedule that allow applicants or employees to perform the essential functions of the position they pursue or currently hold, that do not create an undue hardship for the County.

Requesting an Accommodation

An employee with a disability in need of an accommodation must complete an *accommodation request form*. The accommodation request form includes a section for medical documentation from the employee's healthcare provider. The accommodation request form is available online, or a paper copy can be requested from Human Resources.

Upon submission of medical documentation presenting a disability, the County will engage with the employee and their healthcare provider to identify reasonable accommodations for the employee.

Medical information obtained by the County regarding applicants or employees is maintained in a separate file and disclosed only in accordance with the ADA and its amendments, as well as applicable federal and Ohio laws. The County may be required to release this information under Ohio Public Records laws or subpoenas.

3.05 Reporting Harassment, Discrimination, or Retaliation

Employees who believe they are the victim of harassment, discrimination or retaliation must immediately report the issue to Human Resources. An employee can also report their concern to their supervisor or department director. Any supervisor or department director made aware of an employee concern regarding harassment, discrimination or retaliation must immediately contact Human Resources.

Employees who are aware of or witness potential harassment, discrimination or retaliation must report such conduct immediately. Supervisors and department directors must immediately report any potential instances of harassment, discrimination or retaliation involving employees or others to Human Resources. [Classified employees may appeal retaliatory adverse employment actions to the Personnel Review Commission.](#)

Investigation

The County will investigate all reported concerns. An investigation may include conducting interviews, obtaining written statements, and reviewing records. The County will complete investigations in a prompt manner. The length of the investigation will vary based on the circumstances involved.

After obtaining and reviewing all available information, the County will determine if any employee violated any County policy. The employee who made the report and the accused employee(s) will be notified in writing of this determination.

If the County finds that an employee has violated any County policy then Human Resources, in consultation with the employee's department director or designee, will determine the appropriate action, which may include corrective action (see section 6.09), disciplinary action (see section 7.11), mediation, training, or transfer.

Confidentiality of Reports

The County will maintain the confidentiality of all investigations, to the extent possible and allowable under applicable Ohio law and may share information on a need-to-know basis. The County will advise all concerned parties to keep information relating to the investigation confidential. Employees should be aware that information obtained during an investigation may be released to comply with a subpoena, public records request, or other disclosure required by law.

Unauthorized disclosure of facts or opinions and/or spreading of information about a report, its participants, investigation or resolution, whether accurate or not, is prohibited and may subject an employee to disciplinary action.

False Allegations

Employees are prohibited from making a report the employee knows is not true. If an investigation reveals that an employee knowingly made a false allegation, the employee may be subject to disciplinary action.

3.06 Prohibited Retaliation

The County strictly prohibits retaliation against any individual who:

- Reports discrimination or harassment
- Cooperates with an investigation of reported discrimination or harassment
- Complains about discrimination or harassment
- Threatens to report discrimination or harassment
- Refuses to obey a directive the employee reasonably believes to be discriminatory
- Pickets in opposition to discrimination
- Requests a reasonable accommodation based on a religion or disability

Retaliation includes, but is not limited to:

- Any negative employment action, such as termination, refuse to hire, or denial or promotion
- Other actions impacting employment such as threats, unjustified negative evaluations, unjustified negative references or increased surveillance
- Any other action, such as assault or unfounded civil or criminal charges likely to deter a reasonable person from pursuing their rights

Any individual who experiences prohibited retaliation should immediately report the issue using the procedures outlined in section 3.05.

4 ETHICS AND SUNSHINE LAWS

4.01 Code of Ethics

All employees are required to demonstrate a high standard of ethical conduct. New employees are required to complete ethics training within the first thirty (30) days of their employment. All employees are required to complete ethics training annually. The County has an Ethics Code, ~~which is, which applies to all employees under the County Executive and is~~ administered by the Agency of the Inspector General. The Ethics Code can be found in Title 4 of the County Code.

4.02 Sunshine Laws and Records

Ohio's Public Records and Open Meetings laws, collectively known as the "Sunshine Laws," give ~~Ohioans members of the public~~ access to government meetings and records. The County has also adopted, by ordinance, a public records policy. Employees should be aware that their work, including emails, voicemails, and other written communications may be open to public inspection, and that their work must be preserved for public inspection consistent with the county's records retention policies, consistent with state law and the County Code. ~~In many cases, this includes emails an employee sends and receives.~~

Each department has a public records policy and a public records manager. Departments also have records retention schedules, which list what records the department keeps, and for how long. Employees must comply with the law and their department's policies regarding records. Employees should consult with their supervisor or public records manager for assistance. The County's public records policy can be found in Chapter 106 of the Cuyahoga County Code (code.cuyahogacounty.us) and the State public records law can be located in the Ohio Attorney General's Sunshine Law Manual. (www.ohioattorneygeneral.gov/Sunshine)

Privacy Expectations

Employees do not have a right, nor should they have an expectation, of privacy while using any County electronic equipment. Records created by an employee when using County electronic equipment (including emails, Internet usage history, etc.) may be released to the public, consistent with state law.

5 TALENT MANAGEMENT

5.01 Filling of Job Vacancies

The County encourages employees to apply for new and vacant positions as they become available. The County is committed to fairly evaluating its employees' qualifications against external candidates' qualifications and selecting the best qualified candidate for the position. The County considers interested applicants' qualifications, abilities, quality of past work performance, discipline, attendance and all other relevant factors. Job vacancies are typically filled as a new hire, promotion, lateral transfer, demotion or a temporary work level (TWL) assignment. In each, the employee must meet the minimum requirements of the job.

- A **new hire** is when a job candidate who does not currently work at the County is hired to fill a vacant, or soon to be vacant position.
- A **promotion** is when an employee moves from one classification or job to another classification or job in a higher pay grade.
- A **lateral transfer** is when an employee moves from one classification or job to another classification or job in the same pay grade.
- A **demotion** is when an employee moves from one classification or job to another classification or job in a lower pay grade.
- A **temporary working level** (TWL) is when an employee is temporarily assigned duties of a position with a higher pay grade for a minimum of a two (2) week period, but not to exceed one (1) year. TWLs are described in section 9.05.

Job Announcement Postings

Job announcements are posted on the Human Resources website and may also be posted on designated bulletin boards throughout the County. They may also be posted on other organizational and recruiting websites, and/or sent to various external recruitment agencies, advertised in newspapers or other media when applicable. These announcements summarize minimum qualifications, and key job duties of the position being filled, but may not be all inclusive. Announcements will also include information about any required civil service testing.

Application Process

Non-employees apply for posted vacancies through the Human Resources website. The website allows applicants to view current vacancies, create a profile and apply for one or more vacancies.

~~Current employees can apply for posted vacancies~~ All job openings will be posted on through the Human Resources website. Certain posted vacancies are for current employees only, but all openings will be posted publicly. Any restriction on who can apply will be noted on the posting. ~~Vacancies that are for current employees of a specific department only will not be posted on the Human Resources website. Employees who are eligible to apply for these vacancies will be notified directly by email or other means.~~

Vacancies for positions covered under a CBA will follow the application process outlined in the CBA.

Selection Process

Classified Positions

The [Personnel Review Commission](#) screens applicants for minimum qualifications, conducts civil service examinations, and certifies ~~an~~ [eligibility lists](#) to the hiring managers. For internal promotions, Human Resources may conduct a screening process and determine candidates to interview ~~without requesting an eligibility list from the PR~~ [utilizing an alternative process approved by the Personnel Review Commission](#).

Human Resources may conduct additional screenings, which may include, but are not limited to, physical agility assessments, criminal record checks, driving record checks, background checks, past work record reviews, job knowledge assessments/tests, job performance prediction assessments, etc.

The hiring manager, along with an interview panel, interviews selected applicants from the eligibility list. The department identifies the preferred candidate to Human Resources, which makes a recommendation to the County Executive. Once approved, Human Resources extends a job offer to the candidate.

Unclassified Positions

Human Resources screens resumes and applications for minimum qualifications and refers qualified applicants' information to the hiring manager.

Human Resources may conduct additional screenings, which could include physical agility assessments, criminal record checks, driving record checks, background checks, past work record reviews, job knowledge assessments/tests, job performance prediction assessments, etc.

The hiring manager, along with an interview panel, interviews selected qualified candidates. The department identifies the preferred candidate to Human Resources, which makes a recommendation to the County Executive. Once approved, Human Resources extends a job offer to the candidate.

Certain unclassified positions are appointed directly by elected officials (e.g., the County Executive and County Council), and these positions may be filled through a separate process managed by the elected official, in consultation with Human Resources.

5.02 Background Checks

The County conducts appropriate background checks on applicants who have received a conditional offer of employment, employees, trainees, paid and unpaid interns/co-ops/fellows, volunteers, and appropriate non-employees performing work on County premises or otherwise on behalf of the County as permitted or required by law.

The County may perform the following background checks, in compliance with relevant laws, including but not limited to:

- Personal Background
- Criminal Background
- Financial Background
- Work History Background
- Educational History Background
- Other Backgrounds as required

Pursuant to County Code, the County does not ask applicants about their criminal background as part of the application process, except as permitted by law. The County may ask applicants who have received a conditional offer of employment about their criminal background. When evaluating an applicant or employee with criminal convictions, the County will consider the nature of the offense, the length of time since conviction, the relationship between the conviction and the duties and responsibilities of the position, and any positive changes demonstrated since the conviction.

5.03 Newly Hired Employees

Onboarding Orientation

The County provides an onboarding orientation process, facilitated by Human Resources, to prepare newly hired individuals to succeed as County employees. All new employees will receive onboarding orientation during their first year of employment. This will assist new employees in learning about the County and understanding the County's core values, mission, vision and goals.

During the onboarding orientation process, new employees will submit all new-hire paperwork and receive relevant information that will assist them in making a smooth and effective transition to the County.

As part of the onboarding orientation process, Human Resources provides a new hire orientation meeting to new employees. New hire orientation meetings are-is are typically completed within the first thirty (30) days of employment.

Identification Badge

Upon hire, employees receive an identification badge from the County at no cost. Employees are required to visibly wear their identification badges while on County property, and/or while performing County business. Employees must notify their supervisor immediately as soon as practical if their identification badge is lost, stolen, damaged or stops working. The employee or supervisor can submit a *request for ID badge replacement form* to ID Card Services to have a new identification badge issued. The request for ID badge replacement form is available from ID Card Services.

Employees may be charged a replacement fee if their badge is lost, stolen, damaged, or stops working. The County may waive the replacement fee for inoperable identification badges. The County may collect and issue, at no cost, a new identification badge to an employee who transfers departments.

Employees must return to their identification badge to their supervisor or Human Resources upon end of employment.

Orientation-Probation Period (Probation)

The employee orientation-probation period is a time devoted to the development and evaluation of the employee in their new position with the County. All full-time and part-time employees that are newly hired, transferred, promoted or demoted shall be subject to an initial orientation-probation period of one hundred eighty (180) calendar days, beginning the first day of their assignment.

No appointment is final until the employee satisfactorily completes their orientation-probation period. An employee may be removed or displaced at any time for failure to successfully complete their orientation-probation period or for any other lawful reason. The removal or displacement of an employee in their orientation-probation period is not subject to appeal. The Director of Human Resources may extend an employee's orientation-probation period to allow additional time to review the employee's performance, up to a maximum of one (1) year. Neither days spent on any unpaid leave of absence, nor days spent on a paid leave of absence for more than five (5) consecutive working days will be counted towards the orientation-probation period. Probationary periods and related requirements for bargaining employees are set forth in each applicable CBA.

6 GENERAL EMPLOYMENT PRACTICES

County employees are expected to perform their jobs and to conduct themselves in a professional manner in a way that advances the goals of the County and boosts public confidence in County government. County employees must exercise the required care for the safety and security of persons and property. County employees must refrain from any behavior which might be harmful to the County's interests, or conflict with County policy. For this reason, the County is committed to selecting individuals for employment who are committed to achieving and supporting the goals and objectives of the County.

It is the desire of County government that all employees have a successful and rewarding tenure and maximize their potential both personally and professionally. Identifying strengths and areas of needed improvement help to prepare employees for promotional opportunities.

6.01 Employment Status

The employment status of County employees includes full-time ~~regular~~, part-time benefits eligible, part-time non-benefits eligible, and temporary. As defined in the Fair Labor Standards Act (FLSA), employees are overtime non-exempt or exempt. Per the Ohio Revised Code, non-bargaining County employees are also designated as classified in the civil service or unclassified. For the purposes of this handbook, elected County officials are not considered employees of the County.

Full-Time

Full-time employment is defined as scheduled to work a yearly average number of hours greater than or equal to forty (40) per workweek. Full-time employment is generally based on a pre-arranged schedule and full-time status is indicated during an initial job offer or change in employment status. Full-time employees are eligible for benefits (see section 10).

Part-Time Benefits-Eligible

Part-time benefits-eligible employment is defined as scheduled to work a yearly average number of hours less than forty (40) per workweek and up to and including thirty-nine (39) per work week but not less than thirty (30) hours per workweek. Part-time benefit-eligible employees are eligible for certain benefits (see section 10).

Part-Time Not Benefits-Eligible

Part-time employment that is not benefits-eligible is defined as working a yearly average number of hours fewer than thirty (30) hours per workweek and are not eligible for [healthcare](#) benefits.

Temporary Employment

Temporary employment is defined as employment for a specified project or time frame, not to exceed one hundred eighty (180) continuous days. Temporary employment may be designated as part-time or full-time. Temporary employees are not eligible for benefits.

Exempt or Non-Exempt

The Fair Labor Standards Act (FLSA) and its amendments provide rules to determine whether a position is designated as exempt or non-exempt. Non-exempt employees ~~may~~ receive overtime pay or compensatory time off calculated at time and one-half (1.5) their regular rates for hours worked more than forty (40) in a workweek (see section 9.06). Exempt employees do not receive overtime pay (i.e., time and one-half) but may, in extraordinary circumstances, receive exchange time or straight pay for hours worked more than forty (40) in a workweek (see section 9.07)

Classified or Unclassified

Classified positions are subject to the civil service provisions of the Ohio Revised Code, the Ohio Administrative Code, the County Charter and the County Code. Classified employees may file appeals with the Personnel Review Commission (PRC) if they feel their civil service protections have been violated.

Unclassified positions are exempt from civil service examination and are not subject to civil service protections. Unclassified employees are at will employees and serve at the pleasure of the County.

Bargaining or Non-bargaining

A position is considered bargaining if it is covered under a CBA. Non-bargaining positions are not covered under a CBA. The terms and conditions of a CBA supersede this handbook on any subject covered by the CBA.

6.02 Job Descriptions

Classified Positions

The PRC maintains the County's class plan. Each classified position has a classification specification that describes the classification's function, distinguishing characteristics, essential job functions, and minimum requirements. All classification plan change requests must be made to the PRC by completing a *non-bargaining classification plan revision request form*, found in the PRC's website. Departments are responsible for communicating any proposed job function changes, in advance of any change to employees' duties, to the PRC.

Classification specifications are located on the PRC's website, and can be requested from Human Resources or the PRC.

Unclassified Positions

Human Resources maintains job descriptions for unclassified positions. Job descriptions consist of essential job functions, including job duties, responsibilities and requirements. Job descriptions will be updated when substantial changes are made.

Departments are responsible for communicating any proposed job description changes for unclassified positions, in advance, to Human Resources. Human Resources will work with the supervisor and others to ensure suggested changes are appropriately incorporated.

Employees who believe their job has significantly changed should notify their supervisor and Human Resources for a position audit (see section 6.03).

Unclassified job descriptions can be requested from Human Resources.

6.03 Position Audit

A position audit is a formal process [to evaluate whether an employee performs job duties substantially different from his or her job description or classification for classified employees](#). An employee who believes their position is incorrectly classified can request a position audit. Human Resources will request information from the employee, the employee's supervisor and the department director regarding the employee's current duties and responsibilities to determine if the employee's position is appropriately classified. After reviewing all available information, Human Resources will determine whether the employee's position is properly classified. An employee who disagrees with Human Resources' determination can [file an appeal](#) ~~to~~[with](#) the PRC [in accordance with the PRC's Administrative Rules](#).

Position audits are fully described in Section 303.01 of the County Code. Employees who wish to request a position audit should contact Human Resources.

6.04 Direct Deposit of Pay and Payroll Deductions

Employees are paid bi-weekly and must participate in the County's Direct Deposit program. A *direct deposit form* must be completed as part of the employee's new hire paperwork or when the employee experiences any changes to their applicable financial account. Employees are responsible for notifying Human Resources if their direct deposit bank(s) and/or account(s) change. Any questions regarding direct deposit or deductions should be directed to Human Resources.

Human Resources publishes an annual payroll calendar that notes each pay day. The payroll calendar is available online or by contacting Human Resources.

Various payroll deductions will be taken out of each employee paycheck. These deductions fall into two (2) categories, mandatory and voluntary.

- **Mandatory Deductions.** Mandatory payroll deductions are mandated by statute. They include federal, state, city and school district taxes, OPERS contributions, support orders, union dues/fair share fees, Medicare, ~~tax levies~~, bankruptcy, garnishments and other applicable obligations.
- **Voluntary Deductions.** Voluntary payroll deductions are authorized by the employee. These include health, accident, charitable contributions, disability and life insurance, retirement plans, flexible spending accounts, credit union deductions, parking and transit costs and union dues.

Deductions can be pre-tax or post-tax depending on the nature of the deduction.

6.05 Timekeeping

The County must comply with applicable laws that require records to be maintained of the hours worked by employees. To ensure that accurate records are kept of an employee's work hours and that employees are paid in a timely manner, employees and their supervisor are required to maintain accurate time and attendance records. Attendance or use of leave should be recorded daily for non-exempt personnel or within the actual pay period for exempt employees.

Time entry for non-exempt employees must be completed daily and accurately by employees. After reviewing and resolving any discrepancies, the supervisor (or department designee) must approve the number of hours worked or on leave in the County's timekeeping system.

Time entry for exempt employees must be completed within the actual pay period. After reviewing and resolving any discrepancies, supervisors (or department designee) must approve the number of hours to be paid for time worked or on approved paid or unpaid leave in the County's timekeeping system.

~~Senior level employees designed by the Director of Human Resources (including department directors), may attest to working a full payroll period, based on eighty (80) hours instead of logging their daily time hour for hour. Those who do not work eighty (80) hours in a pay period must record usage of paid leave. Employees who opt for this timekeeping method are not eligible to accrue exchange time, but can retain and use granted exchange time (see section 9.03).~~

All employees are expected to provide accurate information regarding time and attendance. Falsification is an act of misconduct and considered a violation of the County's policy and procedural guideline and may be subject to disciplinary action.

6.06 Standard Workweek and Hours

The normal workweek for full-time County employees is five (5) days per week, usually Monday through Friday. The normal workday is from 8:30 a.m. to 4:30 p.m. The normal workweek and hours of work may vary based on operational needs, and/or in the case of 7-day/24-hour-a-day operations or in situations covered by a CBA.

Lunch and Breaks

Employees shall be allowed a one (1) hour paid lunch period. To qualify for the paid lunch period, employees must work a minimum of five and one half (5.5) hours inclusive of the lunch period. In addition, County employees may receive two paid breaks of up to fifteen (15) minutes in duration. All breaks and lunch periods are to be scheduled by the employee's immediate supervisor based on the operational needs of their unit and in accordance with the following provisions:

- one break may be taken in the first half of the work day and one may be taken in the second half of the work day
- breaks shall not abut the end or beginning of the lunch period
- breaks and lunch periods cannot be used to make-up tardiness or quitting early. For example, an employee who is scheduled to end their day at 4:30 may not leave for the day at 3:30 p.m. and take their lunch from 3:30 to 4:30 p.m.
- an employee must return to work after a lunch period for that period to be considered a lunch period. For example, an employee may not take their lunch period from 12 p.m. to 1 p.m. and then take sick leave from 1 p.m. until the end of the day. The employee will be required to use their own leave time to cover the period from 12 p.m. to 1 p.m. If, however, the employee only used sick leave from 1 p.m. until 2 p.m. and returned to work for the remainder of the day, the 12 p.m. to 1 p.m. period would be considered a proper lunch period.

6.07 Flexible Work Schedules

To meet challenges and provide options for work-life balance, a department director may grant flexible work schedules [for individual employees, departments, divisions within departments, or other offices or agencies](#). These variations must allow for operational needs to be met, may not alter the total number of hours worked in a workweek and must be approved by the employee's supervisor and department director. The County recognizes three (3) types of flexible work schedules:

- **Alternative Start/End Time.** A department director may grant an alternative start/end time that enables employees to start earlier or later than the designated start time, then work an eight (8) hour workday.
- **Daily Flexible Schedule.** A department director may grant a daily flexible schedule that enables employees to come to work early and go home early, arrive to work late and stay late, or take extra time at lunch that is made up by arriving to work early or staying late. Employees who work daily flexible schedules are required to work within their agency/department's core operational hours.
- **Compressed Work Week.** A compressed work week enables employees to work a four (4) day work week, ten (10) hours each day. [Where practical, directors and managers are strongly encouraged to implement compressed work week schedules to realize operational cost savings, improve public access to county services, and/or improve employee quality of life.](#)

Employees wishing to work flexible work schedules must make their request to their supervisor. Supervisors must complete an operational analysis to determine the feasibility of the request and meet with Human Resources before final approval.

Employees who work a flexible schedule greater than eight (8) hours per day will receive a maximum of eight (8) hours of pay for each recognized holiday. If the holiday falls on a regularly scheduled workday, employees may, at the discretion of the supervisor, make up the additional time or use vacation time to account for the difference in hours.

If the recognized holiday does not fall on a regularly scheduled workday, eligible employees who work a flexible schedule, will be given eight (8) hours of time off at their normal rate of pay.

A floating holiday example would include: employees who work a Tuesday–Saturday schedule, missing a Monday holiday; therefore, employees may take an approved floating holiday.

Working a flexible work schedule is a privilege, not an employee right. Flexible work schedules are not appropriate for all job situations. A flexible work schedule can be rescinded with at least five (5) business days' notice to the employee.

6.08 Voluntary Reduced Work Schedules

Management, in consultation with Human Resources, may authorize or revoke authority for employees to participate in a voluntary reduced work schedule. Eligibility for benefits could be affected. Exempt employees who participate in a voluntary work reduction program shall not be eligible to accumulate exchange time.

6.09 Telecommuting

~~The county does not permit permanent telecommuting arrangements. Employees may, however, be permitted to work out of the office on a temporary or occasional basis when doing so would not adversely impact county operations. Each department director, in consultation with Human Resources, may determine whether an employee may work out of the office on a temporary or occasional basis for dependent care, inclement weather, illness, or caring for an ill family member. Employees working out of the office are required to truthfully and accurately report their time. Supervisors of employees working out of the office are responsible for ensuring such work arrangements are not abused. Falsification of time and attendance records may result in discipline. If an employee's temporary work arrangement is insufficient to meet county business needs, the employee may be required to return to working in the office or to use applicable leave time. The Department Human Resources shall consult with the County's Risk Management Division to ensure out-of-office work arrangements do not expose the county to unduly high workers' compensation claims or other liability. For some positions within the County, working away from the office, or telecommuting, may be permitted. No one position shall be designated as a "telecommuting position." Rather, certain positions may from time to time be suitable for employees working away from the office, and in such a case, management may allow all or part of the duties of the position to be performed away from the office on a temporary basis, up to three months, with the possibility of re-approval. However, no such arrangement is promised or guaranteed, and the duration of telecommuting is subject to change and/or revocation at the discretion of the department director, consistent with applicable law. Telecommuting is an option that may be available when it does not conflict with the operational needs of the County and there is a legitimate business reason to permit it. If telecommuting is allowed for a position, it will last only when it is appropriate for both the employee and County. Each department director, in consultation with Human Resources, shall have the discretion to determine whether department employees may be permitted to telecommute.~~

All County policies, procedural guidelines, rules and practices shall apply at the telecommuting site, including, but not limited to, policies on confidentiality, communications with the public, employee rights and responsibilities, facilities and equipment management, financial management, information resource management, purchasing of property and services, safety, etc. Failure to follow County policies, procedural guidelines or rules may result in termination of the telecommuting arrangement and/or disciplinary action. Management staff shall be accountable to ensure that employees permitted to telecommute are complying with policies, guidelines, etc., and are meeting performance expectations.

This procedural guideline applies to work outside of the office for one or more days a week on a routine basis. This procedural guideline does not apply to temporary or occasional work arrangements such as dependent care, inclement weather, recovery from an illness, caring for an ill family member, or infrequent and irregular instances where an employee is assigned to work at home.

Telecommuting enables employees to work at a place other than their traditional workplace on specified day(s). The telecommuting location may be the employee's home or another suitable location. Employees may use telephones and, in many instances computers, to communicate effectively.

Eligibility

Non-union employees in managerial level positions, who have completed their orientation period and normally work an established workday are eligible to apply for telecommuting opportunities. An employee's work must be of a nature wherein face-to-face interaction is minimal or may be scheduled to permit telecommuting.

To be eligible for consideration of a telecommuting opportunity, management will consider the employees disciplinary record, productivity, and job performance in addition to the following:

- must have no record of disciplinary suspension within the preceding two (2) years
- must have the ability to effectively work independently
- must have the ability to establish and follow clear objectives
- must match operational needs and promote efficient operations

Employees will be selected based on the suitability of their jobs, an evaluation of the likelihood of the employee being a successful telecommuter, and an evaluation of their supervisor's ability to manage remote workers. Each department will make its own determinations, with guidance from Human Resources. The Director of Human Resources has the authority to revoke an authorization to telecommute with three (3) days' notice to the employee, consistent with applicable law.

Telecommuting may not be suitable for all employees. The need for the telecommuting employee to require specialized material or equipment must either be minimal or flexible and or consistent with guidelines on reasonable accommodation.

~~Both the employee and supervisor will be expected to complete a training course designed to prepare them for how to manage the telecommuting work schedule. All telecommuters must sign a *Telecommuting Agreement*.~~

~~**Job Responsibilities While Telecommuting**~~

~~Employees job responsibilities will not change due to telecommuting. Professionalism in terms of job responsibilities, work output, and customer orientation will continue to follow the standards set by the County. The amount of time an employee is expected to work will not change due to telecommuting. Employees work hours will be discussed and approved by the employee's supervisor. If business conditions require the telecommuting employee's presence at the employee's regular work location, or in a meeting, or other event, the employee is expected to report to the appropriate work location.~~

~~**General Guidelines**~~

~~Employees interested in telecommuting opportunities must obtain supervisors' approval in advance regarding work schedules, locations, and durations. In addition, employees participating in telecommuting opportunities are held to the same performance standards, including but not limited to quantity and quality of work, and must:~~

- ~~▪ be accessible to customers, colleagues, and supervisor during scheduled work hours~~
- ~~▪ participate in required scheduled meetings, by being physically present or through other means as determined by the employee's supervisor~~
- ~~▪ adhere to the County's policies and procedural guidelines regarding the use of the County's Electronic Calendar System~~
- ~~▪ adhere to the County's policies regarding the use of the electronic Time and Attendance System~~

~~**Application & Agreement**~~

~~Employees who desire to work at some place other than the primary workplace on specified days shall complete a *telecommuting application* form and submit it to their supervisor. The telecommuting application form is available online, or a paper copy can be requested from Human Resources.~~

~~Employees who are approved for telecommuting shall sign and abide by a *Telecommuting Agreement*. The agreement may require modification to fit individual telecommuting site circumstances. A copy of the Agreement will be retained in the employee's personnel file.~~

6.10 Performance Management

The County strives to help employees understand the impact their contributions have on organizational goals and provide opportunities for professional growth. To achieve this goal, the County has established a performance management program that culminates in a performance review. The performance management process is ongoing as the County plans, manages, reviews, and recognizes good performance.

An effective performance management system is designed to:

- ensure employees have a clear understanding of work expectations
- provide ongoing feedback to employees regarding their performance relative to expectations
- identify development opportunities
- address performance that does not meet expectations

A comprehensive performance management system empowers employees to have greater input into their personal career progression and enables supervisors to better identify and recognize performance based upon a set of criteria.

The County's performance management process consists of a three-phase cycle: planning, managing and reviewing.

- **Planning Phase.** In this phase, individual goals and objectives are set for the performance period. SMART (specific, measurable, achievable, relevant, and time based) goals increase employee motivation and commitment to goal attainment, leading to greater performance and productivity.
- **Managing Phase.** In this phase, through formal and informal conversations, the parties discuss progress towards the successful completion of goals and expectations. Regular communication between the supervisor and employee is critical during this part of the performance management cycle. Discussion enables the supervisor to provide timely feedback and coaching as the year unfolds. It is important for supervisors and employees to keep track of key performance highlights and challenges that occur during the performance period. These notes will assist employees and supervisors during subsequent conversations and when it is time to prepare the performance review.
- **Reviewing Phase.** After the evaluation cycle, the supervisor meets with the employee to conduct a performance review. If SMART goals have been set (planning phase) and ongoing communication/feedback has taken place (managing phase), the overall outcome of the annual review should come as no surprise to the employee. The employee may provide written comments relevant to the performance review on the form within five (5) workdays after receiving it. The employee will acknowledge receipt of the performance review on the form. An employee's acknowledgement of receipt does not indicate agreement with its contents.

6.11 Corrective Action/Performance Improvement

The County has adopted a corrective action process to help employees understand that performance concerns or opportunities for improvement exist, to clarify management's expectations and to prevent a recurrence of unsatisfactory behavior and/or performance concerns.

Documented Counseling

Documented counseling involves a meeting between supervisor and employee, whereby the employee is informed of the inappropriate conduct and of any corrective action that may be necessary. The supervisor shall complete, sign, and date a documented counseling form. The supervisor shall indicate

on the form the date when the employee received the form. The supervisor shall retain the original and the employee shall receive a copy of the form.

Performance Improvement Plan

It is the County's desire that each employee performs at an optimal level. If performance is below an acceptable level, the supervisor may decide that a Performance Improvement Plan (PIP) is necessary. The supervisor will document a description of the performance problem, corrective action to be taken by the employee and how the employee's performance will be measured, along with target dates for improvement. The supervisor shall consult with Human Resources on the development of a PIP.

The supervisor will meet with the employee to implement the PIP. If the employee's performance continues to fall below expectations, the County may choose to modify the PIP, conduct a Pre-Disciplinary Conference to determine the appropriate discipline, or otherwise address the deficiency, up to and including removal.

Mandatory Referral to Employee Assistance Program

Human Resources may require an employee to seek assistance through the County's Employee Assistance Program (EAP) to identify and resolve issues that may be interfering with job performance. Supervisors may initiate a mandatory EAP referral by contacting Human Resources. A referred employee's attendance, motivation level, and willingness to follow recommendations will be reported back to County management by the EAP administrator.

6.12 End of Employment

The County strives to build long-term mutually beneficial relationships with its employees and wishes future success to employees who exit employment.

Resignation

Employees may resign from employment with the County by providing written notice to Human Resources or their supervisor. Upon receipt, Human Resources will confirm acceptance to the employee in writing. An employee may not rescind a notice of resignation after acceptance unless Human Resources, in conjunction with the employee's department director, approves the request to rescind in writing. Employees are requested, when possible, to provide at least fourteen (14) calendar days advance written notice of their intention to resign.

Retirement

Employees may retire from County service by submitting the appropriate forms to the Ohio Public Employees Retirement System (OPERS) and providing written notice to Human Resources. Forms may be found on the OPERS website: www.OPERS.org or by contacting Human Resources. Upon receipt, Human Resources will confirm acceptance to the employee in writing. An employee may not rescind a notice of retirement after acceptance unless Human Resources, in conjunction with the employee's department director, accepts the employee's request to rescind. Employees are requested, when possible, to provide fourteen (14) calendar days advance written notice of their intention to retire.

Disability Separation

An employee who is unable to perform the essential job functions of their position due to a disabling illness, injury or condition, and has exhausted all paid sick leave and applicable unpaid leave, may be disability separated in accordance with the ADA and other applicable law. A disability separation may be voluntary or involuntary. The County may require the employee to submit to a medical or psychological fitness for duty examination with a physician chosen by the County for determining whether the employee can perform the essential job functions of their position, with or without reasonable accommodation.

Voluntary Disability Separation

A disability separation is voluntary when an employee requests to separate. The County may grant an employee's request for voluntary disability separation or may require the employee to submit to a medical or psychological examination. If the examination supports the employee's request, the County shall grant the employee's request for voluntary disability separation. If the medical examination does not support the employee's request, the County shall not approve the employee's request for voluntary disability separation.

An employee who is granted a voluntary disability separation shall retain the right to be reinstated to their position for two (2) years from the date that the employee is no longer in active work status.

Involuntary Disability Separation

A disability separation is involuntary when there is a dispute between the County and the employee regarding the employee's ability to perform the essential functions of their position, with or without reasonable accommodation. The County must have medical evidence of an employee's disabling illness, injury or condition that documents the employee's inability to perform one or more essential functions of their position. The County will schedule a pre-separation hearing and the employee shall be provided with written notice at least seventy-two (72) hours in advance. If the employee does not waive their right to the hearing in writing, the employee has the right to examine the County's evidence of disability, rebut that evidence, and present testimony and evidence on their own behalf at the hearing. If the County determines, after weighing the testimony and evidence admitted, that the employee is unable to perform one or more essential functions of their position, with or without reasonable accommodation, then the County shall separate the employee. Unless otherwise specified in the employee's CBA, an involuntarily disability separated employee shall have the right to appeal to the Personnel Review Commission (PRC) by following the PRC Administrative Rules.

Reinstatement from Disability Separation

An employee on disability separation for less than two (2) years may make a written request to the County for reinstatement accompanied by credible medical evidence that the employee can perform the essential functions of their position, with or without reasonable accommodation. A request cannot be made less than three (3) months from the date the employee was no longer in active work status. Upon receipt of this evidence, the County shall either reinstate the employee or require the employee to submit to a medical or psychological fitness for duty examination to determine whether the employee can perform the essential functions of their position, with or without reasonable accommodation. The County shall

notify the employee of its decision to approve or deny the reinstatement request no later than sixty (60) calendar days after it receives the employee's written request. If the County determines that the employee is unable to perform one or more of the essential functions of the position, with or without reasonable accommodation, the County will schedule a hearing and provide the employee written notice at least seventy-two (72) hours in advance. If the employee does not waive the right to the hearing, the employee has a right to examine the County's evidence of continuing disability, rebut that evidence, and to present testimony and evidence on their own behalf. If the County then finds the employee incapable of performing one or more of the essential functions of their position, with or without reasonable accommodation, the employee will be notified of this decision in writing and shall have the right to appeal to the PRC by following the PRC Administrative Rules. The employee shall not make subsequent requests for reinstatement more than once every three (3) months from the date the employee is notified of a reinstatement denial. If the County determines that the employee is to be reinstated, the employee will be assigned to a position in the classification the employee held at the time of disability separation if a position is available. If that classification no longer exists or is no longer utilized by the County, or if there is no available position, the County shall endeavor to place the employee in a similar classification. If no vacancy in a similar classification exists, or if the employee no longer meets the minimum qualifications, the employee may be laid off.

Disability Retirement

Employees who are unable to perform the essential duties of their position, with or without reasonable accommodation, due to a disabling illness, injury or medical condition, may be eligible for disability retirement through OPERS. Employees must contact OPERS to initiate the disability retirement process. Employees seeking reinstatement from a disability retirement pursuant to applicable state law shall be required to submit appropriate documentation of their ability to work and may be required to submit to an examination to determine whether they can perform essential functions of their position, with or without reasonable accommodation.

Layoff

Whenever the County determines that it is necessary or advisable to reduce its workforce, the County shall lay off employees or abolish their positions in accordance with the County Code and any applicable provisions of the Ohio Revised and Administrative Codes. Affected employees will be provided with information related to order of layoff, displacement rights, reinstatement rights, [job placement services through existing state and county workforce programs](#), and other information related to the layoff process (e.g., ~~job placement services and~~ unemployment).

Bargaining employees should refer to their CBA for information regarding layoffs.

Disciplinary Removal

Employees may be subject to involuntary separation based on disciplinary action as described in this handbook or their CBA.

Employee Separation Appeal

Classified employees who are involuntarily separated may appeal their separation to the PRC by following the PRC Administrative Rules. Bargaining employees who are involuntarily separated may appeal their separation based on the terms outlined in their CBA.

Final Paycheck

Upon separation of employment, compensation for accrued vacation leave and compensatory time will be included in the last paycheck or may be included in a separate check (provided that all County property i.e. laptop, keys, have been returned). There is no compensation for unused sick leave or exchange time except upon retirement. An employee with ten (10) or more years of service may receive payment for one-fourth (1/4) the value of accrued, unused sick leave, not to exceed 240 hours (30 days).

6.13 Delayed Openings/Early Closing

Emergency Delayed Openings/Early Closing

As a general practice, the County does not close buildings unless the health, safety and/or security of County employees are threatened. In addition, from time to time the County may delay opening, suspend operations or release employees early because of an emergency such as power failure, hazardous weather conditions, acts of God, or similar situations. These situations may necessitate the delayed opening or early closing of multiple buildings and/or ceasing all work activities.

Certain jobs are considered essential during an emergency and require designated personnel to be present for work. Employees should consult with their supervisor or department director to determine if they are considered an essential employee.

Notification

In the event of an emergency, the County Executive, or their designee, will be responsible for initiating delayed opening or early closing procedures.

If the decision to delay opening or early close more than one (1) County site has been made, the County's Department of Communications is responsible for initiating general notification to County employees and the public. Other designees, including the County Executive, department directors and Human Resources, may also disseminate the notification.

Employee notifications can occur in multiple ways, for example:

- contact by a County official
- local media, including local radio, television stations and their corresponding websites
- The County's Internet home page at www.cuyahogacounty.us and/or intranet site
- Notification from "ReadyNotify." Employees are encouraged to register with ReadyNotify (<https://ready.cuyahogacounty.us>) to receive all emergency notifications
- posting on an official County social media platform

Employees are encouraged to listen to local radio and watch for television announcements during periods of adverse weather or states of emergency to determine the status of their facilities. In addition, employees can also call the County main emergency message number, (216) 443-7000, and listen to a recorded message.

Employees Operating During Delayed Openings/Early Closings

The County may require employees to work during delayed openings or early closing. Department directors are responsible for identifying, designating and notifying employees responsible for carrying out critical functions who are expected to report to work in the event of a delayed opening or early closing.

Pay Provisions During Delayed Openings/Early Closings

Non-exempt employees who are at work when a delayed opening or early closing is declared may be sent home and will be paid for the balance of their scheduled hours. Exempt employees will receive their regular pay for the day.

Employees on approved leave (e.g., vacation, sick, personal day, etc.) will be charged according to their leave arrangements.

The County reserves the right to determine pay provisions based on the circumstances. Factors that may be considered include, but are not limited to, notice to employees not to report and duration of the emergency.

Non-Emergency Delayed Openings/Early Closings

The County Executive may authorize the delayed opening or early closure of one (1) or more buildings or offices for any reason deemed appropriate. In the event of an authorized non-emergency delayed opening or early closure, the provisions regarding notification, essential employees working, and pay for emergency delayed openings or early closures shall apply.

7 STANDARDS OF CONDUCT

7.01 Anti-Harassment and Anti-Bullying

The County is committed to providing a workplace free from harassment, including sexual harassment and bullying. Conduct that unreasonably interferes with an individual's work performance, that creates an intimidating, offensive or hostile work environment, and/or adversely affects employment opportunities is strictly prohibited.

An employee who is found to have harassed or bullied an employee, or anyone engaged in County business, or anyone on County property, may be subject to corrective action (see section 6.09), disciplinary action (see section 7.11), training, mediation, or transfer. This includes any employee who interferes with the resolution of a complaint, retaliates against an individual for filing a complaint, or knowingly files an unfounded or fraudulent complaint intended to cause harm.

Harassment and bullying can be intentional or unintentional. It is the impact of the employee's actions, not intent, that determines if harassment or bullying occurred.

Definitions

Workplace Harassment is any unwelcome verbal, written or physical conduct that demeans or shows hostility, or aversion, toward an individual, or their relatives, friends or associates, because of their race, color, ancestry, national origin, language, religion, citizenship status, sex, age, marital status, sexual preference or orientation, gender identity/expression, military/veteran status, disability, genetic information, membership in a collective bargaining unit, status with regard to public assistance, and political affiliation, or on the basis of association with an individual that falls into a protected category of the County's equal opportunity policy, which can reasonably be considered to adversely affect the work environment.

Such harassing conduct may include, but is not limited to:

- Epithets, slurs, jokes, negative stereotyping or threatening, intimidating or hostile comments or acts
- Written or graphic material which demeans or shows hostility or aversion toward an individual or group

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual nature, from one of the opposite sex, or from one of the same sex when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual's employment

- Such behavior has the purpose or effect of unreasonably interfering with an individual's work performance, or is so pervasive or severe that it creates an intimidating, hostile or offensive environment

The terms "intimidating," "hostile" and "offensive" are interpreted according to legal standards generally from the viewpoint of a reasonable person in similar circumstances as the complaining party.

Examples of sexual harassment include, but are not limited to:

- unwanted sexual advances
- demands for sexual favors in exchange for favorable treatment or continued employment
- repeated sexual jokes, flirtations, advances or propositions
- verbal abuse of a sexual nature (e.g., graphic comments about a person's body or sexual prowess)
- whistling or leering
- touching, pinching, or assault
- coerced sexual acts
- suggestive insulting, obscene comments or gestures
- displaying sexually suggestive objects, pictures or written material in the workplace

Bullying is egregious or repeated inappropriate behavior, intentional or unintentional, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons toward a co-worker or anyone engaged in County business, on County property and/or that could reasonably be expected to impact the workplace.

~~When an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when enforcing this policy. It is the effect of the behavior upon the individual that is important.~~The County considers the following types of behavior examples of bullying (this list is not all inclusive):

- **Verbal or Written:** slandering, ridiculing or maligning a person or their family; persistent name calling that a reasonable person would consider hurtful, insulting or humiliating; using a person as the center of jokes; abusive and offensive remarks.
- **Physical:** pushing; shoving; kicking; poking; tripping; assault, or threat of assault; damage to a person's work area or property.
- **Gesture Non-Verbal Acts:** non-verbal threatening ~~gestures or glances~~acts which a reasonable person would consider threatening.
- **Cyber:** the use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature.

Prohibited Retaliation

Any form of retaliation against those who bring forward complaints or perceived violations of this administrative guideline, or against those who oppose discrimination or harassment or participate in an investigation of a complaint, is strictly prohibited. Any action that is perceived to be retaliatory should immediately be reported to Human Resources.

Reporting Workplace Harassment, Sexual Harassment, Bullying, or Retaliation

Employees who believe they are the victim of workplace harassment, sexual harassment, bullying, or retaliation must immediately report the issue to Human Resources. An employee can also report their concern to their supervisor or department director. Any supervisor or department director made aware of an employee concern regarding workplace harassment, sexual harassment, bullying, or retaliation must immediately contact Human Resources.

Employees who are aware of or witness potential workplace harassment, sexual harassment, bullying, or retaliation must report such conduct immediately. Supervisors and department directors must immediately report any potential instances of workplace harassment, sexual harassment, bullying, or retaliation involving employees or others to Human Resources.

Investigation

The County will investigate all reported concerns. An investigation may include conducting interviews, obtaining written statements, and reviewing records. The County will complete investigations in a prompt manner. The length of the investigation will vary based on the circumstances involved.

After obtaining and reviewing all available information, the County will determine if any employee violated any County policy. The employee who made the report and the accused employee(s) will be notified in writing of this determination.

If the County finds that an employee has violated any County policy then Human Resources, in consultation with the employee's department director or designee, will determine the appropriate action, which may include corrective action (see section 6.09), disciplinary action (see section 7.11), mediation, training, or transfer.

Confidentiality of Reports

The County will maintain the confidentiality of all investigations, to the extent possible and allowable under applicable Ohio law and may share information on a need-to-know basis. The County will advise all concerned parties to keep information relating to the investigation confidential. Employees should be aware that information obtained during an investigation may be released to comply with a subpoena, public records request, or other disclosure required by law.

Unauthorized disclosure of facts or opinions and/or spreading of information about a report, its participants, investigation or resolution, whether accurate or not, is prohibited and may subject an employee to disciplinary action.

False Allegations

Employees are prohibited from making a report the employee knows is not true. If an investigation reveals that an employee knowingly made a false allegation, the employee may be subject to disciplinary action.

These procedures are not designed or intended to limit the County's authority to discipline or take remedial action for workplace conduct it deems unacceptable, regardless of whether that conduct satisfies the definition of harassment or bullying.

7.02 Resolving Work-Related Concerns

The County strives to maintain a workplace that fosters a productive and harmonious working environment where work-related concerns are managed promptly, impartially and justly.

Minor problems can develop into larger disputes, if they are not dealt with quickly and effectively. It is the County's intent to foster positive and collaborative relationships amongst employees and our customers. The County encourages quick and decisive resolutions to work-related concerns.

An employee with a work-related concern should first attempt to address the concern informally, with their supervisor. If the employee cannot resolve the issue informally with their supervisor, the following process must be used:

- **Step 1:** The employee must bring their concerns to the attention of their supervisor, in writing, for a resolution. Once made aware, the supervisor must seek to resolve the concern within a timely manner, generally not to exceed fifteen (15) workdays. The supervisor's response will be in writing.
- **Step 2:** If the employee believes the situation remains unresolved, the employee must make a written request to their department director or designee outlining the concern, the date when the employee advised their supervisor of the concern, and that the concern remains unresolved. The department director or designee must seek to resolve the concern within a timely manner, generally not to exceed fifteen (15) workdays. The department director or designee's response will be in writing.
- **Step 3:** If the employee believes the situation remains unresolved, the employee must bring the written concern to the Director of Human Resources or designee. The Director of Human Resources or designee must seek to resolve the concern within a timely manner, generally not to exceed fifteen (15) workdays. The Director of Human Resources or designee's response will be in writing.
- **Step 4:** If the employee believes the situation remains unresolved, the employee must bring the written concern to the County Executive or designee. The County Executive or designee's decision is final, and the employee shall be notified in writing.

If employees are uncomfortable, or feel it is inappropriate to address the issue with a level(s) of management identified in this procedure, they may consult directly with Human Resources. An employee who skips one (1) or more steps in this procedure without reasonable cause, as determined by the

Director of Human Resources or designee, may be required to complete the skipped step(s) before any further action will be taken regarding the employee's concern.

When this handbook establishes a process for reporting a concern (e.g., for reporting workplace violence, harassment, sexual harassment, discrimination, bullying, or retaliation), employees should follow the procedures for those circumstances. Bargaining employees should consult their CBA regarding the resolution of work-related concerns.

Retaliation against an employee for following this process is strictly prohibited. Human Resources may be consulted at any step in this procedure for assistance.

7.03 Employee Dress/Appearance

The County has adopted a business-casual work apparel environment for its employees. Business-casual work apparel is intended to encourage a more relaxed and productive environment at work while at the same time maintaining an atmosphere of neat, well-groomed, business-like appearance among employees. Projecting a positive image of our workplace to our customers, volunteers and fellow employees should be a high priority for all employees.

Employees should exercise reasonable judgement and may consult with their supervisor to determine when professional business attire is necessary for specific work obligations.

~~With the approval of the Director of Human Resources,~~ Departments may have more specific work-apparel guidelines based on the nature of the work performed (examples include but are not limited to, employees working outside, uniformed employees, etc.).

If a supervisor decides that an employee's dress or appearance is not appropriate as outlined in this procedural guideline, they may take corrective action and require the employee to leave the work area and make the necessary changes to comply with the procedure. An employee who is dressed inappropriately may be sent home to change their clothes and may be subject to disciplinary action. An employee who is sent home shall be placed in unpaid status or may use appropriate leave (e.g., vacation, exchange, or compensatory time) to cover a reasonable amount of time that they are away from the worksite.

Nothing in this guideline is intended to limit an employee's rights relating to non-discrimination or to hinder the advancement of diversity at the County. The County will reasonably accommodate those employees whose bona fide religious belief or disability requires special attire.

7.04 Attendance

Timely and regular attendance is an expectation of performance for all County employees. To ensure appropriate staffing levels, positive employee morale, and to meet expected productivity standards throughout the organization, employees will be held accountable for adhering to their workplace

schedule. In the event an employee is unable to meet this expectation they must obtain approval from their supervisor in advance of any requested schedule changes. This approval includes requests to use appropriate accruals, as well as late arrivals to or early departures from work. Departments have discretion to evaluate and issue discipline when appropriate. Employees covered under a CBA should refer to their CBA for time and attendance requirements, if applicable.

Punctuality and regular attendance are essential to ensure optimal productivity and customer service. Employees are required to maintain a satisfactory record of attendance. The County recognizes that employees will at times experience illness, or on an occasion be late for work due to unusual circumstances. This policy attempts to acknowledge both management and employee concerns.

Occurrences

An occurrence is defined as an unapproved absence, two (2) tardies or two (2) missed time clock punch-ins/outs. The total number of days or partial days that an employee is unavailable for work due to unapproved absence are considered when applying discipline, as outlined in the table below.

Unapproved Absences

An absence is deemed unapproved when an absence of more than one hour is not covered by an approved leave (e.g., sick, FMLA, vacation, compensatory or exchange time).

Employees will be docked pay for all hours missed due to unapproved absences.

Tardy

An employee is tardy when the following occurs involving periods of one hour or less:

- failure to report to work on time, as scheduled
- taking an extended meal or break period without prior approval

Time Clocks and Failure to Clock Punch-in/out

Employees who use timeclocks are required to follow established guidelines for recording their actual hours worked. A missed clock punch-in/out is a violation of procedural guidelines, as is punching-in/out early or late without prior approval.

Department Notification

Employees are expected to follow departmental notification procedures if they will be late for work, will not be at work, or are requesting planned time away from work. Employees must request in advance to their supervisor or designee if they wish to arrive early or leave early from an assigned shift. Incidences of not following departmental notification procedures will be addressed in accordance with the County's progressive discipline guidelines. Please note that no call/no show is defined as AWOL below and treated differently from other notification violations.

The employee must follow their departmental notification procedures when an absence is due to a documented/approved leave of absence (e.g., FMLA, military leave, etc.) to ensure appropriate tracking of leave utilization.

Absence Without Leave (AWOL)

Employees who are absent for three (3) or more consecutively scheduled workdays without prior notification to their supervisor will be AWOL, ~~and the County may accept that the employee has voluntarily resigned without notice and may be subject to removal.~~ Supervisors should immediately consult with Human Resources if this situation occurs. A single day of no call/no show is subject to corrective action based on the circumstances of each individual case.

Progressive Discipline for Attendance

An occurrence is documented as a tardy and/or missed time clock punch-in/out. Supervisors and department management staff are responsible for tracking accumulated occurrences and for initiating the discipline process in consultation with Human Resources to ensure consistent application of discipline across the organization.

The following table is a guideline for discipline based on the total number of occurrences. Occurrences will be considered active for discipline purposes using a rolling twelve (12) month period. Occurrences will not be issued for absences that are protected under FMLA, ADA, Workers' Compensation, or legal proceedings leave.

Definition	Occurrences	Disciplinary Action
An occurrence is equal to any of the following: <ul style="list-style-type: none"> ▪ 2 tardies ▪ 2 missed clock punch-in/outs ▪ 1 full or partial day unapproved absence 	2	Verbal reprimand
	3	Written reprimand
	5	1-day suspension
	7	3-day suspension
	9	Termination
<ul style="list-style-type: none"> ▪ Day of no call/no show <u>(i.e., without prior notice)</u> 	1	1-day suspension
	2	3-day suspension
	3	Termination
<ul style="list-style-type: none"> ▪ AWOL (3 or more consecutive days of no call/no show) 	1	Employee deemed to have voluntarily resigned through job abandonment <u>subject to removal.</u>

If an employee accumulates several occurrences within a single pay period, the employee may be advanced to the level of discipline called for in these guidelines even if the employee has no prior discipline. For example, an employee with no prior discipline who accumulates five (5) occurrences in a pay period will be issued a one (1) day suspension.

This procedural guideline will be administered in conjunction with the timelines contained in this handbook and the County's CBAs for the expiration of active discipline. For example, if the timeline for the expiration of active discipline is twenty-four (24) months, a verbal reprimand issued under this procedural guideline will remain active for twenty-four (24) months and will be used as the basis of future discipline. If the discipline immediately prior to the one being assessed was less than twenty-four (24) months ago, the next discipline assessed will progress based on that prior discipline, unless the guidelines recommend discipline that is more severe. Examples: 1) If an employee has an active one (1) day suspension for missed clock punch-in/out and then is charged with two occurrences of tardiness, the employee will receive a three (3) day suspension. 2) If a three (3) day suspension has been imposed pursuant to this guideline and remains active, the next discipline will be termination.

7.05 Employee Responsibility for County Property

Employees shall not abuse, neglect, waste or misappropriate County property. All employees are responsible for the proper care of any tools, materials, equipment, vehicles, etc. assigned for the performance of their jobs. No County property shall be used for any purpose other than authorized work-related activities, this includes computers and the Internet. No County property shall be taken from the worksite for any purpose unless specifically authorized by the employee's supervisor.

In most cases, unless otherwise designated, uniforms, tools and equipment (e.g., County-issued cell phones, pagers, computers, keys, uniforms, identification badges, etc.) must be returned upon separation from employment. As a condition of employment, all employees agree that if the employee does not return County property the replacement cost of the item(s) will be deducted from the employees' salary and leave balance(s) due (except when prohibited by law). If the amount does not cover the costs, the employee will be responsible for paying the difference.

7.10 Notification of Criminal Arrest or Conviction

Any County employee that is arrested, charged and/or convicted for any crime, other than a minor traffic violation, must immediately report the incident to Human Resources. Examples of crimes that must be reported include, but are not limited to:

- felonies (or being arrested for a crime punishable as a felony)
- a crime involving dishonesty, fraud, or theft (e.g., forgery, burglary, robbery, credit card fraud, perjury, bribery, tax evasion)
- Crimes of moral turpitude (e.g., sex offenses, pandering, prostitution, importuning, public indecency)
- Crimes involving physical violence (e.g., assault, patient abuse or neglect)
- Drug-related crimes (e.g., trafficking offenses, drug possession)

Criminal activity or an undisclosed criminal arrests or convictions may constitute cause for discipline. Determination of such action will be based on an analysis of the responsibilities of the position and the nature and time frame of the conviction.

7.11 Progressive Discipline

The County subscribes to a policy of progressive discipline. Progressive discipline is not intended to be punitive. The goal of progressive discipline is to help the employee recognize and correct unacceptable behavior before it becomes serious enough, or frequent enough, to warrant termination of employment.

Application

When progressive discipline is applied, the County shall examine the totality of the employee's current disciplinary record, including, but not limited to, attendance and tardiness discipline that remains active.

Procedure

Supervisors and managers are responsible for exercising independent judgement to identify and recommend the need for discipline.

When a management representative recommends discipline, they shall consult with Human Resources for guidance and to ensure consistency across the organization. Prior to recommending discipline, supervisors must have investigated and obtained documentation of the alleged conduct.

After a supervisor has recommended discipline, the role of Human Resources is to provide guidance on the level of discipline to be imposed. If the facts of the case may justify a suspension, demotion, or removal, the management representative will complete a request for Pre-Disciplinary Conference (PDC).

The purpose of the PDC is to provide the employee with a final opportunity to present their side of the case and to provide any additional information or documentation that the employee desires to be considered. Human Resources will coordinate the PDC and will provide written notice to the employee and supervisor regarding the date, time, and location of the PDC. Employees shall be provided with the option of waiving the PDC. [Employees shall have the right to take an audio or video recording of their PDC.](#)

Depending on the nature of the discipline that is ultimately issued, employees will be notified of discipline by their supervisor or Human Resources.

All disciplinary actions that are imposed shall be filed with Human Resources. Disciplinary actions will remain active for two (2) years for purposes of progressive discipline. The two (2) year period shall be measured backward from the date of the subsequent offense to the date the prior discipline was imposed.

Levels of Disciplinary Action

The County reserves the right to skip one or more levels of progressive discipline depending on the circumstances and/or severity of the offense.

- **Verbal Reprimand:** A verbal reprimand is an articulation of the problem by the supervisor to the employee. A verbal reprimand shall note the date and nature of the problem, as well as specifically state the employee is receiving a verbal reprimand.

- **Written Reprimand:** A written reprimand is formal, written notice by the supervisor to the employee that their conduct is inappropriate, what actions are necessary to correct the misconduct, and the consequences of continued misconduct.
- **Working Suspension:** A working suspension results with an employee is required to report to work to serve a suspension. An employee serving a working suspension shall be compensated at their regular rate of pay for hours worked. The working suspension shall be recorded in the employee's personnel file and has the same effect as a suspension for the purposes of progressive discipline.
- **Suspension:** A suspension is a forced, unpaid leave of absence from employment for one (1) or more days.
- **Demotion:** A demotion is a forced transfer of the employee from one classification or job to another classification or job in a lower pay grade.
- **Removal:** A removal is a forced separation of employment.

A record of any disciplinary action must be made using a form prescribed by Human Resources and will be placed in the employee's personnel file.

At the sole discretion of the Director of Human Resources or designee, an employee may be temporarily placed on paid administrative leave. This may be necessary because the employee's actions indicate that remaining on the job or returning to the job may be detrimental to the employee, co-workers, customers or the County. Employees who are placed on paid administrative leave shall be prepared to return to work each day and may be subject to other requirements determined by Human Resources.

Prohibited Conduct

The County considers the following to be a non-exhaustive list of unsatisfactory conduct that may be considered grounds for progressive disciplinary action:

- Absence from duty without reasonable cause
- Absence without leave
- Being away from assigned work area without permission of supervisor
- Conduct that might endanger the safety of others
- Conduct unbecoming an employee of the County
- Creating a hostile, intimidating or offensive work environment based upon a protected characteristic
- Excessive absenteeism
- Excessive tardiness
- Failure to comply with safety regulations, procedures and/or guidelines
- Failure to cooperate in a workplace investigation
- Failure to follow call in procedures
- Failure to follow the orders of a supervisor
- Failure to properly report work status
- Failure to report known safety hazards
- Failure to wear required safety equipment

- Falsification
- Fighting
- Harassment, discrimination or retaliation against another
- Insubordination
- Intimidation or threats
- Misfeasance, malfeasance or nonfeasance
- Neglect of duty
- Offensive language or conduct toward another
- Poor job performance
- Possession of weapons on County premises without authorization
- Reckless operation and/or misuse of County vehicles and equipment
- Reporting for or being on duty in an unfit condition to work
- Reporting to work under the influence of alcohol and/or drugs
- Sleeping while on duty
- Theft
- Use of or possession of alcohol and/or drugs on County property
- Destruction of County property
- Violation of policies, procedures, rules, regulations, or guidelines

Evaluation of Inappropriate Conduct

All inappropriate conduct shall be evaluated on a case by case basis, considering the following factors:

- Level of disruption to County business.
- Level of harm to the County's interests.
- Level of damage to the public's trust and confidence in Cuyahoga County government.
- The employee's position and the degree of responsibility inherent in that position (i.e., supervisory vs. non-supervisory positions). Employees who occupy a supervisory or management position are held to a higher standard of conduct commensurate with the level of leadership required of them.
- Whether the employee's conduct is part of a continuing problem.
- Whether the employee's conduct put a co-worker, vendor or customer's safety and/or security at risk.
- Whether the employee's truthfulness brought into question because of his or her conduct.
- Whether there are extenuating or mitigating circumstances.

Appeals

The Cuyahoga County Charter provides classified non-bargaining employees an appeals process for certain disciplinary action through the Personnel Review Commission (PRC). Details are available on the website of the PRC. Bargaining employees should review their CBA regarding appeals.

8 WORKPLACE SAFETY

8.01 Workplace Violence Prevention

The creation and maintenance of a safe environment for all employees is one of the County's highest priorities. The County's goal is to prevent workplace violence through early intervention and investigation of threats or acts by or against employees while engaged in the performance of their duties.

All employees must make a reasonable effort to recognize potentially violent situations and take the appropriate measures to prevent escalation. All individuals are entitled to a non-threatening environment while on County property, or off County property when serving the County. Therefore, any form of violence, whether actual or perceived, will not be tolerated.

Definition

Workplace violence is defined as any act of aggression or violence or any statement that could be perceived by a reasonable person as an intent or threat to cause harm to a person or to property. Workplace violence can occur on or off County property and includes acts that could reasonably be expected to impact the workplace, including acts committed when an employee is off duty.

Reporting Workplace Violence

Any employee who witnesses or experiences workplace violence must promptly report the incident. All reports will be treated seriously and investigated accordingly. In the event of an imminent danger to themselves, or others, or property, employees should handle the situation as outlined below:

- Immediately call Protective Services at your location or, if direct telephone access is available call 911 to inform them of the incident. Until Protective Services staff or the police arrive, retreat to safety and try to avoid physical confrontation. If the circumstances permit, immediately notify your supervisor or manager of the incident. Do not attempt to take matters into your own hands.
- When the situation is so serious that immediate removal of an employee from property is necessary, the Director of Human Resources may place an employee on immediate paid or unpaid leave and have the employee removed from County property. In this case, the employee's supervisor should contact Human Resources regarding the need for disciplinary action.
- After an incident, any person who witnesses or has knowledge of the incident may be required to provide a statement to the manager or supervisor, describing the event. This is in addition to any statements given to Protective Services and/or local police.

In instances when the situation is not an emergency, employees should report the incident to their supervisor or manager immediately. If employees are not comfortable reporting the matter to a supervisor, reports of workplace violence may be made to Protective Services or Human Resources.

Supervisors and Protective Services staff are required to immediately communicate any complaints of workplace violence (or any acts of workplace violence that they witness or become aware of) to Human Resources.

Human Resources and department management will review each report and determine the appropriate response, which may include further investigation. If Human Resources finds that an employee has violated any County policy then Human Resources, in consultation with the employee's department director or designee, will determine the appropriate action, which may include corrective action (see section 6.09), disciplinary action (see section 7.11), mediation, training, or transfer. Additionally, if appropriate, the investigation findings may be forwarded to the proper authorities for further action, including criminal prosecution.

The County strictly prohibits retaliation against employees who report workplace violence. However, any employee who knowingly makes a false report may be subject to disciplinary action. In addition, nothing in this or any other policy or procedure should be construed as limiting employees' right to contact public safety officials in emergency circumstances.

Weapons

The County strictly prohibits the wearing, transporting, storage, presence or use of dangerous weapons on County property, or while engaged in business with or on behalf of the County, regardless of whether the person is licensed to carry the weapon under Ohio law. This prohibition does not apply to any law enforcement or Protective Services personnel engaging in official duties. Employees who violate this prohibition are subject to disciplinary action.

Employees who observe a person with a dangerous weapon on County property must immediately contact Protective Services.

For purpose of this policy, **County property** is defined as all County-owned or leased buildings and surrounding areas, such as sidewalks, walkways, parking lots and driveways under the County's ownership or control. Furthermore, this procedure applies to all County-owned or leased vehicles. Private vehicles that come onto County property are not included.

For questions regarding whether an item is covered under this prohibition, employees should contact Human Resources. It is the responsibility of every employee to make sure any item in their possession is not prohibited by this prohibition.

8.02 Smoke and Tobacco Free Workplace

To protect the health and safety of County employees and our customers, and to create a cleaner and more sustainable work environment, the County has established a smoke and tobacco free workplace, including owned and leased buildings, grounds, and vehicles.

Definitions

- **County premises** shall include all property owned or leased by the County, including all vehicles.
- **County time** shall include all time during which employees are on County premises or performing work for the benefit of the County. Breaks (including lunch breaks) shall not be counted as County

time if the employee is not on County property and is not performing work for the benefit of the County during the break.

- **Smoking** is defined as the use of smoke-producing tobacco products, including but not limited to cigarettes, cigars, cigarillos, mini-cigars, e-cigarettes, tobacco alternative vapor or vaping products and hookahs. All forms of smoking are prohibited.
- **Tobacco use** is defined as the use of any tobacco product including, but not limited to cigarettes, cigars, cigarillos, mini-cigars, hookah, chewing tobacco, snuff, and other smokeless tobacco products. All forms of tobacco use are prohibited.
- **E-Cigarette use or vaping** is defined as the use of electronic smoking devices and/or electronic nicotine delivery systems.

Prohibited Conduct

Employees are not permitted to smoke, use tobacco, e-cigarettes, or vape while on County property or while on County time. Employees are permitted to use FDA-approved tobacco/nicotine cessation aids, such as nicotine patches and gum.

Cessation Programs

The County provides access to resources for those who are interested in quitting the use of tobacco products. The County also offers an Employee Assistance Program, or you can contact the Ohio Tobacco Quit Line at 1-800-QUIT NOW.

8.03 Substance-Free Workplace

The County strives for a substance-free workplace to assist in maintaining a safe and productive work environment. To achieve this, the goal is to inform employees of the hazards of substance use, clarify the County's expectations for employees with respect to substance use and the potential consequences of violations of those expectations, and ensure availability of rehabilitative assistance programs to substance users. Because of the importance of maintaining a safe and productive workplace, substance abuse will result in discipline up to and including removal.

Individuals Covered

This guideline applies to all employees. Applicants for employment are subject to pre-employment testing requirements as described in this procedure.

Definitions

- **County premises** shall include all property owned or leased by the County, including all vehicles.
- **County time** shall include all time during which employees are on County premises or performing work for the benefit of the County. Breaks (including lunch breaks) shall not be counted as County time if the employee is not on County property and is not performing work for the benefit of the County during the break.
- **Employee Assistance Program (EAP)** is an employee benefit program intended to help employees address personal problems and/or behavior that may adversely impact work

performance, health and well-being. EAP's generally include assessment counseling and referral services for employees and their household members.

- **Last Chance Agreement** (LCA) is an agreement between the County, employees and the employee's union, for bargaining employees, which may be offered to employees found to be in violation of this policy. If offered, the last chance agreement sets forth behavior or performance the employee agrees to change in exchange for an opportunity for the employee to remain in employment with the County.
- **Legal drug** means any substance, the possession or sale of which is not prohibited by state law, including prescription drugs and over-the-counter drugs.
- **Prohibited drug** means any drug in any detectable amount which is not legally obtainable under state law; any drug which is legally obtainable but has not been legally obtained; any prescribed drug not legally obtained; any prescribed drug not being used for the prescribed purpose; any over-the-counter drug being used at a dosage level different than recommended by the manufacturer or being used for a purpose other than intended by the manufacturer; and any drug being used for a purpose not in accordance with bona fide medical therapy.
- **Reasonable suspicion** means suspicion based on personal observations that the County's representatives can describe concerning employees' appearance, behavior, speech, breath, body odor, and other physical or behavioral indicators of possible drug and/or alcohol use. Reasonable suspicion also may be based, in part, upon the documented observation of change in employees' typical behavior (e.g., excessive absence/tardiness or work performance changes), which suggests the use of drugs and/or alcohol.
- **Refusing to cooperate** means to refuse to sign a consent form, to obstruct the specimen collection process, including any attempt to tamper with the collection or testing process, or to fail to provide breath and/or urine specimens adequate for testing when directed to do so. Refusal to cooperate will typically result in suspension pending discharge unless the employee promptly establishes a valid medical basis for the failure to provide such specimens.
- **Substance Abuse Professional** (SAP) means a qualified professional, as defined by federal regulation who evaluates employees who have violated a drug or alcohol program regulation applicable to commercial driver's licenses. The SAP generally makes recommendations concerning employee education, treatment, follow-up testing and aftercare.
- **Under the influence** means that the result of a laboratory's analysis of the employee's urine or blood specimen shows a blood alcohol concentration of more than 0.02 of alcohol or a positive result for any prohibited drug or for a legal drug in [contrary to violation of](#) the conditions identified in "Prohibited Conduct" (failure by employee to report immediately to their supervisor any duty-related limitations as a result of prescription or over-the-counter medications and employees may not be under the influence of any legal drug while on County time or premises). Employees holding a commercial driver's license will be held to the standard determined by federal or Ohio law or regulations adopted by the U.S. Department of Transportation.

Prohibited Conduct

Behaviors and activities that are strictly prohibited by this guideline include:

- Selling; distributing; transferring; delivering; purchasing; using, possessing, or being under the influence of alcohol or any prohibited drugs or prescription drugs obtained illegally on the County's premises or while on County time or in or on County vehicles or while representing the County in any way.
- Refusing to cooperate with administration of drug/alcohol testing procedures.
- Failure by employees to report immediately to their supervisor any duty-related limitations from prescription or over-the-counter medications they are taking. Prescription or over-the-counter medications that do not impair the employee's safety or job performance or the safety or job performance of others are not required to be reported.
- Employees may not use or be under the influence of any legal drug while on County time or while on the County's premises if said drug may adversely affect the employee's safety or job performance, or the safety or job performance of others.
- Failing to report a work-related vehicular accident to immediate supervisors or other designated County personnel where such non-reporting results in a failing to comply with the post-accident testing requirements of this procedure.

Engaging in prohibited conduct will subject an employee to disciplinary action and/or the imposition of an LCA.

Testing Categories

Post-Offer, Pre-Employment Substance Testing

Applicants who receive an offer of employment will be required to undergo a pre-employment substance screen test conducted at the County's designated testing facility. Any offer of employment that an applicant receives from the County is contingent upon, among other things, satisfactory completion of the examination, screening and substance testing.

The County may rescind an offer of employment that has been extended to any applicant who tests positive for drugs and/or alcohol or any other violation of this administrative procedure.

Reasonable Suspicion Testing

If the County has reasonable suspicion based on observations reported by a supervisor or another employee and documented on an Observation Checklist, the employee may be immediately sent for substance testing.

The supervisor who made a referral for substance testing may complete and sign an Observation Checklist setting forth the observations upon which the supervisor relied in making the referral for drug and/or alcohol testing. If possible, the Observation Checklist will be prepared before the end of the current shift, but no later than twenty-four (24) hours after the end of the current shift. A copy of the Observation Checklist shall be provided upon request to the subject employee.

The employee may be placed on administrative leave and/or re-assigned temporarily to other work duties until the County receives the results of a reasonable suspicion test.

Post-Accident Testing

When employees are involved in a work-related accident (e.g., industrial safety, motor vehicle), they must report the accident to the supervisor or manager immediately. Employees shall be subject to post-accident testing if:

The employee is involved in a work-related accident that the County's representatives conclude was in whole or in part caused through the employee's action or inaction; or the accident resulted in damage to property either leased or owned by the County.

Post-accident testing involving a motor vehicle by an employee who holds a CDL will be completed within two (2) hours, unless not feasible due to extenuating circumstances.

Commercial Driver's License Testing

Employees required to have a valid Commercial Driver's License will also be subject to random testing as required by federal and Ohio regulations. Testing shall be performed by medical facilities/personnel and laboratories certified to perform such testing by the U.S. Department of Transportation and the Ohio Department of Transportation.

Return to Duty for Employees After a Positive Test Result

An employee with a CDL, or who operates a motor vehicle as part of their work duties, or who carries a firearm as part of their work duties, whose test result shows a urine or blood specimen with a blood alcohol concentration of more than 0.02 of alcohol or a positive result for any illegal drug or for a legal drug in [contrary to violation of](#) the conditions identified in the Prohibited Conduct section of this guideline may be immediately relieved of duty for at least twenty-four (24) hours. The requirements of this provision are in addition to any disciplinary action and/or LCA to which the employee may be subject.

An employee with a CDL, who operates a motor vehicle as part of their work duties, who receives a positive test result that includes a blood alcohol content result of 0.04 or greater, or refuses to complete a test when required, shall not be permitted to operate a motor vehicle as part of their work duties until the employee completes a return to duty process with an SAP. A return to duty process concludes when the SAP certifies the employee has successfully completed all recommended referrals (e.g., treatment) and the employee completes a return-to-duty test with a negative result and with a blood alcohol concentration less than 0.02. The requirements of this provision are in addition to any disciplinary action and/or LCA to which the employee may be subject.

8.04 Fitness for Duty

Drug and Alcohol Testing

If a supervisor has a reasonable suspicion that an employee may be under the influence of alcohol or drugs, the supervisor shall immediately contact Human Resources, which shall determine if a reasonable suspicion test shall be conducted (see section 8.03).

Physical and Mental Health

The County may require that an employee submit to a medical or psychological examination to determine an employee's fitness for duty. If a management representative has a reasonable suspicion that an employee's behavior warrants a Fitness for Duty exam, they should contact Human Resources. Human Resources may place the employee on paid administrative leave pending the results of the examination.

An employee's refusal to submit to an examination or the unexcused failure to appear for an examination amounts to insubordination, which may result in disciplinary action. An employee will be responsible for the costs associated with an unexcused failure to appear at a scheduled examination (i.e., missed appointment fee).

Upon completion of the examination, the County will receive a physician's report outlining the results of the employee's fitness for duty. If the physician determines that the employee is fit for duty, the employee shall return to work on the day immediately following the day they are notified of the physician's findings or as soon as practicable. Failure to return to work may subject the employee to discipline pursuant to the Attendance Policy.

If the physician determines that the employee is not fit for duty, the employee will not be returned to work, will be removed from paid administrative leave and will be required to use their accrued paid leave (e.g., sick, vacation, exchange time, and/or compensatory time) or go on an unpaid leave. The employee will remain off work until they submit medical documentation, acceptable to the county, to Human Resources stating that they are able to perform the essential functions of their position, with or without reasonable accommodation.

8.05 Workers' Compensation

The State of Ohio Workers' Compensation Laws covers County employees. A County employee who sustains a job-related injury or occupational disease may be eligible to receive benefits from the Bureau of Workers' Compensation (BWC). A County employee who is involved in a work-related accident/injury should seek medical treatment and/or care immediately.

Employee Procedures

An employee who is involved in a work-related accident/injury or is diagnosed with an occupational disease must adhere to the following procedure:

- The employee must notify their supervisor of the work-related accident/injury or occupational disease diagnosis immediately or as soon as possible.
- The employee must obtain an Injury Reporting Kit and complete the Accident Investigation Report (AIR) within 24 hours of the occurrence, unless confined to a hospital. If confined to a hospital, the employee must complete the accident report within 24 hours of release from the hospital. Failure to complete the AIR may cause a denial of the claim and result in progressive discipline.
- The employee may seek treatment at the medical provider of their choice so long as the provider is BWC certified. If medical care is needed, the employee should obtain a Managed Care

Organization (MCO) card from Human Resources to give their provider. If immediate medical care is needed, the employee does not need to obtain a MCO card. Rather, the employee should inform their provider that they have a work-related injury and refer them to the County's MCO.

- An employee who is involved in a work-related accident/injury may be required to submit to a drug and/or alcohol test. The results of the drug and/or alcohol test, or the employee's refusal to submit to the test may affect the employee's eligibility for compensation and benefits and will subject the employee to the provisions of the County's Fitness for Duty Program.

Employees who are off work due to a work-related accident/injury or occupational disease are responsible for keeping their supervisors notified of their work status and to provide appropriate documentation from their physician. Appropriate documentation includes certification of total disability (BWC Form C-84) and physician's reports of work ability (BWC Form Medco-14).

If the employee is released to light or full duty, the employee must immediately provide appropriate documentation from their physician to Human Resources.

If an employee is required to attend an Industrial Commission hearing, he or she will be given up to two (2) hours of paid leave. The employee must present the Hearing Notice from the Industrial Commission to their supervisor prior to the hearing date to be granted the paid leave.

If an employee is required to attend a County or BWC mandated medical examination, he or she will be given up to four (4) hours of paid leave time to attend. The employee must present their supervisor with the written letter from the BWC, MCO or TPA to be granted the paid leave.

Time off for attendance at any medical appointment not mandated by the County or BWC must be covered by the employee's own leave time.

Supervisor Procedures

Immediately upon receipt of notification from an employee of a job-related accident/injury or occupational disease diagnosis, the supervisor shall:

- Provide the employee with an Injury Reporting Kit. Reporting kits can be obtained from Human Resources. The reporting kits contain the AIR that must be completed by the employee. Upon receipt of the completed AIR from the employee, the supervisor shall immediately give the form to Human Resources.
- Notify Human Resources of the incident.
- If the incident in question involves a vehicle accident, the supervisor is also required to complete a Fitness for Duty form and contact Protective Services.

Relationship to Leave Time

Employees who are off work for more than seven (7) calendar days due to a work-related accident/injury or occupational disease may be entitled to disability benefits through the BWC. It may be several weeks before the BWC determines eligibility and issues the first disability check to an injured employee. Employees who are off work due to a work-related accident/injury or occupational disease have the following options while waiting for the BWC to determine eligibility and issue disability payments:

- **Sick Leave.** The employee may elect to use their accrued sick leave and will continue to receive wages and benefits while using sick leave. Neither the BWC nor the County, will reimburse an employee for the usage of sick time. The BWC will not issue retroactive payment of disability payments to cover the time where sick leave was used.
- **Vacation/Compensatory/Exchange/Personal Leave.** An employee may elect to use their accrued vacation, compensatory, exchange or personal leave. The employee will continue to receive wages and benefits while using vacation, compensatory, exchange or personal leave. Should the BWC determine that the employee is eligible for disability payments, the BWC will issue retroactive disability payments to cover eligible periods where vacation, compensatory, exchange or personal leave were used. The County, however, will not reimburse or re-credit the employee for the vacation, compensatory, exchange or personal leave time used.
- **Unpaid Workers' Compensation Leave.** Injured employees also have the option of not receiving a paycheck from the County and waiting on BWC wage benefits. However, the decision to go into unpaid status may affect health care benefits. Should the BWC determine that the employee is eligible for disability payments, the BWC will issue retroactive disability payments to cover eligible periods where unpaid workers' compensation leave was used. Should the BWC determine that the employee is ineligible to receive disability, the employee will not receive any retroactive payment or reimbursement from the BWC or the County.

Absences from work for 3 or more consecutive days due to injury or illness covered under workers' compensation will be deducted from the employee's FML available leave balance. The employee should consult the County's FML policy and procedures for more information.

8.06 Alternative Work Program

When an employee is injured, the County's [MCO-Managed Care Organization](#) will review the employee's medical records and discuss restrictions with the employee's physician. The employee must file a workers' compensation claim with the BWC and complete the County's AIR before being considered for alternative work.

Human Resources will work in conjunction with department management to determine whether there is an appropriate alternative position. Human Resources will inform the employee of the new assignment, reporting time and work hours. For bargaining employees, the employee's union will be notified of the assignment. The employee will maintain their current rate of pay and their bargaining status. The County will make a reasonable effort to assign the employee to their regular shift.

An employee will be eligible for alternative work for up to sixty (60) calendar days. This initial sixty-day period may be extended by agreement between the County and the employee. At no time may an alternative work assignment exceed one hundred twenty (120) days.

For an employee to be allowed to return to their prior position, the employee must provide documentation, acceptable to the County, indicating that the employee can perform the essential functions of the position, with or without accommodation, or have been granted a reasonable accommodation under the ADA.

9 COMPENSATION

The County takes a holistic approach to employees' compensation centered around total rewards and administers a fair and equitable compensation program. The County categorizes compensation in two ways: direct and indirect.

Direct compensation is the money paid to an employee in exchange for their work. Direct compensation includes, but is not limited to, salaries/wages and ~~other compensation such as retention payments and~~ any other form of monetary compensation.

Indirect compensation is a benefit given to an employee that has a financial value but is not a direct monetary payment. This may include, but is not limited to, healthcare coverage (medical and supplemental), life insurance, retirement contributions, career planning, EAP services, wellness programs, employee recognition programs, flexible working schedules, paid vacation and sick time, County-issued cellular phones and learning and development opportunities. Indirect compensation provided to employees is described in Chapter 10 of this handbook.

The Personnel Review Commission administers the County's classification plan and salary administration for classified positions. Human Resources administers and maintains the County's compensation policies and procedural guidelines described below.

Any form of direct or indirect compensation not explicitly authorized in this handbook, county policy approved by council, collective bargaining agreement, general law, or otherwise explicitly authorized by council including but not limited to fringe benefits, is strictly prohibited.

9.01 Salary/Wages

~~The County strives to pay wages that are competitive with organizations based on factors that may include, but are not limited to scope of operations, number of employees, industry and geographic location.~~

The determination of an employee's pay shall not be arbitrary or capricious, based on nepotism, political affiliation or any other factor that violates the Code of Ethics codified in Title 4 of the County Code or any other County, state or federal law. Pay determinations are based on relevant factors, including but not limited to, the pay range, direct experience performing the job functions, qualifications, the labor market, the pay of other employees assigned to similar positions, and other factors relevant to the employee's case.

An employee's salary/wages and any other form of direct compensation shall be approved by the County Executive or designee at the time of appointment or when any change is made to the employee's salary. Changes will be recorded on the county's personnel agenda.

~~9.02 Retention Payments~~

~~Retention payments may be offered as an incentive to retain a key employee during a crucial time, such as implementation of critical projects, mass retirements, disruptive periods of organizational change, etc. Retention payments shall be approved by the County Executive or designee.~~

9.03 Premium Pay

Premium pay may be offered in exchange for obtaining and maintaining a job-related professional license/certification or formal demonstration of the employee's mastery of skills, knowledge, and/or competencies, beyond what is required. Premium payments shall be approved by the County Executive or designee.

9.04 Equity Adjustments

An equity adjustment is a mechanism for addressing salary inequities arising from external pressures in high demand fields and/or internal salary comparisons.

Reasons for equity adjustments may include, but are not limited to:

- a substantial increase in ongoing responsibilities that are not sufficient enough to warrant a reclassification or reassignment
- an unacceptable internal salary inequity between positions that are of comparable worth in a department or throughout the organization
- an unacceptable salary inequity between an employee's salary and the average salary of similar positions in the market
- the need to retain a key employee whose experience or special skills are uniquely critical

Equity adjustments may be made when approved by the County Executive, as the County's budget permits.

9.05 Compression Adjustment

A compression adjustment may occur when the salary/wages of a direct supervisor is/are too close to the salary/wages of their direct reports.

Human Resources, in consultation with the department director, will determine when a compression adjustment is appropriate. A compression adjustment may occur during organizational restructuring or when an employee is hired or promoted into a vacant position. There may be circumstances when compression adjustments are not made, including but not limited to:

- a temporary working level (TWL) assignment causes compression between a supervisor and their subordinates
- a supervisor has an atypical reporting structure
- a supervisor leads subordinates with specialized skills and/or significant, relevant experience whose pay is commensurate with their skill and experience

- an adjustment is not supported by the labor market

Compression adjustments shall be approved by the County Executive or designee.

9.06 Temporary Work Level (TWL)

A temporary work level (TWL) may be granted when an employee is temporarily assigned 50% or more of the duties of a position with a higher pay range for a minimum of a two (2) week period, but not to exceed one (1) year.

Time served in a TWL will not be applied towards the length of service requirement to qualify for reclassification through a position audit (see section 6.03).

The employee must meet the minimum qualifications for the position in the higher pay range to be granted a TWL. An employee who is granted a TWL will be placed on a step that reflects at least a 5% increase in his or her salary, or the lowest step in the higher pay range, whichever is greater.

A supervisor must consult, in advance, with Human Resources regarding a TWL. Human Resources will review TWL and makes a recommendation to the County Executive for final approval.

9.07 Non-Exempt Employees: Overtime/Compensatory Time

Non-exempt employees can earn overtime or compensatory time (a form of paid leave) when they work more than forty (40) hours in a workweek. Time spent on paid leave (i.e., sick, vacation, compensatory time off, etc., except for County-recognized holidays), does not count towards the forty (40) hours work requirement.

Employees must be granted prior authorization from their supervisor to work beyond forty (40) hours in a workweek.

State and federal law define overtime as compensation to non-exempt employees at time and one-half the regular rate for work beyond forty (40) hours in a work week. The County may pay an employee an overtime cash payment or can credit the employee compensatory time. Normally, the County will credit the employee with compensatory time. A department director may request, based on compelling or extraordinary operational needs, that the Director of Human Resources approve an overtime cash payment for an employee or group of employees in lieu of compensatory time.

An employee who has requested paid leave using compensatory time shall be permitted to use it within a reasonable time after the request, so long as it does not unduly disrupt their department's operations.

Compensatory time not used within one hundred eighty (180) days after it is accrued shall be converted to an overtime cash payment and paid to the employee. When ending employment, all unused compensatory time is paid at the employee's regular rate at the time of payment.

Non-bargaining employees may accrue up to the FLSA maximum of two hundred forty (240) hours of compensatory time. Eligible non-bargaining law enforcement employees may accrue up to four hundred eighty (480) hours. Once employees reach the maximum compensatory time accrual, the County will pay for additional overtime hours worked.

Employees moving from a non-exempt position to an exempt position will receive payment for their accrued compensatory time at the time of the move.

9.08 Exempt Employees: Exchange/Straight Time

Exempt employees can earn exchange time (a form of paid leave) or a straight time cash payment when they work more than forty (40) hours in a workweek, provided the following:

- there is a compelling, extraordinary reason for the exempt employee to be required to stay beyond normal working hours – staying to finish up normal assignments does not qualify
- there is a “meeting of the minds” between the exempt employee and the supervisor - the employee must either be required to work over or be granted prior authorization by their supervisor to work the additional hours

Time spent on paid leave (i.e., sick, vacation, exchange time, etc., except for County-recognized holidays), does not count towards the forty (40) hours work requirement.

The County may pay an exempt employee a straight time cash payment (based on the employee's hourly rate of pay) or can credit the employee with exchange time. Normally, the County will credit the employee with exchange time. A department director may request, based on compelling or extraordinary operational needs, that ~~the Director of Human Resources approve~~ a straight time cash payment for an employee or group of employees be provided in lieu of exchange time, subject to all of the following conditions:-

1. The Department Director has determined that hiring additional employees or outsourcing the work would be impractical or less cost-effective than straight time payments;
2. County operations require exempt employees to work beyond forty (40) hours per week in order to meet an urgent public health, safety or other compelling operational need;
3. The Director of Human Resources has determined, in writing, that it would be impractical or inequitable to expand the cap on accrual of exchange time, expand the timeframe in which an employee's exchange time can be used, or modify one or more employee's base salary.

4. Authorization is provided in writing, in advance, by the County Executive or designee, specifying:
 - a. The employee or employees eligible to receive straight time payments,
 - b. The total number of hours worked beyond 40 each employee is authorized to receive straight time payments; and
 - c. the defined period of time, not to exceed 90 days, during which each employee is eligible to receive such payments. The County Executive may extend the time period for additional time provided all of the foregoing conditions still apply, but such extension shall be considered a separate approval for the purposes of reporting and subject to the requirements of this section.

5. Authorized straight-time payments shall be listed on the county's personnel agenda at the time they are approved by the County Executive.

Exchange time is accrued in increments of one-minute. The maximum balance of exchange time an exempt employee may accrue is forty (40) hours. Exchange time earned in lieu of holiday premium pay is not subject to the forty (40) hour requirement.

An employee who has requested paid leave using exchange time shall be permitted to use it within a reasonable time after the request, so long as it does not unduly disrupt their department's operations.

Exchange time not used within six (6) months of accrual shall expire. If a critical or extraordinary operational need exists, the Director of Human Resources may authorize an employee to accrue up to two hundred (200) hours of exchange time and may extend the expiration timeframe up to one (1) year. At no time shall exchange time be paid out to the employee.

9.09 Executive and Special Compensation

~~Executive and Special Compensation procedural guidelines are administered by Human Resources. The Director of Human Resources determines which employees are eligible for, and may receive, Executive and Special Compensation. If provided, Executive and Special Compensation is in addition to direct (salary/wage) and indirect (benefits) compensation.~~

Eligibility

~~The following job categories and/or job levels may be eligible for Executive and Special Compensation, as determined by the Director of Human Resources:~~

- ~~▪ Senior level positions (e.g., department directors, deputy directors)~~
- ~~▪ Hard-to-fill positions (e.g., highly technical roles within Information Technology or other departments)~~

Components of Compensation

~~Components may include, but are not limited to the following:~~

Lump-sum Signing Payments

~~A lump-sum signing payment is a one or two-time payment to a new or re-hired employee for accepting the County's job offer.~~

~~Total expenditure of a lump-sum signing pay shall not exceed 10% of the employee's annualized base salary. The County may require repayment of lump-sum signing pay if the employee separates their employment prior to a specified period, as determined by the Director of Human Resources. The terms and conditions associated with a lump-sum signing payment shall be included in the employee's offer letter. Lump-sum signing payments shall be approved by the County Executive or designee.~~

Incentive Pay

~~Incentive pay is a form of additional compensation paid to an employee for achieving specific job performance goals or hitting predetermined targets (e.g., extraordinary or mission critical objectives). Performance pay is compensation beyond normal wages and is typically awarded after a performance appraisal and analysis of projects completed by the employee over a specific period. Incentive pay can be added to an employee's current salary/wage or paid in a lump-sum. The terms and conditions associated with incentive pay shall be included in the employee's offer letter. Incentive pay shall be approved by the County Executive or designee.~~

Granted Exchange Time

~~Granted exchange time is a lump-sum amount of paid leave credited to an employee's exchange time balance, on a one time or reoccurring basis, that has not been accrued through the County's regular earned exchange time policy and procedures. Unused granted exchange time expires six (6) months after it is granted, unless otherwise approved by the Director of Human Resources in writing and will not be paid out upon separation from employment.~~

~~Total advanced exchange time that can be offered shall not exceed 120 hours within a calendar year.~~

~~The terms and conditions associated with granted exchange time shall be included in the employee's offer letter. Granted exchange time shall be approved by the County Executive or designee.~~

Executive Physical

~~Executive physicals are comprehensive wellness evaluations, typically offered to senior level positions. A standard executive physical requires up to eight (8) hours of the participant's time. Executive physicals are geared to discover potential health problems, target, reduce and eliminate medical risk factors and promote wellness, nutrition, fitness and stress management.~~

Relocation Reimbursement Assistance

~~Relocation expenses are incurred when an eligible employee relocates because of the County's offer of employment. Relocation Reimbursement Assistance is designed to provide financial relocation assistance to the eligible employee to minimize their inconvenience during the relocation.~~

~~Relocation Reimbursement Assistance is not intended to cover all costs related to the relocation of a new employee, their family, household goods and out of pocket and other related expenses. Relocation~~

~~expenses must be accounted for and substantiated on the “Employee Business Travel and Expense Report” form with supporting documentation and approved by the Director of Human Resources.~~

~~The Internal Revenue Service (IRS) requires that the County withhold tax on certain moving-related reimbursements and to report all reimbursable relocation expenses for an employee, whether taxable or not. These expenses will be listed on the employee’s W-2 Form and noted as “Moving Expenses.”~~

~~The terms and conditions of any relocation reimbursement assistance shall be included in the employee’s offer letter. Any offer of relocation reimbursement assistance shall be approved by the County Executive or designee.~~

Eligibility

~~Relocation Reimbursement Assistance may be available for employees who qualify for Executive and Special Compensation, either as new hires, or, in certain cases, are re-hired.~~

~~To be eligible for Relocation Reimbursement Assistance, a qualified employee must meet the guidelines established by the Internal Revenue Service for the deduction of moving expenses on annual income taxes. Applicable taxes will be deducted from the employee’s wages for any reimbursement made by the County that are not entitled to be deducted based on the Internal Revenue Service Code.~~

~~Relocation assistance may be authorized for new employees who meet the following criteria:~~

- ~~▪ the commuting distance from, and to the old residence to the employee’s assigned work location is 50 or more miles~~
- ~~▪ the relocation must be approved in advance by Human Resources and be stipulated in the new employee’s offer letter~~
- ~~▪ the relocation benefit must be used within the first year of employment~~
- ~~▪ if an employee is a rehire (as a regular full-time employee), relocation benefits may only be extended if the individual was either not eligible for the benefit when they were previously employed, or they did not utilize the benefit when they were previously employed.~~

Qualified Uses of Relocation Reimbursement Assistance

Identifying Permanent Housing

~~The County may pay for up to a maximum of two (2) house hunting and family visitation trips for the new employee and up to three qualified family members to travel round-trip between Cuyahoga County and their current residence. Such trips will be limited to a maximum of eight (8) nights and nine (9) days per trip. Reimbursement will be for reasonable travel, lodging and meal expenses in accordance with the County’s travel policy.~~

Temporary Living Expenses

~~The County may pay for temporary living expenses in Cuyahoga County at the fair market value rate, normally not to exceed three (3) months or until establishment of a permanent residence, if less than three (3) months from the start of employment.~~

Moving Household Belongings

~~The County may pay for moving expenses, including but not limited to, packing and crating, transportation, insurance of household goods, etc.~~

Transportation

~~The County may pay for transportation of the new employee's family to the Cuyahoga County area. Air travel must be at the lowest fare available or coach fare, whichever is less. Mileage will be reimbursed by the County at the IRS standard mileage rate for moving expenses in effect on the date of the move. Mileage reimbursement will be provided for a maximum of two (2) of the employee's vehicles.~~

Relocation Assistance Maximum and Repayment Period

~~The amount of relocation reimbursement for identifying permanent housing, temporary living expenses, moving household belongings, and transportation, including tax gross-up, shall not exceed a maximum dollar amount of \$15,000. The Director of Human Resources must provide final approval of any reimbursement of expenses. Employees who receive relocation reimbursement assistance and leaves the County for any reason other than death or disability separation within twenty-four (24) months of their original hire or rehire date with the County, will be required to repay 100 percent of all relocation assistance they received.~~

10 BENEFITS

10.01 Healthcare Benefits

Cuyahoga County is committed to promoting and sustaining the well-being of its employees and their families by providing quality and integrative health and wellness programs. Employees are offered comprehensive and competitive benefits programs which include, but are not limited to medical, prescription drug, dental, vision and life insurance and a wellness program.

Eligibility

Full-time regular and part-time benefits-eligible employees may receive healthcare benefits on the first day of the month following their date of hire, unless hired on the first day of the month, in which case benefits will be effective on the date of hire. Employees have thirty (30) days from their date of hire to make their benefit elections and to submit documentation regarding proof of relationship for their dependents. If an employee fails to make benefit elections within that time, the employee must either wait until the next open enrollment period or experience an IRS approved qualifying event to elect benefits.

If an employee is eligible for medical, dental or vision coverage under another County employee's policy (due to marriage or dependent eligibility), and that employee needs coverage, enrollment in one policy to cover both employees is required.

Dependent Eligibility

An employee's dependents may be covered by the County's healthcare benefits. Eligible dependents include an employee's legal spouse, children, step children, legally adopted children from the employee or the employee's spouse, or any children who, by court order, must be provided healthcare coverage by the employee. Healthcare benefits may also cover other dependent children if the employee has legal guardianship, as outlined in each of the County's group insurance carrier contracts. Healthcare benefits will be extended to dependent children up to age twenty-six (26), in accordance with federal law and the Ohio Department of Insurance guidelines. No employee or dependent can be covered by more than one County sponsored benefit plan.

Documentation showing proof of relationship is required to be submitted to Human Resources before dependents can be added to medical, dental and vision plans. Employees are bound by the deadlines designated by Human Resources to submit proof of relationship documentation. Acceptable documentation includes, but is not limited to a marriage certificate, and a bill (i.e., utility, credit card, insurance, etc.), recent tax record or other County-approved document showing the names of the employee and spouse and their address, and a certified birth certificate or adoption paperwork for a child.

If an employee is covered by healthcare coverage elsewhere, the employee can waive County coverage and may be entitled to receive a taxable opt-out payment, [determined annually during open enrollment. Employees who opt-out of county healthcare coverage will be required to provide proof of alternative coverage in order to be eligible for the taxable opt-out payment.](#)

Employee contributions for benefits are paid through a pre-tax payroll deduction.

By enrolling in a County benefit plan, an employee agrees to comply with eligibility rules for themselves and for their dependents in these plans. Enrolling ineligible dependents may be considered fraud. Employees may be subject to eligibility audits. An employee selected for an eligibility audit will be required to submit copies of documentation showing proof of relationship such as certified birth certificate(s), marriage certificate(s), income tax return(s) and/or other related documentation including affidavits.

Any person who, with intent to defraud or knowing that they are facilitating fraud, submits an application or files a claim containing a false or deceptive statement may be guilty of insurance fraud. Any employee found making false or deceptive statements may be subject to disciplinary action.

10.02 Open Enrollment and Qualifying Events for Mid-Year Enrollment in Benefits Coverage

Open Enrollment, which generally occurs in the last quarter of each year, is a time when employees can change their benefits enrollments and/or sign up for benefits. Annually, employees may be required to reenroll in benefits by the Open Enrollment deadline. Employees who fail to enroll by the Open Enrollment deadline will default to the medical plan designated by the County. Once an employee defaults, the plan cannot be changed unless an approved Internal Revenue Service (IRS) qualifying event occurs.

Employees are responsible for notifying Human Resources when a qualifying event occurs that may impact their dependents' coverage. All changes require the appropriate certification and documentation within thirty (30) days of the qualifying event. Employees may not be able to change their election until the next Open Enrollment period if appropriate notice is not received.

Examples of qualifying events that require mid-year election changes include:

- marital status (marriage, divorce, legal separation, death of spouse)
- number of dependents (birth, adoption, placement for adoption, legal guardianship, death)
- employment status of employee (i.e., part-time to full-time)
- dependent eligibility (Loss of student status, age limit)
- residence (dependent moves out of plan service area)
- loss or gain of employment by the employee's spouse or dependent
- significant cost or change in coverage of spouse or dependent under another employer plan
- loss of certain other health coverage (plans provided by governmental or educational institutions)
- Health Insurance Portability and Accountability Act (HIPAA) special enrollment right events
- judgement, decree or order resulting in change in legal custody (Qualified Medical Child Support Order)
- entitlement to Medicare or Medicaid

A qualifying event can affect the employee's single/family coverage entitlement for medical, prescription drugs, dental and vision, as well as impacting flexible spending accounts and life insurance. In the case of divorce, legal separation or annulment, employees must adjust their covered dependents by removing former spouses within thirty (30) days of divorce, legal separation or annulment. Copies of the first and

last pages of the court document must be submitted to Human Resources. Failure to adhere to this requirement may subject the employee to disciplinary action.

Divorced employees who are required by court order to pay benefits for their ex-spouse cannot cover the ex-spouse under County benefits. A separate policy must be purchased outside of County benefits.

10.03 Optional Employee Benefits

At the sole discretion of the County, certain additional optional employee benefits may be offered to employees, at the employee's expense, including but not limited to:

- Voluntary benefits, such as accident insurance, critical life events insurance, universal life insurance with long term care rider, and/or short-term disability
- Discounted public transportation bus/transit passes and parking

Employees will be notified of these benefits as they become available.

10.04 Wellness Program

~~If the county establishes a wellness program~~~~The County encourages,~~ employees are encouraged to actively participate ~~in our wellness program~~. The wellness program is designed to assist employees and their families in making positive and healthy lifestyle choices with a focus on wellbeing. The wellness program has several components including health screenings, education, activities, weight management, newsletters, on-site fitness programs, financial education, healthy lifestyle incentives and more.

10.05 Flexible Spending Accounts (FSA)

Flexible Spending Accounts (FSA) are Internal Revenue Service (IRS) sanctioned benefits that provide employees the opportunity to have pre-tax amounts withdrawn from their paycheck and deposited into Medical, Dependent Care and/or Transportation FSA(s). These accounts are offered by the County as an additional benefit that allow employees to pay for related eligible expenses using pre-tax dollars.

Eligibility

Full-time regular and part-time benefits-eligible employees may enroll in flexible spending accounts during Open Enrollment. New employees can enroll within thirty (30) days from their date of hire or during Open Enrollment.

Medical FSA

The Medical FSA allows employees to use pre-tax dollars for many healthcare expenses not covered by medical and dental plans (i.e., copays, deductibles, orthodontia, etc.), vision care expenses for prescription eyeglasses and contact lenses, as well as prescription medication. Medical FSAs are pre-funded, allowing participants access to their annual elections on the first day of participation. For a complete list of eligible expenses, review IRS Publication 502 (Medical and Dental Expenses Expenses)

online at www.irs.gov. Enrollment in a Medical FSA is available upon hire or annually during Open Enrollment. Additionally, changes to enrollment in a Medical FSA can be made if the enrolled employee experiences an approved IRS qualifying event.

Dependent Care FSA

The Dependent Care FSA allows employees to use pre-tax dollars for charges that are incurred for the care of dependents. This includes expenses for eligible dependents under age thirteen (13) and may apply to a spouse or parent who resides with the employee and is physically or mentally incapable of self-care. For a complete list of eligible expenses, review IRS Publication 503 (Child and Dependent Care Expenses) online at www.irs.gov. Enrollment in a Dependent Care FSA is available upon hire or annually during Open Enrollment. Additionally, changes to enrollment in a Dependent Care FSA can be made if the enrolled employee experiences an approved IRS qualifying event.

Transportation (Parking, Transit, RTA, Bicycling) FSA

The Transportation FSA allows employees to use pre-tax dollars for charges that are incurred for work-related parking, mass transportation, and bicycling. For a complete list of eligible expenses, review IRS Publication 15-B (Employer's Tax Guide to Fringe Benefits) online at www.irs.gov.

There are strict deadlines associated with the submission of claims for withdrawal of funds from flexible spending accounts. Employees that fail to submit claims prior to the deadline will forfeit any remaining balances in their flexible spending accounts. More information regarding specific deadlines can be obtained by contacting the Department of Human Resources. Enrollment in a Transportation FSA is available at any time.

10.06 Retirement – Ohio Public Employee Retirement System

Employees are required to participate in the Ohio Public Employees Retirement System (OPERS). OPERS is the pension system utilized by the County instead of the Federal Social Security system. OPERS offers three retirement plans to its members: The Traditional Pension Plan (Defined Benefit), the Member-Directed Plan (Defined Contribution), and the Combined Plan (Combination of both Defined Benefit and Contribution). Additional information can be found on the OPERS website.

Contributions

The State of Ohio sets the employee and employer contribution rates. The employee's contribution rate is deducted from the gross bi-weekly salary/wage of the employee's pay. This amount is added to the County contribution rate and deposited into the employee's individual account with OPERS.

Tax-Deferred Basis

The Internal Revenue Code allows public employee pension plan contributions to be remitted on a tax-deferred basis. This means the employee pension contribution will not be included in taxable income when calculating federal and state income tax withholding. This yields an immediate tax savings to the employee.

City taxes will continue to be deducted from the employee's portion of the OPERS contribution. Also, the amount of pension contribution that is tax-deferred may be subject to federal and state taxation when it is withdrawn, either at retirement or upon separation of employment.

Other Information

Depending on the plan chosen, other benefits available may include survivor and disability benefits as well as healthcare benefits upon retirement.

OPERS service time continues to accrue during paid leaves of absence including Family Medical Leave. OPERS contributions are not remitted during an unpaid leave. Some leaves, such as military and workers' compensation may be eligible for free service credit. Credit for approved unpaid leaves may be purchased.

Information is available by contacting OPERS directly or at the OPERS website, www.opers.org.

10.07 Deferred Compensation

Employees can choose to contribute to a Deferred Compensation Plan. Employees may authorize a portion of their pay to be withheld and invested to supplement their future retirement income. Unless otherwise provided by law, money contributed to a Deferred Compensation Plan and any earnings on those contributions are not subject to federal or state income tax until those monies are paid to the employee, at the point of retirement or at the point of an approved withdrawal. Contact Human Resources for more information on Deferred Compensation Plans.

10.08 Employee Assistance Program

The County is committed to the health, safety, and welfare of its employees and their families. The County offers the EAP to provide employees and their eligible dependents with tools and resources to assist with personal matters. The EAP offers employees and their dependents short-term assessment and problem resolution by licensed counselors for a range of common concerns. The County funds the initial counseling sessions for employees and eligible dependents. The Employee Assistance Program (EAP) is designed to offer employees and their dependents assistance with issues including but not limited to:

- Addiction/Chemical Dependency
- Adolescent Issues & Guidance
- Chronic Physical Illness
- Depression/Anxiety
- Eating Disorders
- Family/Dependent Care Resources
- Financial Management Assistance
- Legal Consultation
- Major Life Events, including births, accidents and deaths

- Management Consultation
- Marital Conflict or Divorce
- Retirement Coaching
- Stress Management
- Wellness Advice
- Workplace Conflict Resolution

Following completion of the initial sessions, counselors may recommend a plan, which may include additional counseling and/or needed services. Subsequent services may be covered by the employee's medical provider and insurance.

Employees' current job and future advancement will not be jeopardized by using EAP services. The EAP provides strict confidentiality, following all federal and Ohio laws. As with all health-related documents, if EAP records are provided to the County, the EAP's records will be maintained in a confidential manner. The County may, upon recommendation or request by management, and when appropriate, refer employees to the EAP to assist with workplace and/or performance issues.

Participation in the EAP does not excuse employees from complying with the County's policies or from meeting job requirements during or after receiving assistance. Nor will participation prevent the County from taking corrective action for performance problems that occur before or after employees seek assistance through the plan.

Additional information regarding the EAP can be obtained from Human Resources.

10.09 Lactation Accommodation

Cuyahoga County supports and complies with all federal and Ohio laws and regulations by providing accommodations to employees who are nursing mothers who wish to express breast milk during the workday.

Break Time for Lactation Purposes

Employees who are nursing mothers can take reasonable, paid break periods during the workday to express breast milk. Employees should work with their supervisor to make reasonable efforts to minimize disruption to departmental operations.

Lactation Rooms

For the convenience and privacy of employees who are nursing mothers, the County has designated rooms at various facilities where a mother can express breast milk. These rooms will include reasonable and appropriate amenities.

Usage rules for these designated rooms and room amenities, will be posted at each facility. To ensure privacy, nursing mothers may reserve/schedule a location room at a time convenient to their needs. Each

facility handles the reservations/scheduling in a different manner. Employees should contact Human Resources for information on the reservations/scheduling process.

Resources

For more information about lactation accommodations, employees should contact Human Resources. Other information and resources for nursing mothers who have returned to work are available through the Employee Assistance Program.

10.10 Life Insurance & Accidental Death & Dismemberment (AD&D)

The County provides a basic term Life and Accidental Death and Dismemberment (AD&D) insurance benefit.

Eligibility

Full-time and part-time benefits-eligible employees are eligible to receive a basic term Life and Accidental Death and Dismemberment (AD&D) insurance benefit.

Employees are eligible to receive benefits on the first day of the month following their date of hire, unless hired on the first day of the month, in which case benefits will be effective on the date of hire. Employees may elect additional supplemental coverage.

The County provides Accidental Death and Dismemberment Insurance that will pay an amount if employees become disabled or die due to a non-work-related accident. The payment amount varies according to the type of disability or death.

The County's group term life insurance has two features allowing employees to take a portion or all of their life insurance with them under an individual arrangement with the County's insurance carrier:

- The "conversion provision" allows employees to convert the basic insured amount, if applicable to their group, and the supplemental coverage into a whole life policy.
- The "portability provision" allows employees to take the insured amount that is more than the basic coverage and create an individual term life policy at the same prevailing group premium. Changes in premium still occur at the same five-year (5) age intervals as when employed.

There are deadlines associated with both the "conversion" and "portability" provisions of the County's sponsored life insurance program.

10.11 Consolidated Omnibus Budget Reconciliation Act (COBRA)

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides qualified beneficiaries who lose their healthcare benefits the right to choose to continue those benefits for limited periods due to qualifying life events. Qualified beneficiaries may be required to pay the entire premium for coverage, in addition to an administrative fee.

Qualified Beneficiaries

A qualified beneficiary generally is an individual covered by a group health plan on the day before a qualifying event for someone who is an employee, the employee's spouse or an employee's dependent child. In addition, any child born to or placed for adoption with a covered employee during the period of COBRA coverage is considered a qualified beneficiary.

Qualifying Life Events

Qualifying life events are certain events that would cause an individual to become eligible for COBRA. The type of qualifying life event will determine who the qualified beneficiaries are and the length of time under which continuation of healthcare coverage will be provided under COBRA.

Qualifying Life Events for Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in the number of hours of employment (including military leave of absence)

Qualifying Life Events for Spouses

- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee (including military leave of absence)
- Covered employee becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Qualifying Life Events for Dependent Children

- Loss of dependent child status under the healthcare plan rules
- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee (including military leave of absence)
- Covered employee becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Under COBRA, employees and/or their qualified beneficiaries must notify Human Resources of a divorce, legal separation or a child losing dependent status under the plan within sixty (60) days of the qualifying event.

The County provides employees with written notice of their rights under COBRA when they become eligible for coverage under the health insurance plan, as well as when a qualifying event occurs. Employees should contact Human Resources with any questions.

11 TIME OFF AND LEAVES OF ABSENCE

All time off and leave is subject to prior approval, unless otherwise noted. Employees must request leave using the procedures and forms outlined by Human Resources and their department.

Every request for leave will be given fair consideration in accordance with the following procedural guidelines and the staffing needs of the employee's department. Any leave approved based on false information is invalid and any approved leave shall terminate if the reason for granting the leave is no longer applicable. Moreover, employees providing false statements or documentation may be subject to disciplinary action.

Employees are solely responsible to ensure that they have adequate vacation leave, sick leave and/or compensatory/exchange time when requesting and/or taking paid leave.

11.01 Paid Vacation Leave

The County provides paid vacation leave to full-time and part-time benefits-eligible employees. Vacation accrual is based on years of service and begins on the first day of employment with the County. Employees who have previous service with any political subdivision of the State of Ohio may receive service credit for vacation accrual. To receive credit, employees must provide Human Resources with a *service credit verification form*, completed by their former employer(s), within sixty (60) days of their date of hire. Forms received after sixty (60) days will be accepted; however, any service accrual granted will start from the beginning of the pay period in which the form is received. The service credit verification form is available online, or a paper copy can be requested from Human Resources.

Eligible full-time employees in active pay status accrue vacation each pay period based on the following years of service:

Years of Service	Biweekly Accrual Rate	Yearly Accrual Total	Maximum Accrual Allowance
Less than 5	3.1 hours	80 hours/10 days	240 hours/30 days
5 to less than 15	4.6 hours	120 hours/15 days	360 hours/45 days
15 to less than 25	6.2 hours	160 hours/20 days	480 hours/60 days
25 or more	7.7 hours	200 hours/25 days	600 hours/75 days

Eligible part-time employees in active pay status accrue vacation each pay period based on the following years of service:

Years of Service	Biweekly Accrual Rate	Yearly Accrual Total	Maximum Accrual Allowance
Less than 5	2.47 hours	64 hours/8 days	192 hours/24 days
5 to less than 15	3.70 hours	96 hours/12 days	288 hours/36 days
15 to less than 25	4.93 hours	128 hours/16 days	384 hours/48 days
25 or more	6.16 hours	160 hours/20 days	480 hours/60 days

Once an employee’s vacation leave balance reaches the maximum accrual allowance, no further vacation leave will accrue until the balance drops below the maximum amount.

There is no waiting period after an employee is hired or promoted before vacation time can be used. Employees must have their supervisor’s approval to use vacation leave.

An employee separating from the County is eligible for payout of their accrued vacation leave balance, minus any fees, charges or outstanding financial obligations the employee may have to the County.

11.02 Paid Holidays

The County provides full-time and part-time benefits-eligible employees with paid time off on the following, recognized holidays:

- New Year’s Day
- Martin Luther King Day
- President’s Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

Eligible employees who work on a County-recognized holiday and are in a paid status on the regular work day immediately preceding or following a holiday are entitled to holiday pay for their regularly scheduled work hours. If the employee’s work schedule is other than Monday through Friday, the employee is entitled to a floating day off, to be used within thirty (30) calendar days and with prior approval.

An employee in a non-exempt position who is required to work on a County holiday shall be entitled to regular pay in addition to holiday premium pay at one and one-half (1.5) times for each hour worked. Exempt employees who are required to work on a County holiday will receive regular pay in addition to holiday premium pay at their regular rates for each hour worked, or exchange time. Normally, the County will credit the employee with exchange time. A department director may request, based on compelling or extraordinary operational needs, that the Director of Human Resources approve holiday premium pay for an employee or group of employees in lieu of exchange time, [subject to the conditions in Section 9.08 of this handbook](#).

Part-time benefits-eligible employees are entitled to holiday pay for their scheduled hours if the recognized holiday falls on their regularly scheduled workday.

Part-time benefit non-eligible employees and temporary employees are not entitled to holiday pay or premium holiday pay even if they work on a recognized holiday.

11.03 Paid Sick Leave

The County provides paid sick leave to full-time and part-time benefits-eligible employees. Sick leave can be used for the following reasons:

- illness, injury, or pregnancy-related condition of the employee or the employee's immediate family member
- exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees
- death of an employee's immediate family member (*in conjunction with the bereavement policy*)
- healthcare appointment with an appropriate healthcare practitioner for the employee, or the employee's immediate family member where the employee's presence is reasonably necessary

For purposes of this section, immediate family member includes the employee's spouse, child, step-child, parent, parent-in-law, grandparent, sibling, brother- or sister-in-law, [aunt, uncle](#), or persons to whom the employee stands in loco parentis, or any other relative residing with the employee (proof of residency required).

Sick leave accrues at the rate of 0.0575 hours for each hour of service. Employees must be on active pay status to accrue sick leave. Sick leave is used in a minimum of one (1) minute increments. Sick leave payment shall not exceed the normal, scheduled workday earnings.

Employees must follow their department's guidelines regarding appropriate notification for using sick leave. When the need for leave is foreseeable, the employee must notify their supervisor by making a leave request in advance. In unforeseen circumstances, an employee must follow their department guidelines regarding notification.

The employee shall record their absence in the applicable timekeeping system. If the pay period ends before the employee returns to work, the employee's supervisor shall record the employee's absence.

The County reserves the right to require documentation to support the employee's sick leave request (i.e., medical certification) for all absences of three (3) or more days, or when the County has a reasonable suspicion that sick leave is being abused. Abuse of sick leave may subject the employee to disciplinary action.

An employee's supervisor must notify Human Resources anytime an employee is out on sick leave for 3 consecutive work days to ensure the employee receives information regarding FMLA.

Unused Sick Leave

Upon retirement, an employee with ten (10) or more years of service shall be paid for one-fourth (1/4) of the accrued, unused sick leave balance up to a maximum of two-hundred forty (240) hours. Payment for unused sick leave is not available under any other circumstance.

Sick Leave Credit

Employees who have a balance of sick leave earned while employed by another political subdivision of the State of Ohio within the past ten (10) years may have the unused sick leave balance credited to their current sick leave balance with the County. Employees can contact Human Resources for more information on how to receive this credit.

11.04 Paid Bereavement Leave

All full-time employees who experience the loss of a spouse, mother, father, step-parent, child, step-child, or persons to whom they stand in loco parentis or who stood in loco parentis to them, will be granted up to five (5) days of paid bereavement leave.

Full-time employees are entitled to up to three (3) days of paid bereavement leave for the loss of a brother, sister, half-brother, half-sister, step-brother, step-sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild, [uncle, aunt, first cousin, niece or nephew](#), or any relative residing with the employee (proof of residency required).

~~Full-time employees are entitled to one (1) day of paid bereavement leave for the loss of an uncle, aunt, first cousin, niece or nephew.~~

Part-time benefits-eligible employees who experience the loss of a spouse, mother, father, step-parent, child, step-child, or persons to whom they stand in loco parentis or who stood in loco parentis to them, will be granted up to three (3) days of paid bereavement leave.

To be eligible for bereavement leave, the employee must provide appropriate documentation supporting the request for leave (e.g., obituary, funeral/memorial service program, death certificate, etc.). Bereavement leave must be used within six (6) months of the loss. Bereavement leave may be taken as

a continuous period or on an intermittent basis. If an employee needs additional time away from work, the employee may request to use accrued sick leave, vacation leave, compensatory and/or exchange time with the approval of their supervisor. Once these paid leaves are depleted, employees may request an unpaid personal leave of absence.

11.05 Paid Legal Proceedings Leave

Employees may receive legal proceedings leave when they are:

- summoned for jury duty by a court of competent jurisdiction
- subpoenaed to attend a court proceeding for a matter that is work-related and employee acted within the proper scope of their employment
- participating in any hearing of the PRC as the appellant, a summoned witness or at the request of the County

To receive this leave, employees shall submit, to their supervisor, a copy of the summons or request as soon as the notice is received.

An employee out on legal proceedings leave is required to immediately report to work after they are released, unless there would be less than one (1) hour left in the employee's regularly scheduled work day upon reporting to work. For example, an employee on an 8:30 – 4:30 schedule who is released from jury duty at 1 p.m. is required to immediately report to work. If the employee is released from jury duty at 4 p.m., they would not be required to report to work.

The County will compensate an employee on legal proceedings leave at their normal rate of pay, provided that the employee, upon receipt of any compensation paid by the court, submits the compensation to the County. Checks received in the name of the employee must be endorsed and provided to their supervisor for deposit to the County Treasurer. The employee, however, shall not be granted any mileage, travel or other related expenses.

11.06 Unpaid Personal Leave of Absence

Full-time and part-time benefits-eligible employees may apply for an unpaid personal leave of absence. A personal leave involves a temporary separation from active pay status. Employees may apply for a personal leave of absence without pay for a maximum of one (1) month, unless approved for a longer period by the Director of Human Resources.

Job performance, absenteeism and departmental requirements may be considered before a request is approved. Approval for leave is within the sole discretion of County management. Leave must not unduly disrupt the department's normal operations.

Employees requesting a personal leave must complete a *request for unpaid leave* form. The request must be submitted to the employee's supervisor at least sixty (60) days prior to the beginning of the leave,

or as soon as possible when extenuating circumstances make it impossible to give at least 60 days' notice. The request for unpaid leave form is available online, or a paper copy can be requested from Human Resources.

If the employee's supervisor approves the request, then request must then be forwarded to the employee's department director and Human Resources for approval, in that order.

An employee must exhaust all applicable paid leave before beginning a personal leave of absence. For example, an employee requesting an unpaid leave of absence to campaign for an elected office would first have to exhaust all vacation and exchange/compensatory time but would not have to exhaust their sick leave. The effective date of the personal leave will be the employee's first non-working day following the exhaustion of any of the employee's applicable, available paid leave balances (i.e., sick and vacation leave, compensatory and exchange time).

A personal leave is a temporary separation from active pay status. Sick and vacation leave and OPERS service time do not accrue during the leave. However, an employee on personal leave may continue their voluntary benefits, at their own expense. To continue benefits, a *benefits continuation form* must be completed and submitted to Human Resources prior to commencement of the personal leave of absence. The benefits continuation form is available online, or a paper copy can be requested from Human Resources.

If the employee chooses to continue their benefits, the employee must pay for coverage by prepaying, in full, their contributions for the duration of time they will be on a personal leave of absence. Payment must be received by the end of the month prior to the month for which the leave has been approved. If the employee does not pay for their contribution for their benefits while on a personal leave of absence, benefits will be cancelled.

Any extensions for personal leaves of absence beyond the maximum one (1) month period will be considered on a case-by-case basis by the department director and Human Resources.

Failure to return to work upon the expiration of the personal leave, without reasonable explanation, may subject the employee to disciplinary action. An employee who fails to return to service from a personal leave and who is subsequently terminated or voluntarily resigns from service shall not receive service credit for the time spent on personal leave. In this case, the employee's termination date will be the start date of the personal leave.

An employee may be permitted to return to work prior to the originally scheduled expiration of the personal leave if the earlier return date is agreed to by both the employee and Human Resources.

11.07 Family Medical Leave

The Family and Medical Leave Act (FMLA) and its amendments provide employees with the right to take job-protected unpaid time off for various identified reasons.

Employees with at least one (1) year of service who have worked at least 1,250 hours in the previous year are eligible, and can request up to twelve (12) workweeks (480 hours) of Family Medical Leave (FML), during a 12-month period, for one of the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth
- The birth or placement of a child for adoption or foster care
- To care for an immediate family member (as defined by this procedure to only include spouse, child or parent) with a serious health condition
- To take medical leave when employees are unable to work because of their own serious health condition

Employees may take up to twelve (12) weeks of approved leave within a rolling twelve (12) month period. The twelve (12) month period is measured backward from the commencement date of FML, during this time the employee must have worked 1,250 hours.

If two married employees both work for the County and each wants to take leave for the birth of a child, adoption or placement with the employee of a child in foster care, or to care for a parent with a serious health condition, the employees may take only a combined total of twelve (12) weeks of leave.

A serious health condition is defined as a condition that requires in-patient care at a hospital, hospice or residential medical care facility, or a condition that requires continuing care by a licensed healthcare provider as defined in the FMLA. In general, a period of incapacity of more than three (3) days, and two (2) visits to a healthcare provider within thirty (30) days (the first within seven [7] days of the onset of incapacity), would be considered a serious health condition. A serious health condition leaves employee unable to perform their job. Questions about what health conditions are covered under this procedural guideline should be directed to Human Resources.

Employees must use all accumulated paid time off allowances during their FML. FML that exceeds an employee's accumulated paid time off allowance is unpaid, and employees are responsible for financially arranging to continue their benefit coverage, at their expense, during the absence. For serious health conditions, employees must provide a healthcare provider's verification of the medical need for leave. On return from FML, employees are placed in their former or comparable jobs.

Leave Categories

- Continuous Leave: Employees may take leave in a continuous block of time.
- Intermittent Leave: Employees may take leave in separate blocks of time due to a single illness or injury, rather than for one continuous period and may include periods of leave from an hour or more (with appropriate notice for non-emergency circumstances such as regular treatment visits, etc.) to several weeks. Examples of intermittent leave would include leave taken for chemotherapy that includes time taken on an occasional basis for a medical appointment or leave taken several days at a time spread over a period of six (6) months. Intermittent leave increments are limited to

a minimum of one (1) hour and are calculated in hours in light of employees' regular work schedule.

- **Reduced Leave Schedule:** Employees may take leave that reduces their usual number of working hours per workweek, or hours per workday. In other words, a reduced leave schedule is a change in the employee's schedule for a period, normally from full-time to part-time. Such a schedule reduction might occur, for example, when employees work part-time after the birth of a child or employees recovering from a serious health condition cannot work a full-time schedule. The difference between the employee's reduced schedule and regular schedule will be charged against the employee's available FML weeks/hours. Documentation of medical necessity of reduced schedule is required.

Military Family Leave Entitlement

Eligible employees with a spouse, child or parent on active duty or called to active duty status in the National Guard or Armed Forces Reserves in support of a contingency operation may use their 12-week leave entitlements to address qualifying exigencies. Qualifying exigencies may include attending military events, arranging for alternative childcare, addressing financial and legal arrangements, attending counseling sessions and attending post-deployment reintegration briefings.

FML also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered service member during a single 12-month period. This type of Military Family Leave is available only once. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Armed Forces Reserves, who has a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation or therapy, is in outpatient status or on the temporary disability retired list.

Applying for Leave

Employees must contact Human Resources to initiate FML and must provide Human Resources with a thirty (30) day notice, if the leave is foreseeable. The County reserves the right to require an employee delay the start of their FML if thirty (30) days' advance notice is not provided when the need for FML is foreseeable. If the leave is not foreseeable, notice must be given as soon as possible.

Certification and Recertification of Serious Health Conditions

The County will ask for certification of the employee's serious health condition or that of a family member. Employees must respond to such a request within fifteen (15) days or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification may be provided by using the Medical Certification form.

Certification of a serious health condition will include the following:

- The date when the condition began
- The condition's expected duration
- The medical facts regarding the condition; and
- A brief statement of treatment

For employee's serious health condition, a statement noting the employee is unable to perform work of any kind or unable to perform the essential functions of the job. For a seriously ill family member, a statement indicating assistance is required, what that assistance is and/or that the employee's presence would be beneficial.

The County reserves the right to ask for a second opinion and will pay for employees to get a certification from a second healthcare provider selected by the County.

If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third healthcare provider. The County's healthcare provider and the employee's healthcare provider will jointly select the third healthcare provider, and the County will pay for that opinion. The third opinion will be final.

The County may request recertification of a chronic or episodic serious health condition requiring intermittent leave or reduced schedule every six (6) months, or less, as indicated by the healthcare provider's certification.

No additional opinions or re-certifications will be requested in the case of leave to care for a military service member, in conformance with the regulations.

Status and Benefits While on FML

While on paid FML, the County will continue employees' benefit coverage at the same level and under the same conditions as if they had continued to work. All available paid leave must be used and charged against the employee's FML before unpaid FML will be initiated. The employee's accrued time must be used in the following order: Sick, Compensatory/Exchange, Vacation. Sick and vacation leave will accrue during the employee's paid FML as it normally would; however, the time accrued during the leave may not be used until the employee returns to work. All usual payroll deductions will be taken during the employee's paid FML.

While on unpaid FML, if employees choose to continue their benefit coverage, employees will be responsible for making payment arrangements for the employee paid portion of benefits for the duration of unpaid FML. If for any reason employees allow their benefit coverage to lapse while on unpaid FML, benefits will be cancelled. Vacation and sick leave do not accrue during unpaid FML.

Leave Donation

Employees may donate accrued sick or vacation leave to a fellow employee who has a serious health condition as defined under the FMLA and are in critical need of time off due to the condition. Donation of leave time is strictly voluntary. FML leave will run concurrently with the donated leave time.

An employee may receive donated leave provided that the employee:

- is first approved for FML leave that removes them from the workplace for fifteen (15) consecutive work days for their own serious health condition. [Donated leave may be applied retroactively to whenever the donee exhausts his or her paid leave balance.](#) Employees on intermittent FML leave do not qualify to participate in the program. Any unused donated leave will be returned to the employee
- has exhausted all sick leave, vacation leave and compensatory/exchange time
- has not had any discipline for attendance within the previous year

An employee may donate accrued sick or vacation leave provided the donating employee:

- voluntarily elects to donate leave to a designated, approved recipient, and does so with the understanding that donated leave will not be returned
- retains a sick balance of at least one hundred twenty (120) hours after their donation
- is in active pay status at the time their sick time is to be used

Employees interested in receiving donated time should contact Human Resources. Employees who qualify may receive leave through the Leave Donation Program for up to twelve (12) weeks.

An employee may request donation leave from other employees or may designate a non-supervisory employee to make such a request on their behalf. Supervisors and managers may not solicit leave donations for or from any employee in their chain of command.

When an employee has exhausted all donated time, they may be placed on an unpaid extended sick/medical leave or may be separated in accordance with County policy or their CBA.

Returning from FML

Most employees who take leave under this procedural guideline will be able to return to the same job or a job with equivalent status, pay, benefits, and other employment terms and conditions. The job will be the same or one that requires substantially equivalent skill, effort, responsibility and authority. However, employees' rights to reinstatement cease if the employment relationship ends (e.g. loss of job due to reduction in force while on leave or situations where the organization learns of circumstances that would otherwise result in the termination of employment). The County may exempt certain highly-compensated employees from this requirement and not return them to the same or similar position.

Before employees may return to work from a leave of absence, they may be required to present to the County a medical certificate from their healthcare provider indicating any restrictions on their ability to perform the essential functions of the job to which they are returning. For scheduling purposes, this release must be received no less than two (2) business days before the employee's anticipated return date. The County may also require a physical examination at its expense to determine fitness for duty.

All family and medical leave taken, for whatever reason (including leaves for workplace injury), will be counted against employees' available leave of absence period under the FMLA.

11.08 Unpaid Medical Leave

Employees who are not eligible for FML (see section 11.07), or who have exhausted their FML, may be granted unpaid medical leave of absence because of personal illness or injury that disables the employee from performing the essential functions of their job (including medical conditions related to pregnancy or childbirth) or an illness/injury of an employee's child (including a child for whom the employee is the legal guardian), spouse, or parent, but not including the employee's parents in-law. The County reserves the right to require medical or other relevant documentation to justify the leave.

Unpaid medical leave may be granted for up to a total of twelve (12) weeks within a rolling twelve (12) month period. The twelve (12) month period is measured backward from the commencement date of unpaid medical leave. Unpaid medical leave must be taken in continuous blocks of time of at least five (5) consecutive workdays.

To be eligible for unpaid medical leave, any accumulated paid leave must be exhausted, and the employee must comply with their department's call-off procedure. The employee must demonstrate that the probable length of absence will not exceed twelve (12) weeks and the employee must present Human Resources at the time that the request is made with sufficient medical documentation, acceptable to the County, demonstrating that the employee is unable to perform the essential functions of their position and containing the probable period for which the employee will be unable to perform the essential functions of their position. If the need for leave is for the employee's covered family member, the documentation must demonstrate that the employee is needed to care for the covered family member.

If an employee takes unpaid medical leave to care for a covered family member and does not return to work within twelve (12) weeks, the employee ~~shall be considered to have voluntarily resigned~~ may be removed. Such employees shall have no right to reinstatement but remain eligible for future employment through the County's regular hiring process. The County may initiate the disability separation process (see section 6.12) for an employee who takes unpaid medical leave for their own medical condition and does not return to work within twelve (12) weeks, consistent with the ADA or other applicable law.

When the County has a reasonable belief that an employee who has been on extended unpaid medical leave may be unable to perform the essential functions of their position, with or without reasonable accommodation, the County may require the employee to submit to and satisfactorily pass a medical examination before being permitted to return to work. The purpose of the medical examination shall be to determine if they can perform the essential functions of their position, with or without reasonable accommodation, consistent with the ADA or other applicable law. In the event of a difference of opinion as to the employee's physical status between the employee's physician and the County's physician the employee shall be referred to a mutually agreed upon physician whose opinion shall be binding.

11.09 Paid Parental Leave

The County offers Paid Parental Leave to employees, due to the birth of an employee's child or the placement within an employee's home of an adopted child. Parental leave gives parents additional flexibility and time to bond with their new child, adjust to their new family situation and balance their work obligations.

Paid parental leave is available to full-time and part-time benefits-eligible employees who are FML eligible (see section 11.07). An employee is FML eligible when they have at least one (1) year of service with the County and have worked at least 1,250 hours in the previous year.

Paid parental leave is two (2) continuous weeks of paid leave, which will run concurrently with FML, and is in addition to any other paid leave that may be available for the employee to use while on FML.

Paid parental leave will be based on an employee's normal rate of pay (based on full-time equivalency), not including premiums or scheduled overtime. Part-time benefits-eligible employees will receive two (2) continuous weeks of paid leave, with pay based on the average number of hours worked during the previous year.

Vacation and sick leave continue to accrue during paid parental leave. The County will continue to pay its share of the cost of an eligible employee's group health insurance during paid parental leave. The eligible employee's share of the premium will be deducted from the eligible employee's pay in accordance with normal practices.

Paid parental leave must be utilized within twelve (12) weeks following the birth or adoption of a child. Paid parental leave will not reduce eligibility for other types of paid and unpaid leaves such as sick leave, vacation, unpaid personal leave and holiday. Bargaining employees should review their CBA (if applicable) and contact Human Resources.

An employee is eligible for paid parental leave once within a rolling twelve (12) month period. The fact that a multiple birth or adoption occurs (for example, the birth or adoption of twins) does not increase the length of paid parental leave granted for that event. If both parents are eligible employees, each will be able to utilize the appropriate provisions of this procedural guideline.

Documentation

Eligible employees must submit a completed *leave request form* to Human Resources at least thirty (30) days prior to the anticipated date of the leave. To the extent the 30-day notice is not possible; employees must submit a leave request form to Human Resources as soon as possible.

Eligible employees will be required to furnish appropriate medical documentation for the birth of a child. If applicable, the medical certification requirements for FML will govern (see section 11.07). The medical documentation must be completed and signed by the individual's health care provider.

Eligible employees will be required to furnish appropriate adoption documentation, such as a letter from an adoption agency, or from the attorney in cases of private adoptions.

11.10 Military Leave

The County supports employees who volunteer or are called to active military service. Military leaves are governed by federal and Ohio law and will be treated in accordance with the Uniform Services Employment and Reemployment Rights Act (USERRA).

Paid Military Leave

Under Ohio law, employees who are members are the Ohio National Guard, the Ohio defense corps, the Ohio naval militia, or any reserve component of the United States armed forces are entitled to a paid leave of absence not to exceed twenty-two (22) workdays in any one (1) calendar year. The leave can be continuous or intermittent.

Unpaid Military Leave

Under federal law, employees who are members of the United States armed forces shall be granted up to five (5) years of unpaid military leave with reinstatement rights to serve in the armed forces. The five (5) year maximum may be extended in certain cases, consistent with applicable law.

An employee on unpaid military leave of thirty (30) days or less may continue their healthcare benefits by directly paying the employee's portion of their health insurance premium. An employee on unpaid military leave longer than thirty (30) days will be provided information on continuation of benefits for up to twenty-four (24) months at the employee's expense (see section 10.11).

An employee on unpaid military leave may use vacation leave or exchange/compensatory time to cover part or all of their military leave.

An employee returning from unpaid military leave must apply for reinstatement within the timeframe established by applicable law. The County will promptly reinstate the employee in the position they would have attained had they not been on unpaid military leave and with the same seniority, status, and pay, as well as other rights and benefits determined by seniority.

Requesting Paid or Unpaid Military Leave

An employee seeking military leave (paid or unpaid) should contact Human Resources as soon as possible. Any supervisor or department director who becomes aware of an employee's possible need for military leave should immediately notify Human Resources.

12 MISCELLANEOUS

12.01 Personnel Information and Privacy

The County is committed to treating personal information about employees as sensitive and respects the need to protect each employee's privacy. Human Resources manages and maintains official personnel records for all County Executive employees. Personnel records may be in the form of paper, digital, or microfiche.

Access

Personnel files are stored in secured areas (e.g., within locked file cabinets, on secure computer servers). Authorized supervisors may review their employees' personnel files, in coordination with Human Resources. Employees are granted access to their own personnel file and records in accordance with the procedures outlined herein.

Medical information about employees is maintained separately from other records. Access to medical information is restricted to appropriate Human Resources and Law Department employees on a need-to-know basis.

Handling Personnel Information

If an individual requests copies of information in an employee's personnel file, Human Resources will make copies of the information and will work with the appropriate authority to distribute the copies to the requesting party. Copies may be redacted, consistent with applicable law. When practical, Human Resources will notify an employee when information from their personnel file is provided to a third party.

Questions or issues about the application or enforcement of these security measures should be addressed to the Director of Human Resources and/or the Director of Law.

Employees' Access to Information

Employees may review information contained in their personnel file during non-working time (e.g., breaks, lunch, before or after work). All reasonable and timely requests for access to personal information will be honored on employees' own time (e.g., paid time off).

Employees interested in reviewing the contents of their personnel file shall contact Human Resources and provide at least two (2) working days' notice of their desire to schedule a mutually convenient time for an appointment.

Accuracy of Information

To ensure that personnel files are up to date and contain accurate, complete information, employees must notify Human Resources of any change in their personal information. It is the responsibility of employees to notify Human Resources of any changes in the following, within one (1) month of the event, by making updates in Employee Self Service:

- Legal name
- Telephone number(s)
- Home address
- Marital status
- Number of dependents
- Beneficiary designations
- Scholastic achievements, other awards or certifications
- Emergency contacts

It is in the employee's interest to keep records of acquired new skills or experience, if the employee wants those records to be reviewed for any job advancements.

In addition, the County may initiate personal information updates by requiring all employees to review and verify their personal information on file.

Additions, Deletions or Changes

Employees may request corrections or deletions of information in their personnel records, as appropriate, to Human Resources. Human Resources ordinarily checks with the department director where the record originated, if applicable, and with the Director of Law as to any public record restrictions. Human Resources will notify the employee, in writing, as to whether the requested amendment will be made. A copy of the written response will be included in the employee's record.

12.02 Recording of Conversations

The County has established the following guidelines for the recording of conversations concerning County business. This policy shall not apply to public meetings or any other meeting or forum involving the discussion of County business that is open to members of the public, including, but not limited to, public hearings. Any violation of this policy could result in disciplinary action.

County employees shall not record any conversations involving the discussion of County business unless at least one of the following applies:

- The Director of Law Director or designee authorizes in writing an employee to record a conversation;
- [All parties first consent in writing;](#) or

- The department director, with the approval of the Director of Law, authorizes recording as a standard course of business in the interest of the public (e.g., all telephone calls to the 696-KIDS hotline and 911 calls are recorded).

12.03 Workplace Search

The County has the right to conduct investigations pertaining to security or work-related matters. During these investigations, authorized personnel may request that employees open for inspection any package, bag, container or vehicle brought into or taken from the County premises. In addition, work areas (e.g., desks, files, computers, cabinets and lockers) are County property and may be subject to search when the County reasonably suspects a policy violation has occurred. Failure to cooperate with an investigation or search is a violation of County guidelines and the employee may be subject to disciplinary action.

This does not apply to inspections of work areas to locate documents or information when an employee is unavailable. The County reserves the right to conduct such inspections and retrieve documents, other work materials, information, etc., based upon operational needs.

A supervisor, department director or Human Resources may question employees and/or search any personal property or any area from which the County conducts business, including any/all spaces, facilities and/or vehicles leased by the County, when there are reasonable grounds for suspecting that the search will enable the County to:

- safeguard another employee's safety or property
- safeguard a County customer or their property
- protect County property from destruction and/or theft
- investigate possible violations of County policy
- carry out an internal workplace harassment/discrimination investigation

Some storage equipment (e.g., cabinets, lockers) may be locked to secure its contents from theft or damage. The County reserves the right to search locked storage equipment when there are reasonable grounds to do so. County management will obtain authorization from either Human Resources or Protective Services prior to conducting a workplace search.

In the event a search is initiated the following procedures will be followed:

- The employee, a supervisor, Protective Services or law enforcement, and a union steward/representative (for bargaining employees) should be notified of and present for a search. Lack of availability of any of the above will not delay or prevent a search.
- If the employee is not present during a search, Protective Services or law enforcement will be instructed to remove any locking device, if one is present. The employee can receive reimbursement for their personal lock, at a reasonable cost, if applicable. If the employee is present, Protective Services or law enforcement will direct the employee to open/grant access to

the area. If the employee refuses to grant access, the lock will be removed, at the employee's expense. An employee may be responsible for any damage occurring from gaining access to areas secured by the employee.

- All property obtained from a search will be inventoried. After the inventory is complete, all observers will sign the inventory sheet. Items identified to be inappropriate for the workplace will be confiscated. The following are some items that are prohibited in the workplace:
 - drugs (without prescription in employee's name)
 - alcohol
 - guns and other weapons prohibited by law
 - pornography

This list is not exhaustive. If any of the items removed from County property violate the law, law enforcement will be contacted. Inventoried items that are confiscated may be returned to the owner for removal from County premises or in the case of County property, returned to its appropriate area(s). Employees may be subject to disciplinary action for inappropriate items brought onto County property.

County employees may periodically be required to submit to a search using a metal detector.

12.04 Health Insurance Portability and Accountability Act (HIPAA)

On occasion, the County receives Personal Health Information (PHI) relative to an employee's employment. Under the Health Insurance Portability and Accountability Act (HIPAA), the originator of the information is required to advise affected employees of how this information may be used or disclosed and how employees can receive a copy of the information being sent. The actual Privacy Notice can be obtained from the Human Resources Department and/or on the County's Intranet web page.

Types of Personal Health Information Received by the County

The following list, though not all-inclusive, represents the type of information received by the County and which may be shared as requested under Ohio law, such as through a [public record request](#) or subpoena:

- Pre-employment clearances
- Workers' Compensation documentation
- Return-to-Work testing results
- Fit-for-Duty exam results
- Substance-testing clearances
- FMLA medical certifications
- Disability accommodation documentation

Retention of Personal Health Information

The County takes reasonable precautions to protect employees' personal health information. Information received that contains genetic information or is otherwise not applicable to one's employment, benefits

or required by federal, state or local law is either redacted or destroyed, consistent with the County' records retention policy.

12.06 Furlough Programs

The County may establish mandatory or [voluntary](#) furlough programs in accordance with applicable law. A furlough program involves the taking of unpaid furlough days by County employees.

12.07 Professional Licenses

Any County employee who is required, as a condition of employment, to possess and maintain in good standing, a professional license (e.g., social worker license, license to practice law, etc.) shall immediately report any change in the employee's licensure status to their department management.

12.08 Other Policies

The County may adopt other policies that effect employees (e.g., public records policy, travel policy, electronic communications and equipment policy). Employees are expected to know and comply with policies that apply to their employment and may be subject to disciplinary action for failure to follow these policies.

County Council of Cuyahoga County, Ohio

Ordinance No. O2018-0004

Sponsored by: Councilmember Brown on behalf of Cuyahoga County Personnel Review Commission	An Ordinance amending Sections 303.02, 303.03 and 303.05 of the Cuyahoga County Code to update the Civil Service Code of Cuyahoga County; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article IX of the Charter of Cuyahoga County creates a Personnel Review Commission that shall be responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness; and,

WHEREAS, Section 9.01 of the Charter of Cuyahoga County states that the County's human resources policies and systems shall be established by ordinance and shall be administered in such a manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry; and,

WHEREAS, the County's current Civil Service System, including the process for examination and appointment, is codified in Chapter 303 of the Cuyahoga County Code and incorporates by reference Chapter 124 of the Ohio Revised Code, Chapter 123:1 of the Ohio Administrative Code, the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and,

WHEREAS, the proposed amendments provided herein are submitted in concert with the Administrative Rules of the Personnel Review Commission as submitted to Council on February 27, 2017 pursuant to Section 113.02(I) of the Cuyahoga County Code; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Sections 303.02, 303.03 and 303.05 of the Cuyahoga County Code are hereby amended as follows (additions are underlined; deletions are stricken). The remaining Sections of Chapter 303 remain in full force and effect.

Section 303.02 Definitions

As used in Chapter 303 of the Cuyahoga County Code and the Personnel Review Commission's Rules:

A. Abolishment – Means one of the following:

1. Abolishment of Classification – The permanent deletion of a classification from the organization due to lack of continued need for the classification, due to reorganization for efficient operation, economy or lack of work, or other lawful purpose; or
2. Abolishment of Position – The permanent deletion of a position from the structure of an Appointing Authority due to lack of continued need for the position, due to reorganization for efficient operation, economy or lack of work, or other lawful purpose.

B. Appeal – An action by which an affected party challenges the decision or determination of an Appointing Authority, the Director **of HR**, and/or the Commission.

C. Appointment – Placement of an employee in a position.

D. Appointing Authority – Means the same as defined in Section 9.04 of the Cuyahoga County Charter.

E. Classification – Means one of the following:

1. A group of positions of sufficiently similar duties that the same title and specification may be assigned to each; or
2. The act of assigning a classification title to a position(s) based upon the duties performed.

F. Commission **or PRC** – The Cuyahoga County Personnel Review Commission.

G. Competitive Examination— Method used by the Commission to assess the relative capability of qualified applicants to perform the duties and responsibilities of the classification.

H. County – As defined in the Charter.

I. Demotion – The act of placing an individual in a position, at the request of an Appointing Authority or the employee, the classification for which carries a lower salary range **pay grade** than that of the classification the employee currently holds.

J. Director **of HR** – The Director of the Cuyahoga County Human Resources Department as appointed by the County Executive **and confirmed by County Council.**

K. Eligibility List – A list of names established by the Commission for the purpose of filling vacancies in the classified service.

L. Ethics ~~Code~~**Policy** – Title IV of the Cuyahoga County Code and any revisions thereto.

M. Human Resources Department – The Cuyahoga County Department of Human Resources.

N. Layoff – A suspension of employment due to either a lack of work or a lack of funds, or other lawful purpose.

O. Meeting – Any prearranged discussion of the public business of the PRC by a majority of its members.

P. Noncompetitive Examination – An examination that evaluates individual candidates based upon established criteria to determine which applicants are qualified to fill appointments to positions requiring exceptional qualifications of a scientific, professional, educational, or managerial character or positions where it is impractical to develop and administer competitive examinations.

Q. Pay – The annual, non-overtime compensation due an employee.

~~R. Pay Equity Ordinance – Chapter 303 of the Cuyahoga County Code and any revisions thereto.~~

~~S.~~**R. Pay RangeGrade** – The pay ~~grade~~**range** assigned to a position or classification.

~~T.~~**S. Position** – The name that applies to a group of duties intended to be performed by an employee.

T. PRC Director - The Director of the Cuyahoga County Personnel Review Commission as appointed by the Commission.

U. Promotion – The appointment of an employee to a different position assigned a higher pay ~~range~~**grade** than the employee's previous position.

V. Reassignment – The assignment of an employee to a different classification.

W. Reclassification – The assignment of a position to a different classification.

X. Reduction in Pay – An action that diminishes an employee's pay. When the conditions of entitling an employee to supplemental pay end, the ending of supplemental pay shall not be considered a reduction, nor shall a change in the cost of an ~~a~~**A**ppointing ~~a~~**A**uthority's insurance or other contributions be considered a reduction.

Y. Reduction in Position – An action that diminishes an employee’s duties or responsibilities to the extent an audit of the employee’s position would result in a reclassification to a classification assigned a lower pay ~~range~~grade.

Z. Removal – Termination of an employee’s employment.

AA. Request for Reconsideration - A request made by an affected party seeking the Commission’s reconsideration of certain pre-employment determinations made by the Commission.

AB. Request for Restoration - A request made by an affected party seeking the Commission’s consideration to restore that party to an established eligibility list. See Rule 9.05.

~~ACB~~. Suspension – The interruption of an employee’s employment and/or compensation for a fixed period of time.

Section 303.03 Examinations

A. General Provisions

The Cuyahoga County Personnel Review Commission shall provide for the:

1. Administration, preparation, conducting, grading, and validation of all competitive examinations for positions in the County’s classified service;
2. Evaluation of qualifications for all noncompetitive positions in the County’s classified service; and
3. Preparation and maintenance of ~~eligibility~~eligibility lists containing the names, scores, and rankings of persons qualified for appointment to positions in the classified service.

B. Announcements & Applications

The Cuyahoga County Personnel Review Commission shall give reasonable notice of the time, place, and general scope of competitive examinations for positions in the County’s classified civil service. Examination announcements shall be posted electronically on both the Personnel Review Commission’s and Cuyahoga County’s website.

Applicants for classified civil service positions shall file one application that will serve as both the request to take the examination and as the application for employment with the County.

C. Rejection of Applicants

All applications shall be reviewed by the Cuyahoga County Personnel Review Commission. Applications may be rejected for any of the following reasons:

1. It was not filed within the prescribed time period.
2. That the applicant has not met one or more of the minimum **requirements** ~~qualifications~~ of the position.
3. That the applicant has made a false statement on the application.
4. Any other just or reasonable cause that is job related and non-discriminatory **as determined by the Personnel Review Commission.**

Upon rejecting any application, the Personnel Review Commission shall promptly notify the applicant of the reason for the rejection at the electronic mail address provided on the application. The applicant may, within five (5) calendar days after the date of the notice, file **with the Personnel Review Commission a Request for Reconsideration.** ~~written request for reconsideration of such rejection that shall set forth why the rejection was in error and providing evidence of the same.~~ The Personnel Review Commission will not consider requests that contest the qualifications established for the position. If a request for reconsideration from a rejection is pending at the time an examination is scheduled to be held, the applicant shall be allowed to take the examination pending the resolution of the request. If **after review, the Personnel Review Commission, within its sole discretion, finds it is determined that** the rejection **is** justified, the applicant's examination shall not be graded. Consideration of an applicant's request for reconsideration shall not be quasi-judicial and shall not result in a final order that entitles the applicant to an administrative appeal to the Personnel Review Commission.

D. Fraud

Fraud in examinations is prohibited and shall result in automatic disqualification. No person shall:

1. Falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of the civil service law, or aid in so doing;
2. Make any false representations concerning the results of such examination or concerning any person examined;
3. Furnish to another person special or secret information for the purpose of either improving or injuring the prospects or chances of another person so examined, registered or certified, or to be appointed, employed or promoted;

4. Impersonate another person, or permit or aid in any manner another person to impersonate a candidate~~an applicant~~, in connection with any examination, registration or appointment or application or request to be examined, registered or appointed;
5. Furnish false information about himself/herself, or other person, in connection with any examination, registration, or appointment or application or request to be examined (including a request for examination rescheduling or reasonable accommodation), registered or appointed;
6. Make known or assist in making known to any applicant for examination any question to be asked on such examination;
7. Acquire, through fraudulent means, any exam content or question(s) to be asked on the examination prior to the examination; or
8. Personally solicit a favor from any appointing officer, or have any person on his/her behalf solicit a favor pertaining to the testing procedures of the Personnel Review Commission.

Any person or persons attempting to deceive any of the examiners in any manner whatsoever ~~by impersonation or by assisting or receiving assistance~~ as described above, shall be prohibited from taking any examination for employment with Cuyahoga County for a period of two (2) years. If the person is already employed by the County, such conduct shall be grounds for disciplinary action, the Personnel Review Commission shall notify the Director of HR upon learning of any such conduct.

E. Method of Grading

The method of grading, including the setting of minimum passing scores, weighting of multiple test components, rank ordering, banding, ~~protests~~, or any other consideration in determining a candidate's~~an applicant's~~ score on an employment test, shall be determined by the Personnel Review Commission on a test-by-test basis.

F. Military Service Credit

~~Any person who has completed service in the uniformed services and who has been honorably discharged from the uniformed services or transferred to the reserve with evidence of satisfactory service may file with the Commission a DD-214, and, upon this filing, the person shall receive an additional credit of five (5) numerical points or 5% of his or her score, whichever is greater, provided the applicant has received a passing grade in all phases of the examination before addition of the military service credit. Credit for uniformed service will not be given if the request for such credit is received by the Commission after the closing date for applications. As used in this Section, "service in the uniformed services" and "uniformed services" have the same meaning as the "Uniformed Services Employment and Reemployment Rights Act of~~

1994,..." 38 U.S.C.A. 4303" which meaning shall be: The Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or a full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in the time of war or national emergency.

Any person who has been honorably discharged from the uniformed services or transferred to the reserve with evidence of satisfactory service may file with the Commission Form DD214, member copy 4 as proof of military service, and, upon verification, the person shall receive an additional credit of 5% of the maximum score for the examination, provided the candidate has received a passing grade in all phases of the examination before addition of the military service credit.

Any person in good standing of a reserve component of the armed forces of the United States who successfully completes the member's initial entry-level training may submit to the Commission proof of such completion, and, upon verification, the person shall receive an additional credit of 5% of the maximum score for the examination, provided the candidate has received a passing grade in all phases of the examination before addition of the military service credit.

As used in this Section, "uniformed services" and "reserve component" include service in the Army, Navy, Marine Corps, Air Force, Coast Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard, Air National Guard, Commissioned Corps of the Public Health Service, or any other category of persons designated by the President in time of war or emergency.

G. Noncompetitive Examinations

For positions designated as noncompetitive, the Personnel Review Commission may suspend competition. Applicants for noncompetitive positions shall file an application, together with such proof of education, training, experience, ability and character, as shall be set forth in the examination announcement. The Personnel Review Commission shall evaluate the applications to determine if the applicants meet the minimum requirements of the class specifications for the class being examined. Following this review, an eligibility list shall be prepared including the names of all applicants who met the minimum requirements. Applicants will appear in alphabetical order.

H. Eligibility Lists

Eligibility lists shall remain in force not longer than one (1) year; however, the Personnel Review Commission may, at its discretion, extend the duration of an eligibility list.

I. Breaking tie Grades

In the event two (2) or more ~~applicants~~**candidates** receive the same grade on an open competitive examination in which rank ordering is used in establishing the eligibility list, priority in the time of filing the application shall determine the order in which their names shall be placed on the eligible ~~ility~~ list; ~~applicants~~**candidates** eligible for Military Service Credit shall receive priority in rank on the eligible list over non-veterans on the list with a rating equal to that of the veteran. Ties among ~~applicants~~**candidates** receiving Military Service Credit shall be decided by which application was filed earlier.

J. Removal from List

~~Names may be removed from an eligibility list by action of the Personnel Review Commission for the following reasons:~~

- ~~1. At the request of the eligible candidate.~~
- ~~2. After three certifications or considerations without receiving an appointment.~~
- ~~3. Failure to pass a pre-employment background check and/or drug or alcohol screen.~~
- ~~4. Failure to appear for an interview.~~
- ~~5. Inability to locate the eligible at his or her last known address.~~
- ~~6. Practice or attempt to practice any deception in his or her application or in securing eligibility or appointment.~~
- ~~7. Any other just or reasonable cause that is job-related and non-discriminatory.~~

Upon receiving notification from the Appointing Authority, Director of HR, or the PRC Director, names may be removed from an eligibility list for the following reasons:

- 1. At the request of the eligible candidate.**
- 2. After declining a conditional offer for the position.**
- 3. After three certifications or considerations without receiving a conditional offer.**
- 4. Failure to pass a pre-employment background check and/or drug or alcohol screen.**
- 5. Failure to appear for an interview.**

6. Inability to contact the candidate via the contact information on file with the Commission .

7. Practice or attempt to practice any deception in his or her application or in securing eligibility or appointment.

8. Any just or reasonable cause that is job-related and non-discriminatory.

For the purpose of this rule, “removal” from an eligibility list constitutes the removal of the candidate from consideration in any current or future hiring process for the life of the list. This does not mean a candidate’s name will be removed from the eligibility list posted on the PRC’s website. Once the eligibility list is posted on the PRC’s website, it will not be modified or removed until the list expires, the list is exhausted, or the Commission must correct an error on the list.

If a current County probationary employee appears on an eligibility list for a classification that would be considered a promotion, and that employee is not eligible for promotion per the Cuyahoga County Personnel Policies and Procedures Manual, that employee will be temporarily removed from the eligibility list pending completion of the probationary period. Upon receipt of verification that the employee has successfully completed the probationary period, the employee will be reinstated to the eligibility list.

If a candidate requests removal, and the request is based on illness, military service, or conflict with schooling, that candidate may be restored to the eligibility list ~~for~~ **consideration** when that candidate indicates renewed availability for consideration if the eligibility list is still in effect as provided in Section 303.03(H).

If a candidate’s name is removed for any of the other reasons set forth in this Section, the candidate may make a written request for ~~reconsideration~~ to the Personnel Review Commission for the restoration of his or her name to the eligibility list. Such request shall be made within five (5) calendar days of ~~the~~ **the** date the notification of removal from the list was electronically mailed and shall set forth why the removal was in error, stating the reasons that would justify restoration to the list, and providing evidence of the same. **The request shall be made in the manner provided by the Administrative Rules of the Personnel Review Commission. Only requests made using the proper form and submitted by the deadline will be considered.**

Restoration to the eligibility list is within the sole discretion of the Personnel Review Commission. However, consideration of a candidate’s request for ~~reconsideration~~ **restoration** shall not be quasi-judicial and shall not result in a final order that entitles the candidate to an administrative appeal to the Personnel Review Commission.

K. Certification

1. Certification Request

When an Appointing Authority desires to fill a vacancy in any position in the classified service (excluding promotions), the Appointing Authority shall submit a request to the Personnel Review Commission specifying the department, title of the position, grade, whether the service is temporary or permanent, and the anticipated date of the vacancy. **Upon establishing an eligibility list, the Commission, through its staff, shall certify names to the Appointing Authority to fill the next vacancy in the classification. This certification is made to the Appointing Authority via the Department of Human Resources. For each vacancy beyond the first, the Appointing Authority, through HR, shall submit a written request for certification to the Commission's staff unless all remaining names have already been certified.**

2. Number of Names to be Certified

Following a certification request from an Appointing Authority, the Personnel Review Commission, through its staff, shall certify the names, addresses, and rank of the top twenty-five percent (25%) or a minimum of ten (10) names of the applicants on the eligibility list for the class or grade to which the position is classified. When less than 10 names appear on an eligibility list, the Personnel Commission may certify less than ten (10) names and a new examination may be scheduled. **When certifying names from an eligibility list established through competitive means, the Commission, through its staff, shall certify the names and rank of the top twenty-five percent (25%) or a minimum of ten (10) names, whichever is greater, of the candidates remaining on the eligibility list for the class to which the position is classified. When certifying names from an eligibility list established through noncompetitive means, the Commission, through its staff, shall certify all of the names remaining on the eligibility list for the class to which the position is classified.**

If a name has been certified to an Appointing Authority, and sufficient justification is found to remove that name from the eligibility list per Rule 9.05 before a conditional offer has been extended from that certification, the name will be removed and a replacement name will be certified to the Appointing Authority. The replacement name will be the highest-ranked name remaining on the eligibility list that was not already certified to the Appointing Authority.

When fewer than ten (10) names remain on the eligibility list at the time a certification is made, the Commission may certify fewer than ten (10) names and a new examination may be scheduled. If all names remaining on an eligibility list have been certified to an Appointing Authority and there is sufficient justification to remove any names per Rule 9.05 such that the number of remaining names is fewer than ten (10) before a conditional offer is extended, a new examination may also be scheduled.

3. Merging New Names into an Existing Eligibility List

When a new examination is scheduled due to fewer than ten names remaining on an active eligibility list, and the results of that examination are to be posted prior to the expiration of that list, the names of those persons who pass the new examination shall be merged with those who remain on the original list.

The same examination and passing score used to establish the original eligibility list shall be used for the new examination. All candidates who pass either the original or new examination shall be placed on the eligibility list in rank order according to their examination scores. In the case of noncompetitive examinations, all candidates who met the minimum requirements of the classification during either the original or new announcement period shall appear on the eligibility list in alphabetical order. The Commission will then certify names per Rule 10.02.

Names appearing on the eligibility list are considered eligible for the duration of the original eligibility list on which they first appeared, as described in Rule 9.02. However, those names may be extended at the discretion of the Commission, as described in Rule 9.02.

3.4. Certification Not More Than Three Times

A person certified from the same eligibility list three (3) times to the same Appointing Authority may be omitted from future certifications. A person is “certified,” for purposes of this section, each time **a conditional offer is extended**~~an appointment is made from an **established**-certified~~ eligibility list containing that person’s name.

Section 303.05 Appointments

A. Original Appointments. A person who has been selected by an Appointing Authority from an eligibility list that is established by the Personnel Review Commission to fill a vacancy in the classified service is said to have received an original appointment.

Those persons receiving original appointments do not become permanent employees until they have satisfied the applicable probationary period.

B. Temporary Appointments

Temporary appointments shall not exceed one hundred eighty (180) days in duration and shall be filled in the following manner:

1. Eligibility List

If an applicable eligibility list is available, the temporary appointment shall be offered to the candidates on the eligibility list, provided that the acceptance or declination of appointment to such position shall not affect the right of an eligible

person to certification for appointment to a permanent position. At the expiration of the temporary appointment, which in no case shall exceed one hundred eighty (180) days, the services of the temporary employee shall be terminated and the candidate shall be restored to the eligibility list in rank order.

2. No Applicable Eligibility List

In the absence of an applicable eligibility list, the Appointing Authority may appoint a qualified person for a temporary period of service, not to exceed one hundred eighty (180) days in duration, when the need of service is urgent and necessary to prevent the loss of public property, serious inconvenience to the public, or damaging delay to the public service. In the event of a subsequent appointment to a permanent position, the temporary appointment shall not be counted as part of a probationary period. Successive temporary appointments to the same position are prohibited. Temporary appointments made necessary by reason of sickness, disability, or other approved leave of absence **may exceed the 180-day limitation; however, the temporary appointment** shall not continue beyond such period of sickness, disability, or other absence.

Section 305.02

The ~~Department of Human Resources~~ **Personnel Review Commission** shall publish and keep up-to-date the County's complete Non-Bargaining Classification Plan on the ~~Department's~~ **PRC's** website.

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: March 13, 2018

Committee(s) Assigned: Human Resource, Appointments & Equity

Journal _____
_____, 20__