



Policy Handbook

For Employees of Logan County, Ohio

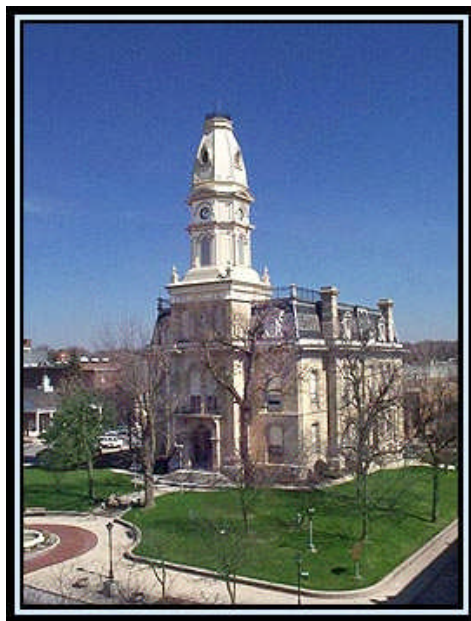


TABLE OF CONTENTS

POLICY HANDBOOK FOR EMPLOYEES OF LOGAN COUNTY OHIO

<i>Topic</i>	<i>Page</i>
I. GENERAL PROVISIONS	1
A. Introduction	1
B. Equal Employment Opportunity Policy	2
C. American's With Disabilities Act Policy	2
D. Ethics of County Employment	3
E. Public Records Policy	4
II. EMPLOYEE RECORDS	6
III. CIVIL SERVICE AND APPOINTMENTS	7
A. Civil Service	7
B. Appointments	7
IV. HOURS OF WORK	8
A. Regular Work Hours	8
B. Absenteeism and Tardiness	8
C. Overtime	9
D. Hours for Volunteer Firefighter or EMS Provider	10
E. Lactation Break Policy	10
V. PAID LEAVES OF ABSENCE	10
A. Sick Leave	11
B. Donated Sick Leave	12
C. Court Leave	14
D. Vacation Leave	15
D. Holidays	15
E. Military Leave	16
H. Weather Emergency Leave	16
I. Disaster Relief Leave	17
VI. UNPAID LEAVES OF ABSENCE	17
A. Family and Medical Leave Act Policy	17
B. Other Unpaid Leaves of Absence	26
VII. INSURANCE BENEFITS	26
A. Health Insurance	27
B. Prescription Drug Insurance	27
C. Life Insurance	27

Topic	Page
D. Employee Assistance Plan	27
E. Voluntary Supplemental Benefits	27
F. Section 125 Plan	28
G. Retirement Plans	28
H. Enrollment Periods	28
VIII. REDUCTIONS IN WORK FORCE	28
A. Layoff Jurisdictions	28
B. Rationales for Layoffs	28
C. Order of Layoffs	29
D. Displacement Rights	29
E. Recall or Reinstatement Rights	30
F. Right to Appeal	31
IX. VACANCIES AND PROMOTIONS	31
X. TRANSFERS AND JOB ASSIGNMENTS	32
A. Job Assignments	32
B. Permanent Transfers	32
C. Temporary Transfers and Assignments	32
XI. USE OF COUNTY PROPERTY	33
A. Introduction	33
B. Use of County Vehicles	33
C. Use of County Communications Systems	36
D. Use of E-Mail	36
E. Use of Internet	37
F. Use of Cellular Phones	40
G. Use of Procurement Cards	41
H. Smoke Free Work Environment	41
XII. DRUG AND ALCOHOL POLICY	41
XIII. WORKPLACE VIOLENCE	46
A. Zero Tolerance Policy	46
B. Prohibited Acts of Violence	46
C. Warning Signs and Risk Factors	46
XIV. CONCEALED CARRY POLICY	47
XV. HARASSMENT POLICY	48
XVI. JOB SAFETY	50
XVII. DISCIPLINARY POLICY	50

<i>Topic</i>	<i>Page</i>
XVIII. EMPLOYEE RIGHTS	55
XIX. COMPLAINT PROCEDURE	55
XX. NEPOTISM POLICY	56
XXI. MEDICAL EXAMINATIONS AND DISABILITY SEPARATIONS	57
XXII. POLITICAL ACTIVITY	58
XXIII. SOLICITATION POLICY	59

APPENDIX 1:	<i>Request for Leave of Absence</i>
APPENDIX 2:	<i>Application to Receive Donated Sick Leave</i>
APPENDIX 3:	<i>Application to Donate Sick Leave</i>
APPENDIX 4:	<i>Request for Family and Medical Leave</i>
APPENDIX 5:	<i>GINA-FMLA Certification Disclosure</i>
APPENDIX 6:	<i>Employee Handbook and Personnel Policies Acknowledgement</i>
APPENDIX 7:	<i>SUBSTANCE ABUSE POLICY-REASONABLE SUSPICION RECORD</i>
APPENDIX 8:	<i>USE OF COUNTY VEHICLES-APPLICANT DRIVING HISTORY</i>
APPENDIX 9:	<i>STATEMENT OF UNDERSTANDING: EMPLOYEE SUSPENDED FROM DRIVING FOR THE COUNTY</i>
APPENDIX 10:	<i>PUBLIC RECORDS REQUEST FORM</i>
APPENDIX 11	<i>PUBLIC RECORDS RESPONSE FORM</i>

HANDBOOK FOR EMPLOYEES OF LOGAN COUNTY

I. GENERAL PROVISIONS

A. Introduction

1. The Purpose of this Policy Handbook is to set forth personnel policies for the employees of Logan County. These policies have been established by the Board of County Commissioners. Many of the rights and responsibilities outlined in this Handbook are based on provisions contained in the Ohio Revised Code and Ohio Administrative Code. When there is a direct conflict between state or federal law and a County policy, state or federal law prevails. When there is a direct conflict between a collective bargaining agreement and a County policy, the provisions of the collective bargaining agreement prevail.
2. Neither the Board of County Commissioners nor County Officials can foresee all personnel issues and concerns which may arise. Accordingly, it may be necessary, and the County reserves the right to, revise, modify, amend, or delete any policy, procedure, benefit or regulation. These amendments shall only affect the specific policy they modify, and will not affect the enforceability of the remainder of this Handbook. Employees are encouraged to ask questions of their supervisor concerning any provisions of this Handbook they do not understand.
3. Ohio law grants elected office holders and directors of departments and agencies the power to hire, compensate, discipline and discharge employees in their offices or departments. Within these statutory parameters, the Board of County Commissioners intend for all office holders and departmental directors to adhere to this Policy Handbook in a consistent and uniform manner. Only if the policies contained in this Handbook directly conflict with the urgent operational needs of a particular office, department or agency, will variances on the policies be acceptable. A particular office, department or agency may adopt alternative policies and procedures only when the policies contained herein do not meet the operational needs of that particular office, department or agency. The policies set forth herein shall apply to all County offices unless individual office holders develop alternative policies and implement those policies in accordance with applicable law.
4. All office holders and directors with the power to hire, compensate, discipline and discharge their employees shall be referred to as "appointing authorities" and their offices, departments and agencies as "County offices". An appointing authority may supplement this Policy Handbook with work rules, policies and procedures which do not conflict with applicable law and which the appointing authority deems necessary due to the unique nature of their individual office, department or agency. Additionally, union contracts shall prevail over any conflicting policies that are set forth in this handbook. Notwithstanding the foregoing, to the extent that this Handbook does not conflict with the supplemental policies enacted by an appointing authority or with a union contract, the policies of this Handbook shall continue to govern.
5. Words, whether in the masculine, feminine, or neutral genders, that are contained within the Policy Handbook, shall be construed to include all of those genders. The use of the masculine or feminine genders is for convenience only and not to be construed as discriminatory by reason of sex.
6. The provisions of this Handbook are not intended to create a contract of employment between the County and its employees.

7. The provisions of this Handbook may be changed at any time with, or without prior notice to employees.
8. The provisions of this handbook are not intended to create a contract of employment between the County and any of the employees.

B. Equal Employment Opportunity Policy

1. It is the continuing policy of the Logan County to provide equal opportunity in employment to all employees and applicants for employment regardless of their age, sex, race, religion, creed, disability, veteran status or national origin, and to conform to applicable Equal Employment laws and regulations. Equal Opportunity encompasses all aspects of employment practices to include, but not limited to, recruiting, hiring, training, compensation, benefits, promotions, transfers, layoffs, recall from layoffs, discipline and other County sponsored activities and programs.
2. Any employee who violates this Equal Employment Opportunity Policy is subject to discipline.

C. American's With Disabilities Act Policy

The American's with Disabilities Act (ADA), 42 U.S.C. §§12101 et seq., prohibits discrimination, in terms of hire, promotion, transfer, or any other benefits or privileges of employment, of any qualified individual with a disability. To be considered a qualified individual, the employee must satisfy the requisite skill, experience, education and other job related requirements of the position such individual holds or desires, and with or without reasonable accommodation, must be able to perform the essential functions of the position. The County establishes the following policy and grievance procedure in order to ensure compliance with the requirements of the ADA.

1. For purposes of the ADA, a "disability" is defined as: (a) a physical or mental impairment which substantially limits a major life activity; (b) a record of having that type impairment; or (c) being regarded as having that type of impairment.
2. The physical or mental limitations of an otherwise qualified applicant or employee with a disability shall be reasonably accommodated unless the accommodation would pose an undue hardship on the County. Undue hardship, for purposes of this policy, means an action that requires significant difficulty or expense when considered in the light of other relevant factors or would be unduly disruptive to the department or agency's operation.
3. Among the factors to be considered in determining whether an accommodation would create an undue hardship include, but are not limited to, the nature and the cost of the accommodation, the size of the department and its overall financial resources, the nature and structure of the operation, the effect of the accommodation on expenses and resources, conflict with state and federal law, and the impact of the accommodation on other employees. Decisions as to whether an accommodation is reasonable shall be made on an individual case by case basis. Employees who believe they are in need of a reasonable accommodation should make their supervisor aware of this need.
4. Each appointing authority shall designate an individual in his or her respective agency, department or office to serve as an ADA Coordinator who shall coordinate the efforts to comply with and carry out the responsibilities of the agency under the ADA. One of the ADA

Coordinator's responsibilities is to investigate ADA complaints.

5. The County's ADA grievance procedure may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices by the County. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons upon request.
6. The ADA complaint should be submitted by the grievant as soon as possible but no later than 60 calendar days after the alleged violation to the relevant ADA Coordinator within the agency, department or office. Within fifteen (15) calendar days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible solutions or accommodations that may be available to the complainant. Within fifteen (15) calendar days of the meeting, the ADA Coordinator shall respond in writing, and, if necessary, will respond in an alternative format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County and offer options for substantive resolution of the complaint.
7. If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his designee may appeal the decision of the ADA Coordinator within fifteen (15) calendar days after receipt of the response to the appointing authority or its designee. Within fifteen calendar days after receipt of the appeal, the appointing authority or its designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting the appointing authority or its designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
8. Nothing included within this grievance procedure shall preclude an individual from filing a complaint with the Equal Employment Opportunity Commission, the Ohio Civil Rights Commission or any other state or federal agency with applicable jurisdiction.
9. All written complaints received by ADA Coordinators, appeals to an appointing authority, and responses from the ADA Coordinator and her designee will be kept in a separate file by the County.

D. Ethics of County Employment

In order to maintain the integrity of the Logan County Government and the confidence that the public has in it, it is essential that all County employees maintain the highest possible ethical and moral standards and conduct themselves within the laws of the state of Ohio.

The proper operation of democratic government requires that actions of public officials and employees be impartial; that government decisions and policy be made through the proper channels of governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. Ohio Revised Code §§102.03 and 2921.42 prohibit employees from using their influence to benefit themselves or family members. In recognition of the above listed requirements, the following Code of Ethics is established for all appointing authorities and employees:

1. No employee shall use his official position for personal gain, or shall engage in any business or

shall have financial or other interest, direct or indirect, which is in conflict with the proper discharge of his official duties.

2. No employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the County. Nor shall she use such information to advance the financial or other private interest of herself or others.
3. No employee shall accept any valuable gift, whether in the form of service, loan, item or promise from any person, firm or corporation which is interested directly or indirectly in any manner whatsoever in business dealings with the County; nor shall employees accept any gift, favor or item of value that may tend to influence an employee in the discharge of his duties or grant in the discharge of employee duties any improper favor, service or item of value.
4. No employee shall represent private interests in any action or proceedings against the interest of the County in any matter in which the County is a party.
5. No employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of her official duties or would tend to impair her independent judgment or action in the performance of her official duties. Neither shall other employment, private or public, interfere in any way with the employee's regular, punctual attendance and faithful performance of her assigned job duties. The appointing authority must approve all outside employment. An employee who holds secondary employment that is determined to be contrary to the interests of the County, or that is determined to interfere with her County Employment, will be instructed to resolve the conflict, which may require resigning from the outside employment. If the conflict cannot be resolved and/or if the employee refuses to resign from his secondary employment, disciplinary action may result.
6. Any employee having doubt as to the applicability of these provisions should consult her supervisor or County official.
7. Any employee offered a gift or favor, who is not sure if its acceptance is a violation of the Code of Ethics, should inform his supervisor of the gift offer. The supervisor will make a decision or refer the individual to the Prosecutor's Office. No employee will accept from any contractor or supplier doing business with the County, any material or service for the employee's private use.
8. State law prohibits County employees and officials from having a financial interest in companies which do business with public agencies, with minor exceptions. Employees who have any doubt concerning possible violation of these statutes are advised to consult their own attorney.

E. Public Records Policy

Introduction: It is the policy of the Logan County Commissioners office that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Logan County Commissioners office to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

1. Public records: This office, in accordance with the Ohio Revised Code, defines records as

including the following: Any document – paper, electronic (including, but not limited to, e mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Logan County Commissioners office are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

- A. Maintenance of records: It is the policy of the Logan County Commissioners office that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the e mail record policy). Record retention schedules are to be updated regularly and posted prominently.
2. Response to Record requests: Each request for public records should be evaluated for a response using the following guidelines:
- A. Identifying records requested: Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.
 - B. Written requests and requestor's identity: The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is this office's general policy that this information is not be requested unless such information may be needed to respond to the public records request.
 - C. Availability of public records: Public records are to be available for inspection during regular business hours (generally 8:00 to 4:30 Monday through Friday), with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.
 - D. Denial of requests: Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.
3. Costs Charged for Public Records: Those seeking public records will be charged only the actual cost of making copies. Advance payment is required before any copies are prepared.
- A. The charge for paper copies is 5 cents per page.
 - B. The charge for downloaded computer files to a compact disc is \$1 per disc.
 - C. There is no charge for documents e-mailed.
 - D. Mailing requests

Requesters may ask that documents be mailed to them. They will be charged the actual cost of

the postage and mailing supplies. There will not be a charge for time used for gathering, reviewing, or physically copying the records. Requesters shall be charged in advance for postage fees and the cost of the envelope required to properly send the requested records through the mail.

4. Failure to respond to a public records request: The Logan County Commissioners office recognizes the legal and non-legal consequences of failure to properly respond to a public records request. Therefore it is the intent of the Logan County Commissioners office to provide a copy of any public record of this office in accordance with Ohio law.

II. EMPLOYEE RECORDS

1. A personnel file shall be established and maintained for each employee by the appropriate appointing authority.
2. At the time of original appointment, the employee's personnel file shall reflect the employee's correct name, address, telephone number, social security number, tax exemptions, affiliation with any branch of the armed services, and loss of licensure or insurability, if applicable. In addition, the initial record should include the name and phone number of a person to contact in case of an emergency. The employee is responsible for providing this information and promptly reporting any change in the information.
3. The personnel file shall contain the employee's application for employment, letters of reference, necessary compensation and payroll information, performance evaluations, disciplinary actions and letters of commendation and all other information necessary for the conduct of County operations.
4. In the event the County must send correspondence or other documentation to an employee who is on leave, the County will mail the document to the last known address listed in the employee's personnel file. An employee will be considered to have constructive notice of any correspondence or documentation mailed to his or her last known address.
5. Records contained in an employee's personnel file which are not defined as "public records" in Section 149.43 of the Ohio Revised Code or other applicable provisions of law, shall not be released from an employee's personnel file unless specifically authorized by such employee in writing. Records maintained by the County that are defined as public records shall be released in accordance with law. The County will attempt to give employees at least twenty four hours' notice before releasing their personal information in response to a public records request.
6. Each employee shall have the right, upon request and reasonable (at least twenty four (24) hours) notice, to examine his personnel file. Such examination shall be made on non-work time or at some other mutually agreeable time.
7. If an employee disputes the accuracy, timeliness, relevance or completeness of documents in her file, she may request in writing that the appointing authority investigate the current status of the information. The appointing authority will make a reasonable investigation to determine the accuracy, timeliness, relevance and completeness of the file, and will notify the employee of the results of the investigation and any plans the appointing authority has to take action with respect to the disputed information. The employee may submit a statement to be attached to any disputed documents.
8. Employees are not permitted to alter, add or remove documents or other information contained

in their personnel files absent express authorization from the appropriate appointing authority. An employee, who alters, adds or removes documents or information from her personnel file without prior approval may be subject to discipline.

9. Pursuant to applicable law, all medical records shall be maintained in a separate file. Such records are not considered to be public records.

III. CIVIL SERVICE AND APPOINTMENTS

A. Civil Service

1. Employment within the County is governed by Ohio Civil Service Laws. Note, however, that for employees subject to a collective bargaining agreement, provisions of Ohio Civil Service law that directly conflicts with provisions of a collective bargaining agreement is superseded by the terms of the agreement.
2. The Civil Service system consists of laws that control the appointment of employees and it is based upon classifications of jobs on the basis of similarity of job duties and the qualifications required to perform those job duties.
3. Exempt or "Unclassified" Positions: Most County employees are in the "classified" service, which means the competitive classified Civil Service. Certain positions are exempt from the classified service and are considered to be in the "unclassified" service. Employees in the unclassified service serve at the pleasure of their appointing authority and do not have the lay off and other job security protections of Ohio Civil Service laws. Unclassified employees are employees at will who serve at the pleasure of the appointing authority and may resign, or be terminated, for any reason not inconsistent with law. If an employee has questions regarding their status as a classified or unclassified employee, the employee should contact their appointing authority.

B. Appointments

1. Appointing authority: Civil Service laws refer to the officer, board or commission having the power of appointment or removal from employment as the "Appointing Authority". Each elected County office holder and director is an "Appointing Authority".
2. Probationary Period: All original appointments shall be for a probationary period of one hundred and twenty (120) calendar days but not more than one year. No appointment is final until the probationary appointee has satisfactorily served his probationary period. If the service of a probationary employee is unsatisfactory, he may be removed or demoted at any time during his probationary period without recourse. When an employee completes half of his probationary period, he will receive a performance appraisal and performance rating. His supervisor shall hold a discussion with him to review the appraisal and rating. If the probationary employee is still employed at the time, his supervisor will complete a final probationary performance appraisal and rating before the end of the probationary period and forward it with his recommendations to the appointing authority.
3. Promotional Appointments: All promotional appointments shall have a probationary period equal to that of an original appointment within that classification. If the service of the promotional probationary employee is unsatisfactory, he may be demoted to the position from which he was promoted, or to a similar position, at any time during the promotional probationary period.

4. Temporary Appointments: Where there is an important and urgent need for services for a temporary period, the appointing authority may appoint an employee on a temporary basis not to exceed three months. The appointing authority may not make successive temporary appointments to the same position. Acceptance or refusal by an employee on an eligibility list shall not affect his standing on the register for permanent employment. The period of temporary service shall not be counted toward the probationary period in the case of subsequent appointment to a permanent position. Persons on a temporary appointment serve at the pleasure of their appointing authority.
5. Seasonal Appointment: An appointing authority may appoint an employee on a seasonable basis for the purpose of performing a type of work or activity limited to a specific season or period of the year. Such employees may, in management discretion, be reinstated during the next season, or the earliest possible period when there is a need for seasonal employment.
6. Assignment of Duties: The assignment of duties to an appointee is the responsibility of the. No person shall be appointed or employed under any job title not appropriate to the duties to be performed. No person shall be assigned to perform duties other than those properly belonging to the position to which he has been legally appointed, except as may be required because of temporary circumstances or when there has been a change of duties for a position.

IV. HOURS OF WORK

A. Regular Work Hours

Each appointing authority establishes the scheduled work hours for each department or office, depending on the nature of the work, work practices and custom. Employees not exempt from the overtime provisions of the Fair Labor Standards Act ("FLSA") shall not work prior to, subsequent to or outside their regularly scheduled hours unless authorized in advance to do so by their supervisor or in emergency situations. Employees whose hours of service regularly average thirty hours or more per week shall be considered full time employees for all benefit purposes. Employees shall receive reasonable posted notice of any change in regular work hours.

Employees may be entitled to a lunch period as determined by the appointing authority.

Employees who are not exempt under the FLSA, and who receive an unpaid lunch period, shall not work during their lunch period except with the approval of their supervisor or in emergency situations. Employees may also be entitled to paid breaks during their work day as determined by the appropriate appointing authority. Breaks may only be taken if the workload permits.

B. Absenteeism and Tardiness

1. Employees are expected to be present and ready to work at their scheduled starting times. Supervisors will document instances of employees arriving late. Excessive tardiness shall be grounds for discipline up to and including removal.
2. An employee who is absent for a scheduled work day without approved leave may be subject to discipline. Employees who are not exempt from the Fair Labor Standards Act shall not receive pay for any period of an unauthorized absence. An absence without approved leave for three consecutive work days shall be cause for removal, regardless of prior discipline. An appointing authority may set aside the removal and re appoint the employee to her former position if, within ten (10) calendar days of the employee's last actual work day, the employee presents a

satisfactory explanation of his absence to the appointing authority.

3. Falsification of a physician's certificate or signed statement to justify the use of sick leave shall be grounds for disciplinary action, up to and including removal.
4. Failure of an employee to return to work at the expiration of an approved leave of absence shall be considered an absence without leave and shall be grounds for discipline, up to and including removal, in accordance with the regular policy on absences without leave. If it is determined that the employee is using a leave of absence for a purpose other than the purpose for which it was granted, the appointing authority may immediately revoke the leave of absence and may impose appropriate discipline on the employee, up to and including removal.

C. Overtime

1. Overtime may be necessary and required. Supervisors shall attempt to distribute overtime among qualified employees within those classifications in which overtime is required. Employees may be required to work overtime, if necessary. An employee who refuses to work a mandatory overtime assignment may be considered insubordinate and disciplined accordingly. This Section C shall apply to all County employees unless there is a specific department policy stating otherwise.
2. Non-exempt employees shall not work prior to, after or outside their regularly scheduled hours unless authorized to do so by their supervisor or in emergency situations. Employees shall be considered to be working overtime for authorized hours worked in excess of the full time employee's regular work week, regardless of the employee's regularly scheduled work day. For purposes of determining "hours worked" for overtime, time spent by the employee actually performing work shall be considered along with paid vacation days, sick leave, compensatory time and holidays. This Handbook, not O.R.C. §4111.03(B) shall apply to all County employees. Each appointing authority, by rule, may change this policy.
3. Overtime shall be compensated at a rate of one and one half times the employee's regular rate of pay for actual overtime worked. Compensatory time off may be taken by non-exempt employees in lieu of overtime payment, provided the employee does not exceed the maximum accrual of forty (40) hours. A maximum accrual of one hundred sixty (160) hours shall be allowed for public safety, emergency response, and seasonal activities. Compensatory time must be used, with the approval of the appointing authority, within one hundred eighty (180) days of its accrual. If it is not used within this time period, the employee shall receive payment at the rate of pay at the time it is used.
4. Employees exempt from the Fair Labor Standards Act (FLSA) are not eligible for overtime payment. The appropriate appointing authority shall determine if an employee is exempt from overtime requirements for purposes of the FLSA. Such exemptions may include employees whose job duties are executive, administrative or professional in nature. If approved by the appointing authority, a bona fide executive, administrative or professional employee may receive compensatory time off, at the rate of one hour for each hour of overtime, within one hundred eighty (180) days of the performance of the overtime.
5. The County intends to comply with all provisions of the FLSA as amended. Improper deductions (deductions not in accordance with the FLSA) from exempt employees' salaries are prohibited. Any deduction that is later determined to have been improper shall be reimbursed properly and

promptly. Any employee who believes he has had an improper deduction or been improperly classified under the FLSA shall submit a complaint in writing to the County Prosecutor or County Projects Coordinator. The County Prosecutor or County Projects Director has the duty to investigate, consult with other appropriate officials, and see that a written response is provided in a timely manner to ensure a good faith effort to comply with the FLSA.

D. Hours for Volunteer Firefighter or EMS Provider

1. An employee may be excused from work for purposes of responding to emergencies as a volunteer for the fire department or any emergency services provider. No later than thirty days after receiving certification as a volunteer firefighter or a volunteer of emergency services, an employee shall submit to his or her appointing authority and supervisor a written notification signed by the chief of the volunteer fire department or chief administrator of the emergency medical organization in which the employee serves, notifying of the employee's status as a volunteer.
2. An appointing authority may permit only one (1) employee of that appointing authority on any given day to be paid for hours for being late to or absent from work because of responding to a dispatch as a volunteer firefighter or emergency medical service provider.
3. An employee shall make every effort to report to his or her supervisor as soon as possible of being dispatched. If notification cannot be made due to the extreme circumstances of the emergency or the inability to contact his or her supervisor, the employee shall submit the upon return to work a written explanation from the chief of the volunteer fire department or the chief administrator of the emergency medical services organization stating that the employee responded to an emergency and the date and time of the response. An employee shall also complete an application of leave form upon return to work.
4. An employee shall submit to his or her appointing authority and supervisor written notification any change in status as a volunteer firefighter or emergency service provider.

E. Lactation Break Policy

Upon request, employees will be provided with a reasonable amount of break time for purposes of expressing breast milk for up to one year after the birth of a child. The employee will be provided with an appropriate space (such as an office or private area but not a bathroom) that is shielded from view and free from intrusion from co-workers and members of the public. Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the employee. To the extent additional time is needed, such additional time shall be unpaid. Employees requesting a lactation break should make arrangements in advance with their supervisor.

V. PAID LEAVES OF ABSENCE

All requests for paid leaves of absences must be made by filling out the Request for Leave of Absences form attached hereto as Appendix 1 and submitting the form to the employee's supervisor.

A. Sick Leave

1. Each County employee shall be entitled to four and six tenths (4.6) hours of paid sick leave upon completion of each eighty hours of service with a maximum accumulation of 120 hours per year. This accrual rate will be prorated for employees who are otherwise eligible for sick leave and who work less than eighty (80) hours in a bi weekly pay period. Employees absent on paid sick leave will be paid at their regular rate of pay. Unused sick leave shall be cumulative without limit.
2. An employee who transfers from one County office to another, or who transfers from the State of Ohio or other political subdivision employment in Ohio to employment with the County, shall be credited with the unused balance of his sick leave accumulated in his prior public service. The previously accumulated sick leave of an employee who has been separated from the public service shall be placed to his credit upon his re employment in the public service, provided such re employment takes place within ten years of the date of the employee's last separation from public service. The employee is responsible for obtaining certification of his previously accumulated sick leave for County records.
3. Employees may use sick leave for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and for absence due to illness, injury or death in the employee's immediate family. Use of sick leave to attend to an illness or injury of an immediate family member must be reasonably necessary in order to care for the medical needs of the immediate family member. "Immediate family" for purposes of this policy includes: spouse, children, grandchildren, parents, grandparents, siblings, brother in law, sister in law, daughter in law, son in law, father in law, mother in law, step parents, step children, step siblings, and a legal guardian or other person who stands in the place of a parent to the employee.
4. An employee who is absent due to one of the above reasons must report his absence to the appropriate supervisor in that office as soon possible. In order to qualify for use of paid sick leave, the employee must complete a sick leave application form. If the injured or ill employee or family member required medical attention, a licensed physician's certificate stating the nature of the illness must be attached to the application. A physician's statement may be required for any absence of three days or more. The physician's statement must be signed personally by the treating physician, and must verify that the employee was unable to work during the period in question, not simply that the employee was "under the doctor's care." Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action including dismissal.
5. Sick leave shall be charged in minimum increments of one quarter (1/4) hour. When sick leave is used it shall be deducted from the employee's credit on the basis of one hour of sick leave for every one hour of absence from previously scheduled work. The sick leave payment shall not exceed the normal scheduled work day or work week earnings. Employees may utilize sick leave only for the hours and days on which they are scheduled to work.
6. If an employee's illness or disability continues beyond the time covered by his earned sick leave, the employee may be eligible for unpaid leave under the provisions of Family and Medical Leave Act (FMLA) policy (See: Article VI, below).
7. An employee who fraudulently obtains sick leave, who falsifies sick leave requests, documentation, or records, who misrepresents the grounds for a sick leave request, or who

uses sick leave for improper purposes, shall be subject to discipline. Also, an employee may be disciplined for excessive sick leave use in appropriate cases, whether or not the employee has exhausted all available paid sick leave, based on indications of inappropriate use of the leave. During a paid or unpaid sick leave, Employees are expressly prohibited from engaging in either paid employment of any kind, or other activities, whether or not paid, that are inconsistent with the claimed inability to work or the claimed need to care for a seriously ill member of the immediate family.

8. The appointing authority may investigate any use of sick leave when it has reason to believe that an employee may be abusing sick leave and/or not using sick leave for its intended purposes. Intentional misuse of sick leave will be considered theft of public funds and just cause for termination.
9. Upon retirement from active service with the County, an employee with ten or more years of service with the state, any political subdivisions, or any combination thereof, shall be paid in cash for one fourth (25%) the value of the employee's accrued but unused sick leave credit. The payment shall be based on the employee's rate of pay at the time of retirement. The maximum aggregate payment to the employee shall not exceed the value of thirty days at the employee's normal work day, not to exceed eight hours.

B. Donated Sick Leave

1. It is the County's policy to allow employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to an extended illness or injury of the employee or a member of the employee's immediate family.
2. For the purpose of this policy the following definitions shall apply:
 - a. Immediate family: the employee's spouse, child, or parent.
 - b. Child: a son or daughter, including a child eighteen (18) years or over, who is incapable of self-care because of a mental or physical disability or other minor being cared for in the home.
 - c. Parent: biological parent or an individual who stands in the place of a parent to the employee (in loco parentis). In laws are NOT included in the definition of "parent."
 - d. Spouse: husband or wife.
 - e. Serious health condition: an illness, injury, impairment, or physical/mental condition that involves a period of incapacity or treatment that requires absence from employment for more than thirty (30) calendar days and involves care by a health care provider. Serious health condition also includes continuing treatment of chronic or long termed incurable conditions and prenatal care.
 - f. Transferee: the employee in need and approved to receive donated sick leave.
 - g. Transferor: the employee volunteering to donate their sick leave.
3. Employees may donate accrued sick leave to a fellow employee who is otherwise eligible to accrue and use sick leave and reports to a County appointing authority who is subject to this

rule and pursuant to the provisions of Section 124.391 of the Ohio Revised Code. The intent of the leave donation program is to allow employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to an extended serious health condition of the employee or a member of the employee's immediate family.

4. Any hours transferred shall be transferred at the rate of pay equal to that of the transferor unless the rate of pay of the transferee is less than that of the transferor, in which case the transfer shall be at the rate of pay of the transferee.
5. An employee may receive donated leave equivalent up to the number of hours the employee is normally scheduled to work each pay period or the equivalent of the employee's normal biweekly earnings, whichever is less, if the employee to receive donated leave or a member of the employee's immediate family has a serious health condition and the employee:
 - a. has no accrued paid leave (including sick, vacation or compensatory time); and
 - b. has completed his or her new hire probationary period; and
 - c. has applied for any paid leave, Workers' Compensation, or benefits program for which the employee is eligible; and
 - d. has applied for Family and Medical Leave; and
 - e. leave taken under this program will be included and is subject to the twelve (12) week limits of the Family and Medical Leave Act; and
 - f. has no abuse or patterned use of sick leave; and
 - g. has provided acceptable written verification that the extended illness exists; and
 - h. is not a member of the employee's immediate family as defined in Section B above; and
 - i. agrees to accept the leave under the terms of this policy and completes an "Application to Receive Donated Leave" form.
6. Employees may donate leave if the donating employee:
 - a. voluntarily elects to donate sick leave and does so with the understanding that donated leave will NOT be returned;
 - b. donates a minimum of hours equivalent to one (1) of the donor's regularly scheduled workdays, and maximum of eighty (80) hours in one (1) year to the same recipient. An employee may donate to multiple recipients in the same calendar year.
 - c. retains a sick leave balance of at least twelve (12) weeks.
 - d. completes an "Application to Donate Leave" form.
7. The sick leave donation program shall be administered on a pay period to pay period basis. The appointing authority of the Transferee and the Logan County Auditor shall review the Application to Receive Donated Sick Leave and the Application to Donate Sick Leave to assure compliance with paragraphs 5 and 6 of this Section. Donations of sick leave will be recorded in the order of

their submission, and will not be considered actually donated nor be deducted from the transferor's balance or credited to the transferee's balance until the pay period such leave is actually used. Unused donation applications shall be returned to the transferor. Employees using donated leave shall be considered in active pay status however, they shall not accrue leave and be entitled to any benefits to which they would otherwise be entitled. Vacation and sick leave will NOT be accrued by an employee while using donated sick leave and the receipt of donated sick leave does not affect the date on which a receiving employee first qualifies for continuation of health insurance coverage. Donated sick leave shall be considered sick leave but shall never be converted into a cash benefit. The Logan County Auditor shall maintain such records as are necessary for the administration of this program.

8. Employees who wish to donate sick leave shall certify:
 - a. The name of the employee for whom the donated leave is intended;
 - b. The number of hours to be donated;
 - c. That the employee will have a minimum sick leave balance after donation of at least twelve (12) weeks.
 - d. That the sick leave is donated voluntarily and the employee understands that the donated leave will not be returned.
9. Appointing Authorities shall ensure that no employees are forced to donate leave. Appointing Authorities shall respect and employee's right to privacy, however Appointing Authorities may, with the permission of the employee who is in need of leave or a member of the employee's immediate family, inform employees or their co-worker's critical need for leave donations from employees. The donation of sick leave shall occur on a strictly confidential and voluntary basis.
10. Employees wishing to donate or receive donated sick leave may pick up applications from the appointing authority and/or Auditor's Office and such forms must be returned to the same. Copies of such forms are included as Appendix 2 and 3 respectively.

C. Court Leave

1. An employee who is subpoenaed for jury duty or to testify in court, will receive regular pay for any regular hours of work missed as a result of such jury duty. All monies received as a result of such jury duty shall be turned over to the County Treasurer's Office. Hours spent at court under subpoena during the employee's scheduled work shift shall be considered as time worked for overtime purposes. In order to be paid for time spent in on court leave, the employee must present his/her summons or subpoena to his/her supervisor as soon as possible after the employee receives the summons.
2. Any employee dismissed from court or jury duty for any one day, or portion of a day, is expected to report to work for the balance of his/her normal scheduled time.
3. Employees who are required to appear in court or in administrative proceedings on behalf of the County shall be paid at their regular rate of pay, or overtime if applicable, for hours actually worked. Employees must obtain prior approval from their supervisors before appearing in court or administrative proceedings on behalf of the County.

4. Employees who are required to appear in court on other matters, which include personal matters, must seek an approved vacation leave or unpaid leaves of absence.

D. Vacation Leave

1. Full time employees, upon completion of one full year of service, shall have earned two weeks of vacation time based on hours worked during the first year of service. Thereafter, full time employees shall earn and accrue vacation leave pro rata over twenty six (26) bi weekly pays at the following annual rates:

<u>Employee years of service</u>	<u>Bi weekly accrual per hours worked</u>
1- 8 years of service	hours worked times .0388 per hour
9 -15 years of service	hours worked times .0575 per hour
16 - 25 years of service	hours worked times .0775 per hour
26 or more years of service	hours worked times .0963 per hour

One week of vacation shall be added to the employees' credit at the completion of years eight, fifteen and twenty five.

2. Any service with the State of Ohio or any of its political subdivisions counts toward the number of years of service in determining the amount of vacation to which an employee is entitled. Time spent on previous authorized leaves of absence (including military leave) also counts. However, no vacation is earned while an employee is on leave without pay. Any person removed from public employment due to conviction of a felony, who is subsequently reemployed in the public sector, shall not be credited with prior public service for the purpose of receiving vacation leave.
3. An employee with at least one year of service is entitled to payment for any earned but unused vacation to his credit at the time he resigns from County service.
4. Vacation schedules are subject to the approval of the appointing authority.
5. Employees are expected to use accrued vacation leave each year prior to the employee's next anniversary date. However, an employee may accumulate vacation leave to a maximum amount equal to three times their annual rate of accrual. Vacation credit in excess of three years will be eliminated.
6. In the case of an employee's death, earned but unused vacation leave shall be paid to the employee's estate.
7. Seasonal, temporary, intermittent or part time (regularly scheduled forty (40) hours or less per bi- weekly) employees, are not entitled to vacation leave.

E. Holidays

1. Full time employees shall receive holiday pay for hours normally worked for:

Holiday	Date Observed
NEW YEAR'S DAY	January 1st

MARTIN LUTHER KING DAY	Third Monday in January
PRESIDENT'S DAY	Third Monday in February
MEMORIAL DAY	Last Monday in May
INDEPENDENCE DAY	July 4th
LABOR DAY	First Monday in September
VETERAN'S DAY	November 11th
THANKSGIVING DAY	Fourth Thursday in November
DAY AFTER THANKSGIVING	Friday following Thanksgiving
CHRISTMAS DAY	December 25 th

2. The County Commissioners have the discretion to add additional holidays for County employees.
3. If the holiday falls on Saturday, the Friday immediately preceding shall be observed as the holiday; if it falls on Sunday, the Monday immediately succeeding shall be observed.
4. An employee shall receive holiday pay rather than sick leave for any holiday which occurs when he is absent on sick leave.
5. If an employee's work week is other than Monday through Friday, he is entitled to holiday pay for any holidays observed on his days off. Part time employees are entitled to holiday pay only for those days and hours on which they are scheduled to work.
6. If the employee is required to work on a holiday, she shall receive her holiday pay plus pay for time actually worked on the holiday. Employees shall be paid at a rate of one and one half times the employee's regular rate for any hours worked on a holiday.

F. Military Leave

The County will comply with all applicable State and Federal law concerning military leave. Employees should submit their request for military leave to the appointing authority as far in advance as possible.

G. Weather Emergency Leave

1. The Logan County Sheriff, in collaboration with the President of the Board of County Commissioners and the County Engineer, shall determine when a Level 2 weather emergency exists. Such emergencies arise in cases of severe inclement weather. Each appointing authority shall determine if there is a weather emergency that dictates employee's absence from work or early departure from work.
2. In cases of a Level 2 weather emergency, affected employees will be notified as soon as possible in the event they do not have to arrive to work or that they are being sent home, depending on the situation. Authorized time missed by employees due to weather emergencies will be paid at the employee's regular rate of pay. The paid emergency weather time, however, is not considered to be "hours worked" for purposes of calculating overtime.
3. The County has the discretion to require employees who missed work due to a weather emergency to work additional hours to ensure that the County's provision of services to the citizens they serve is not unduly hampered.

H. Disaster Relief Leave

It is the policy of the County to grant no more than thirty (30) days of paid leave per year to an employee who is a certified disaster service volunteer for the American Red Cross upon the request of the American Red Cross for the services of that employee and upon the approval of that employee's appointing authority. The appointing authority shall compensate the employee granted leave under this section at his regular rate of pay for those regular work hours during which the employee is absent from his work.

VI. UNPAID LEAVES OF ABSENCE

All requests for unpaid leaves of absences must be made by filling out the Request for Leave of Absences formed attached hereto as Appendix 1 and submitting the form to the employee's supervisor.

A. Family and Medical Leave Act Policy

1. Statement of Policy: It is the policy of the County that employees may request time off for family and/or medical leave of absence with job protection and no loss of accumulated service provided the employee meets the conditions outlined in this policy and returns to work in accordance with the Family and Medical Leave Act of 1993 (FMLA).
2. Any questions regarding the County's FMLA policy should be directed to the employee's supervisor.
3. Definitions: As used in this policy, the following terms and phrases shall be defined as follows:
 - a. "Child" – means a child either under 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee's "child" is one for whom the employee has actual day to day responsibility for care and includes a biological, adopted, foster or step child.
 - b. "Family member" – means a spouse, son, daughter, parent, or a person who stood "in loco parentis" to the employee.
 - c. "Family and/or medical leave of absence" an approved absence available to eligible employees for up to twelve (12) weeks of unpaid leave per year under particular circumstances. Such leave may be taken only for the following qualifying events:
 - (1) upon the birth of an employee's child and in order to care for the child;
 - (2) upon the placement of a child with an employee for adoption or foster care;
 - (3) when an employee is needed to care for a family member who has a serious health condition; or
 - (4) when an employee is unable to perform the functions of his/her position because of the employee's own serious health condition.
 - d. Service Member Leave: The spouse, parent or child of a member of the U.S. military service is entitled to twelve (12) weeks of FMLA leave due to qualifying exigencies of the

service member being on "covered active duty" or being notified of an impending call or order to covered active duty in the Armed Forces. In addition, a spouse, child, parent or next of kin (nearest blood relative) of a service member is entitled to up to 26 weeks of leave within a "single 12-month period" to care for a service member with a "serious injury or illness" sustained or aggravated while in the line of duty on active duty. The "single 12-month period" for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established for other types of FMLA leave.

- e. "Per year" (12-month period): - a rolling 12 month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the employer will compute the amount of leave the employee has taken under this policy, and subtract it from the 12 weeks of available leave. The balance remaining is the amount the employee is entitled to take at the time of the request. For example, if an employee used four weeks of FMLA leave beginning February 4, 2009, four weeks beginning June 1, 2009, and four weeks beginning December 1, 2009, the employee would not be entitled to any additional leave until February 4, 2010.
- f. "Licensed health care provider" a doctor of medicine, a doctor of osteopathy, podiatrists, dentists, optometrists, psychiatrists, clinical psychologists, and others as specified by law.
- g. "Key employee" - the highest paid 10% of all employees in the agency. An employee will be notified in writing of his status as a key employee, if applicable, at the time leave is requested.
- h. "Covered Servicemember" – means either:
 - (1) a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; OR
 - (2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy.
- i. "Outpatient Status" - the status of a member of the Armed Forces assigned to:
 - (1) a military medical treatment facility as an outpatient; or
 - (2) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
- j. "Next Of Kin" - The term 'next of kin', used with respect to a service member means the nearest blood relative of that individual.
- k. "Serious Injury Or Illness" – for purposes of the 26 week military caregiver leave means either:
 - (1) in the case of a member of the Armed Forces, including as a member of the National

Guard or Reserves, an injury or illness incurred in line of duty on active duty in the Armed Forces (or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating.; OR

- (2) In the case of a veteran who was a member of the Armed Forces, including as a member of the National Guard or Reserves, at any time during a period described in 2 (g)(2) of these definitions, a qualifying injury or illness that was incurred in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

I. "Covered Active Duty" for purposes of the 12-week qualifying exigency leave is defined as either:

- (1) In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; OR
- (2) In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call to order to active duty under a provision of law referred to in section 101(a) (13) (B) of title 10, United States Code.

m. "Qualifying Exigency" – for purposes of the 12-week qualifying exigency leave, includes any of the following:

- (1) Up to seven days of leave to deal with issues arising from a covered military member's short notice deployment, which is a deployment on seven (7) or fewer days' notice;
- (2) Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- (3) Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- (4) Making or updating financial and legal arrangements to address a covered military member's absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust;
- (5) Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military

member;

- (6) Rest and recuperation leave of up to five days to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment;
- (7) Attending certain post-deployment activities within 90 days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member; and
- (8) Any qualifying exigency which arose out of the covered military member's active duty or call to active duty status.

n. "Serious health condition" - any illness, injury, impairment, or physical or mental condition that involves:

- (1) Inpatient care
- (2) Any period of incapacity of more than three (3) consecutive calendar days that also involves:
 - a. Two (2) or more treatments by a health care provider; the first of which must occur within seven (7) days of the first day of incapacity with both visits completed within thirty (30) days; or
 - b. Treatment by a health care provider on one occasion that results in a regimen of continuing treatment under the supervision of a health care provider.
- (3) Any period of incapacity due to pregnancy or for prenatal care
- (4) A chronic serious health condition which:
 - a. requires periodic visits for treatment to a health care provider (at least two per year);
 - b. continues over an extended period of time; and
 - c. may be periodic rather than a continuing incapacity.
- (5) Any period of incapacity which is permanent or long term and for which treatment may not be effective (i.e. terminal stages of a disease, Alzheimer's disease, etc.)
- (6) Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than three (3) days at a later date without medical intervention at the present time (i.e. chemotherapy for cancer, dialysis for kidney disease, etc.)

4. Leave Entitlement: To be eligible for leave under this policy, an employee must meet all of the following conditions:

- (1) The employee must have worked for the County for at least twelve (12) months, or fifty

two (52) weeks. The twelve (12) months, or fifty two (52) weeks, need not have been consecutive; and

- (2) The employee must have actually worked at least 1250 hours during the twelve (12) month period immediately prior to the date when the FMLA leave is scheduled to begin; and
- (3) The employee must work at a location where the County employs fifty (50) or more employees within a seventy five (75) mile radius.

The entitlement to FMLA leave for the birth or placement for adoption or foster care of a child shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

Spouses who are both employed by the County are jointly entitled to a combined leave total of twelve (12) weeks (rather than twelve (12) weeks each) for the birth of a child, upon the placement of a child with the employees for adoption or foster care, or for the care of certain family members with serious health conditions.

An employee may only take FMLA leave because of his/her own serious health condition if such condition renders the employee unable to perform the functions of the his/her position.

5. Use of Leave: The provisions of this policy shall apply to all family and medical leaves of absence as follows:

(A). Generally: Whether the leave is paid, unpaid, or a combination of both, an employee is only entitled to a total of twelve (12) weeks of leave per year under the FMLA.

If an employee has accrued paid leave, such as sick leave or vacation leave, but excluding compensatory time, the appointing authority may require the employee to use such accrued paid leave, consecutively with all or part of the unpaid FMLA twelve (12) weeks. Any remaining FMLA leave shall be unpaid. To be permitted or required to use paid leave consecutively with FMLA, the condition for which the employee is taking FMLA must also fall within the category of reasons for which the employee may take the paid leave. For example, an employee who takes FMLA for placement of a foster child, may be required to use his vacation leave concurrently with his FMLA but may not be required to take sick leave as placement of a foster child is not an appropriate sick leave use.

Employees will be required to exhaust all accumulated leave as allowed by law prior to being granted leave without pay for FMLA leave requests. In addition, any time off that may, by law, be counted against an employee's twelve (12) week FMLA entitlement will be counted against such time.

(B) FMLA Leave Use for Birth of an Employee's Child: An employee who is taking leave for the birth of the employee's child must first use all available accrued paid vacation and personal leave prior to using unpaid leave for the remainder of the twelve (12) week period. However, if the employee requests leave for the employee's own serious health condition as a result of the pregnancy, or a serious health condition of the child, the employee will also be required to exhaust all of the employee's sick leave prior to using unpaid leave for the remainder of the twelve (12) week period. [Note: see letter (E) below for information on disability leaves.]

(C) FMLA Leave Use for Placement of a Child for Adoption or Foster Care: An employee who is

taking leave for the placement of a child with him/her for adoption or foster care must first use all available accrued paid vacation and personal leave, but may not utilize sick leave, prior to using unpaid leave for the remainder of the twelve (12) week period.

(D) FMLA Leave Use Because of the Employee's Own Serious Health Condition or the Serious Health Condition of a Family Member: An employee who is taking leave because of the employee's own serious health condition or the serious health condition of a family member must use all available accrued paid vacation, personal and sick leave prior to using unpaid leave for the remainder of the twelve (12) week period.

(E) FMLA Leave and Disability / Workers' Compensation Plans or Programs: An employee who is eligible for FMLA leave because of his/her own serious health condition may also be eligible for either temporary disability with pay or workers' compensation. Regardless of whether or not an employee is on workers compensation, the County may designate the absence as FMLA leave and count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, an employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the County require her to do so, while the employee is receiving compensation from such a program.

Disability leave for the birth of a child is considered FMLA leave for a serious health condition of the employee and will be counted against the employee's twelve (12) week FMLA entitlement. As described above, because the leave pursuant to a temporary disability may be compensated, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the County require him/her to do so, while the employee is receiving compensation from such a plan or program. If the disability leave is with pay, the employee will be required to use sick leave, vacation leave and personal leave as set forth in this policy.

(F) Service Member Leave: The spouse, parent or child of a member of the U.S. military service are entitled to FMLA leave due to the contingencies (as defined by the Department of Labor) of the service member being called to active service. In addition, a spouse, child or parent of a service member is entitled to up to 26 weeks of leave to care for a service member injured in the line of duty. In the event the injured service member does not have a spouse, child or parent, an employee who is the next of kin (closest blood relative) may take leave under the FMLA to care for the injured service member.

6. Procedures For Requesting FMLA Leave: Requests for FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or, if this is not possible, as soon as practicable. In requesting such leave, the employee shall submit to his or her supervisor the Request for Family/Medical Leave Form, which is attached hereto as Appendix 4. If the employee fails to provide thirty (30) days' notice for foreseeable leave with no reasonable excuse for the delay, the leave may be denied until at least thirty (30) days from the date the County receives notice.

Requests for FMLA leave must be submitted on a standard leave form prescribed by the County. The County will determine whether the leave qualifies as FMLA leave, designate it as leave that counts against the employee's twelve (12) week entitlement, if appropriate, and notify the employee that the leave has been designated as FMLA leave. When a request is made for a foreseeable FMLA leave due to a serious health condition of either the employee or a member of the employee's family which involves planned medical treatment, the employee shall make a

reasonable effort to schedule the treatment so as not to unreasonably interfere with the operations of the County, subject to the approval of the health care provider of the employee or the employee's family member.

7. Certification of Need for FMLA Leave: An employee requesting FMLA leave due to a serious health condition of the employee or his/her family member must provide written doctor's certification of the serious health condition in a form that provides the employer with information needed to approve or deny the FMLA leave request. This certification shall not provide any information that is prohibited by law. The United States Department of Labor provides certification forms, which can be downloaded online at www.dol.gov. Such certification shall be submitted at the time FMLA leave is requested, or when the need for leave is not foreseen, as soon as practicable. An employee requesting FMLA leave due to the birth or placement of a child must submit appropriate documentation as required by the County at the time FMLA leave is requested.

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

Employees who request and are granted FMLA leave due to a serious health condition of the employee or his/her family member may be required to submit periodic written reports to the County, in order to assess the continued qualification for FMLA leave.

The County may request additional reports if the circumstances described in the previous certification have changed significantly (duration or frequency of absences, the severity of the condition, complications, etc.) or if the County receives information that casts doubt on the employee's stated reason for the absence.

The employee must provide the requested additional reports to the County within fifteen (15) days, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. Any costs associated with the additional reports requested by the County shall be at the employee's expense.

8. Intermittent / Reduced Schedule Leave: When medically necessary, an employee of the County may take FMLA leave on an intermittent or reduced work schedule basis for a serious health condition of the employee or a serious health condition of an employee's family member. Upon approval of the appointing authority, an employee may take leave on an intermittent or reduced schedule basis for either the birth of the employee's child or upon the placement of a child for adoption or foster care with the employee. In all cases, the FMLA leave granted to any employee shall not exceed a total of 12 weeks per year.

Requests for intermittent or reduced schedule FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or, if this is not possible, as soon as practicable.

To be entitled to leave on an intermittent or reduced schedule basis, the employee must, at the time such leave is requested, submit additional certification as prescribed by the County which

establishes the medical necessity for such intermittent or reduced schedule leave. This shall be in addition to the documentation certifying the condition as FMLA qualifying. The additional certification shall include the dates and the duration of treatment, if any, the expected duration of the intermittent or reduced schedule leave, and a statement from the health care provider describing the facts which support the medical necessity for taking FMLA leave on an intermittent or reduced schedule basis. In addition, an employee requesting foreseeable intermittent or reduced schedule FMLA leave must meet with his/her supervisor and/or the Human Resources Director to discuss the intermittent or reduced schedule leave.

An employee who requests and is granted FMLA leave on an intermittent or reduced schedule basis may be temporarily transferred to an available alternative position with equivalent class, pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

An employee who requests intermittent or reduced schedule leave due to foreseeable medical treatment shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the County.

9. Employee Benefits: Except as provided below, while an employee is on FMLA leave, the County will continue to pay the employer portion of premiums for insurance benefits which the employee receives through the County, under the same terms and conditions as if the employee had continued to work throughout the leave. Employee contribution amounts are subject to any change in rates that occurs while the employee is on leave. Employee contributions will be required to be made either through payroll deduction or by direct payment to the County. The employee will be advised in writing at the beginning of the leave period as to the amount and method of payment.

The County will not continue to pay the employer portion of premiums for insurance benefits which the employee receives through the County, if, while the employee is on FMLA leave, the employee fails to pay the employee's portion of such premiums, if any, or, if the employee's payment for his/her portion of the premium is late by more than thirty (30) days. The employee's direct payment for insurance benefits is due to the County on the first day of each month.

If cash-in-lieu of health insurance is an option at the time of the FMLA leave, the employer will continue to make cash-in-lieu of insurance payments to those employees who have chosen this option during open enrollment.

If the employee chooses not to continue health care coverage during FMLA leave, the employee will be entitled to reinstatement into the benefit plan upon return to work, but the employee must reapply for such benefits.

If the employee chooses not to return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, the County may seek reimbursement from the employee for any amounts paid by the County for insurance benefits which the employee received through the County during any period of unpaid FMLA leave.

Leave balances accrued by an employee prior to taking FMLA leave and not used by the employee as outlined in the section entitled "Use of Leave" will be retained by the employee. FMLA leave, whether paid or unpaid, will not constitute a break in service credit for employees of the County. Upon the completion of unpaid FMLA leave and return to service, the employee will return to the same level of service credit as the employee previously held immediately prior

to the commencement of FMLA leave. Service credit shall continue to accrue during periods of paid FMLA leave. In addition, FMLA leave will be treated as continuous service for the purpose of calculating benefits which are based on length of service. However, specific leaves times (i.e., vacation, holiday, personal and sick leaves) will not accrue during any period of unpaid FMLA leave.

10. **Reinstatement:** An employee on FMLA leave must give the County at least two (2) business day's notice of his/her intent to return to work, regardless of the employee's anticipated date of return.

Most employees who take leave under this policy will be reinstated to the same or a similar position upon return from leave.

Upon request for reinstatement, if the position that the employee occupied prior to taking FMLA leave is not available, the employee will be placed in a position which entails substantially equivalent levels of skill, effort, responsibility and authority and which carries equivalent status, pay, benefits and other terms and conditions of employment as the position the employee occupied prior to taking FMLA leave. The determination as to whether a position is an "equivalent position" will be made by the County.

An employee of the County will not be laid-off as a result of exercising his/her right to FMLA leave. However, the County will not reinstate an employee who has taken FMLA leave if, as a result of a layoff within the County, the employee would not otherwise be employed in the County at the time reinstatement is requested.

An employee on FMLA leave has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during his/her FMLA leave period.

Prior to reinstatement, employees who take FMLA leave based on their own serious health condition shall provide certification from the employee's health care provider that the employee is able to resume work.

Key employees may be denied reinstatement if:

- a. In the sole opinion of the employer, denial of reinstatement is necessary to prevent substantial and grievous economic injury to the employer; and
- b. The employer notifies the employee of its intention not to restore the employee to duty before the leave begins; or
- c. The employer notifies the employee of its intention not to restore the employee to duty after the leave begins, and the employee does not elect to return immediately to work and be restored to the same or a similar position.

In order to determine whether the restoration of the employee to employment will cause substantial and grievous economic injury to the operations of the Employer, the Employer may consider its ability to replace the employee on a temporary basis, whether a permanent replacement of the employee is unavoidable, and the cost of reinstating the employee.

11. **Records:** All records relative to FMLA leave will be maintained by the County as required by

law. Any medical records accompanying FMLA requests will be kept separate from an employee's regular personnel files.

To the extent permitted by law, medical records related to FMLA leave shall be kept confidential.

B. Other Unpaid Leaves of Absence

1. Employees may request an unpaid leave of absence from their appointing authority for personal reasons, including educational pursuits that are not in the course of and required as part of the job. The decision whether to grant the leave is left to the appointing authority's discretion. Personal leave may be granted for up to six (6) months for any personal reasons of the employee which are deemed sufficient grounds for leave by the appointing authority.
2. Educational leave may be granted for up to two (2) years for purposes of education, training or specialized experience which would benefit the appointing authority's office. Employees must present their appointing authority with a written request for educational leave that describes the program and explains why the education, training or specialized experience would benefit the office. The appointing authority has the authority to determine whether or not to grant educational leave. Upon completion of an educational leave, the employee will return to her former position or a similar position within the same classification.
3. Where an employee is unable to pre determine the exact length of his leave, an indefinite leave not to exceed six (6) months may be approved. The employee may be permitted to return to work at any time during the six month period, provided he gives the appointing authority at least two (2) weeks written notice of his desire to return to work. If a leave of absence is granted for a definite period of time, the employee may be reinstated prior to the expiration of the leave only upon written approval of the County Official.
4. While on a leave without pay an employee shall not accumulate sick leave or vacation leave, nor shall she receive holiday pay. Time spent on leave without pay shall not count for seniority purposes. An employee on an unpaid leave of absence must pay the premium for her health insurance (and dependent coverage, if applicable) to keep such coverage in force during the leave.
5. Unpaid leaves of absence shall not be granted to an employee for the purpose of engaging in partisan political activity.
6. The appointing authority may revoke the unpaid leave of absence for business reasons upon one week's written notice to the employee that she must return to work. An employee on an unpaid leave of absence who is determined to be using the leave for purposes other than the purpose for which the leave was granted may be ordered to return to work immediately and/or shall be subject to disciplinary action. Failure to return to work as instructed in accordance with these policies may result in discipline.

VII. INSURANCE BENEFITS

The County provides a variety of benefits for the health and welfare of employees and their families. The County reserves the right to change these benefits at any time. For more information about any benefits, contact your Appointing authority or the County Commissioner's office.

A. Health Insurance

1. The County provides group hospitalization/surgical insurance and major medical insurance covering its full-time regular employees and part-time non-seasonal employees under the following eligibility rules:
 - (1) Employees making new enrollments on or after January 1, 2011 must be regularly scheduled to work no more than five (5) hours less than maximum full-time hours for the department or job classification in which they work; and
 - (2) Employees enrolled prior to January 1, 2011 and continuing their enrollment must be regularly scheduled to work at least forty (40) hours bi-weekly to remain eligible. Employees enrolled under this rule who subsequently terminate their enrollment can only re-enroll under the requirements of rule (1) above.

The County shall pay a portion of the cost of individual single coverage for eligible employees. The County shall also pay a portion the cost of family coverage for dependents of eligible employees who elect to enroll for such coverage. The amount that the County and employees pay for the monthly premium will be determined by the County on a periodic basis. Enrollment rules are described in Section H below.

2. The insurance contract year is January 1st through December 31st, but may be changed at the discretion of the County.
3. The County reserves the right to modify the health insurance coverage and premium contributions currently in effect and/or to modify the employee premium contributions.

B. Prescription Drug Insurance

1. The County provides prescription drug insurance coverage for out-patient prescription drug purchases by eligible employees and covered dependents. The policy covers eligible prescriptions and refills dispensed by any pharmacy which participates in the program.
2. The County reserves the right to modify prescription coverage.

C. Life Insurance

The County provides group term life insurance and group term accidental death and dismemberment insurance for each eligible employee. The Board of County Commissioners shall determine the level of its premium contribution required for employees.

D. Employee Assistance Plan

The County provides an Employee Assistance Plan (EAP) to offer confidential assistance for various issues that may affect employees' job performance and impact their families, friends, and co-workers. Employees may contact their Appointing authority or the County Commissioner's office for information.

E. Voluntary Supplemental Benefits

Other benefits are offered to county employees on a voluntary basis, which include supplemental

life insurance, disability, and dental insurance. Premiums are paid entirely by the employee through regular payroll deductions. Insurance agents are permitted to contact employees to discuss enrollment for these benefits during limited enrollment periods.

F. Section 125 Plan

The County, under Internal Revenue Code Section 125, provides employees the opportunity to participate in a “premium only” plan in which their eligible insurance premiums are paid on a pretax basis. Employees’ health insurance premiums along with voluntary supplemental benefits are eligible to be paid pre-tax under Section 125. Enrollment rules are described in Section H below.

G. Retirement Programs

1. Public Employees Retirement System (PERS)

Under Chapter 145 of the Ohio Revised Code, County employees are members of PERS. As required by law, employee and County contributions are made for the employee’s benefit through regular payroll.

2. Deferred Compensation Program

Under Chapter 148 of the Ohio Revised Code, County employees may voluntarily participate in a tax-deferred retirement savings program through regular payroll.

H. Enrollment Periods

1. The open enrollment period is the only time employees may enroll in or make enrollment changes to the health insurance plan or to the Section 125 plan without a qualifying event. A qualifying event is a change in family status, employment status, coverage eligibility, or dependent eligibility for which a change can be made during the plan year. Qualifying events include: marriage, divorce, death of a spouse or child, birth or adoption of a child, termination or commencement of a spouse’s employment, change of status of the employee, or change of status of a dependent making him ineligible. All Section 125 qualifying events must be reported in writing to the Auditor’s Office within 30 days of occurrence. All health insurance qualifying events must be reported in writing to the Commissioner’s office within 30 day of occurrence. If changes are not received within 30 days they will not become effective until January 1 of the following plan year.
2. All health insurance and Section 125 changes that take effect on January 1 of each year must be completed and returned to the Auditor’s Office and/or the Commissioner’s office by the end of the open enrollment period during the previous year. No changes will be accepted after that date. Eligible employees will be notified each year of the open enrollment period for each plan, which generally occurs between October 1 and November 30.

VIII. REDUCTIONS IN WORK FORCE

A. Layoff Jurisdictions

Each County “Appointing Authority” under Civil Service Law is a separate layoff jurisdiction. Layoff, displacement, and reinstatement rights shall apply only within the layoff jurisdiction affected by the layoff and only to classified employees.

B. Rationales for Layoffs

Employees may be laid-off for one or more of the following reasons:

1. Lack of funds within an appointing authority. A lack of funds means an appointing authority has a current or projected deficiency of funding to maintain current or to sustain projected levels of staffing and operations. Lack of funds shall be presumed if the position has a dedicated funding source that is reduced or withdrawn. An appointing authority shall itself determine whether a lack of funds exists.
2. Lack of work within an appointing authority. A lack of work means an appointing authority has a current or projected temporary decrease in the workload, expected to last less than one year, which requires a reduction of current or projected staffing levels. An appointing authority shall itself determine whether a lack of work exists. Determination of a lack of work shall indicate the current or projected temporary decrease workload of an appointing authority and whether the current or projected staffing levels of the appointing authority will be excessive.
3. Abolishment of positions. Abolishment means the permanent deletion of a position or positions from the organization or structure of an appointing authority due to a lack of continued need for the position. An appointing authority may abolish positions as a result of a reorganization for the efficient operation of the appointing authority, for reasons of economy, or for lack of work. An appointing authority shall itself determine whether any position should be abolished. The determination of the need to abolish positions shall indicate the lack of continued need for positions within the appointing authority.

C. Order of Layoffs

1. For purposes of order of layoff, there shall be the following "appointment categories": part time probationary, part time permanent, full time probationary and full time permanent. When a reduction in force is necessary within each of the primary appointment categories, first part time probationary, then part time permanent, then full time probationary, and then full time permanent employees shall be laid off.
2. A system of "retention points" shall be maintained to reflect the length of continuous service and efficiency in service for all employees who may be affected by a layoff. The employee's length of continuous service shall be based on the employee's most recent date of hire in the County service. In the event an employee transfers from one layoff jurisdiction to another, the employee's length of service will be deemed unbroken so long as no break in service occurs from one layoff jurisdiction to another. In the event an employee transfers from one appointing authority to another or receives an appointment with another appointing authority (Ex. A transfer or appointment from another County or state agency to Logan County), the employee's length of continuous service will be deemed unbroken so long as no break in service occurs from one appointing authority to another. If two or more employees have an identical number of retention points, employees having the shortest period of continuous service shall be laid-off first.

D. Displacement Rights

1. A laid-off employee has the right to displace an employee with the fewest retention points in the following order:

- a. within the classification from which the employee was laid off; and
 - b. within the classification series in which the employee was laid off.
 - c. within the classification the employee held immediately prior to holding the classification from which the employee was laid off, except that the employee may not displace employees in a classification if the employee does not meet the minimum qualifications of the classification or if the employee last held the classification more than three years prior to the date on which the employee was laid off.
2. An employee laid-off in the classified civil service may displace another employee within the same appointing authority in the following manner:
 - a. each laid-off employee possessing more retention points shall displace the employee with the fewest retention points in the next lower classification or successively lower classification in the same classification series, and
 - b. any employee displaced by an employee possessing more retention points shall displace the employee with the fewest retention points in the next lower classification or successively lower classification in the same classification series; except that a displaced provisional employee shall not displace a certified employee. This process shall continue, if necessary, until the employee with the fewest retention points in the lowest classification of the classification series of the same appointing authority has been reached and, if necessary, laid off.
 3. Employees shall notify the appointing authority of their intention to exercise their displacement rights, within five (5) days after receiving notice of layoff.
 4. No employee shall displace an employee for whose position or classification there exists special minimum qualifications, as established by a position description, classification specifications, or by bona fide occupational qualification, unless the employee desiring to displace another employee possesses the requisite minimum qualifications for the position or classification.

E. Recall or Reinstatement Rights

1. An employee who has been laid off, or who has, by virtue of exercising displacement rights, been displaced to a lower classification, shall be placed on a layoff list maintained by that appointing authority. The layoff list shall list employees within each appointment category, with individual employees ranked in descending order of total retention points. Laid-off employees shall be placed on layoff lists for each classification in the classification series equal to or lower than the classification in which the employee was employed at the time of layoff. However, an employee who has not exercised his option to displace other employees shall only be entitled to have his name placed on the layoff list for the classification from which the employee was laid off.
2. An employee's name shall be maintained on a layoff list(s) for one (1) year from the date of the layoff. During the one year period, the appointing authority shall not hire or promote anyone into a classification until all laid-off persons on a layoff list for that classification are reinstated or have declined the position when offered.
3. An employee shall be offered reinstatement or re-employment based on her position on the

layoff list, by the sending her a written offer of reinstatement or re-employment by certified mail at the most recent address indicated on the appointing authority's records. It is the responsibility of the employee on layoff to notify the appointing authority in writing of any change of address. Upon receipt of the notice, the employee must immediately inform the appointing authority in writing whether she accepts or declines the offer of reinstatement or re-employment. If the appointing authority receives no response from the employee within seven (7) calendar days of the date on which the certified mail was sent, the employee shall be deemed to have declined the offer. An employee accepting or declining reinstatement or re-employment to the same classification or same appointment category from which the employee was laid-off or displaced shall be removed from the layoff list.

4. An employee who declines reinstatement to a classification lower in the classification series than the classification from which the employee was laid-off or displaced, shall thereafter only be entitled to reinstatement to a classification higher, up to and including the classification from which the employee was laid-off or displaced, in the classification series than the classification that was declined. This section does not apply when an employee, who was a full time employee at the time of layoff or displacement, declines reinstatement in a part time position.
5. Any employee reinstated or re-employed under this section shall not serve a probationary period upon reinstatement or re-employment except that an employee laid-off during an original or promotional probationary period shall begin a new probationary period.

F. Right to Appeal

A classified employee may appeal a layoff or a displacement which is the result of a layoff to the State Personnel Board of Review. The appeal must be filed or postmarked no later than ten (10) days after receipt of the notice of layoff or after the date the employee is displaced. A classified employee may appeal the decision of the State Personnel Board of Review to the Court of Common Pleas.

IX. VACANCIES AND PROMOTIONS

1. The appointing authority has the sole discretion to determine when a vacancy exists.
2. Vacancies in positions in the classified service shall be filled insofar as practicable by promotions.
3. If an appointing authority intends to fill a vacancy, a notice of vacancy will be posted in the main office of that authority and/or other appropriate County buildings for a period of ten (10) working days. In extenuating or unusual circumstances, the appointing authority responsible for postings may remove the posting short of the ten day period.
4. Any employee in the classified service who is appointed provisionally to fill a vacancy and who remains in provisional status for a period of two years of continuous service, during which period no competitive examination is held, becomes a permanent employee in the classified service at the conclusion of such two year period.
5. Preference in promotion will be given to the applicants currently holding positions in a lower classification closest to the classification of the vacancy, all within the same classification series. If there are no applications from any classification below the vacancy, then applications will be considered from those currently holding jobs in classifications above the vacancy. If there are no

qualified applicants from the same classification series, then they may proceed to appoint any applicant to the vacancy.

6. All promotional appointments shall have a probationary period equal to that of an original appointment within that classification. If the service of the promotional probationary employee is unsatisfactory, he may be demoted to the position from which he was promoted or to a similar position at any time during his promotional probationary period. Upon such a demotion, the employee's salary shall be the same as he was receiving prior to the promotion, except for changes in pay range that may have occurred or any step increase to which the employee would have been entitled in the lower classification.

X. TRANSFERS AND JOB ASSIGNMENTS

A. Job Assignments

Employees are expected to perform any work duties assigned by the appointing authority or her designee, not just those specific duties set forth in a job description. If the job assignments amount to a temporary transfer, Section C of this policy shall control.

B. Permanent Transfers

A permanent transfer is any transfer in excess of thirty days unless the employee has consented to a longer period not exceeding ninety days. An employee shall be eligible for a permanent transfer only after successfully completing her probationary period.

1. A classified employee, the appointing authority, and the appointing authority of another governmental agency or public body may mutually agree to transfer an employee from one office to another.
2. The employee and the appointing authority may agree to the transfer of an employee from one classification to another classification having similar qualifications.
3. No permanent transfer to a vacancy may occur until the appointing authority has satisfied its obligation to post a notice of the vacancy and to consider applicants in accordance with the policy on vacancies and promotions.
4. Any employee who voluntarily requests and is granted a transfer to a vacancy in a lower classification will be reclassified and must accept the duties, responsibilities, and wages of the lower classification for a minimum of six (6) months before requesting or applying for a transfer or promotion to a higher classification.

C. Temporary Transfers and Assignments

1. All employees shall be required to perform any and all temporary assigned duties of which they are capable regardless of their usual or customary duties or job assignments. A temporary transfer shall not exceed the length of the probationary period of the position filled. A temporary transfer may be used: (a) to fill a vacancy caused by an employee being on sick leave or other approved leave of absence; (b) to provide vacation relief scheduling; (c) to fill an opening

temporarily pending permanent filling of such opening; (d) to meet an emergency situation; or (e) when an employee is temporarily incapacitated from her regular duties.

2. When an employee is temporarily assigned to substitute in another job classification with a rate of pay lower than his own for reasons (a) through (d) above, he shall receive his regular rate of pay. When he is temporarily assigned to a lower classification for reason (e) above, he shall receive the highest rate of pay applicable to his temporary assignment.
3. When an hourly employee is temporarily assigned to a position with a higher rate of pay than her own for reasons (a) through (d) above, she shall receive an additional payment for all such days worked, which shall amount to the difference between her regular rate of pay and the step in the pay scale of the higher position to which she is temporarily assigned which is the next higher than her regular rate of pay. Annual salaried employees shall receive no additional compensation for temporarily filling in a higher position.

XI. USE OF COUNTY PROPERTY

A. Introduction

1. It is the policy of Logan County to provide their employees with the materials and services necessary to promote an efficient and productive workplace. Use of County owned property by County employees shall be limited to uses which effectively and appropriately utilize the resources provided for the furtherance of County business. Any unauthorized or improper use of County property by County employees may result in disciplinary measures being taken against the violating employee, up to and including termination. In addition, the County may refer instances of employee theft or destruction of County property, or other acts in violation of applicable local, state or federal law, to the County Prosecutor's Office.
2. The County owns the furniture, fixtures, supplies, lockers, file cabinets, computer equipment, and other materials and equipment in County offices. County employees are permitted to use County property to promote the efficient conduct of County business. As owners of the property used to conduct County business, the County reserves the right to replace, repair, or remove such property as it deems necessary. In addition, the County may conduct searches of any portion of County owned property including but not limited to: desks, file cabinets, offices, lockers, motor vehicles, and computer systems. Employees shall not have an expectation of privacy in relation to their use of County property.
3. EXCEPT WHERE OTHERWISE EXPRESSLY PERMITTED BY THE APPOINTING AUTHORITY, EMPLOYEES SHALL NOT USE COUNTY PROPERTY FOR ANY PERSONAL OR PRIVATE REASONS.
4. Upon separation from employment, employees shall return all County property, including but not limited to keys, pager, cellular telephone, ID and personnel manual.

B. Use of County Vehicles

1. All employees of the County who are required to operate a motor vehicle in the course of their employment must maintain a valid Driver's License that applies to the type of vehicle to be operated and shall be subject to the following conditions and restrictions:
 - a. Periodic record checks at the Bureau of Motor Vehicles;

- b. Use of seat belts by all drivers and passengers. Infant/child car seats shall be used in accordance with applicable laws and manufacturers' product recommendations;
 - c. Immediately notify his or her supervisor of any moving violations;
 - d. In the event of a license revocation, suspension, or traffic offense conviction such as DUI/OVI (or similar), County employees will be subject to reassignment or other appropriate personnel action, which may include termination of employment; and
 - e. Comply with applicable laws and safe driving practices,
 - f. Driving while under the influence of alcohol, illegal drugs, or illegal use of prescription drugs is strictly prohibited,
 - g. All employees driving while on county business must comply with State of Ohio Financial Responsibility laws,
 - h. Except for authorized law enforcement purposes, all of the following activities are prohibited while driving on county business:
 - (1) Carrying alcoholic beverages or illegal drugs on or in a vehicle,
 - (2) Conduct in violation of the County Firearms Policy,
 - (3) Use of a cell phone while driving. Cell phones may only be used on a limited basis for public safety purposes while under declared emergencies and with approval by an elected official, appointing authority or governing board.
2. All applicants for employment with Logan County who may be required to operate a vehicle in the course of their employment may be denied employment on the basis of an unsatisfactory driving record. At the direction of the appointing authority, denial of employment may be made without regard to the number of points or violations, whether they occurred within the past thirty six (36) months or whether they occurred within the State of Ohio. Applicants must submit an Applicant Driving History form (see Attachment 1) along with other pre-employment forms.
- a. Employees or applicants for employment may be considered qualified to drive when the following conditions are met:
 - (1) A review of the Employee's Motor Vehicle Record (MVR),
 - (2) A review of the Employee's MVR and a recommendation by Logan County's insurance carrier ("Insurer"),
 - (3) Proof of insurance or compliance with the State of Ohio's Financial Responsibility Laws.
 - b. Job applicants who provide incorrect information, omit information, or otherwise falsify their applications shall be subject to dismissal if hired.
3. While driving on county business employees must use assigned County vehicles or personal vehicles for the purpose(s) authorized and must only permit passengers in vehicles for the

conduct of county business. Each appointing authority shall determine when employees may permit passengers in county vehicles or personal vehicles while driving on county business.

4. Reimbursement for necessary emergency road service and repairs, parking and highway related tolls require appropriate receipts for reimbursement. Employees are responsible for paying any and all fines associated with any driving violations incurred as a result of using a County or personal vehicle for County business.
5. Employees of the County who are assigned a County vehicle for duty to domicile travel are subject to Internal Revenue Service (IRS) rulings regarding such usage. The use of such a vehicle for commuting is considered by the IRS to be a taxable benefit except under limited circumstances. A value must be established and the total annual amount reported to the IRS on each employee's Form W 2 with an additional form from the County Auditor.
6. Employees whose job description requires that they possess a valid commercial driver's license (CDL) are subject to the regulations and requirements promulgated under the Ohio Revised Code and Ohio Administrative Code concerning CDL license holders. The CDL requirements are in addition to, not in lieu of, the above listed requirements for the use of County vehicles. In the event an employee's CDL is revoked or not renewed, the employee may be subject to discipline, including termination.
7. Any employee involved in an accident while in the course of employment for the County is to report the accident immediately to his or her supervisor and to the police. An employee is not to leave the scene of an accident prior to the police taking an accident report except for when necessary to seek medical treatment. The employee shall exchange insurance and identification information with other parties, obtain contact information of any witnesses, and secure any other information that may assist in the investigation of the accident. All accidents shall be reported regardless of whether a County owned or an employee owned vehicle is involved. In no event shall an accident be reported later than twenty four hours after the accident has occurred.

Upon reporting the accident to the employee's immediate supervisor, the employee will be required to fill out the proper accident reporting form so that the accident can be reported to the County Commissioners and to the County's insurance carrier. The employee's supervisor shall conduct an investigation as to the cause of the accident. Depending upon the results of the investigation, the employee may be counseled and trained to prevent further accidents. In the event the accident is the result of the employee's negligence, the employee shall be subject to the disciplinary procedures set forth herein.

8. All employees of the County who are required to operate a vehicle in the course of their employment shall be subject to the following driver training requirements:
 - a. Regardless of their driving record, employees shall attend a defensive driving course within the first year of employment and refresher training at least once every 3 years. National Safety Council Defensive Driver Course curriculum (or similar) is recommended. Documentation of course completion shall be obtained and kept in the employee's personnel file.
 - b. Employees with 4 or more accumulated points or 2 or more occurrences on their Motor Vehicle Report (MVR) shall attend a defensive driving course, which will be scheduled during working hours at no cost to the employee.

- c. Each appointing authority may require additional training for specialized vehicle uses.
- d. While live classroom training is strongly preferred, online training and video training may also be used.

Written documentation of the training should be maintained in the employee's personnel file. Logan County will provide live classroom training periodically at no cost to county departments. Online and video training will be provided at the expense of the appointing authority.

- 9. All county employees driving on county business shall comply with the county Drug and Alcohol Policy (Sec. VII). Employees shall report any condition that may impair their ability to drive safety prior to driving a vehicle. Employees driving while in violation of the county Drug and Alcohol Policy shall not be considered as working in the course and scope of their employment with the county.

C. Use of County Communications Systems

- 1. The County's policy is to provide or contract for the communications services and equipment necessary to promote the efficient conduct of County business.
- 2. Supervisors are responsible for instructing employees on the proper use of the communications services and equipment used by the County for both internal and external business related communications.
- 3. All County communications services and equipment, including the messages transmitted or stored by them, are the sole property of the County. The County may access and monitor employee communications and files as it considers appropriate. Communications equipment and services includes, but is not limited to mail, electronic mail ("e mail") courier services, facsimiles, telephone systems, personal computers, computer networks, on line services, Internet systems, computer files, telex systems, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, and bulletin boards.
- 4. Employees should not use County communications services and equipment for personal purposes except in emergencies or when extenuating circumstances warrant it. When personal use is unavoidable, employees must properly log any user charges and reimburse the County for them. However, whenever possible, personal communications that incur user charges should be placed on a collect basis or charged directly to the employee's personal credit card or account. County communications property or equipment may not be removed from the premises without written authorization from the employee's supervisor.
- 5. Employees should ensure that no personal correspondence appears to be an official communication of the County since employees are representatives of the County and, therefore, such communication may damage the County's reputation and/or create liability for the County. All outgoing messages, whether by mail, facsimile, e mail, Internet transmission, or any other means, must be accurate, appropriate, and work related.
- 6. Employees may not use the County's address for receiving personal mail or use County stationary or postage for personal letters. In addition, personalized County stationary and business cards may be issued only by the County. Improper use of County communications systems and equipment will result in discipline, up to and including termination. Improper use

includes any misuse as described in this policy as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, or sexually suggestive uses of written, recorded, or electronically transmitted messages.

D. Use of E Mail

1. Introduction: Electronic mail (hereinafter “e mail”) use can increase the productivity of County employees. As is true with all County resources, there is potential misuse or abuse. The County and all County employees must be held accountable for their use and misuse of County resources, which includes, but is not limited to, e mail access.
2. Use of E mail: The availability of e mail is limited to uses which further County business. When appropriate material from e mail is received, it should be scanned using the County’s anti-virus software. The following uses by County employees are strictly prohibited:
 - a. Uses that interfere with normal business activities;
 - b. Any use involving solicitations;
 - c. Uses that are connected with a business activity that operates for profit;
 - d. Employee use for the purpose of operating a business for personal gain;
 - e. Sending chain letters;
 - f. Soliciting money for religious or political organizations or causes;
 - g. Uses that involve the transmittal, downloading, or printing of obscene, pornographic, threatening, or racially, sexually, or religiously harassing materials;
 - h. Distribution or printing of copyrighted materials, including articles and software, in violation of copyright laws;
 - i. Uses that would violate any federal, state, or local laws;
 - j. Any use that could possibly bring embarrassment or harm to the County; and
 - k. Use for any reason unrelated to the business of the County.
3. Privacy and Confidentiality: No County employee shall provide access to confidential information through the e mail. No employee shall use the e mail of any other employee without authorization. All employees of the County shall use all reasonable safeguards when using e mail to avoid mistaken distribution on another’s information.
4. County employees are hereby put on notice that all County servers furnish a trail that traces all Emails received and sent by the user of that computer terminal. The County may access this trail and monitor employee E MAIL use as it considers appropriate. In addition, County employees must disclose their e mail passwords to their supervisor. The County may access and monitor employee e mail uses by employees as it considers appropriate.
5. Discipline for Misuse: Employees who improperly use e mail in violation of the policy will be subject to discipline, up to and including termination.

E. Use of the Internet

1. Purpose: The Internet provides a source of information that can benefit every professional discipline represented in the County. It is the policy of the County that employees whose job performance can be enhanced through use of the Internet be provided access and become proficient in its capabilities. This section delineates acceptable use of the Internet by County employees and contractors while using County owned or County-leased equipment, facilities, Internet addresses, or domain names registered to the County.
2. Scope of Policy: This policy applies to Internet access only. It does not cover the requirements, standards, and procedures for the development and implementation of County information sites on the Internet. The following County Internet users are covered by this policy:
 - a. Full or part time employees of the County;
 - b. Volunteers who are authorized to use County resources to access the Internet; and
 - c. County contractors who are authorized to use County equipment or facilities.

This policy applies to Internet access when using County equipment and facilities, and performed using Internet protocol addresses and domain names registered to the County.

The County promotes Internet use that enables employees to perform County missions and encourages its employees and contractor personnel to develop Internet skills and knowledge. If an employee's supervisor determines that Internet access is in the best interest of the County, the employee will be permitted, within the limits set forth below, to use the Internet on business and personal time to build his/her network search and retrieval skills. Employees who do not require access to the Internet as part of their official duties, may not access the Internet using County facilities under any circumstances. It is expected that employees will use the Internet to improve their job knowledge; to access scientific, technical, and other information on topics that have relevance to the County; and to communicate with their peers in other County agencies, academia and industry.

Users should be aware that when access is accomplished using Internet addresses and domain names registered to the County, they might be perceived by others to represent the County.

Users shall not use the Internet for any purpose that would reflect negatively on the County or its employees.

3. Allowed Activities: County computer systems are for County use and not for personal use; however, when certain criteria are met, County users are permitted to engage in the following activities:
 - a. During working hours, access job related information, as needed, to meet the requirements of their jobs;
 - b. During working hours, participate in news groups, chat sessions, and E mail discussion groups (list servers), provided these sessions have a direct relationship to the user's job with the County. If personal opinions are expressed, a disclaimer should be included stating that this is not an official opinion of the County;

- c. During personal time, retrieve non job related text and graphics information to develop and enhance Internet related skills. It is expected that these skills will be used to improve the accomplishment of job related work assignments. By encouraging employees to explore the Internet, the County also builds its pool of Internet literate staff who can then guide and encourage other employees; and
 - d. Employees are prohibited from initiating non work related Internet sessions using County information resources from remote locations. That is, employees shall not dial into County resources for the purpose of accessing the Internet.
4. Prohibited Activities: The following uses of the Internet, either during working hours or personal time, using County equipment or facilities, are not allowed:
- a. Uses that interfere with normal business activities;
 - b. Any use involving solicitations;
 - c. Uses that are connected with a business activity that operates for profit;
 - d. Employee use for the purpose of operating a business for personal gain;
 - e. Sending chain letters;
 - f. Soliciting money for religious or political organizations or causes;
 - g. Uses that involve the transmittal, downloading, or printing of obscene, pornographic, threatening, or racially, sexually, or religiously harassing materials;
 - h. Distribution or printing of copyrighted materials, including articles and software, in violation of copyright laws;
 - i. Uses that would violate any federal, state, or local laws;
 - j. Any use that could possibly bring embarrassment or harm to the County;
 - k. Use for any reason unrelated to the business of the County;
 - l. Engage in any activity that would compromise the security of any County host computer. Host log in passwords will not be disclosed or shared with other users;
 - m. Violating the Terms of Service or Acceptable Use Policies of telecommunications and/or Internet Service Providers contracted by Logan County.
5. Supervisory Responsibility: The appointing authority for an employee and for which contractors work for will have the final authority in determining whether an employee requires Internet skills to accomplish their assigned duties. The appointing authority has the responsibility for:
- a. Acquiring Internet access for their employees who need it to conduct the official business of

the County;

- b. Advising their employees regarding the restriction against personal use of County Internet resources from other than County facilities; and
 - c. Assuming the responsibility for making the final determination as to the appropriateness of their employee's use of the Internet, when questions arise. This shall include the acceptability of Internet sites visited and the determination of personal time versus official work hours.
6. Employee Responsibilities: In order to avoid capacity problems and to reduce the susceptibility of County information technology resources to computer viruses, Internet users will comply with the following guidelines: (i) Personal files obtained via the Internet may not be stored on Individual PC hard drives or on local area network (LAN) file servers; and (ii) Video and voice files should not be downloaded from the Internet except when they will be used to serve an approved County function. Employees shall also be responsible for:
- a. Following existing security policies and procedures in their use of Internet services and will refrain from any practices which might jeopardize the County's computer systems and data files, including but not limited to virus attacks, when downloading files from the Internet;
 - b. Learning about Internet Etiquette, customs, and courtesies, including those procedures and guidelines to be followed when using remote computer services and transferring files from other computers;
 - c. Familiarizing themselves with any special requirements for accessing, protecting, and utilizing data, including Privacy Act materials, copyrighted materials, and procurement sensitive data;
 - d. Conducting themselves in a way that reflects positively on the County, since they are identified as County employees on the Internet even though they may be using the Internet for personal reasons, as stated above; and
 - e. Complying with any additional expectations or limitations imposed by the appointing authority.
7. Privacy and Confidentiality: No County employee shall provide access to confidential information through the Internet. No employee shall use the Internet of any other employee without authorization. All employees of the County shall use all reasonable safeguards when using the Internet to avoid mistaken distribution on another's information. County employees are hereby put on notice that all Internet browsers furnish a trail that traces all sites visited by the user of that computer terminal. The County may access this trail and monitor employee Internet use as it considers appropriate. In addition, County employees must disclose their Internet passwords to their supervisor. The County may access and monitor employee Internet uses by employees as it considers appropriate.
8. Discipline for Misuse: Employees who improperly use the Internet in violation of the policy will be subject to discipline, up to and including termination.

F. Use of Cellular Phones

1. General: This policy is designed to provide guidelines to County employees who have been authorized to use cellular phones to conduct county business. Employees are expected to strictly adhere to this policy. Exceptions to this policy may only be permitted with approval of the appointing authority.
2. Authorized Employees: Only those employees who have been given express written consent by their appointing authority to use cellular phones to conduct County business may use such phones during working hours. Employees are discouraged from using their personal cellular phone for either personal or county business except in cases of an emergency.
3. Permitted Uses: Cellular phones may only be used for County business. When a less costly alternative is available, a cellular phone should not be used unless an emergency dictates otherwise. For example, in some cases a personal meeting, an E Mail, or a "land line" telephone call may be less costly than a cellular phone call. Additionally, employees shall not utilize any functions of a cellular phone other than the transmittal of a call that would result in additional charges being assessed against the County. Employees will be required to reimburse the County for any such charges that are accrued without their appointing authority's consent.

Employees are expected to follow all federal, state and local laws regarding the use of cellular phones. No phone numbers of County owned cellular phones should be distributed to the public without the approval of the employee's appointing authority. Any lost or stolen County owned cellular phones should be reported immediately to the employee's appointing authority.

4. Personal Phones on County Property: Employees may bring their personal cellular phones to work as a matter of convenience. Personal cellular phones may be not be used during working hours unless the employee is on an approved break and/or during the employee's lunch break. Employees shall refrain from using picture taking or video streaming capability on their cell phones while on County property. Any such phones found to be on County property will be immediately confiscated and returned to the employee at the conclusion of the workday. Exceptions are not permitted unless approved in advance by the appointing authority.

G. Use of Procurement Cards

ORC Section 301.29 allows the county to use procurement cards in the conduct of county business. Each appointing authority will decide if their agency will participate in any such program. With prior written authorization, county employees may use county procurement cards to make small purchases in a manner that reduces paperwork and processing time for the county. Employees may contact their Appointing authority, the Auditor's office, or the County Commissioner's office for information.

H. Smoke Free Work Environment

There shall be no smoking in County facilities or vehicles. The appointing authority recognizes that each employee has a right to smoke and may do so at designated outside locations. Employees will not, however, be allowed to lessen their total daily or weekly work time in order to smoke.

XII. DRUG AND ALCOHOL POLICY

1. Purpose: It is the County's policy to ensure that its employees are free from the effects of alcohol and/or illegal drugs at all times while on duty. Our goal is to reduce accidents, injuries

and fatalities resulting from drug and alcohol abuse and to ensure that employees are drug free while serving the needs of the public. We recognize alcoholism and drug addiction as a condition which is treatable and encourage those employees who suspect that they have a drinking or drug problem to seek professional treatment and assistance. This provision does not prohibit the County from taking appropriate disciplinary action against employees for inappropriate behavior. This provision also does not affect or alleviate any additional requirements concerning drug and alcohol testing for safety sensitive positions.

2. Use of Alcohol and Controlled Substances Prohibited: No County employee shall report for work or remain at work while having an alcohol concentration of 0.02 or higher. No County employee shall report for duty or remain on duty when the employee uses any controlled substance, except when the use is prescribed by a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform his job duties. The employee shall provide his supervisor with the physician's report concerning such prescriptions before beginning work.
3. Use of tobacco: It is the County's policy to prohibit smoking in all buildings, offices, facilities, vehicles, and work areas. Employees may only smoke in designated areas outside of the building. Smoking is not allowed near any entrance or exit to the building.
4. Events Resulting in Employee Drug and/or Alcohol Testing: All County employees are subject to drug and/or alcohol testing conducted under any of the following conditions:
 - a. Pre-employment drug testing: As allowed by law prospective employees must submit to a drug test after a conditional job offer has been extended to the individual. Any prospective employee who tests positive for the use of alcohol or controlled substances or engages in any of the actions listed in section 6, "Refusal to Test", will not be hired. Each job classification will be evaluated to determine if it is subject to pre-employment drug testing.
 - b. Reasonable suspicion of drug and/or alcohol use: Whenever an employee's supervisor has reasonable suspicion to believe that an employee is under the influence of alcohol or a controlled substance, we will require such employee to submit a urine or other sample for alcohol and/or controlled substances testing. Reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. All supervisors and managers will be trained to recognize drug and alcohol related signs and symptoms. Reasonable suspicion testing may be based on, among other things:
 - 1) Observed behavior, such as direct observation of drug/alcohol use or possession and/or the physical symptoms of drug and/or alcohol use;
 - 2) A pattern of abnormal conduct or erratic behavior;
 - 3) Arrest or conviction for drug related offense or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking;
 - 4) Information provided either by a reliable and/or credible source independently corroborated regarding an employee's substance abuse; or
 - 5) Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

- c. Post-accident testing: As soon as practicable following an accident involving a motor vehicle or any other work related accident, Logan County, its elected officials, or its appointing authorities may test each employee involved in the accident for alcohol and controlled substances. An employee will be tested whenever it appears his alcohol or substance use could have caused or contributed to the accident, whether an injury occurred or not. Any employee who is subject to post accident testing shall make himself readily available for such testing or shall be deemed to have refused to submit to testing. If the test is not administered within eight hours following the accident, the test shall not be administered and a written statement explaining why the test was not administered shall be submitted to the County.

WARNING: IF AT ANY TIME OF ANY POST ACCIDENT/INJURY TEST THERE IS REASONABLE CAUSE TO BELIEVE THE EMPLOYEE USED A PROHIBITED SUBSTANCE OR WAS UNDER THE INFLUENCE OF SUCH SUBSTANCES AND THE TEST RESULT IS POSITIVE OR THE EMPLOYEE REFUSES TO TEST, ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS' COMPENSATION LAWS OF THE STATE MAY BE AFFECTED.

- d. Return to work testing: We shall ensure that, before an employee returns to work after engaging in prohibited alcohol and/or controlled substance conduct, the employee undergoes a return to work alcohol test with a result indicating an alcohol concentration of less than 0.02 and a verified negative result for controlled substance abuse.
- e. Follow up drug and alcohol testing: Any employee who tests positive for the use of alcohol or controlled substances while on duty may be evaluated by a substance abuse professional. If, following an evaluation, Logan County, its elected official, or its appointing authority directs the employee to undergo substance abuse counseling, the employee shall be subject to unannounced follow up alcohol and/or controlled substances testing consisting of up to six tests in the twelve months after the employee's return to work.

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

- 5. Testing Requirements: All laboratory drug screening tests, which may be used as the basis for disciplinary action, shall be conducted by medical laboratories meeting the standards and certified by, the National Institute of Drug Abuse, the National Institutes of Health, and the Department of Health and Human Services. A vendor selected by the County shall perform all drug testing.

Laboratory testing will be used to detect substance abuse problems, to deter employees from substance use that violates this Policy, and to facilitate appropriate action to correct substance use problems. In addition to alcohol, the drugs tested for under this Policy are as follows:

- a. Amphetamines (speed, uppers)
- b. Cocaine (including crack cocaine)
- c. Opiates (codeine, heroin, morphine)
- d. Barbiturates (sedative hypnotics)
- e. Benzodiazepines (sedative hypnotics, Valium, Librium)

- f. Cannabinoids (Marijuana)
- g. Methaqualone (Qualudes)

Logan County reserves the right to test for additional substances beyond those listed above, including but not limited to Methadone (narcotic agonist, used to treat heroin addiction); Propoxyphene (narcotic analgesics, Darvon, Darvoset); Hydrocodone (Vicodin, Lortab, Lorcet); and/or Oxycodone Hydrochloride (OxyContin, Percocet).

Logan County, its elected officials, or its appointing authorities shall afford applicants and employees the opportunity, prior to testing, to list all prescription and non-prescription drugs and controlled substances they have used to explain the circumstances surrounding the use of such drugs and controlled substances. If an applicant or employee tests positive for the use of alcohol or controlled substances, we, prior to taking any action, will permit the applicant or employee the opportunity to explain, in writing, the test results. Failure of any applicant or employee to establish an adequate legal basis for the use of such drug or controlled substance shall constitute a violation of this policy.

No laboratory test shall be considered positive until it has been confirmed by a gas chromatography/mass spectrometry full scan test or its equivalent. The procedures utilized by the County and testing laboratory shall include an evidentiary chain of custody control. All samples collected shall be contained in two (2) separate containers for use in the prescribed testing procedures in accordance with the laboratory's testing procedures. All laboratory procedures shall be outlined in writing and shall be followed in all situations arising under this policy. Copies of the procedures used shall be distributed to employees upon testing and/or upon request.

Any employee who is notified of selection for drug and alcohol testing shall be relieved of any job responsibilities as soon as possible and shall proceed to the designated test site immediately. A selected employee shall not make any stops from the time of notification until reaching the designated test site. Failure to proceed immediately to the drug testing site may be considered a refusal to test.

The results of the testing shall be delivered to a qualified Medical Review Officer (MRO) at the collection site. Any employee who has tested positive for any of the substances will be notified by the MRO and may discuss the positive test results with the MRO before a result is reported to the employer. The employee will have an opportunity to explain any special circumstances to the MRO. The MRO has the authority and responsibility for reporting the results to the county for action. An employee whose confirmatory test results are positive shall have the right to request a certified copy of the testing results in which the vendor shall affirm that the tests results were obtained using the approved protocol methods. The employee shall provide a signed release for disclosure of the testing results to the County. Refusal to submit to the testing or to execute the release may be grounds for discipline up to and including termination. The County elected official or appointing authority will pay any costs of drug screening tests and confirmatory tests except that any test initiated at the request of the employee shall be at the employee's expense.

6. **Refusal to Test:** Refusal to submit to drug and alcohol tests employed by Logan County, its elected officials, or its appointing authorities will be grounds for disciplinary action, up to and including termination. A refusal to test includes conduct that would obstruct the proper administration of a test. The following is a list of some, but not all, of the actions an employee may take which will be considered a refusal to test:

- a. Refusal to sign the form releasing test results to the County;
 - b. A non-medical delay in providing urine, breath, blood or saliva specimen;
 - c. Failure to report directly to the testing facility upon notification;
 - d. The use of any product or means to invalidate the test results.
7. Confirmatory Tests: If a laboratory drug screening test is positive, a confirmatory test shall be conducted in the manner prescribed in the laboratory's procedures. In the event the second test confirms the results of the first test, we will proceed with appropriate discipline. In the event that the second test contradicts the result of the first test, we will request a third test in accordance with the procedures prescribed above. We will pay the cost of this test. The results of this test, if positive, shall allow the County to proceed with discipline. If the results of the third test are negative, discipline shall not be imposed.
8. Discipline and Rehabilitation: Logan County, its elected official, or its appointing authority will place an employee on paid suspension before the time the confirmatory test results are complete. If the screening test and confirmatory test are positive, the employee may be disciplined up to and including termination.

If the testing required above has produced a positive result, the appointing authority will take appropriate disciplinary action and/or may require the employee to participate in a rehabilitation or detoxification program. An employee who participates in a rehabilitation or detoxification program shall be allowed to use sick time, compensatory days, vacation leave, and personal days for the period of the rehabilitation or detoxification program. If no such leave credits are available, the employee shall be placed on medical leave of absence without pay for the period of the rehabilitation or detoxification program. Family medical leave may be used if available and appropriate. The County is not obligated to offer treatment in lieu of discipline. Upon completion of such program, and upon receiving results from a return to work test demonstrating that the employee is no longer abusing a controlled substance, the employee will be returned to his former position. Such employee may be subject to periodic re testing upon his return to his position for a period of one (1) year from the date of his return to work. If the employee refuses to undergo rehabilitation or detoxification, or if the employee tests positive during follow up testing within one (1) year after her return to work from such a program, the employee will be subject to disciplinary action up to and including termination.

9. Confidentiality: Test results will, as a general rule, remain confidential. However, test result information in connection with the County business will be used for purposes of employment or disciplinary actions and in defense of related litigation. Test results will be disclosed when required by government agencies or in accordance with state and federal law.
10. Employee Assistance: It is the County's policy to assist those employees who are facing alcohol and drug dependency problems. Therefore, any employee who voluntarily seeks assistance from their elected officials, supervisor, or appointing authority for an alcohol and/or drug dependency problem shall be referred to an available assistance program. The County would seek a referral to an assistance program designed to help employees seek appropriate diagnosis and treatment for alcohol and/or drug dependency. Any employee found to have tested positive for drug and/or alcohol use as a result of the drug testing provisions set forth herein may be also be referred to an assistance program.

In the event an employee needs treatment during the employee's scheduled work time, the County, its elected official, or its appointing authority may use any paid leave of absences the employee has accrued at that time. Notwithstanding the foregoing, the employee is still responsible for complying with existing job performance standards and work rules.

An employee's participation in an assistance program does not prevent an appointing authority from issuing discipline for any misconduct relating to the employee's drug and/or alcohol use.

XIII. WORKPLACE VIOLENCE

A. Zero Tolerance Policy

The County Commissioners and other appointing authorities of the County are committed to providing a work environment that is safe, secure and free of harassment, threats, intimidation and violence. In furtherance of this commitment, the County enforces a zero tolerance policy for workplace violence. Consistent with this policy, threats or acts of physical violence, including intimidation, harassment, and/or coercion which involve or affect County employees or which occur on County property will not be tolerated. County employees who are found to have committed acts of workplace violence will suffer discipline, up to and including termination, and possible criminal prosecution, depending on the nature of the offense.

B. Prohibited Acts of Violence

Prohibited acts of workplace violence include, but are not limited to, the following:

1. Hitting or shoving an individual.
2. Threatening to harm an individual or his family, friends, associates, or property.
3. The intentional destruction or threat of destruction of County property.
4. Making harassing or threatening telephone calls, or sending harassing or threatening letters or other forms of written or electronic communications, including e mail.
5. Intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule.
6. The willful, malicious and repeated following of another person, also known as "stalking" and making threats with the intent to place another person in reasonable fear for her own safety.
7. Suggesting or otherwise intimating that an act to injure persons or property is "appropriate", without regard to the location where the suggestion or intimation occurs.
8. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on County property.

C. Warning Signs and Risk Factors

The following are examples of warning signs, symptoms and risk factors which may indicate an employee's potential for violence. Employees should be aware of these indicators. In all situations, if violence appears imminent, employees should take the precautions necessary to assure their own safety and the safety of others. An employee should immediately notify his supervisor if he witnesses any unusual behaviors, including but not limited to the following behaviors:

1. Dropping hints about a knowledge of firearms.
2. Making intimidating statements such as: "You know what happened in Oklahoma City," "I'll get even," or "You haven't heard the last from me."
3. Keeping records of other employees the individual believes to have violated departmental policy.
4. Physical signs of anger, such as, hard breathing, reddening of complexion, menacing stares, loudness, and profane speech.
5. Acting out violently either verbally or physically.
6. Excessive bitterness by a disgruntled employee or an ex-employee.
7. Being a loner, avoiding all social contact with coworkers.
8. Having a romantic obsession with a coworker who does not share that interest.
9. History of interpersonal conflict.
10. Domestic problems, unstable/dysfunctional family.
11. Brooding, depressed, strange behavior, a "time bomb ready to go off."

Upon receiving a report of potential workplace violence, the supervisor shall immediately notify the appointing authority or the Prosecutor's Office.

XIV. CONCEALED CARRY POLICY

1. House Bill 12, Ohio's "concealed carry" statute authorizes individuals, who meet certain licensing requirements, to carry a concealed firearm as defined in the statute. The concealed carry statute exempts certain areas, including public buildings, from the scope of this law. Logan County has adopted this policy to address issues pertaining to employment and the application of the law. In addition to the specific provisions of the concealed carry statute, employees are expected to comply with this policy.
2. Pursuant to Ohio Rev. Code §2923.1212, no employee, contractor, client or other individual may carry, possess, convey or attempt to convey a deadly weapon or ordinance onto the property of Logan County or any other property that is owned, operated or controlled by the County or any other County entity. A valid concealed carry license does not authorize an individual to carry such a weapon onto these premises. Law enforcement officers specifically authorized to carry a firearm are exempted from this provision and may be permitted to carry a

concealed weapon.

3. Logan County employees are prohibited from carrying firearms any time they are working for the County or acting within the course and scope of employment. These situations include, but are not limited to, attending training sessions or seminars, wearing a Logan County identification badge, and working in citizen's homes or other sites off County premises. In addition, no employee or member of the public may carry a concealed weapon in a County owned vehicle.
4. Employees who possess a valid license to carry a concealed weapon are discouraged from storing a weapon in their personal vehicle while at work. An employee possessing a valid license to carry a concealed weapon may bring their weapon with them onto the County parking lot. However, the employee must leave the weapon in his/her vehicle. Employees are neither permitted to remove their weapon from their vehicles while in the County parking lot nor are they permitted to bring a concealed weapon into County buildings. The employee's weapon must be stored in the vehicle in accordance with the storage provisions of the concealed carry statute. The weapon must be in a locked vehicle either in the glove compartment, a lock box, or the trunk.
5. Employees shall immediately contact a supervisor if they suspect an employee or member of the public is carrying a concealed weapon in Logan County buildings. Employees are required to immediately contact a supervisor if they suspect an employee to be carrying a concealed weapon at any time while they are working for Logan County, acting within in the course and scope of employment, or acting as a representative of Logan County.
6. The Employer reserves the right to inspect County owned property at any time. Any violation of this policy may result in disciplinary action.

XV. HARASSMENT POLICY

1. Purpose: Logan County's policy is to provide its employees with an environment free of employee discrimination, including harassment based on an employee's race, color, religion, sex, national origin, age, ancestry, disability or military status. Unlawful discrimination and harassment is inappropriate and illegal and will not be tolerated. Unlawful discrimination and harassment interferes with the well-being and productivity of employees and the efficiency of the County, negatively affecting morale, motivation and job performance. The County, in the commitment to eliminating this inappropriate behavior, has established the following policy.

This policy refers to "sexual" discrimination or harassment solely for ease of reference. When this policy references "sexual" discrimination or harassment, all other forms of prohibited discrimination and harassment as set forth herein are equally applicable. Unlawful discrimination can occur when an individual's terms, conditions, benefits, or privileges of employment are negatively impacted due to that person's membership in a protected classification. Unlawful harassment is a form of discrimination which is an "unlawful employment practice" and which is prohibited by state and federal law.

2. Definition: Sexual harassment is defined as unwelcome sexual advances, comments or requests. Sexual harassment exists when employment decisions are based on sexual conduct or when the workplace is so permeated with conduct of a sexual nature that it alters the terms and conditions of employment and creates a hostile work environment. Harassment based on race, national origin, religion, disability, pregnancy, or age is defined as unwelcome comments and actions pertaining to the particular characteristic at issue. Harassment based on race,

national origin, religion, disability, pregnancy or age exists when employment decisions are based on those characteristics or when the workplace is so permeated with conduct relating to that characteristic that it alters the terms and conditions of employment and creates a hostile work environment.

3. Behavior that can Constitute Unlawful Discrimination or Harassment: Harassment does not generally encompass conduct of a socially acceptable nature, however, some conduct which is appropriate in a social setting may be inappropriate in the workplace. Sexual harassment occurs when behavior of a sexual nature is directed toward an employee who finds that behavior unwelcome and offensive. Harassment also occurs when behavior fails to respect the rights of others, is demeaning or lowers morale. The victim's acquiescence in the behavior does not negate the existence of harassment.

Harassment may also extend beyond the confines of the workplace. Conduct that occurs off duty and off premises against an employee of the County will be subject to this policy.

Prohibited conduct includes, but is not limited to sexual comments, suggestions, jokes, leering, pats, squeezes or other similar contact, and posting of sexual pictures, cartoons, photos or other graphics. In addition, comments, suggestions, jokes, and other similar activities relating to race, national origin, religion, disability, pregnancy, age, and military status are prohibited.

4. Complaint Procedure: Supervisors are assigned the task of receiving harassment complaints from employees and investigating allegations of harassment. The supervisor is vested with the authority to receive employee reports of discrimination and/or harassment and other forms of harassment and is charged with the duty of investigating any employee complaints of discrimination and/or harassment and other forms of harassment.

Employees who feel that they have been subjected to unlawful discrimination and/or harassment by a fellow employee, a supervisor, or an individual otherwise affiliated with the County, shall immediately contact their supervisor. Similarly, employees who feel that they have witnessed discrimination or harassment, or who have questions or concerns regarding discrimination or harassment, shall immediately contact their supervisor. Employee complaints of discrimination and/or harassment must be submitted, in writing, to their supervisor in a timely manner. All complaints will be taken seriously and will be fully investigated.

The County has appointed an Equal Opportunity Compliance Officer (hereinafter, "EOCO") and the County Prosecutor as secondary sources for employees to file complaints of harassment. If the employee's complaint is based on the comments or other actions of their supervisor, they may file their complaint with the EOCO or the County Prosecutor, instead of their supervisor. The EOCO or the County Prosecutor shall be outside the supervisory chain of command of the complaining employee.

Information obtained during the investigation will be kept as confidential as practicable, although confidentiality cannot be guaranteed. If the investigation reveals the complaint is valid, prompt attention and disciplinary action designed to stop the harassment and prevent its reoccurrence will be taken.

5. False Complaints: Although legitimate complaints made in good faith are strongly encouraged, false complaints or complaints made in bad faith will not be tolerated. Failure to prove harassment will not constitute a false complaint without further evidence of bad faith. False complaints are considered a violation of this policy and an employee who makes a false

complaint may be subject to discipline.

6. **Retaliation:** The County, its supervisors and/or employees, shall not in any way retaliate against an individual for filing a complaint, reporting harassment, in participating in an investigation, or engaging in other protected activity. Any employee who feels that he or she is subjected to retaliatory conduct as a result of actions taken under this policy shall report such conduct to their supervisor or the EOCO immediately. Any person found to have retaliated against an individual for reporting harassment will be subject to the same disciplinary action provided for offenders of the harassment policy.
7. **Corrective Action:** Unlawful discrimination and harassment will not be tolerated. Disciplinary action will result and will be reflective of the seriousness of the violation. If the investigation establishes that the accused employee engaged in harassment, discipline, up to any including termination, will be administered. Offenders will be disciplined without regard to their position or job performance.

All employees of the County have a responsibility to become familiar with this policy, to assist in its enforcement and to abide by its terms. Any employee who has knowledge of harassing conduct, and who allows that conduct to go unaddressed, may be subject to discipline.

XVI. JOB SAFETY

1. It is the responsibility of every department to provide safe working conditions, tools, equipment and work methods for its employees. The foreman or supervisor must address unsafe conditions promptly and ensure that all safety rules and good working methods are used by employees under his supervision.
2. It is the duty of all employees to use the safety equipment provided by the County and to follow all safety rules and safe working methods recommended for their safety. Violation of safety rules or failure to comply with safety rules will lead to disciplinary action.
3. The appropriate supervisor will use the following procedure for handling on the job injury cases:
 - a. Arrange for prompt medical care.
 - b. Prepare a report on the injury immediately, while the facts are clear.
 - c. Keep a copy of report and send a copy to the County Commissioners.
 - d. Send a copy of the report to the employee.
4. County employees may be entitled to compensation through the Ohio Bureau of Workers' Compensation for injury or death, as well as for certain medical care services, incurred while working for the County. To facilitate their recovery from work related injuries county employees may be eligible to participate in early return to work programs, such as transitional work, light duty, vocational rehabilitation, and wage continuation. For information about these programs, employees may speak with their supervisor or the commissioners' office.
5. All employees are expected to report any safety concerns and/or unsafe working conditions to their supervisor as soon as possible. Failure to report a known unsafe work condition may result in discipline.

6. Employees are responsible for complying with all other safety rules and regulations as set forth by law or as adopted by the County Commissioners and/or their appointing authority.

XVII. DISCIPLINARY POLICY

A. Tenure in Service

1. No employee in the classified civil service, upon completion of his probationary period, shall be disciplined other than for just cause. Unclassified employees serve at the pleasure of the appointing authority and may be disciplined for any reason.
2. Employees in the classified service may be demoted, reduced in pay, fined, suspended, or removed from their job, or otherwise disciplined for any of the following causes:
 - a. incompetency;
 - b. inefficiency;
 - c. dishonesty;
 - d. drunkenness;
 - e. immoral conduct;
 - f. insubordination;
 - g. discourteous treatment of the public;
 - h. neglect of duty;
 - i. violation of work rules of the County, or for whom the employee works;
 - j. any other failure of good behavior, including violation of the Ethics of County Employment; or
 - k. any other acts of misfeasance, malfeasance, or nonfeasance in his job.

B. Disciplinary Procedures

1. The appointing authority under civil service laws shall be the person who imposes disciplinary action as appropriate.
2. Before imposing a reduction in pay, demotion, suspension or removal to a classified civil service employee, the official shall hold a predisciplinary conference with the employee. At the predisciplinary conference the appointing authority or her designee will explain the charges against the employee and permit the employee the opportunity to respond to the charges. The employee has the right to be accompanied at the predisciplinary conference by a representative of his own choosing. The predisciplinary conference will be scheduled as promptly as possible. The appointing authority may impose reasonable rules on the length of the predisciplinary conference and the conduct of the participants. The appointing authority may tape record the

predisciplinary conference, as may the employee or his representative. If the appointing authority determines that the employee's continued employment prior to the conference poses a danger to persons or property or a threat of disrupting operations, he may place the employee on administrative leave with pay pending the predisciplinary conference to determine the final disciplinary action.

Prior to the predisciplinary conference, the appointing authority shall provide to the employee a list of alleged improper conduct and a summary of the evidence concerning the disciplinary charges. Generally, this information will be provided to the employee at least twenty four (24) hours before the predisciplinary conference.

At the predisciplinary conference the employee will be given an opportunity to respond to the allegations. The employee does not have the right to call or cross examine witnesses. The employee may waive the predisciplinary conference. Failure to attend the predisciplinary conference will be considered a waiver of the predisciplinary conference.

Upon completion of the predisciplinary conference the appointing authority shall determine the appropriate discipline, if any. The employee will be notified of the disciplinary action in accordance with law.

3. The County adheres to the principles of progressive discipline. These principles require that disciplinary action be commensurate with the offense. An appointing authority will consider all relevant factors when imposing discipline, including but not limited to, the nature of the offense, the employee's position, the impact of the County and the employee's work record.
4. Rules cannot be listed to cover every situation. Certain offenses are serious enough to warrant immediate removal without regard to previous reprimands or discipline. Such serious offenses include, but are not necessarily limited to the following:
 - a. Unauthorized absence from work;
 - b. Dishonesty or dishonest actions (i.e. theft, pilfering, opening desks assigned to others, making false statements, making inaccurate or false reports concerning absences, sick leave, mileage claims, charging personal long distance calls to the agency, etc.);
 - c. Insubordination (i.e. refusing to perform assigned work or comply with written or verbal instructions of supervisors, abusive or threatening gestures or language toward supervisor;
 - d. Wanton or willful neglect of duties;
 - e. Threatening, intimidating, coercing, or interfering with other employees;
 - f. Fighting or attempting to injure other employees, supervisors, or persons;
 - g. Gambling during work hours;
 - h. Possessing, using or selling illegal drugs;
 - i. Carrying or illegally possessing firearms, explosives or weapons on County property at any time without prior authorization;

- j. Consumption of alcoholic beverages while on duty;
- k. Altering or destroying or falsifying records;
- l. Tampering with, abuse or deliberate destruction of County property or equipment, or of the property or equipment of other employees;
- m. Violations of Federal, State or local laws which adversely affect the County;
- n. Stealing, destroying, damaging or concealing property of the County of another employee;
- o. Unauthorized altering of a time record;
- p. Unauthorized release of confidential information;
- q. Misusing, removing, or attempting to remove records or information without authorization;
Giving false information or withholding pertinent information requested in an
- r. employee application or official investigation;
- s. Falsifying, assisting in falsifying, or destroying records;
- t. Unauthorized political activity;

Conduct violating morality or common decency, including sexual harassment.

Additional examples of conduct that may result in disciplinary action include, but are not limited to, the following:

- a. Failure to call in an absence;
- b. Neglect or carelessness in signing in or out;
- c. Changing work schedule without prior consent;
- d. Chronic tardiness;
- e. Starting late, or leaving early;
- f. Making preparation to quit work before the designated break or quitting time;
- g. Leaving the assigned work area without authorization;
- h. Interfering with the work of others;
- i. Use of profane or abusive language;
- j. Neglect of work;
- k. Unsatisfactory work or failure to maintain required standard of performance;
- l. Failure to work cooperatively with other employees;

- m. Careless use of County property or equipment;
- n. Unauthorized personal use of County telephones, excessive local calls;
- o. Prohibited use of department computers and/or software;
- p. Contributing to or creating unsafe or unsanitary conditions;
- q. Failure to follow safety rules and procedures;
- r. Failure to observe department rules, regulations, policies or procedures;
- s. Excessive absences;
- t. Reporting for work or working while unfit for duty;
- u. Pattern use and/or abuse of sick leave;
- v. Lapsing into unapproved unpaid leave;
- w. Failure to provide required documentation of absences;
- x. Excessive garnishments;
- y. Failure to report for overtime work;
- z. Disobeying orders of a supervisor;
- aa. Discourteous treatment of the public;
- bb. Violations of the code of ethics not previously specifically listed;
- cc. Sleeping during work hours;
- dd. Willful failure to make required reports;
- ee. Unauthorized use of County property or equipment;
- ff. Performing private or personal work on agency time;
- gg. Unauthorized solicitation or distribution on County property;
- hh. Obligating the County for any expense or service without authorization;
- ii. Willful disregard of County rules, regulations, policies, or procedures;
- jj. Failure to maintain a safe driving record;
- kk. Making or publishing false, vicious or malicious statements about County employees or County operations.

5. When imposing a demotion, reduction in pay, suspension of forty (40) or more work hours in the case of an employee exempt from the payment of overtime compensation, a suspension of twenty four (24) or more work hours in the case of an employee required to be paid overtime compensation, a fine in excess of forty (40) or more hours' pay in the case of an employee exempt from overtime compensation, a fine of twenty four (24) or more hours' pay in the case of an employee required to be paid overtime compensation, demotion, or removal, of a classified employee, the appointing authority shall sign a written order of reduction, suspension or removal. The order shall state the reasons for the disciplinary action. The appointing authority shall furnish a copy of the order to the employee and shall file a copy with the State Personnel Board of Review.
6. Disciplinary action of the appointing authority is effective upon the issuance of the order of demotion, reduction in pay, suspension for more than forty (40) or more work hours in the case of an employee exempt from the payment of overtime compensation, a suspension of twenty four (24) or more work hours in the case of an employee required to be paid overtime compensation or removal. A suspension for less than forty (40) work hours in the case of an employee exempt from the payment of overtime compensation, a suspension of less than twenty four (24) hours in the case of an employee required to be paid overtime compensation, or less shall be effective upon the appointing authority's issuance of a written notice of the same. In the case of a removal from employment, the termination of the employee is effective upon issuance of the order of removal, and no benefit shall accrue or be extended to him as of that date.
7. The filing or prosecuting of criminal charges against an employee for any alleged misconduct or criminal activity on his part shall not be determinative as to appropriate disciplinary action, if any, under this policy. The appointing authority should investigate the employee's alleged misconduct or activities and determine the appropriate discipline, if any, without regard to whether or not there are legal charges pending. The disposition of any criminal charges shall be independent of and not affect the decision to take disciplinary action against an employee and the appropriateness of the particular action taken.
8. The appointing authority has the right to investigate alleged disciplinary violations. All employees are required to cooperate during investigations. Failure to respond truthfully or failure to otherwise cooperate in an investigation shall be considered insubordination and will result in discipline.
9. These provisions on discipline and removal do not apply to employees in the unclassified service.

XVIII. EMPLOYEE RIGHTS

Classified employees who are not in management or supervision have the right to refrain from forming, joining, assisting, or participating in union activity, or to engage in any such activity. Management level and supervisory employees are expected to respect such rights and may be disciplined, up to and including removal, if they violate employee rights under Chapter 4117.

XIX. COMPLAINT PROCEDURE

1. If the employee believes that he has been treated arbitrarily, capriciously, or unreasonably, or believes that his supervisor, department head, or has violated any provision of this Handbook, he should process his complaint under this procedure. Complaints regarding unlawful discrimination or harassment should be brought according to the unlawful discrimination and

harassment policy contained in this manual.

Step 1. An employee with a complaint must first take the matter up with his immediate supervisor within three working days after which he knew or should have known of the occurrence or action about which he complains.

Step 2. If, after meeting with his immediate supervisor, the employee still believes that he has a valid complaint, he must submit his complaint in writing to the next level of supervision within five working days of his conference with the supervisor. The supervisor shall promptly schedule a meeting with the employee, who may be accompanied by a representative of his choice, to discuss the complaint. The supervisor shall render a written decision on the complaint within five working days of the meeting.

Step 3. If the employee is not satisfied with the decision on the complaint in Step 2, he may file an appeal in writing within five working days of his receipt of the Step 2 disposition. The appeal must be filed with the appointing authority. The appointing authority shall meet with the employee, who may be accompanied by a representative of his own choice, within five working days of the filing of the appeal. Either the appointing authority or the employee may tape record the meeting. The appointing authority shall render a written decision on the complaint within five working days.

Step 4. If the employee is not satisfied with the decision on the complaint in Step 3, he may file a written appeal to the Board of County Commissioners, setting forth in detail his complaint and all pertinent factual information. The Board shall issue a written recommendation disposing of the complaint within ten (10) workdays and shall send a copy of the recommendation to the employee and to the appropriate appointing authorities.

2. No employee shall be discriminated against for making a complaint in accordance with these procedures or disputing the application of any of these personnel policies.

XX. NEPOTISM POLICY

1. The County will receive employment applications from relatives of current employees. There are four (4) situations which would prevent the County from hiring a relative of a current employee:
 - a. If one relative would supervise or have disciplinary authority over another.
 - b. If one relative would audit the work of another.
 - c. If there was a conflict of interest between the relative and the employee, or the relative and the County.
 - d. If the hiring of relatives could result in a conflict of interest with clients.
2. An employee is not permitted to work in a position where his supervisor or any person above him in his established chain of organizational command, is a relative. If such a situation is created through promotion, transfer or marriage, one of the affected employees must be transferred or terminated, or an accommodation acceptable to the County must be worked out by the affected parties. Termination is to be the last resort. No employee who meets current standards of performance and behavior shall be terminated if a transfer is possible.

3. If two employees marry, they will be subject to the same rules listed above as other relatives, unless state law or judicial decisions dictate otherwise. No persons employed in the County prior to the adoption of this policy will be retroactively affected by this policy.
4. The provisions of O.R.C. § 102.03 and 2921.42 make it unlawful for a public official to use his influence to obtain a benefit, including a job for his relative. Any violation of these statutes may result in criminal prosecution and/or disciplinary action including termination.
5. For purposes of this Article, the term "relative" shall include: spouse, children, grandchildren, parents, grandparents, siblings, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father-in-law, mother-in-law, step parents, step children, step siblings, and a legal guardian or other person who stands in the place of a parent to the employee.

XXI. MEDICAL EXAMINATIONS AND DISABILITY SEPARATIONS

1. The Employer may require an employee to take an examination, conducted by a licensed medical practitioner, to determine the employee's physical or mental capacity to perform the material and substantial duties of the employee's classification with or without reasonable accommodation. For purposes of this Article, "licensed medical practitioner" is defined as a licensed psychologist or psychiatrist to conduct a mental examination and an M.D. or D.O. to conduct a physical examination. If the employee disagrees with a determination that she is unable to perform the material and substantial duties of her classification with or without reasonable accommodation, she may request to be examined by a second licensed medical practitioner of her choice at her own expense. If the reports of the two licensed medical practitioners are conflicting, a third opinion shall be rendered by a neutral party chosen by the Employer and the employee and paid for by the Employer. The neutral licensed medical practitioner shall limit the report to the Employer to the issue of whether the employee is capable of performing the material and substantial duties with or without reasonable accommodation as defined by the Employer.
2. If an employee after examination is found to be unable to perform the material and substantial duties of her classification, the employee may request to use accumulated sick leave, vacation, and other benefits. If the employee remains unable to perform the material and substantial duties of her classification after exhausting her available paid leave, she may request a voluntary disability separation. An employee granted a voluntary disability separation shall retain the right to be reinstated to her position for two (2) years from the date that the employee is no longer in active work status due to the illness, injury, or condition necessitating the placement into inactive status. Reinstatement is available only upon the presentation of appropriate medical documentation that the employee can perform the material and substantial duties of her position with or without reasonable accommodation.
3. If a classified employee found to be unable to perform the material and substantial functions of her job refuses to utilize her leave benefits or to agree to a voluntary disability separation following the use of her leave benefits, the Employer may place the employee on an involuntary disability separation. Prior to placing an employee on involuntary disability separation, the employee is entitled to a pre separation conference. The employee must be given at least seventy two (72) hours' notice of this conference. At the pre separation conference the employee has the right to examine the Employer's evidence of disability, to rebut that evidence, and to present testimony and evidence on the employee's own behalf. If after the hearing the Employer determines that the employee is unable to perform her material and substantial job duties with or without reasonable accommodation, the Employer shall issue an involuntary

disability separation order to be given to the employee and filed with the State Personnel Board of Review. The employee may appeal the Employer's order concerning her involuntary disability separation to the State Personnel Board of Review.

4. An employee on a voluntary or involuntary disability separation has a two (2) year right to reinstatement to their former position or a similar position. The employee must make a written request for reinstatement from a disability separation. The request shall be accompanied by substantial credible evidence that the employee is once again capable of performing the essential functions of her classification with or without reasonable accommodation. The Employer shall have the right to have the employee examined prior to her return. The Employer shall pay for the examination.
5. Refusal of an employee to submit to an examination or to cooperate in this process will be considered insubordination and may be grounds for discipline.

XXII. POLITICAL ACTIVITY

1. Purpose: Employees in the classified civil service are prohibited by Ohio law from engaging in "political activity". The purpose of this Article is to provide lists of examples, though not exhaustive lists, of activities which are permissible and prohibited under the law.
2. Permissible Activities: The following is a non-exhaustive list of examples of permissible activities for employees in the classified civil service:
 - a. Registration and voting;
 - b. Expression of opinions, either oral or written;
 - c. Voluntary financial contributions to political candidates or organizations;
 - d. Circulation of non-partisan petitions or petition stating views on legislation;
 - e. Attendance at political rallies;
 - f. Signing nominating petitions in support of individuals;
 - g. Display of political materials in the employee's home or on the employee's property;
 - h. Wearing political badges or buttons, or the display of political stickers on private vehicles; and
 - i. Serving as a precinct election official under section 3501.22 of the Ohio Revised Code.
3. Prohibited Activities: The following is a non-exhaustive list of examples of prohibited activities for employees in the classified civil service:
 - a. Candidacy for public office in a partisan election;
 - b. Candidacy for public office in a non-partisan election if the nomination to candidacy was

obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;

- c. Filing of petitions meeting statutory requirements for partisan candidacy for elected office;
 - d. Circulation of official nominating petitions for any candidate participating in a partisan election;
 - e. Service in an elected or appointed office in any partisan political organization;
 - f. Acceptance of a party sponsored appointment normally filled by partisan election;
 - g. Campaigning by writing in publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
 - h. Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in kind, for any political party or political candidate;
 - i. Solicitation for the sale, or actual sale, of political party tickets;
 - j. Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
 - k. Service as a witness or challenger for any party or partisan committee;
 - l. Participation in political caucuses of a partisan nature; and m.
 - m. Participation in a political action committee which supports partisan activity.
4. Discipline: Any classified employee who engages in any of the activities listed as prohibited in the preceding Paragraph is subject to discipline.
5. Scope: Nothing in this Article pertains to unclassified employees.

XXIII. SOLICITATION POLICY

1. It is the policy of the County to prohibit solicitation and distribution of literature on its premises by non-employees and to permit solicitation and distribution of literature by employees subject to the restrictions of this Article. This policy is not intended to supersede any relevant provision in an applicable collective bargaining agreement covering County employees which concerns union representation, use of bulletin boards, or other provisions in conflict with this policy.
2. The County limits solicitation and distribution on its premises because those activities can interfere with the County's operations, reduce employee efficiency, annoy customers, and pose a threat to security.
3. Individuals not employed by the County are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except by representatives of suppliers or vendors given prior authority), or engaging in

any other solicitation, distribution, or similar activity on County premises.

4. The County may authorize a limited number of fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist these drives, but their participation is entirely voluntary.
5. The following restrictions apply when employees engage in permitted solicitation or distribution of literature for any group or organization, including charitable organizations:
 - a. The sale of merchandise or services is prohibited on County premises.
 - b. Soliciting and distributing literature during the working time of either the employee making the solicitation or distribution, or the targeted employee is prohibited. The term “working time” does not include an employee’s authorized lunch or rest periods or other times when the employee is not required to be working.
 - c. Distribution of literature is prohibited in work areas at all times.
 - d. Distributing literature in a way that causes litter on County property is prohibited.
6. The County maintains various communications systems to communicate County related information to employees and to disseminate or post notices required by law. These communications systems (including bulletin boards, electronic mail, voice mail, telephone, facsimile machines, and personal computers) are for business use only and may not be used for employee solicitation or distribution of literature.

In particular, bulletin boards are for the posting of County related information and notices only, and only persons authorized by the Employer may place notices on or take down material from the bulletin board. The unauthorized use of the communications systems or the distribution or posting of notices, photographs, or other materials on any County property is prohibited.

7. Employees who violate the provisions of this Article are subject to discipline. All violations of this policy will be addressed on a case by case basis. Disciplinary measures will be determined by the severity of the violation, not the content of the solicitation or literature involved.

Appendix 1

REQUEST FOR LEAVE OF ABSENCE

Employee Name: _____ Date: _____

LEAVE REQUESTED: Sick ___ Vacation ___ Funeral ___ Jury ___ Military Leave ___
Military, Long Term ___ Personal Leave ___ Disability Leave ___
Disability Separation ___ Unpaid Leave ___ Compensatory Time ___

Signature of Appointing Authority or Designee

Date

Reason for Leave:

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

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

Total Hours: _____

REASON FOR REQUEST FOR SICK LEAVE (to be completed by employee upon return from absence):

1. _____ Medical, Dental, Optical Appointment
2. _____ Personal Illness: _____
(state exact nature of illness)
3. _____ Personal Injury: _____
(state exact nature or injury)

Where did injury occur? _____

When did injury occur? _____

Will this injury affect your ability to perform any of your required duties?

____ Yes ____ No

4. _____ Illness or injury in immediate family: _____

A. Briefly state why it was necessary for you to attend to this family member:

B. Did you take this family member to a medical practitioner or a hospital?

____ Yes ____ No

5. _____ Number of hours of sick leave requested: _____
(NOTE: Sick leave must be taken in units of whole hours.)

6. _____ On-the-Job Injury.

(Check this block if you desire to temporarily use sick leave benefits and plan to file for Workers' Compensation benefits at a later date. Your supervisor will instruct you on how to file for Workers' Compensation.)

7. _____ Death in the Family: _____
(state name and relationship to family member)

Date of Death: _____

Date of Funeral: _____

I do hereby certify the statements made hereon to be true and factual. I understand that payment for the sick leave requested may be withheld until all information I have stated on this application is verified, and I have complied with all rules and further regulations as stated on this application, and in the Personnel Policy Manual. Further I understand that falsification of this application may constitute fraud, may result in a refund b me to the County, and may be cause for discipline, including dismissal.

Signature of Employee

Date

ADMINISTRATIVE ACTION

_____ Number of accrued hours of requested leave

_____ Number of hours requested

_____ Balance of requested leave, if approved

_____ Recommended

_____ Not Recommended

Signature of Supervisor

Date

_____ Approved

_____ Disapproved

Signature of Appointing Authority

Date

APPENDIX 2

APPLICATION TO RECEIVE DONATED SICK LEAVE

Employee's Name: _____

Department: _____

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

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

Number of days: _____ Beginning: _____ Ending: _____

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

VERIFICATION BY ATTENDING MEDICAL DOCTOR

I certify that the above named individual has experienced a catastrophic illness and/or injury and the projected time missed is an accurate forecast of the time that is needed for the condition.

Doctor's name: _____

Doctor's Signature: _____ Date: _____

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

Witness's Signature _____ **Date** _____

Employee's Signature _____ **Date** _____

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

Name of Reviewer _____ **Signature** _____

Date _____

APPENDIX 3

APPLICATION TO DONATE SICK LEAVE

Donator's Name: _____ Employer: _____

Receiver's Name: _____ Employer: _____

I understand that the Receiver indicated must be contacted by his Appointing Authority to determine if the Receiver is eligible and willing to accept the leave. The Receiver will be required to complete an "Application to Receive Donated Sick Leave" prior to determination of eligibility.

Hours of Sick Leave to be donated: _____

(Must be in one (1) donor day increments Up to a maximum of eighty (80) hours equivalence).

I hereby certify that this request is made voluntarily. I was not coerced, intimidated, or financially induced into donating leave. By signing, I hereby relinquish all rights to the leave shown above and the benefits accrued to or attached to the same. I understand and agree that the donation of the leave is irrevocable and that no leave actually donated will be refunded to me. I certify that I will have twelve (12) weeks of sick leave after making this donation.

Total Hours Donated: _____

Witness's Signature _____ Date _____

Donator's Signature _____ Date _____

CERTIFICATION OF AUDITOR

The above individual is certified as eligible to donate the hours listed

Balance of Sick Leave after donation _____

Sick Leave Donation: **APPROVED** _____ **DENIED** _____

Signature of Appointing Authority _____ Date _____

Signature of Logan County Auditor _____ Date _____

APPENDIX 4

REQUEST FOR FAMILY AND MEDICAL LEAVE

EMPLOYEE: _____ DATE: _____

REASON FOR LEAVE REQUEST: (Check One)

- _____ Due to birth of child of employee;
- _____ Due to placement of child with the employee for adoption/foster care;
- _____ For the spouse, parent, or child of a member of the U.S. military service;
- _____ In order to care for: (name of person):

- _____ Other (describe):

State exact nature of health condition or circumstance for which leave is requested:

Beginning date/time of leave: _____

Ending Date/time of leave: _____

Total hours of leave requested: _____

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

Signature of Employee

=====

ADMINISTRATIVE ACTION:

_____ Order second opinion to certification, OR _____ Approved _____ Not Approved

Reason _____

Signature: _____

APPENDIX 5

GINA-FMLA Certification Disclosure

Logan County, Ohio

RE: Employee Name: _____

County Department: _____

Genetic Information Nondiscrimination Act (GINA) FMLA Certification Disclosure

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

Notice received by:

Signature of Health Care Provider

Date

APPENDIX 6

EMPLOYEE HANDBOOK AND PERSONNEL POLICIES ACKNOWLEDGEMENT

Receipt of Handbook (paper copy):

- I acknowledge receipt of this Handbook and understand and agree that I am responsible for knowing its contents and for keeping it updated. I also understand that this Handbook is County property that must be returned to the Appointing Authority when I separate from employment with the County.

Receipt of Handbook (internet access):

- I acknowledge receipt of this Handbook via Online access, which is available for download, printing, and viewing at [http://www.co.logan.oh.us/Human Resources/index.html](http://www.co.logan.oh.us/Human_Resources/index.html) and understand and agree that I am responsible for knowing its contents and any updated versions of this Handbook. I also understand that digital and printed copies of this Handbook are County property that must be returned to the Appointing Authority when I separate from employment with the County.

I further acknowledge and understand that this Handbook **does not create a contract of employment with the County for any purpose**. I agree and understand that any and all provisions of this manual may be modified or eliminated, without advance notice to me, at any time.

Issued To:
(Print Name)

Signature:

Date Received:

APPENDIX 7

SUBSTANCE ABUSE POLICY - REASONABLE SUSPICION RECORD

Name of Employee: _____

Observation: Date _____ Time (_____ a.m./p.m. to _____ a.m./p.m.)

Location of Observation: _____
 (Street Address) (City) (State)

Causes for Suspicion:

1. Presence of (describe what you saw):

(X)	(Type of Item)	(Describe)
	Drugs	
	Drug Paraphernalia	
	Alcohol	
	Other	

(X)	2. Unusual Appearance:	(X)	3. Unusual Behavior: (cont.)
	Disheveled		Paranoid or Depressed
	Dilated/Constricted Pupils		Euphoric
	Dry-mouth Symptoms		Disoriented
	Flushed		Sleepy
	Bloodshot Eyes		Argumentative
	Profuse Sweating		Crying
	Rummy Nose		Inexplicably Laughing
	Nose Sores		Other (describe)
	Puncture Marks		
	Inappropriate wearing of sunglasses		Comments:
	Tremors or Lack of Muscle Control		
	Odor of Alcohol		4. Unusual Motor Skills:
	Dull Eyes		Balance
	Other (describe)		Swaying
			Falling
	3. Unusual Behavior:		Staggering
	Speech		Other (describe)
	Confused		
	Incoherent		Comments:
	Slowed		
	Slurred		
	Whispering		5. Unusual Work Performance:
	Avoidance by Co-Employees		Absenteeism: (<i>unexcused, excessive, Patterned, bizarre excuses, frequent minor "illnesses"</i>)
	Unreasonable Resentments		
	Nervousness		Tardiness: (<i>excessive late report, long meal breaks, leaving work early, afternoon "illness"</i>)
	Irritability		
	Talkativeness		
	Using Illness as Alibi		
	Excessive use of mints, gums, candies, etc.		On-The-Job Absenteeism: (<i>away from work area, frequent use of restroom, long breaks, excessive personal telephone calls</i>)
	Lethargic or detached attitude		
	Confused		

(X)	5. Unusual Work Performance (cont.)	(X)	Lowered Efficiency: <i>(Missed deadlines, wasted supplies, complaints about performance, undependable, varying periods of productivity)</i>
	Forgetfulness: <i>(Difficulty in recalling or following instructions, increasing difficulty in performing complex tasks)</i>		
	Difficulty in Concentration: <i>(inattention to detail, work requires greater effort or time, bad decisions, poor judgment)</i>		
			Comments:

6. Describe any other relevant observed actions or behaviors:

7. Record employee statements if any are made:

This record made by: **(One signature is required, two if available.)**

Name

Name

Signature

Signature

APPENDIX 8

USE OF COUNTY VEHICLES - APPLICANT DRIVING HISTORY

To be included in the employment application for all prospective new employee especially those who may on occasion drive a county vehicle or any other vehicle on behalf of the county.

First, Middle & Last Name: _____

Address: _____

Ohio Driver License Number _____

Social Security Number _____

Date of Birth _____

(The above information is required by the State of Ohio to run a MVR)

Position Applied For _____

I understand that as a condition of employment I must have a current and valid Ohio Driver's License and an acceptable driving record that meets the standards of the County's auto liability insurer.
(initials _____)

I further understand that I must provide, with my application, proof of personal auto liability insurance that meets the requirements of the State of Ohio and existing county minimum requirements.
(initials _____)

I further understand that I must provide, with my application a copy of the Bureau of Motor Vehicles report showing my driving record for all states (other than Ohio) that I have resided in during the past thirty six (36) months period. (initials _____)

Questionnaire:

1. Can you do the requirements of the job, to include driving if necessary, with or without a reasonable accommodation? _____

2. If you answered yes to question no. 1, what is the accommodation you need, if any, to do the job?

During the previous forty-eight (48) months have you been involved in any of the following:

3. Had automobile insurance rejected, canceled, refused or been in a high-risk insurance program?

4. Been involved in any accidents either, at fault or not at fault? _____

5. Been arrested for any traffic related incidents? _____

6. Had any traffic violations or parking violations? _____

APPENDIX 9

**STATEMENT OF UNDERSTANDING: EMPLOYEE
SUSPENDED FROM DRIVING FOR THE COUNTY**

I understand that I have been suspended from driving on behalf of the County. Any driving that I do during the term of the suspension will not be in the scope of my employment with the County for any reason, even if a supervisor directs me to drive during the term of the suspension.

Although I understand that I may have consequences on the job for the actions that caused my license suspension, I understand that I cannot be disciplined for refusing to drive on behalf of the county during the term of my suspension.

Dated this _____ day of _____, _____.

WITNESS:

Employee

APPENDIX 10

Public Records Request Form

While not mandatory, if you fill out this form it will help us provide the public records you are requesting in a more timely fashion.

Name of Requestor:	
Street Address/Mailing Address:	City, State, Zip:
Phone Number(s):	Date Records Request Received:
With as much specificity as possible, please describe what records you want to review. PLEASE PRINT.	
<p>The Logan County Commissioners Office provides photocopies of public records at the rate of 5 cents per page. Other fees are noted in the Public Records Policy. All requests require advance payment. There is no charge to inspect records while in the Logan County Commissioners office. Please check your preference below. You will be contacted as soon as possible to complete your records request.</p> <p><input type="checkbox"/> I would like to inspect these records in the building when they are ready.</p> <p><input type="checkbox"/> I would like these records copied, and I will pick them up when they are ready.</p> <p><input type="checkbox"/> I would like these records copied and mailed to me at the address on this form.</p>	
Name of Employee Handling Request:	Date Request Was Completed:

Appendix 11

Public Records Request Response Form

Thank you for your recent public record request. The **Logan County Commissioners office** will respond in accordance to the applicable provisions of the Ohio Public Records Act.

On _____ you requested the following records/information:
(date)

The record/information requested:

Legal Authority Cited (if applicable)

<input type="checkbox"/> Is attached/ mailed/ emailed	
<input type="checkbox"/> Is not maintained by this office <i>(office will attempt to direct requestor to correct office).</i>	(list office)
<input type="checkbox"/> Is overly ambiguous <i>(despite efforts to clarify)</i>	ORC 149.43(B)(2)
<input type="checkbox"/> Does not exist and/or no obligation to create.	ORC 149.40
<input type="checkbox"/> Has been disposed pursuant to One-Time Records Disposal or pursuant to Retention Schedule.	RC-2
<input type="checkbox"/> Is not subject to release in its entirety.	(cite legal authority)
<input type="checkbox"/> Is subject to release, however the following redactions have been made to protect exempted information:	ORC 149.43(B)(1)-(3)

<u>Redaction:</u>	<u>Legal Authority Cited:</u>
_____	_____
_____	_____
_____	_____
_____	_____

Prepared by: _____ Date: _____

If applicable, Legal Review by: _____ Date: _____