

Personnel Policy Manual - Summit County Engineer - 2025 Update



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APPLICABILITY

It is the policy of the Summit County Engineer to implement fair and effective personnel policies and procedures. However, nothing in this handbook should be construed as creating an expressed or implied contract or promise concerning the policies and procedures which the Engineer has implemented or will implement in the future. Additional information regarding County of Summit personnel policy issues is available in Chapter 169 of the Codified Ordinances of the County of Summit (COCOS).

MANAGEMENT RIGHTS

The Engineer reserves the right to manage the operation, control the premises, direct the working forces and maintain the efficiency of operations, subject to limitations of Federal, State and Local laws and labor contracts.

ATTENDANCE

It is the policy of the Summit County Engineer that all employees report and remain at work as scheduled. Excessive tardiness and absenteeism is disruptive to both the workflow and citizens of Summit County. Attendance should be reasonably standardized throughout all of the County offices.

NOTIFICATION OF ABSENCE

Any employee unable to report to work who is not on a previously approved absence (i.e., birthday holiday, personal leave, vacation, sick leave, or leave of absence), shall report his/her absence by calling (330) 643-2860 at least thirty (30) minutes prior to the start of the employee's shift. Because no receptionist is on duty prior to 7:30 a.m., those employees who call off work for illness, personal leave; etc. prior to 7:30 a.m. must leave a message with the automated attendant. Your name and message will be recorded and the information conveyed to your supervisor. Any absence of more than three (3) consecutive days, which is not reported to the supervisor, will be considered a voluntary resignation, provided the absence is not covered under Family and Medical Leave (FMLA).

TARDINESS

There are occasions when an employee might report late for work. Therefore, we expect that all employees will assume personal responsibility for coming to work, and returning from break and lunch, on time. On the occasion that an employee is tardy, penalties shall be determined by the Engineer or designee. Any employee who is tardy more than three (3) times in a thirty (30) day period may be subject to disciplinary action up to and including termination from employment. Employees should notify their direct supervisors as soon as possible if they are going to be late.

CHRONIC ABSENTEEISM

Excessive absenteeism will be carefully reviewed. Abusive absences or abuse of use of sick leave will not be tolerated. The following are examples of sick leave abuse for which employees may be subject to discipline:

- Excessive and/or patterned use of sick leave.
- Failure to submit medical documentation when required
- Failure to follow report off procedures.
- Failure to submit leave forms or electronic requests in a timely manner.
- Three (3) or more unexcused full-day absences before or after a holiday, or on a Monday and/or Friday within a rolling three (3) month period.

SICK LEAVE

CREDITING SICK LEAVE

All full-time employees shall be entitled to, and credited with four and six-tenths (4.6) hours of sick leave for each bi-weekly pay period in active pay status. Active pay status includes an employee currently receiving compensation from the County of Summit for hours worked or approved leave which includes but is not limited to, vacation leave, sick leave, leave donation, personal leave, compensatory time, election judge leave, non-personal court leave, holiday and administrative leave. Sick leave shall be permitted to accumulate in an unlimited amount. Part-time employees shall be entitled to, and credited with, sick leave on a prorated basis for each pay period.

Previously Accumulated Sick Leave

Any previously accumulated sick leave of an employee who has been separated from employment in the public service shall be credited to that employee upon re-employment in the public service, provided that the re-employment occurs within ten (10) years following the date on which the employee was last terminated from public service.

Transfer from Public Agencies

An employee who transfers from one public agency to another shall be credited with the unused balance of his/her accumulated sick leave.

CHARGING SICK LEAVE

When sick leave is used, it shall be deducted from an employee's sick leave balance or charged on the basis of absence from scheduled work in increments of fifteen (15) minutes. Sick leave payment shall not exceed the normal scheduled workday or workweek earnings. If an employee is sick on the day before or the day after a holiday, the employee may be required to have a licensed health care provider's certification in order to be paid for the holiday. Employees shall only use sick time that has been accumulated through the end of the preceding pay period. Sick time requested that exceeds the total available through the preceding pay period can be charged against available vacation at the employees request and with the Engineer's or designee's approval. The use of accumulated sick time is not an entitlement. It is a benefit to be used only if needed. The Engineer may set more restrictive conditions upon the use of sick leave.

USES OF SICK LEAVE

Sick leave shall be granted to an employee only by approval of the Engineer or designee for the following reasons: Illness or injury of the employee, or a member of the employee's immediate family. In cases where the member of the immediate family is not living in the same household, the Engineer or designee may credit sick leave when he/she determines it justified, but such cases shall be carefully investigated. **Sick leave may be used in fifteen (15) minute increments.**

The definition of immediate family for Sick Leave is:

1. Spouse
2. Domestic Partner
3. Child (Step)
4. Father (Step)
5. Mother (Step)
6. Brother (Step)
7. Sister (Step)
8. Grandparent
9. Grandchild
10. A legal guardian or other person who stands in place of a parent.
11. An individual over whom an employee has a power of attorney.
12. Covered service member as defined under Family Medical Leave Act Military Leave.
13. A legal guardian or an individual over which an employee has a legal guardianship.

Medical, psychological, dental, optical examinations, or treatments of an employee or a member of an employee's immediate family. Verification shall be required from the licensed health care provider. If a member of an employee's immediate family is afflicted with a contagious disease and requires the care and attendance of the

employee, as certified by a licensed health care provider, or when through exposure to a contagious disease the presence of the employee at his/her job would jeopardize the health of other employees.

BEREAVEMENT LEAVE

Death of a member of an employee's immediate family. Sick leave usage for this purpose is limited up to five (5) days. **Sick leave may be used in fifteen (15) minute increments.**

The definition of immediate family for Bereavement is:

1. Spouse
2. Domestic Partner
3. Child (Step)
4. Father (Step)
5. Mother (Step)
6. Grandparent
7. Grandchild
8. Sister (Step/Half)
9. Brother (Step/Half)
10. Mother-in-law
11. Father-in-law
12. Sister-in-law
13. Brother-in-law
14. Daughter-in-law
15. Son-in-law
16. Aunt
17. Uncle
18. Niece
19. Nephew
20. Cousin
21. An individual over whom an employee has a power of attorney.
22. Covered service member as defined under Family Medical Leave Act Military Leave.
23. A legal guardian or an individual over which an employee has a legal guardianship.

Domestic Partner is defined as a personal relationship between two adults who share a residence, is in a sole relationship and intends to remain indefinitely, is not married to or legally separated from another person, shares responsibility for each other's common welfare, is at least 18 years of age and mentally competent and not related to each other to a degree of closeness that would prohibit marriage. Proof of guardianship, power of attorney, and/or military service must be provided to the employer when leave is requested.

PERSONAL TIME

Each calendar year, all employees may elect to use up to three (3) days of accumulated sick leave as personal leave to cover any short-term absence of a personal nature. Personal days must be scheduled and pre-approved by the employee's supervisor. Unused personal leave shall revert back to accumulated sick leave; cannot be converted to a cash payment; and, does not carry-over to the following calendar year. **Sick leave taken as personal time may be used in one (1) hour increments.**

NOTIFICATION OF EMPLOYER - REQUESTING SICK LEAVE

In addition to the requirements contained in "Notification of Absence", when an employee anticipates having to be absent from work, the immediate supervisor shall be notified no later than one half (1/2) hour before the scheduled starting time or, if circumstances dictate, as soon as possible, and state the reason for the absence. Failure to notify a supervisor may result in disciplinary action, or denial of sick leave. If an employee has a prolonged illness or other reason for extended sick leave such as death or illness of an employee's immediate family, the Engineer or the designee shall be made aware of this situation and the employee shall not be required to notify the immediate supervisor on a daily basis of such leave. If such notification is not made, the employee's absence may be deemed unauthorized, subject to discipline and/or disapproval of sick leave. If an employee fails to submit a licensed health care provider's certificate or written, signed statement verifying illness, or if an application for sick leave is denied and as a result the employee has been overpaid, such overpayment shall be deducted from that employee's next pay. The employee shall furnish a satisfactory written signed statement to the Engineer or the designee to justify the use of sick leave. If absence due to illness is three (3) consecutive working days or more, the employee shall be required to furnish a certificate from a licensed health care provider. During prolonged periods of illness, the employee, or his/her family, may be required to submit every pay period a written signed statement to justify payment of sick leave. At the conclusion of the illness the employee shall submit a certificate from a licensed health care provider stating the nature of the illness, the specific dates the employee was under his/her care, and a release to return to work and to perform the essential functions of the position. The Engineer or the designee may reasonably investigate to determine if an application for sick leave is legitimate. Requests may be denied or allowed depending on results of such investigation. An approved application for sick leave is required for all absences. A licensed health care provider's certification may be required for any illness but shall be mandatory for all absences of over three (3) consecutive days.

ABUSE OF SICK LEAVE

Any employee failing to comply with sick leave rules and regulations will not be entitled to sick leave pay. Application for sick leave with intent to defraud may result in a refund of salary or wages paid and termination.

EXPIRATION OF SICK LEAVE

If an employee's illness or disability continues past the time covered by earned sick leave, upon request of the employee and the approval of the Engineer or his designee, the employee may be granted a Leave Without Pay as outlined later in this policy.

SICK LEAVE CONVERSION

Employees with ten (10) or more years of service with the County, State or any of its political subdivisions at the time of retirement from active service with the County shall be paid for one-half (1/2) of the value of their accrued but unused sick leave credit; however, the maximum of such payment shall not exceed ninety (90) days, seven-hundred twenty (720) hours. This payment shall eliminate all remaining sick leave credit accrued by the employee. To qualify for such payment, employees shall have had, prior to the date of retirement, ten (10) or more years of service with the County, the State, or any of its political subdivisions and meet all retirement criteria as established by the Public Employees Retirement System of the State of Ohio. Part-time service with the state or any political subdivision of the state is to be included in calculating the minimum ten (10) years necessary for a county employee to receive a cash payment for sick leave at the time of retirement. Such payment shall be based on the employee's rate of pay at the time of retirement and shall eliminate all sick leave credit accrued by the employee. Employees who die shall be considered to have terminated their employment as of the date of their death and be eligible for sick leave payment for which they would otherwise have qualified. Payment shall be made to the employee's estate.

NOTE: Sick leave conversion does not apply to any termination or separation other than retirement or death.

SICK LEAVE USAGE BY PART-TIME EMPLOYEES

Those part-time employees, who are scheduled to work on specific days of the week and who request sick leave, shall be granted sick leave equal to the number of hours he/she would have normally worked.

REASONABLE ACCOMODATION

If the employee qualifies for a disability under the Americans with Disabilities Act, (ADA) the employee needs to submit a request that accompanies a licensed healthcare provider's statement clearly defining any physical, psychological, or emotional limitations and suggestions as to what accommodations are requested and for how long.

LEAVE DONATION PROGRAM

The purpose of the leave donation program is to allow Summit County Employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to an extraordinary or severe illness or injury

of the employee or the employee's spouse, child or parent. Summit County employees paid by warrant of the Fiscal Officer, except employees of judicial offices, General Health District, Board of Elections, Alcohol, Drug Addiction & Mental Health Services Board, Board of Mental Retardation & Developmental Disabilities, Children Services Board, Metro Parks Serving Summit County, Port Authority, or Veteran Services Commission, may donate accumulated sick leave to another employee who is also paid by warrant of the Fiscal Officer and (1) may donate accumulated sick leave pursuant to this Section, (2) who is otherwise eligible to accrue and use sick leave, and (3) is eligible to receive donated leave.

ELIGIBILITY TO RECEIVE SICK LEAVE DONATION

An employee may receive donated leave upon submission of a written request, supported by proper documentation, to the Executive Director of the Human Resource Commission, or depending on the circumstances, from an immediate family member or other person acceptable to the Executive Director. Following receipt of the request of leave donation by the Executive Director, an employee may receive donated sick leave up to the number of hours the employee is scheduled to work each pay period if the employee who is to receive the donated leave meets all of the following conditions:

- The employee has a critical need for the donated leave due to an extraordinary or severe illness, injury or impairment of the employee, the employee's spouse, child or parent, and such extraordinary or severe illness or injury is demonstrated with documentation certified by a medical doctor;
- The employee has no accrued paid leave;
- The employee has applied for and exhausted any other paid leave, Worker's Compensation or benefits program for which the employee is eligible; and
- The employee is not paid from a restricted fund, where legal restrictions would prevent an employee from receiving donated leave pursuant to the Leave Donation Program.

For the purpose of the Leave Donation Program, the following conditions/situations qualify as an extraordinary or severe illness or injury:

- In-patient care in a hospital, hospice or residential medical care facility for 10 or more days or;
- In-patient care in a hospital, hospice or residential medical care facility for a prolonged recovery period, or;
- Multiple traumatic injuries with a prolonged recovery period, or;
- In-patient care in hospice, or;
- Out-patient surgery with a prolonged recovery period, or;
- Ongoing out-patient care for a life threatening condition such as cancer.

For the purpose of this section, a prolonged recovery period means that it is medically necessary for the employee to be off work for a period of at least ten (10) working days.

Other use of leave

Donated leave may be used for funeral leave due to the death of an employee's spouse, domestic partner, child or parent. Such leave is limited to a total of five (5) days, and the employee must meet all other eligibility requirements.

ELIGIBILITY TO DONATE LEAVE

An employee may donate sick leave if the donating employee meets all of the following conditions:

- The employee voluntarily elects to donate sick leave and does so with the understanding that donated leave will not be returned;
- The employee donates a minimum number of eight (8) hours of sick leave; and
- The employee retains a sick leave balance of at least eighty (80) hours.

STATUS OF EMPLOYEES ON DONATED LEAVE

Employees using donated sick leave shall be considered in active pay status and shall accrue leave and shall be entitled to all benefits that they are normally entitled to receive. An employee must use all accrued sick leave and donated sick leave before additional donated sick leave may be received. Donated sick leave time shall not be counted toward the probationary period of an employee receiving the donated leave during their probationary period. Donated sick leave shall not be converted to cash as provided in Section 169.22(b) (10).

COLLECTIVE BARGAINING AGREEMENTS

Members of a bargaining unit may donate or receive accumulated sick leave pursuant to this Leave Donation Program unless a collective bargaining agreement takes precedence.

TRANSFER OF LEAVE

The donated leave shall transfer in hours and shall not necessitate any transfer of funds. The hours shall be transferred on an hour-for-hour basis without regard for differences in hourly rate of pay. The donated leave shall be paid by the receiving employee's department at the employee's base rate of pay.

Maximum amount of leave an employee may donate or receive through the Leave Donation Program:

- An employee may donate no more than twenty-five percent (25%) of his or her accumulated leave in each calendar year.
- An employee, who otherwise qualifies to receive donated leave pursuant to this Section, may receive no more than two thousand eighty (2080) hours of donated leave except upon the approval of the Engineer.

The Human Resource Commission is directed to adopt policies and procedures to fully implement the purpose of the Leave Donation Program.

VACATION LEAVE

ELIGIBILITY AND ACCUMULATION

Each full-time County employee will accrue vacation leave based upon the bi-weekly pay period and the number of hours worked in the active pay status, up to the completion of a maximum of eighty (80) hours of service. Bi-weekly paycheck stubs reflect vacation accumulation for those employees attaining one hundred and eighty (180) days of Ohio public service and who are eligible to begin accumulating vacation credits. Any questions must be submitted in writing to the Engineer or his designee or designee with specific information accompanied by supporting documentation. One hundred and eighty (180) days of service is computed on the basis of twenty-six (26) bi-weekly pay periods. Vacation leave is generally to be taken within the six (6) months following the employee's anniversary date. Vacation may be used as it is accrued after one hundred and eighty (180) days of full time public service employment. An employee with approved and accepted prior service with the County of Summit, or a political subdivision of the State of Ohio, shall be entitled to use accrued vacation leave immediately upon full-time employment with the County of Summit.

REQUEST AND APPROVAL

A request for vacation leave must be completed and submitted as far in advance of the starting date of the vacation as possible. The Engineer may require a minimum amount of notice in advance of the start of the pre-scheduled vacation. Every effort will be made to grant a vacation request to the employee for the period of time requested. Vacation leave is to be taken at a time mutually agreed upon by the employee and supervisor. Staffing needs must be considered as they relate to a service function. Vacation requests will not be denied unless management determines that such time off would present a hardship for the department and other employees. It may be necessary to require certain classifications or a number of employees to be available during specific times of the year. Those individuals affected will be notified in advance of the scheduling process that specific periods will not be available for them to take vacation. If an employee, while on vacation, contracts an illness or injury or experiences a death in the immediate family which would warrant paid sick leave had the employee been at work, such employee, upon showing of proper evidence and with the approval of the immediate supervisor, shall be allowed to charge such absence to sick leave rather than vacation time off. Emergency vacation may be requested by an employee when there exists a valid reason based on immediate need. A supervisor or administrator may approve or deny emergency vacation. Denial of request for emergency vacation will take place when approval would represent a hardship on the department, another employee, or when the employee making the request has not made prior application and/or discussed the request with the immediate supervisor or director/administrator, in the absence of the supervisor. Failure to provide adequate reason and the frequency of using emergency vacation will also be grounds for denial. Vacation time shall be taken in hour

increments. No payments will be made in lieu of taking vacation except for accrued, unused vacation at time of termination.

PRIOR SERVICE CREDIT

Prior service with the County or any political subdivision of the State shall be used in determining service credit for purposes of vacation accumulation. However, no prior service credit shall be given to an employee who has retired in accordance with the provisions of any retirement plan offered by the State of Ohio for the purpose of computing vacation leave. After the effective date of this provision, should a part-time employee become full-time under County service, prior service credit shall be given for all hours worked in part-time status. Employment with any of the following shall be counted as qualifying service:

- State departments, bureaus, boards, and commissions
- State supported universities, community colleges, and technical institutions
- Boards of county commissioners or other county officer's departments, including county homes, county hospitals, and county departments of human service
- Counties, cities, villages, and townships
- School districts
- Health districts
- Public libraries
- Special purpose districts established pursuant to the law. Example: Housing, transportation, port and airport authorities
- Retirement systems, Bridge Commissions, Ohio Turnpike Commission, and the Ohio Historical Society
- Ohio National Guard

Any employee claiming prior service from the departments or agencies listed above must obtain from that agency or department a signed, written document verifying exact dates of service and stating if the services were part-time, full-time, seasonal, intermittent, or as an elected official. An employee must make application for such service credit by providing all the documentation to the Engineer or the designee.

VACATION ACCUMULATION

Years of Service	Accumulation Per Pay	Annual Credit	Maximum Accumulation
After 180 Days	3.10 Hours	80 Hours (2 Weeks)	240.00 Hours (6 Weeks)
After 5	4.60 Hours	120 Hours (3 Weeks)	360.00 Hours (9 Weeks)
After 10	6.20 Hours	160 Hours (4 Weeks)	480.00 Hours (12 Weeks)
After 15	7.70 Hours	200 Hours (5 Weeks)	600.00 Hours (15 Weeks)

NOTE: Upon separation from County Service, the employee will only receive payment for no more than that which was accrued but unused within the three (3) years immediately preceding the last anniversary date.

Maximum Accumulation

Vacation leave should be used during the year in which it is accrued. However, employees may carry over accrued vacation leave into the next year subject to the following.

- The maximum amount of leave an employee may accumulate is three (3) times an employee's annual accrual rate as set forth in the Vacation Accumulation section of this policy.
- Employees forfeit their right to take or to be paid upon separation, for any vacation leave which is greater than the amount permitted above.

Payment of Vacation Accumulation Upon Separation

Upon separation from County service, an employee will receive compensation for any unused vacation leave at the employee's current rate of pay, up to the maximum accumulation allowable. An employee in active pay status with one (1) or more years of full-time service is entitled to vacation payment for accumulated hours upon separation, even though the service has been interrupted by leave of absence or separation. No payment will be made to employees who have less than one (1) year of total service. Vacation payment is not made when an employee is granted a leave of absence for the purpose of entering active military service, when an individual leaves employment with one employing authority's jurisdiction of the County to become employed immediately or at a future date by another Appointing Authority or when there has been an interval between employment such as a leave of absence without pay, a retirement period, layoff, or other period of non-paid time. Upon separation, an employee is entitled to payment by the releasing Appointing Authority for vacation leave accumulated but unused during the period of employment with that Appointing Authority. The releasing Appointing Authority is required to make payment for accumulated, unused vacation leave at the employee's rate of pay immediately prior to the separation. No accumulated vacation credit will be accepted from the previous Appointing Authority of the County, affiliated agencies of the County, other State counties, or political subdivisions of the State or State agencies, unless there is an agreement in acceptance of such credit between the previous employer and the Engineer.

HOLIDAY LEAVE

ELIGIBILITY

To be entitled to holiday leave pay, a full-time employee must be on active pay status during the week in which the holiday falls. If an employee is sick on the day before or the day after a holiday, the employee will be required to have a doctor's certification. The Engineer or the designee may waive this requirement for good cause.

Employees may be entitled to eight (8) hours of holiday pay for the holidays listed in the Holiday section of this policy. There also may be additional requirements for the granting of holiday leave. Part-time employees' are entitled to holiday pay for that portion of any holiday for which they would have normally been scheduled to work on the day of the holiday. As a general rule when the holiday falls on a Saturday, the preceding Friday shall be observed as the holiday. When the holiday falls on a Sunday, the following Monday shall be observed as the holiday.

BIRTHDAY

All full-time, regular, non-bargaining unit employees who have completed one year of service with the County shall be entitled to one full day of paid time off in recognition of his/her birthday. Eligible employees must take the time off no more than ten (10) calendar days of that year, prior to the employee's birthday, and within the remainder of the calendar year, or it will be added to the employee's vacation accumulation. Those employees who have had full-time service in excess of one year with another public agency in Ohio prior to their employment with the Engineer's office will be entitled to take their Birthday Holiday during the first year of employment with the Engineer's Office.

HOLIDAYS

1. New Year's Day
2. Martin Luther King Jr. Day
3. President's Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Juneteenth
8. Columbus Day
9. Veteran's Day
10. Thanksgiving Day
11. Day after Thanksgiving Day
12. Christmas Eve Day
13. Christmas Day
14. Birthday recognized within 10 days prior to birthday or any day after birthday

NOTE: All holidays except employee birthdays are recognized on the day set annually by County Council.

Religious or Ethnic Holidays

Religious or ethnic holidays taken that are not specified in the Holidays section of this policy must be deducted from other accrued leave time approved by the Engineer or the designee.

FAMILY MEDICAL LEAVE OF ABSENCE

ELIGIBILITY

In order to be eligible for Family Medical Leave, an employee must:

- Have been employed with the County for at least twelve (12) months
- Have worked at least one thousand two hundred fifty (1,250) hours over the previous twelve (12) months immediately preceding the date when the requested leave would begin.
- Submit the request to the Engineer or the designee at least 30 days prior to the requested time off.
- Submit the necessary and completed forms from the appropriate health care provider or social service or adoption agency verifying the need for leave.

NOTE: Fraudently obtaining or using FMLA leave is prohibited. Any employee found to be in violation of this section shall be subject to discipline up to and including termination.

Calculation of the Twelve Weeks

An eligible employee is entitled to twelve (12) weeks of Family Medical Leave within a twelve (12) month period beginning on the first date Family Medical Leave is taken. The twelve (12) month period is counted from the date upon which the leave first begins. The next twelve (12) month period would begin the first time Family Medical Leave is taken after the completion of any previous twelve (12) month period.

Example:

Scenario: An employee requests 2 days off per week to take a child to medical treatment. The treatment is expected to last 5 weeks for a total of 10 days (or two weeks) of FMLA.

Actions:

- HR pulls the employee's records and discovers the employee used 7 weeks of FMLA over the last 11 months for the child's treatment and the employee took 2 weeks for a personal injury with an additional 1.5 weeks taken intermittently for follow-up physical therapy.
- HR adds the FMLA events that have occurred in the last 12 months. The FMLA time taken in the last 12 months totals 10.5 weeks.
- HR subtracts 10.5 weeks from the employee's 12-week allotment. The employee has 1.5 weeks (or 7.5 days) of FMLA left in this 12-month period.
- HR determines that the request to use intermittent FMLA leave will extend past the 12-month anniversary of the employee's previous leave, thereby rolling 7 weeks of leave taken previously off of the 12-month look-

back calendar one day at a time, giving the employee the available 10 days of FMLA time needed for this leave request.

REASONS FOR LEAVE

Eligible employees are entitled to Family Medical Leave for the following reasons:

- Birth of the employee's child and care for the infant (also see Paid Parental Leave).
- Placement of a child with the employee for adoption or foster care.
- Leave taken for the birth or placement of a child must be taken within twelve (12) months of the birth or placement.
- Leave may be taken intermittently after birth or placement for adoption or foster care, only upon approval of the Appointing Authority. If so approved, the schedule for intermittent leave must also be approved by Appointing Authority.
- To care for a spouse, child, or parent with a serious health condition;
- A serious health condition, which makes the employee unable to perform the functions of his or her job.
- A qualifying exigency related to an employee's spouse, child or parent's call to active duty as a service member in the Armed Forces.
- To care for a covered service member with a serious injury or illness incurred in the line of duty (up to 26 weeks).

HEALTH CARE BENEFITS

Employees granted Family Medical Leave shall continue to receive group health insurance coverage for the duration of the leave as long as the employee continues to make the employee's contribution to the plan. Any employee who fails to return to work, for reasons other than a continued serious health condition shall be required to reimburse the County for the employee and employer's portion of the insurance premiums paid during the leave period. Reinstatement Upon return from Family Medical Leave, the employee shall be returned to the employee's original or equivalent job with equivalent status, pay and benefits.

USE OF PAID TIME OFF

Family Medical Leave shall run concurrently with any sick leave. If an employee has accrued leave, that time shall be counted as part of the twelve (12) weeks of Family Medical Leave. Employees are required to use all accumulated leave while on Family Medical Leave. Employees on FMLA leave are required to use paid leave in the following order: mandatory furlough, sick leave, compensatory leave, birthday leave, vacation, voluntary furlough.

SPOUSES EMPLOYED BY THE COUNTY

Spouses employed by the County who are eligible for Family Medical Leave are entitled only to a combined total of their FMLA for childbirth, adoption, foster placement, to care for a parent with a serious health condition or to care for a covered service member.

WORKERS' COMPENSATION LEAVE

FMLA shall run concurrently with workers' compensation leave unless an employees' collective bargaining agreement specifically states otherwise. Administration of FMLA Leave FMLA leave shall be administered by the Human Resource Commission ("HRC") in accordance with the procedure adopted by the HRC.

PAID PARENTAL LEAVE

Paid Parental Leave is intended to provide an opportunity for County Engineer employees to take up to a maximum of six (6) calendar weeks of continuous paid leave to provide necessary parental care immediately following the birth or adoption of a minor child. Paid Parental Leave shall run concurrently with Family Medical Leave.

Paid Parental Leave approved by the Engineer is subject to all provisions and limitations included in Chapter 169 of the County of Summit Codified Ordinances.

Eligibility

To be eligible for benefits under Paid Parental Leave, an employee shall, in addition to meeting any requirements for Family Medical Leave:

- Have been employed by the County of Summit for at least twelve (12) months;
- Have worked at least 1,250 hours over the previous twelve (12) month period immediately preceding the date when the requested leave would begin;
- Be the biological parent of a newly born child or legal guardian of a newly adopted child;
- Reside in the same residence as the newly born biological child or adopted child;
- Be required to provide documentation of the date of birth or adoption, as well as documentation of the parentage of adoption of the child;
- Submit a written request to the Engineer at least thirty (30) days prior to the requested time off for foreseeable leave or as much notice as is practicable under the circumstances for unforeseeable leave.

Any employee who provides false or misleading information to verify the requirements listed above shall be subject to discipline up to and including termination.

LEAVE OF ABSENCE

An employee may request a leave of absence from the Summit County Engineer or the designee. The request must be in writing, shall state reasons for taking the leave of absence, and the dates for which such leave is being requested. A leave request form is completed and submitted at least five work days in advance of the date on which the leave is requested to begin, except in emergency situations to be handled on an individual basis, to the Summit County Engineer or the designee.

LEAVES OF ABSENCE WITH PAY

Jury Duty or Court Leave

To qualify for jury duty leave, the employee must submit to the Summit County Engineer or the designee a copy of the summons to serve as soon as it is received and complete a leave request form. In addition, proof of service must be submitted when the period of jury duty is completed

Personal

When it is necessary for an employee to appear in court or attend a hearing that is of a personal nature during the employee's regular scheduled work hours, vacation or personal leave may be used. Such instances include, but are not limited to, criminal or civil cases, traffic court, divorce proceedings, custody, or appearing as directed as the parent or guardian of a juvenile.

Non-Personal

The Engineer shall grant court leave with full pay to an employee who:

- Is summoned for jury duty by a court of competent jurisdiction; or
- Is subpoenaed to appear before any court, commission, board, or other legally constituted body authorized by law to require the attendance of witnesses, where the employee is not party to the action.

Partial Day

An employee released from jury duty or subpoena prior to the end of the scheduled work day, shall report to work for the remaining hours, unless otherwise specified by the Engineer or the designee.

Compensation

Any compensation or reimbursement for jury duty or for court attendance compelled by subpoena, when such duty is performed during an employee's normal working hours, shall be turned over to the Summit County Engineer or the designee.

Military Leave

All employees who are members of the Ohio National Guard, defense corps, naval militia, or members of other components of the armed forces are entitled to military leave of absence without loss of pay, for the time that they are in the military service on field training or active duty for a period not to exceed twenty-two (22) eight-hour work days or one hundred seventy-six hours within one calendar year. The County of Summit may, by resolution, extend the leave without loss of pay.

Ohio National Guard Emergency Leave

Employees who are members of the Ohio National Guard shall be granted emergency military leave for mob, riot, flood, civil defense or similar duties to assist civil authorities when so ordered by the Governor of the State of Ohio. Such leave shall be without pay if it exceeds authorized military leave for the calendar year. The leave shall be granted for the official period of the emergency and so documented by the employee.

Request for Leave

The employee is required to submit to the Summit County Engineer or the designee an order or statement from the appropriate military commander as evidence of such duty before military leave with pay will be granted. This evidence must accompany the standard County leave request form.

Health Insurance

Employees will continue to be covered during an approved leave by the County of Summit's health insurance, if the employee was covered while employed, until such employee is eligible for military health insurance.

Personal Leave With Pay

Up to twenty-four (24) hours of accumulated sick leave may be used during each calendar year for personal reasons. **Sick leave taken as personal time may be used in one (1) hour increments.**

Election Judge Leave

An employee who is granted leave by their appointing authority to serve as a judge on the day of a primary or general election shall be entitled to leave with pay, which shall not be charged against the employee's accrued vacation or personal leave. An employee shall only be eligible if they have combined accrued vacation and sick leave of at least forty (40) hours.

LEAVES OF ABSENCE WITHOUT PAY

The length of time for a leave of absence without pay shall not exceed six (6) months. Such leave may not be renewed or extended beyond six months. An employee on unpaid leave does not earn service credit toward seniority while on unpaid leave, and does not earn vacation or sick leave credit while on unpaid leave. All leaves of absence without pay are subject to the approval of the Summit County Engineer, unless specified by the following:

Education Leave

Leave without pay may be granted for a maximum period of two (2) years for the purpose of education, training, or specialized experience that would be of benefit to the employee and the County of Summit by improved performance at any level; or for voluntary service in a government-sponsored program of public betterment.

Medical Leave Without Pay

If any disabling illness, injury, or condition continues beyond the employee's accumulated sick leave and/or twelve (12) weeks of family and medical leave, the employee may request a leave of absence without pay from the Summit County Engineer. The request must be accompanied by appropriate medical certification from a licensed health care provider, indicating the condition necessitating the leave request, and the projected date of return. A leave of absence shall be for the length of time certified by the licensed health care provider but not to exceed six (6) months. If the leave request is necessitated by an emergency, the employee or a member of the employee's immediate family must notify the Summit County Engineer or the designee as soon as it is practicable, followed by a written explanation of the nature of the leave and the expected length of the employee's absence. In such emergency situations, the written explanation must normally be submitted within three (3) days of the beginning of the leave. If the leave request is granted, the employee is required to provide the Summit County Engineer or the designee with additional licensed health care provider's statements at least once every thirty (30) days, or more frequently if requested, attesting to the continued disability and inability to work. The employee may also be required to provide the Summit County Engineer or the designee access to his/her medical records or to submit to an examination at any time by a licensed health care provider designated by the Summit County Engineer at its discretion. The Summit County Engineer or the designee may require the employee to undergo a medical examination by a licensed health care provider selected by the Summit County Engineer or

the designee, at the Summit County Engineer's expense, prior to returning from a medical leave of absence of more than ten (10) consecutive working days. Before being permitted to return from a leave of absence for medical reasons, the employee is required to present the Summit County Engineer or the designee with the following:

- A written, signed, and dated statement indicating the specific return date, current address and telephone number of the employee, or address and telephone number where the employee can be contacted if other than his/her regular residence.
- A licensed health care provider's statement indicating the date (not estimated) the employee is released to return to working status that:
 1. the employee has recovered sufficiently to allow performance of essential job functions without any restrictions or limitations; or,
 2. there are restrictions clearly stated including what they would be and how they would interfere with the employee's duties. This statement must be submitted prior to the employee's return so it can be determined by the Summit County Engineer if an accommodation is possible.

Military Leave Without Pay

Military Leave to Enter Active Duty

All full time employees, as defined in Section 169.05(a)(1), who have held a position for at least (90) days shall be granted a military leave of absence without pay to be inducted or otherwise enter military duty and shall be considered as a separation from County Service with reinstatement rights.

Reinstatement

The terms and condition of reinstatement are governed by the Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4333, 5 U.S.C. 8432, as amended, and any other applicable Federal and State of Ohio law, as amended. The reinstatement procedure is as follows:

- The employee makes application to the Summit County Engineer or the designee within a period of ninety (90) days after receipt of an honorable discharge certificate of service or other evidence showing completion of military service.
- The employee supplies the Summit County Engineer or the designee, at the time of application, with a photocopy of the discharge, certificate, or other document used as evidence of satisfactory completion of service.

The provision of this section shall not apply to an employee who re-enlists while on active duty or to a commissioned officer who voluntarily enters on extended active duty beyond that required on accepting a

commission. Upon re-enlistment or commencement of voluntary extended duty, the employee will not be eligible for reinstatement.

EXAMINATION LEAVE WITH/WITHOUT PAY

The employee may request no more than eight (8) hours of leave with pay in a calendar year when it is necessary for an employee to take an examination for the purpose of obtaining a professional license or certificate that is required of the employee as a condition of employment. Subsequent requests to take examinations may be granted, but such time will require the employee to elect either vacation or leave without pay. Leave of absence without pay for the purpose of taking an examination will be limited to no more than two (2) days in a calendar year.

DISABILITY SEPARATION

The employee may request a voluntary disability separation when the disability is expected to continue more than six (6) months. A licensed health care provider's statement must be submitted at the time of the request, defining the nature of their disability, and the approximate length of incapacitation. An employee has three (3) years of reinstatement rights following the date the employee was first placed on the unpaid leave.

REINSTATEMENT

An employee authorized to return from a leave of absence will be scheduled to work and must return on the first scheduled workday of the week or the day after a holiday if the holiday is observed on a Monday. Generally, returns will not be permitted in midweek. An employee who reports back to work before or on a day after the date originally scheduled to return, or has not provided the necessary supportive documentation for the leave and/or return, will be sent home and will not be paid for that time. An employee must apply for and receive authorization to return to work before the Summit County Engineer or the designee will permit the employee to start work. An employee who fails to apply for reinstatement from a leave of absence or is not found to be fit for reinstatement after proper application and examination shall be ineligible for reinstatement and shall be deemed as permanently separated from service as of the date the leave of absence without pay began.

BENEFIT INFORMATION WHILE ON LEAVE WITHOUT PAY

If the nature of an illness or injury caused the employee to be placed on a leave of absence and the employee is removed from active pay status as a result of the illness or injury (excluding injury on the job), health medical benefits for the employee's illness or injury will be covered up to the limitations of the County group health policy. Employees and their dependents are given the opportunity to continue group health benefits for up to eighteen (18) months, but application must be made within sixty (60) days from the last day of employment or the date of the notification letter. The employee will be notified of eligibility for continued coverage under COBRA. This gives the employee and eligible dependents the opportunity to continue the same health care benefits that they previously received. To continue coverage, the employee or dependents will be responsible for 100% of the

premium cost. The premium is subject to change if the rates charged by the County increase or decrease. Life insurance may be covered under COBRA. COBRA coverage may end, however, if any of the following events occur before the maximum period is reached:

- Failure to make timely payments of all premiums;
- Assumption of coverage under another group health plan which does not exclude or limit coverage provided to the employee on account of a pre-existing medical condition;
- The termination of group health plans by the County.

If the election for continuing coverage under COBRA is made, the employee has the right to convert this coverage to an individual policy for hospitalization, surgical, major medical, and life only, with the same insurance carriers at the end of the continuation period. It is extremely important that each employee requesting a leave of absence to contact the Department of Insurance and Risk Management to inquire into the benefits they will receive or be eligible to convert as a result of such leave.

PERIODS OF UNAUTHORIZED ABSENCE

Periods of absence from County service not covered by authorized leaves as stated in this policy, sick leave or vacation policies, shall be considered UNAUTHORIZED LEAVE WITHOUT PAY and will be indicated on an employee's record. Examples of unauthorized leave without pay include the following:

- Docked time for tardiness and leaving work early;
- Periods of unapproved sick leave;
- Failure to return at the end of an authorized leave of absence.

Employees absent from duty, without authorization, will be considered AWOL (Absence without Official Leave) and will be subject to discipline, up to and including removal from employment.

CLASSIFICATION ASSIGNMENT/RATE OF PAY

All positions in the classified service, whether full-time, part-time, temporary, or regular are assigned to a specific classification title with the category and pay grade assigned to that classification under the Standard Classification/Compensation Plan program established by the County of Summit Council for the employing authority.

- Full time employee means an employee who works thirty-five (35) to forty (40) hours per week or averages 70-80 hours per pay period on a regularly scheduled basis.

- Part-time employee means an employee who works less than thirty-five (35) hours per week or averages less than seventy (70) hours per pay period.
- Temporary employee means an employee who works for a period not to exceed six (6) months within a one (1) year period.
- Regular employee means an employee who is not temporary.

Specific administration policies and procedures supplement the Classification/Compensation Plan in Chapter 169 of the Summit County Codified Ordinances. Part-time and temporary employees are paid an hourly rate of pay. The compensation paid the employee is their hourly rate of pay times the number of hours actually worked in the established pay period.

PAY PERIOD

There are normally twenty-six (26) pay periods per year. The standard bi-weekly payroll period for employees extends from Monday through the second Sunday. Direct deposit of payroll is normally distributed every other Friday. Pay advances are not allowed.

APPOINTMENTS

All newly appointed employees shall receive the minimum rate of pay for the type of appointment and for the classification of the position. Exceptions may be made for new employees who possess outstanding qualifications and/or experience. In no event shall a new appointment be placed in a salary that exceeds the midpoint in the pay grade for the classification, unless County Council approves a higher placement. When market conditions, recruitment difficulties and/or salary surveys indicate the need for a higher than minimum appointment salary for a given classification, this information should be given to the Human Resource Department so appropriate action can be taken. Should a county employee change employment from one Appointing Authority to another within the County of Summit, the new Authority may consider a higher placement above the midpoint of the classification's category and grade to which appointed, provided the employee's previous salary is at or exceeds the midpoint of the new classification.

PAY INCREASES

GENERAL WAGE INCREASE

Periodically, the financial health of the County permits a percentage/dollar amount be added to the prevailing salary tables used for the classification plan. Subject to the approval of County Council, the specific rate is added on to the minimum, midpoint and maximum of each category and grade of the plan. Each employee will receive, at the designated time as prescribed by County Council, the percentage/dollar increase to their current salary. In

some instances, both a percentage/dollar increase, plus the granting of merit increases may be approved by County Council. County Council may determine a specific dollar amount to be granted for employees who have reached the maximum of their category and grade.

PROBATIONARY INCREASES

An employer shall be permitted to grant a new hired employee an increase of up to five percent (5%) upon the employee's successful completion of his/her initial probationary period. However, such increase may not cause the employee's rate of pay to exceed the midpoint of his/her pay grade. Probationary increases are not available for employees who are hired at a rate of pay at or beyond the midpoint of his/her classification grade. There shall be no increases following promotion or reassignment.

MERIT INCREASES

No within-grade increases may be granted, except as determined by County Council. Newly appointed employees must complete one year within their classification before they are eligible for an approved merit increase.

CHANGES IN CLASSIFICATION

PROMOTIONS

A promotion is the act of placing an employee in a classification, which requires greater skills, knowledge, and abilities to perform more complex and responsible work than the employee was required to perform in his/her previous position. When an employee is promoted, he/she will be advanced to whichever is the greater of the following:

1. the minimum rate for his/her new classification, or
2. a rate of pay which is seven percent (7%) greater than his/her current rate of pay, provided that the said increase does not exceed the maximum rate of pay established for the classification.

If the employee fails to successfully complete their probationary period, the employee shall be returned to the former classification, base rate of pay, category and grade, in which the employee was originally assigned.

TRANSFERS

Employees transferring from one classification to another within the same pay category and grade will retain their current rate of pay. Employees transferring in the same classification from one Appointing Authority's jurisdiction to another Appointing Authorities jurisdiction and in the same classification, will retain their current category, grade and pay. A lateral movement is when an employee is assigned to a position, which is in a different

classification than his/her former position, but the classification is assigned to the same category, pay grade, and schedule. An employee's rate of pay will not be affected by such change.

RECLASSIFICATION

Reclassification of an employee's classification and/or the classification pay category and grade may take place as a result of various approved administrative salary procedures e.g., audits, re-organization of positions, etc. Employees serving in a classification that is being reclassified upward in category and/or grade, will be assigned to that classification and be paid their current rate or the minimum of the new grade, whichever is higher. Employees in a classification who are being reassigned downward shall continue at their present rate of pay during the pay period of their incumbency except in the event the employee is displaced. Further pay adjustments shall not result in an employee's pay exceeding the maximum of the new classification pay category and grade. When approved by County Council, subsequent advancement within a new pay grade will take place only after an employee has served in the grade for twenty-six (26) pay periods.

DEMOTIONS

When an employee is reassigned to a lower classification, or is reclassified to a lower classification, or demoted other than as a result of disciplinary action or probationary reduction, or voluntarily accepts a reduction, the employee shall be placed at a rate in the new pay grade which does not exceed his/her prior rate of pay. If the employee is reduced during the probationary period, he/she shall be returned to his/her former pay grade and placed at the rate the employee would have been in if he/she had not accepted the promotion. If the employee is reduced for disciplinary reasons, the Appointing Authority shall assign the appropriate rate of pay. Any employee, who by choice accepts a classification with a pay grade lower than the individual's current classification, shall be placed in the pay grade and base rate of the new classification that produces the smallest decrease in pay. In any case, the employee's pay shall not exceed the end of the grade for the new classification.

TEMPORARY ASSIGNMENTS

A temporary assignment is the act of assigning an employee to a job classification, different than his/her own for a temporary period of time. Such assignments normally occur because of illness, emergencies, or other special circumstances. An employee temporarily assigned to a classification with a lower rate of pay will not be reduced in pay. An employee temporarily assigned to a classification with a higher rate of pay should be advanced to whichever is the greater of the following:

- The minimum rate for the classification to which he/she has been temporarily assigned.
- A rate of pay which is at least seven percent (7%) greater than his/her current rate of pay.

However, no temporary increase will exceed the maximum rate of pay established for a classification.

WORK PERIODS

STANDARD WORK DAY

The standard county workday consists of eight (8) hours of work. A workday may be divided into shifts, depending on the operational needs of the Engineer or his designee. Exceptions to the standard eight (8) hour workday may vary due to the operational needs or services, and/or employee accommodation (e.g. flextime, part time, etc.). Since these work day arrangements are permitted solely at the discretion of the Engineer or his designee, a flexible work day or other working arrangement can be modified or terminated by the same authority.

STANDARD WORK WEEK

The standard County work week consists of all scheduled and non scheduled working hours in a work period of seven (7) days, consisting of one-hundred and sixty-eight (168) hours. Generally, the Engineer work week and work period consists of eight (8) hours of work each day, Monday through Friday for a total of forty (40) hours. The Engineer or his designee may establish different work periods for a workweek, starting on a day other than Monday, and consisting of five (5) consecutive eight (8) hour days of work. Exceptions to the standard five (5) days, eight (8) hours of work per day, forty (40) hours of work per week covering employees of a health facility, law enforcement officers, are available under the specific guidelines of the Federal Fair Labor Standards Act (FLSA) governing non-exempt, classified employees.

REINSTATEMENT

FROM RESIGNATION

Reinstatement after resignation may occur within a period of thirty (30) days from the effective date of resignation provided the position of the classification from which the employee has resigned, has not been filled and upon approval of the Engineer or his designee. Reinstatement after thirty (30) days since a resignation will constitute a new hire and the employee will satisfy a new probationary period. Resignation during a probationary period forfeits all reinstatement rights.

FROM SEPARATION

Employees returning to active service within one year following the original date of separation, and within the same classification held before layoff or a leave of absence, may be reinstated at the pay category and grade and rate of pay held prior to the date of separation. An employee laid off or displaced while serving a probationary period, shall begin a new probationary period upon reinstatement, and compensated at the pay category grade and rate of pay received prior to the date of the separation.

OVERTIME

The Fair Labor Standards Act (FLSA) was enacted in 1938 and regulates the wages and hours of most U.S. Employees. The FLSA establishes that certain Employees (those that are not exempt from FLSA) shall be entitled to mandatory overtime compensation at one and one-half (1.5) times their regular rate of pay for time actually worked in excess of forty (40) hours per week. Employees exempt from FLSA provisions shall be compensated or not for hours worked in excess of forty (40) hours in a workweek at the discretion of the Engineer or his designee. For exempt employees, the consideration of overtime compensation is a benefit and not a job right.

For purposes of this Policy, Holidays, paid Sick Leave, Vacation Leave, and other approved paid leave time shall not be considered as time worked. For non-exempt Employees, time spent traveling out of the County where overnight stay is not required during the workday shall be considered time worked for the purpose of calculating overtime; time spent overnight on official County business shall not be considered as time worked for the purpose of calculating overtime. Whenever an Employee is required to work overtime in a week where there is a Holiday, or he/she has taken Sick Leave, Vacation Leave, or other paid leave time, the Employee shall not be eligible for overtime pay until he/she has actually worked forty (40) hours in that week.

For those Employees whose work schedule is less than forty (40) hours per week, they shall be compensated at straight time rates until forty (40) hours have been reached. Beyond forty (40) hours, the Employee shall be entitled to overtime pay based on FLSA status and by policy of the Summit County Engineer.

It is the policy of the Summit County Engineer that overtime will be distributed as equitably as possible among Employees based on qualifications of those Employees who normally perform such work and as determined necessary by the Summit County Engineer. The Summit County Engineer may designate Employees that are involved in support activities to work an adjusted workweek not to exceed forty (40) hours per week. An adjusted workweek does not have bearing upon overtime unless the total workweek hours exceed forty (40).

For those Employees eligible for Compensatory Time (Time Off), they may accumulate no more than eighty (80) hours, and all such hours not used before close of business, December 31st of each Calendar Year, will be cleared from the record, unless prior approval is granted by the Engineer. Employees designated as non-exempt will be paid for time accrued to clear the account effective at close of business on December 31 of each year. Employees designated as exempt will forfeit, without compensation, any balance remaining at close of business on December 31 of each year.

Taking of Compensatory Time is at the discretion of the Summit County Engineer or his Designated Representative. Overtime must be authorized in advance by the Summit County Engineer or his Designated Representative. In the event of an emergency or other extraordinary circumstances necessitating that an

Employee perform overtime work without advance approval, such overtime will be approved upon presentation of the facts and circumstances surrounding the overtime work to the Summit County Engineer or his Designated Representative. The Summit County Engineer may grant blanket approval for certain Employees to perform overtime work based on departmental needs. Scheduled overtime that is cancelled or is not otherwise performed shall not entitle the Employee to overtime compensation.

Employees claiming hours of work for overtime pay or for Compensatory Time credit must complete an Overtime/Compensatory Time Approval Form and submit it to their Approval Supervisor before beginning the next period of scheduled work. This Form will be processed to Payroll to ensure timely payment of any monies due to the Employee. For those Employees in those categories providing for Compensatory Time, such Form will reflect the number of hours to be held in accrual for subsequent Time Off. For those Employees who take Compensatory Time (Time Off), a Use of Compensatory Time Form must be submitted to their Supervisor to assure accountability of such time and must be submitted prior to use of such time. Overtime is mandatory and is a condition of continuing employment.

EMERGENCY, IMMINENT DANGER, DISASTER, INCLEMENT WEATHER

It is the policy of the County of Summit to require all employees to come to work or remain at the work place, except when notified and/or excused, when there is a declared state of emergency, eminent danger exists, a disaster or inclement weather threatens. All employees should periodically review the Summit County Engineer's Safety Manual Section 16 titled "Employee Action and Fire Prevention" to be aware of the department's established procedures for responding to imminent dangers.

DECLARATION

A state of emergency may only be declared by the President of the United States, the Governor of the State of Ohio, the County of Summit Sheriff, or the County Executive when there is an emergency, eminent danger exists, or a disaster or inclement weather threatens. When such events exist that threaten the County Government facilities and/or employees, the County of Summit Executive or designee will make such a declaration. An emergency without a formal declaration does not prevent a supervisor, manager, administrator, elected official or other designee from taking whatever immediate precautions necessary to protect the lives of the employees or visitors to county facilities.

EMERGENCY PAY

Where such emergency is declared or necessary action is taken, the following shall apply:

- Employees will be compensated for the number of hours for which they were scheduled to work but did not work during an emergency period. However, pre-scheduled time-off will not be reimbursed.
- Employees holding a vital and essential position for a continuous operation must deal with an emergency and so being required and authorized to work during the period of emergency shall be paid their normal rate plus be given an excused equal number of hours off, to be scheduled with their immediate supervisor.
- Employees not scheduled to work because of any authorized leave or day off, will be charged for that leave regardless of the declared emergency or event. No additional time or compensation will be extended as an option.
- For employees working under a labor/management agreement, the terms, conditions, or events and methods of payment will be followed according to the agreement.

PROGRESSIVE DISCIPLINE

It is the policy of the County of Summit to treat all employees equitably. The intent is to administer the rules and regulations consistently and uniformly while at the same time considering each case of unsatisfactory performance or inappropriate conduct on a case by case basis. The nature of services provided by each division and/or section may justify different levels of discipline for similar offenses. Whenever an employee commits an offense warranting disciplinary action, the employee's supervisor shall begin disciplinary action using any discipline listed below, depending on the frequency and seriousness of the offenses committed. A *Notice of Progressive Discipline* should be used to list details of the disciplinary action. In all cases, the employee is given a copy of the discipline and a copy is placed in the employee's Personnel File. While the disciplinary procedure will generally be progressive, in cases of serious misconduct, the level of discipline imposed may be more severe. It is possible to skip, reduce, or repeat steps, depending on the individual circumstances. This policy should not be construed as preventing, limiting, or delaying the Engineer or his designee from taking appropriate disciplinary action.

TYPES OF DISCIPLINARY ACTION

The purpose of discipline is to make certain the employee is fully aware of the severity of misconduct, or those areas of performance that must be improved. Discipline is also a method to inform the employee of what is expected, thereby enabling the employee to correct performance problems and be restored to an effective productive employee.

Employee Instruction and Caution

The employee and the supervisor discuss performance or behavior following an offense to minimize possible misunderstandings, improve job performance, or to outline what constitutes proper conduct.

Instruction and Caution Reduced to Writing

The supervisor may provide instruction and caution to an employee prior to issuing any formal written warning. The employee receives discipline in the form of a formal verbal warning when the supervisor believes that an offense in the first instance is serious enough to warrant correction or following one or more attempts to provide instruction and caution. The supervisor will discuss the errant behavior with the employee and then document the discussion in writing. The documentation will inform the employee of potential consequences for continuing poor job performance or for repeated offenses.

Written Reprimand

The employee receives discipline in the form of a formal written reprimand when the supervisor believes that an offense in the first instance is serious enough to warrant such action, or following continuing poor job performance, or for repeated offenses where a verbal warning was documented.

Recommendation for Suspension

Suspension without pay may occur when an employee fails to correct performance after repeated warnings, or as the result of an accumulation of misconduct, or as a result of a first-time serious offense or misconduct. The employee will receive a written notice from the supervisor of the intent to implement a suspension. The employee will receive a written notice of the intent to terminate with the procedure for a pre-disciplinary conference as described later in this manual.

Recommendation for Termination

Termination may occur after the Engineer or his designee or the designee has made repeated attempts to inform and help an employee correct performance or unacceptable misconduct is of such a serious nature that the Engineer or his designee believes there is no practical alternative. The employee will receive a written notice of the intent to terminate with the procedure for a pre-disciplinary conference as described later in this manual.

GUIDELINES FOR PROHIBITIVE CONDUCT

The Engineer or his designee reserves the right to discipline employees for violations of established rules and regulations, which result from inappropriate conduct. The Engineer or his designee may treat each occurrence

of inappropriate conduct upon its individual merit, without establishing a precedent for the treatment of other cases. The following is not to be construed as exhaustive or a limitation upon the retained rights of the Engineer. An employee may receive: 1) Instruction and Caution, 2) Written Reprimand, 3) Recommendation for Suspension, or 4) Recommendation for Termination for any of the referenced for similar inappropriate behaviors. These include:

- Unsatisfactory work, failure to maintain required levels of performance, incompetency and/or gross inefficiency.
- Neglect of work, sleeping on the job, excessive personal phone calls, or other inappropriate distractions.
- Any gambling or other criminal acts on County property and/or time. This includes but is not limited to sports and other pools, wagers, etc.
- Any conduct that places the employee or another person's health or safety at risk, causes physical harm, or adversely affects the County's liability.
- Trying to perform while unfit for duty.
- Excessive absence and/or tardiness.
- The use, sale, or possession of alcohol or drugs at any time or unauthorized possession of firearms on agency premises orduring rest periods. Smoking in County building and/ or vehicles is also prohibited.
- Discourteous, abusive, slanderous, libelous, threatening, or derogatory behavior and/or statements toward another employee or other concerned persons.
- Discrimination, sexual harassment, or any conduct that adversely affects the entity of the County.
- Dishonest, malicious, immoral, indecent, or unethical behavior.
- Falsification of records, failure to cooperate on official inquiries, or collusion for personal gain.
- Unethical behavior which results in a conflict of interest or an expectation of preferential treatment.
- Unauthorized access, removal, destruction, release or other misuse of records, confidential information, or equipment.
- Inappropriate attire or appearance.
- Making and/or distributing jokes and/or malicious statements concerning management, other employees, or clients, verbally or by use of telephone, FAX, or other electronic communication device.
- Failure to follow established policies or work rules.
- Refusal to perform work that is assigned by a supervisor that is within the employee's scope of duties or capabilities.
- Misuse of position, stationery, or envelopes for personal reasons or non-governmental use.
- Performing private work during working hours or unauthorized use of County property for private work.
- The progressive and/or persistent demonstration of negative and/ or uncooperative behavior.
- Acts of misfeasance, malfeasance, or nonfeasance.
- Offenses not specifically enumerated herein, as well as any violation of the codified ordinances, or any policy and/or standard practice of the Engineer.
- Insubordination.

- Conduct or violations of any Federal, State, or Local laws that may have an adverse effect upon the reputation, operation, or programs of the Engineer.
- Failing to follow Office of Information Technology policies regarding computer and network use and/or compromising the County's network security.
- Initiating or in any way participating in horseplay that is/can be considered offensive to another individual or damaging to County property.

This list is not all-inclusive. It is subject to being supplemented by the Engineer or the designee or agency of government, based upon the nature of the services provided. After an initial instruction and caution, the discipline steps continue for subsequent violation, even though they may be unrelated or different than the original. All disciplinary notations are to be placed in the employee's Personnel File. They shall be removed after a period of two (2) years upon the written request of the employee, providing no intervening discipline has occurred.

PRE-DISCIPLINARY CONFERENCE

Whenever the Engineer or the designee determines a classified employee may be disciplined for cause, including all suspensions, reductions or terminations, a pre-disciplinary conference will be scheduled to give the employee an opportunity to offer an explanation of the alleged misconduct.

Procedure

Pre-disciplinary conferences will be conducted by a neutral Hearing Officer who may be any competent person selected by the Engineer or the designee from either inside or outside their jurisdiction, or from a list provided by the County's Human Resource Department. Not less than two (2) working days prior to the scheduled starting time of the pre-disciplinary conference, the Engineer or the designee will provide to the employee a notice of the date, time, and place, plus a written outline of the charges which are the basis for the potential disciplinary action. The employee may choose to:

1. appear at the conference to present an oral or written statement in his or her defense;
2. appear at the conference with a representative to present an oral or written statement in defense of the employee; or
3. elect in writing to waive the opportunity to have a pre-disciplinary conference. Any requests for continuance by either party shall be in writing and submitted to the neutral Hearing Officer for a decision.

The neutral Hearing Officer will ask the employee or representative to respond to the allegations of misconduct which were outlined to the employee. Failure to respond or respond truthfully may result in further disciplinary action. The employee may present testimony, witnesses, or documents, which explain the alleged conduct. It is the employee's responsibility to notify any witnesses if their attendance is desired. The employee or employee's representative will be permitted to confront and cross examine witnesses. The employer shall be afforded the same opportunity as the charged employee to be represented by counsel, present testimony, cross examine and

provide witnesses and/ or documents at the conference. The neutral Hearing Officer shall consider the evidence and testimony submitted by the parties in light of applicable policies, statutory requirements, prior discipline, mitigating circumstance, nature and seriousness of the offense, and its impact upon the County.

Ruling

Upon completion of the conference, a written report will be prepared by the neutral Hearing Officer who will provide a recommendation as to whether or not there is just cause for discipline. A copy of the conference report will be provided to the Engineer, the employee, and the Human Resource Department within five (5) working days just causes for discipline. The Engineer or the designee will decide what discipline is appropriate. A copy of the neutral Hearing Officer's recommendation and the disciplinary action determined by the Engineer shall be placed in the employee's Personnel File.

Filing an Appeal

Full-time classified employees of any County Agency, Board, Department, Office, or other Public Body supported in whole or in part from county taxes or funds, may appeal any of the following actions to the COUNTY OF SUMMIT HUMAN RESOURCE COMMISSION (CSHRC).

- JOB ABOLISHMENT OR LAY-OFF
- RECLASSIFICATION
- REDUCTION IN PAY OR POSITION
- INVOLUNTARY DISABILITY SEPARATION
- SUSPENSION OF MORE THAN THREE (3) DAYS
- TERMINATION

The employee must file an appeal request within ten (10) calendar days of the day served with the action being appealed even if mediation is also being requested. The appeal must be filed with the Director of Human Resources/Executive Secretary to the Human Resource Commission or the designee and have it time-stamped. All appeals to the Human Resource Commission shall be in writing and must include:

- The employee's name, address, and telephone number.
- The name, address, and telephone number of the Engineer.
- A copy of the action being appealed, or a detailed description of the action giving rise to the appeal.

Once a notice of appeal has been received by the Commission, a docket number shall be assigned to the case which shall thereafter be utilized to identify all correspondence, pleadings, notices, filings, etc. After an appeal has been received and docketed, the Director of the Department of Human Resources, as Executive Secretary to the Commission, shall assign the case to a hearing officer to be selected from a list maintained by the

Commission. Such a list of Hearing Officers shall consist of individuals who have demonstrated prior experience in city, county, or state civil service appeals.

COMPUTER/INTERNET/ELECTRONIC MAIL

This policy describes SCE's and the Summit County Office of Information Technology's guidelines with regard to County owned computers and equipment, Internet access, networks, and to the transmission and disclosure of electronic mail messages. This policy applies to all users and uses of SCE computing resources, whether within the organization or from remote locations. Users who violate this policy may be denied access to SCE computing resources and may be subject to other penalties and disciplinary action. SCE may temporarily suspend or block access to an account when it reasonably appears necessary to do so in order to protect the integrity and security of computing resources, to protect the functionality of computer systems or to protect the organization from liability. SCE respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of SCE-provided computer equipment and resources. You should be aware that the following guidelines may affect your expectations of privacy in the workplace.

PROVISIONS OF INTERNET ACCESS

As a condition of providing Internet access to its employees, SCE places certain restrictions on workplace use of the Internet. SCE encourages employee use of the Internet: To communicate with fellow employees and clients regarding matters within an employee's assigned duties; to acquire information related to or designed to facilitate the performance of regular assigned duties; and to facilitate performance of any task or project in a manner approved by an employee's Manager.

PROHIBITED ACTIVITY

Please be advised that your use of the Internet access, provided by SCE, expressly prohibits the following:

- Distribution of destructive programs (i.e., viruses and/or self-replicating code).
- Hateful, threatening, or other anti-social behavior.
- Intentional damage or interference with others (for example, "hacking" and distributing viruses).
- Making obscene files publicly accessible.
- Commercial usage for non-county business.
- Dissemination or printing of copyrighted materials (including articles and software) in violation of copyright laws.
- Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets or other confidential information of SCE in violation of company policy or proprietary agreements.
- Offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs.

- Sending or soliciting sexually oriented messages or images.
- Operating a business, usurping business opportunities or soliciting money for personal gain.
- Searching for jobs outside SCE.
- Gambling, gaming or engaging in any other activity in violation of the law.
- Establishing any Internet or other external network connections that would allow unauthorized persons access to the county's system and information.

PROVISIONS OF ELECTRONIC MAIL USE

The electronic mail system has been installed by SCE to facilitate business communications. Communications over the e-mail system shall be professional and appropriate for the workplace or group setting. Although each employee has an individual password to access this system, all e-mail messages are company record and belong to SCE. The contents of e-mail communications may be subject to periodic unannounced inspections. All system passwords and encryption keys must be available to the Network Administrator and to your Manager. The contents of e-mail, properly obtained for legitimate business purposes, may be disclosed within SCE without your permission. Therefore, you should not assume that messages are confidential. Back-up copies of e-mail may be maintained and referenced for business and legal reasons.

Personal Use of E-mail

Because SCE provides the e-mail system to assist you in the performance of your job, you should use it for official SCE business. Incidental and occasional personal use of e-mail is permitted by SCE, but these messages will be treated the same as other messages. SCE reserves the right to access and disclose as necessary all messages sent over its e-mail system, without regard to content. Since your personal messages may be accessed by SCE management without prior notice, you should not use e-mail to transmit any messages you would not want read by a third party.

Prohibited Activity

Please be advised that your use of the e-mail system, provided by SCE, expressly prohibits the following:

- Personal solicitations or advertising.
- Propagating chain letters.
- Falsifying mail headers or routing information so as to obscure the origins of mail or mail routes. Concealing or misrepresenting your name or affiliation to mask irresponsible or offensive behavior is a serious abuse. Using identifiers of other individuals as your own constitutes fraud.
- Altering the content of a message attributed to another unless the changes are explicitly noted.
- Employees are prohibited from sharing an e-mail password, providing access to an unauthorized user, or accessing another user's e-mail without authorization.

COUNTY COMPUTERS

Computers are expensive and valuable resources and are to be used *ONLY* for county business. Any use of county computers for anything other than County business will be considered misconduct and will be subject to discipline. Only devices approved by the Summit County Office of Information Technology are permitted to connect to the Summit County network.

Computer usage guidelines include but are not limited to:

- Copying of programs or data for personal use is strictly prohibited.
- Only software and hardware approved and installed by the OIT staff may be added to County owned computers.
- Under no circumstances are any unauthorized files or software to be installed, downloaded, or copied to computers.
- Employees are to report malfunctioning equipment or software to the OIT Support Desk through the ServiceNow portal or by calling 330-643-2013.
- Managers/Supervisors are to notify OIT of any pending employee moves, additions, or changes. A minimum of five business days' notice is required for any additions or changes and a minimum of 48 hours' notice for equipment moves.
- Employees are prohibited from playing games on any county computers at any time.
- Cell Phones are not to be charged or plugged into a County issued computer for any reason.

TELEPHONE/CELLPHONE

The county's Telecommunications System is to be used for business-related reasons; however, it is understood that on occasion it is necessary to use the system for personal reasons. In those instances, employees are expected to apply good judgment when using the system.

Misuse of telecommunications equipment including making excessive telephone calls on county time and/or charging non-business-related long-distance calls to the county is strictly prohibited. Any employee who charges non-business-related long-distance calls to the county will be subject to disciplinary and/or legal action or both.

Under no circumstance should employees use the county's Telecommunications System for personal business reasons (i.e. any activity undertaken for profit or gain) which includes circulating their telephone number for personal business use.

All county smartphones and tablets will be enrolled in the county's Mobile Device Management software solution. This software allows OIT to automate, control, and secure administrative policies on these devices. It assists OIT in configuring devices so only approved applications can be installed.

PASSWORDS

Password Rules

- Computer and software passwords are confidential, and it is the system user's responsibility to ensure that passwords are never shared, left unprotected or unsecured. System users will be held accountable for all processing done with their password.
- Passwords are not to be displayed on or near the monitor. Also, do not keep your password in a desk drawer or in a notebook, which is available to the public.

Windows Logon Password Complexity

- The minimum length for a Windows log on password is no less than 15 characters that include at least one capital letter, one lowercase letter, a number, and a symbol. At no time will a person or department/unit name be part of the password. It is also suggested to stay away from using family member names and birth months as these can readily be thought of by anyone unauthorized trying to access your computer.

Multifactor Authentication (MFA)

- Summit County will enable the use of MFA for system logons. This does not replace the use of logon passwords. MFA simply works in conjunction with logon passwords. It is the responsibility of system users to ensure that MFA tokens are accounted for, MFA passcodes are kept secure, and MFA is used whenever prompted by systems.

VIRTUAL PRIVATE NETWORK (VPN)

Summit County's VPN establishes a digital connection between a computer and a remote server owned by Summit County. It creates a tunnel to Summit County's data while working from a remote location. Use of the VPN service is only permitted while conducting Summit County business, and only devices authorized by the Summit County Office of Information Technology may utilize Summit County's VPN. For users traveling to conduct County Business outside of the USA and Canadian territories refer to the Summit County Office of Information Technology's International Travel Remote Access Policy.

Users authorized to utilize Summit County's VPN service will not share their logon credentials with any other person.

TRANSFER OF CONFIDENTIAL INFORMATION

While the predominant amount of information generated by the Engineer's office is public record, there may be occasions where information of a confidential nature will need to be transported out of the office.

Anytime confidential or sensitive data must be transported using a removable storage device such information may only be transported using a password protected removable storage device. The Director of Administration or the Office of Information Technology will be responsible for setting and updating the password for these devices when applicable.

MANAGEMENT’S RIGHT TO ACCESS INFORMATION

While SCE does not routinely access or monitor individual usage of computing resources, the normal operation and maintenance of computing resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for assuring a high level of service. SCE may also access or monitor the activity and accounts of individual users of computing resources, including individual log in sessions and communications, without notice, when:

- It is necessary for work and business-related reasons (e.g. a person is on vacation or sick leave and access to some files is needed to further organizational business);
- It reasonably appears necessary to do so to protect the integrity, security, or functionality of computing resources or to protect the organization from liability;
- There is reasonable cause to believe that the user has violated, or is violating, this policy;
- An account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns; or
- It is otherwise required by law.

COMPLIANCE WITH APPLICABLE LAWS AND LICENSES

Employees must comply with all software licenses, copyrights, and all other laws governing intellectual property and online activity.

COMPLIANCE SUMMIT COUNTY OFFICE OF INFORMATION TECHNOLOGY POLICIES

Summit County voters approved Article 8 of the Codified Ordinances of Summit County, creating a centralized Office of Information Technology (“OIT”) to be led by a seven-member Board. Under the Charter, the OIT Board is authorized to implement county-wide policies governing County employees’ use of all technology, including but not limited to hardware, software, data processing, and networks. As such, SCE employees are required to follow all policies implemented by the OIT Board. The policies will be attached at the end of this Personnel Policy Manual. The attached policies are not all inclusive and other policies may be added at any time.

Attached Policies:

Summit County Computer and Telecommunication Usage Policy

Multi-Factor Authentication

Annual IT Security Training

USB Storage Devices Usage

WAIVER OF PRIVACY

SCE has the right, but not the duty, to monitor any and all aspects of its computer system, including, but not limited to, monitoring sites employees visit on the Internet, reviewing material downloaded or uploaded by employees, and reviewing e-mail sent and received by employees. SCE, in its discretion, may disclose the results of any access or monitoring, including the contents and records of individual communications, to appropriate personnel or law enforcement agencies and may use those results in appropriate disciplinary proceedings. Employees waive any right to privacy in anything they create, store, send, or receive on the computer or the Internet.

VIOLATION OF SCE'S COMPUTER AND TELECOMMUNICATION USE POLICY

Violations of SCE's Computer and Telecommunication Use, County Computers, Telephone/Cellphone, Passwords, Virtual Private Network, Internet, or Email Policies may include disciplinary action. The measure of discipline will correspond to the gravity of the offense as weighed by its potential effect on the organization, the operations, fellow employees and the public. When you connect to the Internet using a SCE address designation, it should be for SCE business related activity.

PERSONNEL FILES

Personnel records shall be kept current on all employees and the files shall be maintained by the Engineer or the designee. While some of these records are confidential, all information is to be maintained in confidence to the extent required by law. Prior to releasing any records to the public, the Engineer or designee should check with the Public Records Act and/or consult with their legal advisor.

PERSONNEL FILE

The personnel file contains documentation regarding all aspects of the employee's tenure with the County and other public employment in the State of Ohio, employment application, personnel transactions, position descriptions, performance appraisals, disciplinary actions, and letters of commendation.

Review of Personnel File

Any employee may review their personnel file by giving reasonable notice and scheduling an appointment through their personnel office. The employee may be permitted, subject to the approval of their supervisor, to

review their file during scheduled work hours, in the presence of a personnel designee. The employee may request copies of documents contained in their file.

Changes to Personnel File

To ensure an employee's file is up-to-date, the employee is responsible to notify their supervisor of any changes in name, telephone number, home address, marital status, number of dependents, beneficiary designations, scholastic achievements awards, and individuals to notify in case of an emergency.

MEDICAL FILE

All medical information, that may be required during an individual employee's course of employment, shall be kept separate from the personnel file.

EQUAL EMPLOYMENT OPPORTUNITY FILE

Voluntary information as related to E.E.O., which may be obtained from applicants seeking employment shall be maintained separate from the personnel application for employment.

PAYROLL FILE

All current payroll and attendance records for each active employee may be kept separate and apart from the personnel files and maintained by each payroll office, subject to applicable laws relating to the maintenance and disposal of public records.

INACTIVE FILES

Files of inactive employees shall be removed from active status and placed in a repository for inactive files and kept according to the County of Summit Records Retention Schedule.

PERSONNEL INQUIRIES

It is the policy of the Engineer's Office not to release information regarding employees without a signed release by the employee. If request is received, whether by telephone or in writing, refer the requesting party to the Personnel Department.

SENIORITY

It is the policy of the County of Summit to define seniority in various ways, depending upon applicable use. Calculation of seniority is subject to the provisions stated in the Prior Service Credit discussion in this document.

Appointing Authority

Seniority, with the Engineer (Appointing Authority), is defined as the uninterrupted length of continuous service with that office. An authorized leave of absence does not constitute a break in service.

Layoff

For the purposes of layoff, seniority is defined as continuous service with the Engineer. A break in service occurs if an employee is terminated for any reason other than layoff and is not reinstated within one (1) year of the termination date. Employees who are reinstated or re-employed from layoff within one (1) year of the layoff date will retain all previously accumulated seniority but will not be credited with seniority for time spent on layoff.

Vacation

Seniority for the purposes of vacation scheduling is calculated according to the number of years of public service with the Engineer. However, the completion of a total of 180 days of public service is required before vacation can be taken. The Engineer shall recognize previous service with any other State of Ohio, County, City or political subdivision in determining service credit for purposes of vacation accumulation.

SMOKE FREE WORKPLACE

This Smoke Free Workplace policy is enacted pursuant to Ohio's "Smoke Free Workplace Act," codified as O.R.C. 3794.01 et seq., and adopted by voter initiative (ballot issue 5) on November 7, 2006. The Ohio Smoke Free Workplace Act was proposed and adopted as a result of recent, proven medical evidence that clearly indicates that smoking is harmful to the health of smokers. Smoke from cigarettes, cigars and pipes is also an irritant to many non-smokers, is known to worsen allergic conditions, and long-term exposure to second hand smoke may seriously affect the health of non-smokers. Under the Ohio Smoke Free Workplace Act, the Summit County Engineer has an obligation to prohibit smoking in Summit County Engineer facilities and in the areas directly or indirectly under his control that are immediately adjacent to locations of ingress or egress to Summit County Engineer facilities. The Engineer also has a reasonable expectation of employing and retaining a healthy staff and encouraging healthful work place activities. In keeping with this obligation under Ohio law, the Summit County Engineer adopts a policy of enforcement of this law as follows:

- Smoking is prohibited in all buildings, enclosed structures (e.g., garages), or vehicles under the direct or indirect control of the Summit County Engineer and in all areas immediately adjacent to locations of ingress or egress to Summit County Engineer buildings and enclosed structures.

- Smoking is prohibited in any outdoor area where smoke will enter an area in which smoking is prohibited under Section 1, above. This includes smoke entering through entrances, windows, ventilation systems, or other means.
- If a person is smoking in violation of this policy in a nonsmoking area, that person will immediately cease smoking when requested to do so by the County Engineer or any employee or representative of this Office.
- Smoking is permitted on an outdoor patio only when all openings from the patio are closed to prevent the migration of smoke from the patio into an enclosed space. If this cannot be accomplished, smoking is not permitted on outdoor patios.
- This Smoke Free Workplace Policy does not affect or alter the authority of the State Department of Health to enforce Ohio's Smoke Free Workplace Law, including its authority to levy civil fines on persons violating Ohio's Smoke Free Workplace Law.

The Engineer will support any employee's desire to cease smoking. The Engineer will be as accommodating as is practical, within the reasonable limits of this policy, to employees who smoke, by providing those employees wishing to smoke an opportunity to do so outside the building, enclosed structure, or vehicle and away from areas immediately adjacent to locations of ingress or egress to buildings and where smoke cannot enter an area in which smoking is prohibited through entrances, windows, ventilation systems, or other means. Employees who smoke and hold positions which are primarily confined in an office environment or similar type area shall be permitted to smoke in any area where smoking is permitted once between the times they start work and take their designated lunch break and once between the end of lunch and the end of the work day. Smoking time shall be held to a minimal duration. Permission to smoke on any given occasion may be withheld by the employee's supervisor when justified by the immediate workload. Employees failing to comply with the smoking policy shall be subject to progressive disciplinary action up to and including termination and may be subject to the State Department of Health's authority over the enforcement of Ohio's Smoke Free Workplace Law, including its authority to levy civil fines on persons violating Ohio's Smoke Free Workplace Law. All supervisory staff shall be responsible for monitoring compliance and administering appropriate discipline. In an effort to assist employees who desire to quit smoking, the Engineer will pay on a one-time basis fifty percent (50%) of the cost, not to exceed \$200.00, for an employee to participate in an approved smoking cessation program. Further, employees are reminded that there may be additional smoking cessation program benefits available through the County's Department of Insurance.

TUITION REIMBURSEMENT

The County Engineer encourages employees to continually improve their job-related skills, education and knowledge. It is vital to have a highly skilled workforce to provide efficient services to the citizens of Summit County.

The County Engineer will provide fee and tuition reimbursement for any employment related undergraduate courses or programs as specified in and under the conditions set-forth in Section 169.29 of the Codified Ordinances of the County of Summit.

APPROVED FEE AND TUITION REIMBURSEMENT

Only those fees associated with the specific course as approved by the Engineer will be considered for reimbursement, i.e. administrative (General Service Fees), or registration fees, laboratory fees, and the actual cost per credit hour for the course. Excluded in any case are expenses to the employee for the cost of books, supplies, parking fees, equipment breakage fees, late registration fees, transcript fees for registration or the transfer of credits between educational institutions, transportation, food and lodging. Upon successful completion of an approved course and after receipt of the school's official grade document indicating the grade of "B" or better has been achieved, the employee may apply for reimbursement or applicable fees by submitting the following:

- The completed Tuition Reimbursement Form (Part II);
- The course registration form;
- The receipt delineating the payment of tuition fees prior to taking the course;
- The school's official grade document indicating the grade received in the course.

NOTE: Request for reimbursement shall not be considered beyond one month of completing the course(s). Should the institution's semester or quarter system carry over into a subsequent calendar year, the annual \$5,000.00 per calendar year maximum shall be based on the year in which the employee enrolled in and started the semester/quarter and paid the fees. Tuition and fees shall not be payable for courses that began and were paid before the ordinance took effect. A calendar year is considered January 1 through December 31.

CONFERENCE/TRAVEL

The County Engineer believes that professional associations and conferences allow the office to share ideas and new technology with others across the state and nation. Participation in seminars and conferences is necessary to increase our knowledge and to allow for innovation. Notify your supervisor of any training opportunities that may be applicable to your job position during budget time in the summer to allow them to add this information to the budget.

ELIGIBILITY

All Full-time employees.

APPLICATION

Department heads should coordinate multiple requests for the same conferences to allow for group discounts, early bird rates and hotel block rates. When registration and other costs have been pre-paid, the supervisor/department head should find a substitute to attend when an employee cancels. The employee must notify the Engineer's designated Travel Coordinator of any cancellation. If the employee submits the cancellation after the deadline for refund, the employee will be responsible for any costs not refunded to the County unless the employee can identify a substitute (with approval of the employee's supervisor) who can attend in place of the employee.

The employee shall provide the Engineer's designated Travel Coordinator any available information such as conference dates, listed fees, and topics/event agenda with a Travel Request Form signed by the employee's supervisor.

- The Engineer's Travel Coordinator will prepare a Part I documenting estimated expenses for the requested travel. The Part I will be returned to the employee for review and approval. The employee will sign and return the Part I to the Travel Coordinator who will then secure approval from the Engineer and the Director of Finance and Budget when appropriate. Submit your Travel Request Form least 10 working days before the Early Bird Deadline and/or Room Block Deadline occurs.

Part I

Permission to travel on County business is documented by completing a Part I. According to Codified Ordinance 169.30, the purpose of the Part I is "to provide a basis for determining whether the trip is desirable and to provide information for pre-audit and availability of funds." A Part I is required for all travel when the destination is not a County work site (which is a site directly associated with fulfillment of one's job duties). The following conditions apply under all circumstances:

- The Travel Request Form must be submitted at least 10 working days before the Early Bird Deadline and/or Room Block Deadline occurs;
- Travel on official County business shall be approved in advance regardless of whether reimbursement will be requested.
- Include name of conference/seminar as well as the destination city;
- Departure and return times are important for calculating meal expenses;
- Charges that are pre-paid (conference fee, hotel, airfare, etc.) need to be identified;
- If the travel is for a conference or seminar, please attach a copy of the brochure/agenda;
- ♣ Make sure all the appropriate signatures are obtained. Expenses are less than \$200, only require the signature of the employee and the Engineer. Expenses exceeding \$200 also require the signature of the County's Director of Finance and Budget. A fully executed copy is maintained by the travel coordinator unless a part II is executed, then all documents are maintained by Accounts Payable.

- The Travel Coordinator will fill out the Part I with the information provided on the Travel Request Form and return to the traveler for inspection and signature.

Part II

The purpose of a Part II is to provide verification of expenses paid by an employee that were approved on a Part I. The requirements for a Part II are:

- The Part II must be submitted within 30 days after returning;
- Obtain a receipt from the hotel and check that the taxes have been removed and the Summit County Credit Card has been charged;
- Attach all original receipts requested for reimbursement (including eligible incidentals like parking, tolls, phone calls, taxis);
- If any meals are included in the price of the conference, no per diem meal reimbursement will be provided;
- Meals are reimbursed at the per diem rate set by County Council.
- Administration Per diem rates minus incidental expenses;
- No meals will be reimbursed for travel inside the County;
- Mileage is reimbursed at the IRS rate;
- Personal and entertainment expenses are ineligible for reimbursement;
- Mileage reimbursement is calculated from the work reporting location to the destination, not from the employee's home.

A copy of the scanned Part I and Part II will be maintained by the Engineer's Office Accounts Payable. If the requester does not allow for processing time or has last minute emergency travel he/she will be reimbursed for fees and other costs after return. The County will not be able to provide a tax-exempt form in these instances and the employee will be responsible for paying the taxes.

ATTENDEE RESPONSIBILITIES

All employees of the Engineer's Office attending conferences and events subject to this policy will be responsible for the following: Prior to travel

- Submitting a Travel Request Form least 10 working days before the Early Bird Deadline and/or Room Block Deadline occurs;
- Notify the Travel Coordinator for any changes to trip itinerary (cancellations, date changes, etc.) prior to cancellation deadlines.
- Provide hotel with tax forms upon check-in.

Upon return

- Submitting receipts for all expenses including incidentals (hotel, parking, tolls, cab fare, etc.) and prepaid hotel expenses.
- Verifying that the charges on the hotel receipt are charged to the correct account. Reimbursable expenses are charged to the County procurement card. Personal expenses are charged to the employee's personal account.
- Check the hotel receipt for the correct parking charges and any other additional charges.
- The employee will be responsible for providing tax exemption forms to hotels, any erroneous expenses or taxes charged to the County in error are the responsibility of the employee.

Failure to provide the required information stated above may impact the reimbursement of employee expenses.

TRAVEL PROCUREMENT

The Engineer's designated Travel Coordinator manages this office's travel program. This staff member monitors the program to assure compliance with County and SCE travel policies. Department Supervisors are responsible for making sure that employee travel fits in their department budget and is necessary for performance of their job duties. Travel includes seminars, workshops, conferences and training both in state and out of state. The travel approval process is as follows:

1. Requesting employee completes Travel Request form containing the approval of his or her supervisor and all event information (agenda, pricing, lodging, location, etc.);
2. Travel Coordinator generates Part I and obtains signatures of the person traveling and the Engineer;
3. Travel Coordinator submits the Part I to Executive's Office of Budget & Finance for approval along with any additional event information (Trips under \$200 do not need prior approval from the Executive's Office of Budget & Finance);
4. The Travel Coordinator will make reservations for lodging, registration and flight arrangements if needed;
5. The Travel Coordinator will provide the traveling employee with a packet containing itinerary, event confirmation, confirmation for hotel expenses, and a blanket sales tax exemption certificate;
6. The traveling employee is responsible to obtain all receipts for travel expenses (both prepaid expenses and those incurred and paid during the trip), assuring that receipts for prepaid expenses match the pre-approved amount. The employee is responsible for ensuring that county approved expenses are paid with the County's p-card and not the employee's personal credit card. The traveling employee must submit tax exemption forms and check bill to see that taxes were not charged.
7. The traveling employee must submit the collected receipts to the travel coordinator within 5 days of returning to be reimbursed for reimbursable expenses.
8. The travel coordinator will complete a Part II when employee returns and submit the Part II with the associated Part I and receipts attached to the Engineer's Office Accounts Payable person. (For travel over \$200 and where the Part II exceeds the Part I approval must be received from the Executive's Office of Finance and Budget before Accounts Payable can process reimbursement;

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the Office of the Summit County Engineer to provide equal opportunity in all matters of employment. No employee or applicant for employment shall be discriminated against because of race, color, sex, religion, national origin, handicap, sexual orientation, age or veterans status. Affirmative action shall be taken to assure that applicants and employees are treated in a non-discriminatory manner. To carry out the above policy the Summit County Engineer will: Recruit, hire, train, promote, administer compensation, benefits, transfers, layoffs, returns from layoff, and social and recreational programs without regard to race, color, sex, religion, national origin, handicap, sexual orientation, age or veterans status. In order to insure that a positive program of equal employment opportunity is in effect and properly implemented, the County Executive's Office employs an Equal Employment Opportunity Officer (EEO) for use within the county. The EEO representative is charged with bridging the gap between the employee and management in an attempt to resolve complaints in-house. In addition to performing regular job duties, the EEO Officer will assist the HR Department in the following ways:

- Educating the staff regarding EEO rights, policies and procedures.
- Developing and implementing an affirmative action program.
- Monitoring the affirmative action programs.
- Identifying problem areas.
- Making recommendations for program improvement.
- Acting as a liaison to community in the area of EEO.
- Retaining files, records data analyses, and internal audit procedures.
- Analyzing personnel policies and programs for compliance with EEO.
- Analyzing federal, state, and local EEO laws and their effect on the Engineer's office.
- Informing the HR Department of new laws and regulations concerning EEO.
- Insuring that EEO posters and policies are on proper display.
- Acting as an independent consultant and investigator to both staff and management regarding EEO matters.
- Administering the complaint procedure on behalf of applicants and employees.

DISCRIMINATION COMPLAINT PROCEDURE

Any employee who believes he or she has been treated in a discriminatory manner should: Present complaint to the EEO Officer and/or the HR Department, preferably in writing. Formal action will be taken on all complaints. The HR Department or EEO Officer will immediately begin an investigation of the complaint. A written report, along with the recommendation, will be submitted to the Summit County Engineer. The Engineer will issue a written response to the employee within thirty (30) days. These procedures shall not be construed to limit or interfere with the individual's rights to proceed at any time before the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission. Employees have the right to file a complaint directly with the County Executive's EEO Office or HR Department. Bargaining unit employees may submit a grievance within five (5)

days of the incident of discrimination or within five (5) days of the Engineer's response. Consultation with the EEO Officer is encouraged throughout the entire complaint procedure.

SEXUAL HARASSMENT

The Summit County Engineer will take affirmative action to protect employees from sexual harassment, will identify areas of concern and take appropriate action, and will neither condone nor tolerate sexual harassment. Sexual harassment negatively affects morale, motivation, and job performance. It is inappropriate, offensive, and illegal, and it will not be tolerated within this organization. If it is determined that sexual harassment has occurred, appropriate disciplinary action, which may include discharge, shall be taken. All SCE Employees shall receive two (2) hours of training, every two years, covering the County's written policy on Sexual Harassment.

DEFINITIONS

Sexual harassment is a form of sex discrimination and is considered an "unlawful employment practice" under Title VII of the 1964 Civil Rights Act. Sexual harassment at work occurs whenever unwelcome conduct on the basis of gender affects a person's job. Sexual harassment is defined by the Equal Opportunity Commission as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or;
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

CONDUCT OR BEHAVIOR CONSTITUTING SEXUAL HARASSMENT

- Leering;
- Pinching;
- Petting;
- Suggestive gestures;
- Subtle and overt pressures for sexual activity;
- Repeated requests for dates;
- Sexually suggestive objects, materials or pictures in the workplace;
- Sexual jokes;
- Illicit Exposure;
- Rape;

- Other unwanted body contact;
- Situations where supervisory employees use their position to obtain sexual favors from a subordinate employee in exchange for job benefits or avoidance of negative job actions;
- Situations where subordinate employees offer or suggest sexual favors for pay increases, promotions, favored treatment, better benefits, better working conditions, etc.;
- Negative or offensive comments, jokes, or suggestions about another employee's gender or sexuality or sexual orientation;
- Obscene or lewd sexual comments, jokes, suggestions or innuendos. Slang names or labels such as "honey or sweetie, boy, girl" that others find offensive;
- Talking about or calling attention to an employee's body or sexual characteristics in a negative or embarrassing way;
- Laughing at, ignoring, or not taking seriously an employee who experiences sexual harassment;
- Blaming the victim of sexual harassment for causing the problem;
- Continuing certain behavior after a co-worker has objected to that behavior;
- Displaying nude or sexually suggestive pictures, cartoons, calendars, objects, or other materials in the workplace.

SEXUAL HARASSMENT CHARGES AND COMPLAINTS

Any employee who believes he or she has been treated in a discriminatory manner should: Present the complaint to the EEO Officer and/or HR Department, preferably in writing. Formal action will be taken on all complaints submitted to the HR Department. The HR Department or EEO Officer will immediately begin an investigation of the complaint. A written report, along with the recommendation will be forwarded to the Summit County Engineer. The Engineer will issue a written response to the employee within thirty (30) days. These procedures shall not be construed to limit or interfere with the individual's rights to proceed at any time before the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission. Bargaining unit employees may submit a grievance within five (5) days of the Engineer's response. Consultation with the EEO Officer is encouraged throughout the entire complaint procedure.

SUBSTANCE ABUSE

The office of the Summit County Engineer (Engineer) and Local 1032 of the American Federation of State County and Municipal Employees AFL-CIO (Union) are committed to maintaining a safe, productive work environment at all County Engineer facilities and work sites, to safeguarding County property and personnel, and to maintaining employee productivity. For these reasons, the following Substance Abuse Policy is implemented by the County with the consent of the Union effective the first day of January, 1995. This Substance Abuse Policy applies to all employees of the County of Summit, bargaining unit and non-bargaining unit and is subject to the terms of the Substance Abuse policy and procedures adopted by the Summit County Human Resource Department, as amended from time to time.

APPLICANT TESTING

All applicants being considered for employment by the Engineer are subject to drug testing as part of their pre-employment requirements. Notification that applicants are subject to drug testing will appear on the employment application. A negative drug test result is a condition of employment.

ON-THE-JOB USE, POSSESSION, SALE OR DISTRIBUTION

The use, possession, sale or distribution of non-medically prescribed controlled substances or of alcohol on County premises, on any County work site, or while on work time is prohibited. Any employee found in violation of the above stated policy is subject to immediate discharge. The term “work site” shall also include: County vehicles or any circumstances in which an employee is representing the County Engineer. Other action, including notification of appropriate law enforcement agencies, may be taken with respect to an employee violating this policy.

EMPLOYEE IMPAIRMENT AND DRUG USE

Employees are prohibited from being at work while under the influence of alcohol, illegal drugs, or controlled substances (including but not limited to marijuana and prescription drugs that restrict use of vehicles). Any employee violating this provision will be subject to disciplinary action up to and including discharge. Employees are required to inform the HR Department of prescribed medication which they may be taking for a medical condition.

EMPLOYEE DRUG TESTING

Random Testing

Employees who, as a part of their job responsibilities, are or may be required to operate motor vehicles requiring a commercial driver's license (CDL), whether union or non-union, will be subject to random testing pursuant to the terms and conditions of the 1991 Omnibus Transportation Employee Testing Act (the Act). When results of a drug or alcohol test are positive, the employee will be notified of the results. In such instance, the employee will be given the opportunity to offer an explanation for the positive results. In the absence of an explanation which is acceptable, as determined by a reviewing medical officer (MRO), the employee will be required to undergo evaluation by a substance abuse professional and will be required, as a condition of continued employment, to successfully complete any counseling or treatment program as shall be recommended by the substance abuse professional. Failure to successfully complete the recommended program will constitute just cause for discharge. For a one year period thereafter, the employee will be subject to follow up random drug tests which may be administered without prior notice. In the event the employee again tests positive within the said one-year period, his/her employment will be terminated. Refusal to comply with testing will result in the employee's immediate termination.

Reasonable Suspicion Testing

If a supervisor observes employee behavior that gives him/her reasonable suspicion to believe that such behavior is related to drugs, alcohol, or the result of substance abuse, the supervisor will contact the Director of Personnel to discuss such observations. Examples of such behavior may include, without limitation:

- Erratic behavior;
- A decline in performance;
- High rate of tardiness or absenteeism;
- Other behavior that gives rise to a reasonable suspicion of substance abuse, including, without limitation, accidents or injuries.

Supervisors will be trained to recognize signs of substance abuse impairment by a certified trainer. The HR Department and/or supervisor will then inform the employee of the observed behavior and offer him an opportunity to give a reasonable explanation. If no explanation acceptable to the HR Department is forthcoming, the employee shall be transported within two hours to a medical center for a drug/alcohol test. A refusal to submit a random test, as outlined in Codified Ordinance Section 169.28(k) will result in the employee's immediate termination. The decision whether the employee will be tested and whether the employee will continue to work pending receipt of the test results will be made by the HR Department. In situations, of employee behavior that may be related to or result from substance use and which involve an employee in a position that affects safety, such employee will immediately cease work until his test results are received. The reasonable suspicion provision of this policy shall not be applied or enforced in an arbitrary, capricious, or discriminatory manner. When the results of the drug or alcohol test are received, the employee will be notified of the results. If the results are positive, the employee will be given the opportunity to offer an explanation. In the absence of an explanation, which is acceptable to the Medical Review Officer, the employee will be subject to discipline up to and including discharge. If not discharged, employees will be required to participate in a program Substance Abuse Program recommended by the HR Department and to undergo a drug and alcohol test prior to reinstatement. A negative drug and alcohol test result and the successful completion of such counseling or treatment program as shall be recommended by the HR Department will be preconditions to returning to work. For a one (1) year period following return to work, the employee will be subject to follow-up testing which may be administered without prior notice. Any employee who returns to work and tests positive during the following twelve-month period will be terminated. The scope of any testing conducted pursuant to this policy, as well as the testing procedures and methods employed, shall be, at a minimum, in conformance with the requirements of the 1991 Omnibus Transportation Employee Testing Act and applicable regulations.

CONTRACTORS AND VISITORS

Contractors and visitors will also be subject to the County's prohibition of the use, possession, sale, distribution of alcohol or illegal drugs on its property or work sites, and to the County's prohibition against being on its property

or work sites while under the influence of alcohol or illegal drugs. Contractors and visitors violating this policy will be refused entry onto County Property or work sites.

SUBSTANCE ABUSE

The Substance Abuse Policy will be posted on employee boards and employees will be informed of the policy updates as necessary. Drug tests will be conducted by an independent, qualified laboratory, and proper chain of custody procedures will be observed for samples. Records and information about testing and test results will be treated as private and confidential and shall be kept separate and apart from the employee's personnel files. The foregoing shall not, however, preclude or prevent the Engineer, the Union, or any employee from utilizing or disclosing such records and information with respect to grievances, arbitration, court or administrative proceedings or in response to subpoenas, orders, filings required by law, etc. Bargaining unit employees may use the grievance procedure to resolve disputes arising under the foregoing policy.

REVISIONS/AMENDMENTS TO THIS POLICY

The County Engineer reserves the right to from time to time revise the foregoing policy. With respect to reasonable suspicion testing, any time lost from work shall be considered time worked and shall be compensated provided the employee tests negative with respect to drugs and tests less than .02% blood/alcohol with respect to alcohol. Time lost from work due to random testing shall be considered time worked regardless of test results. With respect to random testing, to the extent that this policy is inconsistent or conflicts with the provisions or requirements of the Act and/or the regulations promulgated with respect thereto, the Act and such regulation shall govern.

RESIGNATION AND RETIREMENT

It is the policy of the County of Summit to expect employees to give notice of resignation and to be given an exit interview.

RESIGNATION

Employees who plan to voluntarily resign shall notify their Engineer in writing, at least two (2) weeks in advance of the effective date of their resignation. The Engineer shall immediately acknowledge receipt and acceptance of the resignation, in writing to the employee. Employees are expected to work during the two (2) week notice in order to provide an orderly transition of assigned duties. Use of accrued vacation time is subject to the approval of the Engineer or the designee. The employee should check with the Engineer's Personnel and/or Payroll Officer at least one (1) week prior to the last day of employment to assure that all details of the termination are complete. Failure to give proper notification shall result in ineligibility for reinstatement. A person who resigned in good standing may be rehired at the discretion of the Engineer, in his or her former type of position, if available, within

one (1) year following resignation. However, the person would have to be qualified to perform the duties of the position.

RETIREMENT

All employees who are paid in whole or in part by the County must become members of the Ohio Public Employees Retirement System unless exempt by law or ineligible for membership. Service credit towards retirement is based on all service for which contributions to OPERS were taken from earnings. In addition to contributing service credit, the employee may obtain credit for other types of service. The employee should contact OPERS for the proper forms needed to obtain this credit. Questions concerning the benefits provided by the pension system may be directed to the Engineer's Personnel Office or the offices listed below: Ohio Public Employees Retirement System, 277 East Town Street, Columbus, Ohio 43215-4642, or by phone at 1-800-222-7377, or by logging on to the OPERS website at www.OPERS.org.

EXIT INTERVIEW

Upon voluntary termination of employment, employees will be scheduled for an exit interview with the Engineer or the designee. Such interviews will be conducted prior to the employee's last day of employment and in the course of the workday. The purpose of the exit interview is to discover the employee's attitude toward the job and the County and also to solicit suggestions and recommendations. The employee should be encouraged to talk freely. The employee shall return all County property, equipment, keys, manuals, ID, etc. The comments made by the employee will be discussed with those involved, in order to help them evaluate their effectiveness as supervisors and the effectiveness of the employer. The Engineer or the designee shall complete the Exit Interview form. It will then become a part of the employee's personnel file.

HOURS OF WORK

All COSE non-bargaining employees shall document that they have worked and/or accounted for a forty (40) hour work week. COSE employees will be expected to work one of the following shifts:

- 6:30AM – 3:00 PM
- 7:30 AM – 4:00 PM (Standard Work Shift)
- 8:30 AM – 5:00 PM

Approval to work a shift other than the standard shift (7:30 AM – 4:00 PM) is at the sole discretion of the Department Manager. Such approval will be based on the requesting employee's job duties, attendance record, and work record. Once a shift is chosen and approved the employee must remain on that shift until such time that the Department Manager approves a change to an alternate shift. Employees will be required to work the selected and approved shift for a minimum of 90 calendar days before requesting a change. An employee requesting a change in work schedule must provide a minimum of two weeks advanced notice to the Department

Head. It is the responsibility of the Department Head to assure full coverage of departmental operations and to continue to meet all service requirements. At anytime a Department Head may require employees to revert to the standard work shift. The established and practiced lunch break period will continue regardless of the employees assigned work shift. Any employee found in violation of this policy, or who is not working a complete workweek will be returned to the standard work shift and subject to disciplinary procedure up to and including termination depending on the seriousness of the offense. It is the responsibility of the Department Head to inform the HR Department and the Receptionist Desk of a change in an employee's work schedule to allow for the accurate accounting of time and the efficient servicing of incoming telephone calls.

PERSONAL USE OF COUNTY PROPERTY

All equipment, supplies, and property that belong to the Summit County Engineer is for the exclusive use of serving the citizens of Summit County. These materials should not and will not be used for the personal convenience of Summit County Engineer employees under any circumstances. This policy shall be in effect during the workday and after hours. County vehicles should never be used to run personal errands, i.e., grocery store, pharmacy or picking up and dropping children off at school. Personal use of county-owned equipment is in violation of this policy, and will subject the offending employee to disciplinary measures. Under no circumstances shall personal vehicles be parked in Summit County Engineer building(s), nor shall County equipment be used to service personal vehicles. Personal vehicles are not allowed in the County garage for service or cleaning, this is a misappropriation of county time, labor, and facilities.

CONFLICT OF INTEREST

It is the position of the Summit County Engineer that no employee, in a position to assign work, award bids or review, analyze, or approve any documents on behalf of the Summit County Engineer's Office, shall moonlight or attain employment with any entity including but not limited to company, person(s), developer, firm, political subdivision, contractor, engineer, or consultant that does work, submits bids or submits any documents for review, analysis or approval by for or with the Summit County Engineer's Office.

ETHICS

It is policy of the Office of the Summit County Engineer (the "Summit County Engineer") to carry out its mission in accordance with Ohio Ethics Laws and to ensure that the Summit County Engineer's employees conduct themselves in a manner that fosters public confidence in the integrity of the Summit County Engineer, its processes, and its accomplishments.

POLITICAL ACTIVITY

The Engineer's employees must, at all times, abide by county, state and national laws regarding political activities by employees. County employees in the classified service (bargaining and non-bargaining alike) are prohibited from engaging in partisan political activity to the extent defined in this policy.

Permitted Activities.

The following activities are permissible for employees in the classified service:

- (1) Registration and voting;
- (2) Expression of opinions, either oral or written;
- (3) Voluntary financial contributions to political candidates or organizations;
- (4) Circulation of nonpartisan petitions or petitions stating views on legislation;
- (5) Attendance at political rallies;
- (6) Signing petitions in support of individuals, legislation or issues;
- (7) Display of political materials in the employee's home or on the employee's property;
- (8) Wearing political badges or buttons outside of work;
- (9) The display of political stickers on private vehicles;
- (10) Serving as a precinct election official under section 3501.22 of the Revised Code; and
- (11) Campaign activities not expressly prohibited by section 169.18(d) of the County of Summit Codified Ordinances.

Prohibited Activities.

The following activities are prohibited for employees in the classified service:

- (1) Candidacy for public office in a partisan election;
- (2) Candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;
- (3) Filing of petitions meeting statutory requirements for partisan candidacy to elective office;
- (4) Circulation of official nominating petitions for any candidate participating in a partisan election;
- (5) Service in an elected or appointed office in any partisan political organization or political action committee which supports partisan activity;
- (6) Acceptance of a party-sponsored appointment to any office normally filled by partisan election;
- (7) Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in-kind, for any political party or political candidate;
- (8) Solicitation of the sale, or actual sale, of political party tickets;

- (9) Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
- (10) Service as witness or challenger for any party or partisan committee;
- (11) Participation in political caucuses of a partisan nature.
- (12) Any other activity prohibited by section 169.18(d) of the County of Summit Codified Ordinances.

GENERAL STANDARDS OF ETHICAL CONDUCT

The Engineer's employees must, at all times, abide by Ohio's ethics laws, as found in Chapters 102. and 2921. 01 of the Ohio Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts. Officials and employees must conduct themselves, at all times, in accordance with Ohio's ethics laws. A general summary of the restraints upon the conduct of all officials and employees includes, but is not limited to, those listed below. No official or employee shall:

- Solicit or accept anything of value from anyone doing business with the Engineer;
- Solicit or accept employment from anyone doing business with the Engineer unless the official or employee completely withdraws from the Engineer's activity regarding the party offering employment, and the Engineer approves the withdrawal;
- Use his or her public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
- Be paid or accept any form of compensation for personal services rendered on a matter before the Engineer;
- Hold or benefit from a contract with, authorized by, or approved by, the Engineer;
- Vote, authorize, recommend, or in any other way use his or her position to secure approval of a Summit County Engineer contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
- During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the official or employee personally participated while serving with the Summit County Engineer;
- Use or disclose confidential information protected by law, unless appropriately authorized; or
- Use, or authorize the use of, his or her title, the name "Summit County Engineer," "COSE" or "SCE," or the Summit County Engineer's logos in a manner that suggests impropriety, favoritism, or bias by the Summit County Engineer or the official or employee.

For purposes of this policy:

- “Anything of value” includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. “Value” means worth greater than “de minimis” or nominal.
- “Anyone doing business with the Summit County Engineer” includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the Summit County Engineer.

PENALTIES

Failure of any Summit County Engineer official or employee to abide by this Ethics policy, or to comply with related county, state or national statutes, will result in discipline, which may include dismissal, as well as any potential civil or criminal sanctions under Ohio Law.

DISABILITY ACCOMMODATION

It is the policy of the Summit County Engineer that qualified individuals with disabilities will have equal and full access to employment with the County.

DEFINITIONS

- “Qualified individual with a disability” The Americans with Disabilities Act (ADA) defines a qualified individual with a disability as an applicant or employee who has the knowledge, skills, experience, education or applicable license requirements that are necessary to perform the essential job duties and functions and is a person with a disability under the provisions of the ADA and the Americans with Disabilities Act Amendments Act (ADAAA).
- “Disability”, The ADA defines a disability as: (1) a physical or mental impairment that substantially limits one or more major life activities; (2) and/or the employee having a record of having such impairment (such as an employee who is in recovery from cancer) OR (3) being regarded as having an impairment. According to the Equal Employment Opportunity Commission (EEOC), the ADAAA indicated that there are impairments that would automatically be considered disabilities. They include (but are not limited to): deafness, blindness, intellectual disability, completely or partially missing limbs, mobility impairments that require the use of a wheelchair, autism, cancer, cerebral palsy, diabetes, epilepsy, HIV or AIDS, multiple sclerosis and muscular dystrophy, major depression, bi-polar disorder, post-traumatic stress disorder, obsessive-compulsive disorder and schizophrenia. The definition of major life activities has been expanded to include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working, among others. A broader definition of major bodily functions was added and includes functions of the immune system; normal cell growth; and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions, among others. The definition of a disability also includes situations in which an

employer takes an action prohibited by the ADA based on an actual or perceived impairment—for example, removing from customer contact a bank teller who has severe facial scars because customers may feel uncomfortable working with this disfigured employee or may perceive the employee as having an impairment when, in fact, he or she does not. The ADAAA directs that if a “mitigating measure,” such as medication, medical equipment, devices, prosthetic limbs or low vision devices, eliminates or reduces the symptoms or impact of the impairment, that fact cannot be used in determining if a person meets the definition of having a disability. Instead, the determination of disability should focus on whether the individual would be substantially limited in performing a major life activity without the mitigating measure. This rule, however, does not apply to people who wear ordinary eye glasses or contact lenses.

- “Reasonable accommodations” may include, but is not limited to reasonable modifications in policies, practices, and procedures; furnishing, at no charge, to the qualified individuals with disabilities, auxiliary aids and services including equipment, devices, and materials in alternative formats.

REQUEST FOR ACCOMODATION

Reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee must be made, unless such accommodation would impose an undue hardship on the operation of the business of the county. Any applicant requesting an accommodation may contact the Human Resource Commission (“HRC”). The HRC shall contact the appropriate appointing authority to discuss the request and determine the appropriate course of action.

WORK FROM HOME POLICY

PURPOSE OF POLICY

To establish standards for working from home as an alternate work arrangement in cases where individual, job and manager characteristics are best suited to such an arrangement.

POLICY STATEMENT

Work-from-home is a work alternative that may be appropriate for some employees in some jobs. It is not an entitlement; it is not a Countywide benefit; and it in no way changes the terms and conditions of employment. The assignment for work-from-home may be temporary or for an extended period based upon the needs of the County Engineer and may be terminated at the discretion of the County Engineer or at the request of the employee.

ELIGIBILITY

All full-time employees are eligible for work-from-home provided they are not under any disciplinary action.

OTHER POLICY CONSIDERATIONS

- 1.) A manager can suggest work-from-home as a work arrangement for a time-specific period or as an on-going assignment. The manager or director of the department will make the final recommendation on a work-from-home arrangement subject to the approval of the County Engineer. The decision will be based on job responsibilities and other factors including adherence to this work-from-home policy.
- 2.) Individuals who are being considered for the Work-from-home program must exhibit the ability to be self-motivated and work independently.
- 3.) Work-from-home arrangements are at the sole discretion of the County Engineer and may not be available for all jobs and for certain periods of the year. Upon a minimum of 24-hours notice, work-from-home arrangements may be discontinued by the County Engineer at any time or at the request of the employee.
- 4.) All existing procedures for call-off time (sick leave, personal time, vacation, etc.) remain in effect for work-from-home employees and failure to abide by those procedures will be deemed a breach of this policy.
- 5.) The Summit County Engineer's office will determine the appropriate equipment needs and or office supplies for the work-from-home program. Upon termination of the work-from-home arrangement or County employment, all County provided property will be returned to the County in good working order. Any County equipment or information must be used safely and maintained securely by the employee.
- 6.) The supervisor and employee will agree on the work-from-home schedule to include the days or partial days when the employee will be authorized to work-from-home based upon identified tasks to be performed.
- 7.) Work-from-home employees who are not exempt from overtime will be required to record all hours worked by clocking in and out using the County's payroll system. Failure to clock in and out in a timely manner may result in termination of the work-from-home option. Hours worked in excess of those specified per day and per workweek will require advance approval of the manager. Failure to accurately record all time worked can result in disciplinary action. Employees of the Summit County Engineer's office will follow the meal and rest breaks already established for their department. Work-from-home employees will be required to update the Time Tracker software (or any subsequent software implemented by the Engineer) to provide a record of the work performed from home. Failure to document work-from-home activities may result in termination of the work-from-home option.

8.) Work-from-home employees who are exempt from overtime will be required to update the Time Tracker software (or any subsequent software implemented by the Engineer) to provide a record of the work performed from home. Failure to document work-from-home activities may result in termination of the work-from-home option.

9.) Employees who work-from-home may be subject to automated monitoring at the discretion of the County.