

VILLAGE OF EDGERTON, OHIO

**PERSONNEL POLICIES
AND
PROCEDURES MANUAL**

MARCH 2016 REV.

TABLE OF CONTENTS

PREAMBLE		4
1) SECTION 1.00	INTRODUCTION	5
	1.01 Objectives	6
	1.02 Scope Of Coverage	6
	1.03 Dissemination	7
	1.04 Policy Amendments	7
	1.05 Cost Consciousness	8
	1.06 Employer Rights And Responsibilities	8
	1.07 Definitions	9
2) SECTION 2.00	EMPLOYMENT PRACTICES	14
	2.01 Fair Employment Practices	15
	2.02 Appointment Type	17
	2.03 Verification Of Employment Eligibility	18
	2.04 Evaluation Of Applicants	19
	2.05 Criminal Background Checks Of Applicants	19
	2.06 Filling Vacant Positions	20
	2.07 Probationary Periods	22
	2.08 Seniority	23
	2.09 Physical And Medical Examinations	24
	2.10 Notification Of Changes	24
	2.11 Outside Employment	25
	2.12 Reasonable Accommodation For Disabled Employees And The Public	26
	2.13 Nepotism	29
	2.14 Resignation	29
	2.15 Bulletin Board	30
	2.16 Hours Of Work	31

3)	SECTION 3.00	EMPLOYEE PERFORMANCE	32
	3.01	Personnel Records	33
	3.02	Performance Evaluation	35
	3.03	Training	36
4)	SECTION 4.00	EMPLOYEE CONDUCT	38
	4.01	Personnel Records	39
	4.02	Confidentiality	39
	4.03	Tardiness And Attendance	40
	4.04	Safety And Health	42
	4.05	Report Of On The Job Injuries And Accidents	43
	4.06	Supplies, Equipment And Telephone	43
	4.07	Use Of Motor Vehicles	44
	4.08	Dress Code And Office Decorum	45
	4.09	Political Activity	46
	4.10	Prohibition Against Acceptance Of Gifts And Gratuities	46
	4.11	Solicitation Policy	47
	4.12	Policy Against Sexual Harassment	48
	4.13	Freedom From Substance Use/Abuse	49
	4.14	Drug Free Workplace	51
	4.15	Tobacco Policy	52
	4.16	Protection Of "Whistleblowers"	53
	4.17	Infectious Disease Policy	54
	4.18	Commercial Drivers License	57
	4.19	Public Records Policy	
5)	SECTION 5.00	DISCIPLINE AND GRIEVANCE PROCEDURE	58
	5.01	Discipline Principles	59
	5.02	Progressive Disciplinary Policy	59
	5.03	Work Rules	60
	5.04	Orders For Disciplinary Action And Penalties	68
	5.05	Appeals	70
	5.06	Grievance Procedure	71
	5.07	Equal Employment Opportunity (EEO) Complaint Policy &/Procedure	73

6)	SECTION 6.00	EMPLOYMENT PROVISIONS	75
	6.01	Work Day; Overtime	76
	6.02	Holidays	77
	6.03	Personal Days	78
	6.04	Vacation Time	79
	6.05	Sick Time	80
	6.06	Funeral Leave	83
	6.07	Military Leave	83
	6.08	Court Leave	85
	6.09	Calamity Days/Emergency Closing	86
	6.10	Miscellaneous Leaves Of Absence	87
	6.11	Health Insurance	88
	6.12	Travel Allowances	89
	6.13	Subsistence Allowances	90
	6.14	Employment Standards And Policies	91
	6.15	Payment Schedule	93
	6.16	Benefits For Members Of Retirement Systems	93
7)	SECTION 7.00	REDUCTION IN FORCE	94
	7.01	Layoff Procedure	95
8)	SECTION 8.00	GENERAL INFORMATION	96
	8.01	Savings Clause	97
	8.02	Notice Of Village Of Edgerton's Policies	97
	8.03	Acknowledgment Of Receipt And Disclaimer	98

PREAMBLE

Policies are defined as the basic rules which guide administrative action for accomplishing an organization's objective. Comprehensive and clearly defined policies, consistently and fairly administered, are essential to the success of any organization.

This manual contains policies set forth by the Mayor, Village Administrator and Council of Edgerton in accordance with the authority derived from the Ohio Revised Code. Personnel charged with the responsibility of administering policy must be thoroughly knowledgeable of its contents. Furthermore, it is essential that these policies are administered in a systematic, fair and impartial manner.

Undoubtedly, there will be situations which will require an administrative interpretation of these policies. Every effort shall be made to ensure that such decisions are made objectively, with the general intent of the policy in mind.

As conditions shift, it may be necessary to add, delete, or revise specific policies. Updated policies will be issued to all manual holders and communicated to all affected employees.

This Personnel Policy manual is a guide to be utilized by the Administration of the Village of Edgerton to ensure uniformity and nondiscriminatory application of the conditions of employment. In the event there is a conflict between the matters expressed in this manual and any other applicable State or Federal laws, ordinances, resolutions or by-laws of the Village of Edgerton, the applicable State or Federal laws, ordinances, resolutions or by-laws of the Village of Edgerton shall prevail.

This Manual is not a contract, express or implied, guaranteeing employment for any specific duration. Subject to any restrictions imposed by law, either you or the Village of Edgerton may terminate this relationship at any time, for any reason, with or without cause or notice. Please understand that no supervisor, manager, or representative of the Village of Edgerton has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the foregoing. Please also understand that no supervisor, manager, or other representative of the Village of Edgerton has the authority to make any verbal promises, commitments, or statements of any kind regarding Village policies, procedures, or any other issues that are legally binding on the Village.

This Manual is the property of the Village of Edgerton. Upon separation from employment, this Manual must be returned to the village prior to the employee's receipt of his/her final paycheck.

Hereinafter, within the Manual, the term "Village" unless stated otherwise, shall refer to the Village of Edgerton Council and Administration.

SECTION 1.00 INTRODUCTION

- 1.01 Objectives
- 1.02 Scope Of Coverage
- 1.03 Dissemination
- 1.04 Policy Amendments
- 1.05 Cost Consciousness
- 1.06 Employer Rights And Responsibilities
- 1.07 Definitions

SECTION 1.01**OBJECTIVES.**

The Village of Edgerton Council, Mayor, and Village Administrator recognize that a personnel system, which recruits and retains competent, dependable personnel, is indispensable to the effective operation of every program and/or department. The policies and procedures in this Manual are designed to:

- A. Promote high morale and foster good working relationships among employees by providing uniform personnel policies, equal opportunities for advancement, and consideration for employee needs;
- B. maintain recruitment and internal promotional practices which will enhance the attractiveness of a career with the Village, and encourage each of its employees to give his/her best effort to his job and the public;
- C. encourage courteous and dependable service to the public;
- D. provide fair and equal opportunity for qualified persons to enter and progress in their employment with the Village based on merit and fitness as determined through objective and practical personnel management methods; and
- E. ensure that all Village operations are conducted in an ethical, legal and non-discriminatory manner.

SECTION 1.02:**SCOPE OF COVERAGE.**

- A. The policies set forth and adopted within this Manual apply to all employees of the Village of Edgerton. These policies supersede all previous written and unwritten personnel policies. Many of the provisions are based on statutes of the Ohio Revised Code. It is the intent of the Village Council that this document supplement, but not alter, any provision of the Ohio Revised Code. When there is any conflict between statute and a Village policy regulation, the statute shall govern, provided that the statute is applicable to villages and is not for reference purposes only.
- B. Questions regarding the interpretation and application of these policies should be directed to the Mayor, Village Administrator, Department Head or appropriate Supervisor.

- C. Within this Manual are references to ORC, OAC, OAG and VOC. These are abbreviations for the following:
 - 1. ORC - Ohio Revised Code;
 - 2. OAC - Ohio Administrative Code, and
 - 3. OAG - Ohio Attorney General Opinion.
 - 4. VOC - Ordinances of the Village of Edgerton

- D. The use of the male pronoun or adjective as used herein refers to the female also unless otherwise indicated.

- E. Situations may arise which require administrative interpretation. In this case, the Village and/or its legal representative may issue a Directive which shall be separate from this Policy Manual. Directives are to be followed and adhered to by all Village employees.

SECTION 1.03: DISSEMINATION.

All employees shall be provided a copy of these policies. Each Supervisor, Department Head and the Village Administrator shall keep a copy available for review by employees.

SECTION 1.04: POLICY AMENDMENTS.

These policies may be amended, revised or deleted by recommendation of the Mayor, Village Administrator, appropriate Supervisor with approval of Village Council, with or without prior notice to employees.

Suggestions or questions regarding changes in policy should be directed in writing to the Mayor, Village Administrator, or appropriate Supervisor.

SECTION 1.05: COST CONSCIOUSNESS.

Employees should at all times be concerned about the proper use of materials, equipment and facilities so taxpayer's dollars are not wasted. It is therefore the responsibility of all employees to perform their prescribed duties in the most economical manner possible such as turning off lights, electrical motors, heaters, office machines, etc., when not in use. (This is not meant as a complete list.)

Employees are encouraged to submit suggestions to their Department Head, Supervisor or to the Village Administrator which may help to reduce costs and improve services. A response shall be made to all written suggestions pertaining to cost reduction and improvement of services.

SECTION 1.06: EMPLOYER RIGHTS AND RESPONSIBILITIES.

The Village Mayor, Village Administrator, Department Head or appropriate Supervisor, upon approval by Council, maintain the rights and responsibilities to establish policies which are consistent, with all applicable state and federal law, in order to carry out the duties with which it is charged. Those duties include the following.

- A. Determine matters of inherent managerial policy which include, but are not limited to areas of discretion or policy, such as the functions and programs of the Village, standards of services, its overall budget, utilization of technology, and organizational structure;
- B. direct, supervise, evaluate, or hire employees;
- C. maintain and improve the efficiency and effectiveness of governmental operations;
- D. determine the overall methods, process, means, or personnel by which the Villages' operations are to be conducted;
- E. Subject to any restrictions imposed by law, suspend, discipline, demote, or discharge, or lay off, transfer, assign, schedule, promote, or retain employees;
- F. determine the adequacy of the work force;
- G. determine the overall mission of the Village as a unit of government;
- H. effectively manage the work force; and
- I. take actions to carry out the mission of the Village as a governmental unit.

SECTION 1.07:

DEFINITIONS

The following definitions relate to this Personnel Policies and Procedures Manual.

ABSENCE, EXCUSED - Being absent from work with the approval of the Employer (i.e. vacation, holiday, approved unpaid leave of absence, personal day).

ABSENTEEISM - The practice of an employee failing to report for work for a period of one or more days or failing to report within the prescribed time when he/she has been assigned or scheduled to work. Misuse or abuse of sick leave is absenteeism.

ABSENT WITHOUT APPROVED LEAVE - Failure to report for work without authorization from the Mayor, Village Administrator, Department Head or appropriate Supervisor to be absent. Tardiness may be construed to be absent without approved leave, as well as leaving one's work site during working hours without authorization; also known as unexcused absence.

ACTIVE PAY STATUS - The condition under which an employee is eligible to receive pay including, but not limited to, vacation leave, sick leave and other compensated time off.

ACTIVE WORK STATUS - The conditions under which an employee is actually in work status and is eligible to receive pay; this does not include compensated time off (vacation pay, sick leave, personal leave and disability leave) or approved unpaid leaves of absence.

ADMINISTRATION - The Mayor, Village Administrator, Department Head or person otherwise designated Supervisor.

APPOINTING AUTHORITY - The officer or body having the power of appointment to, or removal from, positions in any office, department, commission, board, or institution.

CDL - Commercial Drivers License.

CAUTION AND INSTRUCTION - The discussion a Supervisor holds with an employee in which the Supervisor cautions the employee concerning his conduct and impresses upon him the need for improvement. This process can eliminate misunderstandings immediately and set and maintain desired standards of conduct and performance. Documentation on the cautioning and instruction form regarding the date, time and reason for such a conference will be kept in the employee's personnel file in the event the conduct does not improve and subsequent action is required.

CLASSIFICATION - A group of positions that involve similar duties and responsibilities, require similar qualification, and which are properly designated by a common descriptive title indicating the general nature of the work. A class may include only one position in some circumstances.

CLASSIFICATION TITLE - The title assigned by the Master Pay Ordinance of the Village of Edgerton.

COUNCIL – The Council of the Village of Edgerton, Ohio.

DAYS - Calendar days, except as otherwise defined in these Policies.

DEPARTMENT - A Village Department directed and controlled by an Appointing Authority and charged with a specific public service function.

DEPARTMENT HEAD – The individual appointed by the appropriate Appointing Authority as the leader of an individual Department; i.e. Police Chief, Fire Chief, Village Administrator, Village Fiscal Officer, etc.; a Department Head may also be the Supervisor of employees under his Department.

DISABILITY - A physical or mental impairment that substantially limits one of life's major activities.

DISHONESTY - Disposition to lie, cheat or defraud; untrustworthiness, lack of integrity.

DRUNKENNESS - The condition of a person whose mind is affected by the immediate use of intoxicating drinks or controlled substances; the state of one who is "drunk" or "high". The effect produced upon the mind or body by drinking intoxicating liquors or ingesting other intoxicating substances to such an extent that the normal condition of a person is changed and his/her capacity for rational action and conduct is substantially lessened.

DUE PROCESS - Pre-disciplinary or post-disciplinary procedures for employees of the Police and Fire Departments mandated by statute and the United States Constitution to assess whether there is probable cause to suspend, reduce or terminate a staff member.

EMPLOYEE - Employee shall be defined as any person holding a position subject to appointment, removal, promotion or reduction by an Appointing Authority.

EMPLOYEE AT WILL – The employment status of all employees of the Village that are not in the Police or Fire Departments or employed by contract for a specific length of time; either the employee or the Village may terminate this relationship at any time, for any reason, with or without cause or notice.

EMPLOYER - The Village of Edgerton and its Council.

ESSENTIAL FUNCTIONS - Those duties of position that are the reason for its existence. Essential functions do not portray all the duties of a position.

EXEMPT EMPLOYEES - Employees excluded from overtime provisions by holding positions that are administrative, professional or executive as defined by the Fair Labor Standards Act. Examples of exempt employees include Department Heads, Supervisors and professional employees.

FULL-TIME EMPLOYEE - An employee whose employment is designated as full-time by his/her contract and/or designation on a Village personnel form as approved by prior Council action.

IMMEDIATE FAMILY - Parents, or those standing in their stead, brother, sister, spouse, son, daughter, stepchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent or grandchild.

IMMORAL - Contrary to good morals; inconsistent with the rules and principles of morality; harmful or adverse to public welfare according to the standards of a given community, as expressed in law or otherwise.

INCOMPETENCY - Lack of ability, legal qualifications or fitness to perform the substantial duties of a position.

INEFFICIENCY - Quality of being incapable or indisposed to do the things required of an employee within reasonable standards; not working efficiently.

INSUBORDINATION - State of being unwilling to perform the duties required of an employee; refusal to obey an order issued by the employee's immediate Supervisor or other individual having authority to direct said employee.

INTERMITTENT EMPLOYEE - A substitute or other employee who works on an irregular schedule which is determined by the fluctuating demands of the work which is not predictable and whose hours are generally less than 1,000 per year.

LEAVE OF ABSENCE - Temporary separation from active work status received by appropriate Supervisor and authorized by the Mayor or Village Administrator.

MALFEASANCE - The doing by a public official or employee under color of authority of his/her office of something that is unwarranted, contrary to law; commission of an act which is unlawful and/or wholly wrongful.

MAJOR LIFE ACTIVITIES - Basic life activities the average person performs including, but not limited to, caring for one's self, walking, seeing, hearing, speaking, breathing, learning and working.

MISFEASANCE - The performance of a legal or proper act in an illegal or improper manner.

NEGLECT OF DUTY - To omit or fail to do a thing that can be done, or that is required to be done; an absence of care or attention in the doing; an omission of a given act; a refusal or unwillingness to perform one's duty.

NON-EXEMPT EMPLOYEE - Employees entitled to overtime pay do not hold positions that are provisions because they do not hold positions that are administrative, professional or executive as defined by the Fair Labor Standards Act.

NONFEASANCE - The omission of an act that ought to be done; total neglect of duty.

PARTICIPANT - Any specific employment or job. Calling for performance and exercise of certain duties and exercise of certain responsibilities assigned or delegated by a certain competent authority.

PROGRAM YEAR - The twelve month period of time designated by the Council as such.

PUBLIC EMPLOYMENT RISK REDUCTION ACT - Also known as House Bill 308 provides for occupational safety and health standards, rules and regulations. All public employers must provide employees with employment and a place of employment free from recognized hazards. Employees must follow the employer's safety rules and regulations as provided under this Act. The effective date is July, 1994 with enforcement beginning January 1, 1995.

REASONABLE ACCOMMODATION - The making of an accommodation allowing an otherwise qualified person to perform the essential functions of his/her position as further defined as the Americans with Disabilities Act of 1990.

REDUCTION - A change in classification to one having a lower pay range; a change to a lower step within the pay range for a given classification; and a decrease in compensation.

REMOVAL - The termination of an employee's employment.

SICK LEAVE ABUSE - The use of sick leave for any purpose other than as provided by applicable law or these policies. Examples include: calling in sick when the employee is able to work; reporting illness in the immediate family when such an illness does not exist; reporting off sick to participate in some other activity or to take care of personal business; establishing a pattern of reporting off sick on certain days of the week or following days off, repeated failure to follow the rules and regulations regarding use of sick leave and reporting procedures.

SUBSTANTIALLY LIMITS - An impairment that prevents an individual from performing a major like activity.

SUPERVISOR - The individual who has been authorized by the Appointing Authority or Department Head to oversee and direct work of certain employees on a daily basis and who effectively recommends actions such as hiring, transfers, suspensions, promotions, discharge, rewards, layoff, recall or discipline.

THEFT - The act of stealing, robbery, larceny, including theft of computer data.

TRANSFER - The movement of an employee from one position to another.

UNDUE HARDSHIP - Significant difficulty or expense in, or resulting from, the provision of an accommodation. The cost accommodation and financial resources of the entity are factors considered in determining whether an entity are undue hardship exists.

VILLAGE – The Village of Edgerton, State of Ohio.

WORK DAY - A day the Village is open for business, except for the Police Department and Fire Department, which are open and operate seven days a week.

WORK RULE - A directive issued by the Administration pertaining to the behavior of employees and/or operating procedures of the department; violation is subject to discipline.

WRITTEN REPRIMAND - A disciplinary action consisting of a written statement placed in the employee's personnel file which shall remain as part of the employee's record until such time as his/her conduct improves or as stated in the disciplinary policy. This level of disciplinary action is considered one step above cautioning and instruction.

SECTION 2.00 INTRODUCTION

- 2.01 Fair Employment Practices
- 2.02 Appointment Type
- 2.03 Verification Of Employment Eligibility
- 2.04 Evaluation Of Applicants
- 2.05 Criminal Background Checks Of Applicants
- 2.06 Filling Vacant Positions
- 2.07 Probationary Periods
- 2.08 Seniority
- 2.09 Physical And Medical Examinations
- 2.10 Notification Of Changes
- 2.11 Outside Employment
- 2.12 Reasonable Accommodation For Disabled Employees And The Public
- 2.13 Nepotism
- 2.14 Resignation
- 2.15 Bulletin Board
- 2.16 Hours Of Work

- A. The Village of Edgerton is fully committed to assuring equal opportunity and equal consideration to all applicants in personnel matters including recruitment and hiring, training, promotion, salaries and other compensation, transfer, and layoff or termination.
- B. The Village of Edgerton will operate each program or activity so that the program or activity when viewed in its entirety is accessible to persons with a disability.
- C. The Village of Edgerton will assure equal opportunity in its employment policies and practices to prohibit discrimination on the basis of race, color, religion, creed, nation origin or ancestry, sex, age, qualifying disability, veteran status or political affiliation, and to promote the full realization of equal opportunity through a continuing equal opportunity program within the Village.
- D. No employee may aid, abet, compel, coerce or conspire to discharge, harass or cause another to resign because of race, color, religion, creed, age, sex, national origin or qualifying disability.
- E. The Village Administrator serves as the EEO Officer of the Village of Edgerton. Any applicant, employee, parent or interested person who believes he/she has been discriminated against may make a written complaint of discrimination to the Village Administrator, who shall investigate the matter.
- F. It is the policy of the Village to employ persons who are qualified or trainable for employment by the fair standards of physical fitness, education, experience, aptitude and character for the position of employment available. All decisions are based solely on the basis of job-related criteria. Every effort will be made to place new employees in positions which will best utilize their abilities and in which they will be able to achieve both personal satisfaction and opportunity for growth.
- G. After a job offer but prior to final job placement all prospective employees of the Village may be required to pass a physical by a physician designated by the Appointing Authority.
- H. The Village of Edgerton and its Appointing Authorities will attempt to train and develop employees for promotion to higher level positions. When vacancies occur above the entry level, Village employees will be given the opportunity to apply for such vacancies; however, the Appointing Authorities may recruit applicants from outside the work force when there is reason to believe that better qualified applicants can be obtained. .

- I. It is the goal of the Village of Edgerton to employ residents of the Village and/or Williams County whenever possible. Any change in residency must be reported to Fiscal officer immediately.

- J. The Village may reject the application of any person or may, after the interview, decline to consider any candidate who:
 - 1. lacks any of the minimum requirements established for the position for which he/she is applying;
 - 2. makes a false statement of any material fact;
 - 3. practiced or attempted to practice any deception or fraud in his application or in his examination or interview, in establishing his eligibility, or securing his appointment;
 - 4. used, threatened or attempted to use political influence in securing employment or re-employment;
 - 5. is addicted to the habitual use of intoxicating liquors or drugs which would impair the individual's ability to perform the job for which he is applying;
 - 6. has failed to submit his/her application correctly or within the prescribed time frame;
 - 7. has been convicted of a felony or guilty of infamous or notoriously disgraceful conduct;
 - 8. has been dismissed from public service or other employment for delinquency or other good cause without reporting same on his application;
 - 9. has otherwise willfully violated the provisions of these rules;
 - 10. has an unsatisfactory report of character investigation or personal habits, from listed references or former employer(s); and/or
 - 11. should be rejected for any other reason .

SECTION 2.02:

APPOINTMENT TYPE.

- A. All employees of the Village of Edgerton shall be categorized as full-time, part-time, temporary, seasonal, intermittent, student or work relief.
1. Full-time Employees - An employee who works forty (40) hours per week and Police Department (43), on a regularly scheduled basis or on the standard full-time work week as designated by the Appointing Authority shall be considered a full-time employee, but in no case shall an employee be considered full-time if he/she works less than a 32 hours week.
 2. Part-time Employees - An employee who works less than twenty five (25) hours per week, or less than full-time as designated by the Appointing Authority, but on a regularly scheduled basis.
 3. Temporary Employee - An employee who works in a position which is of a non-permanent nature (full-time or part-time) and which position has a specified duration of time of six (6) months or less.
 4. Intermittent Employee - An employee who works on an irregular schedule which is determined by the fluctuating demand of the work and is generally not predictable.
 5. Seasonal Employee - An employee who works for a specific time of the year, or works on a reoccurring but temporary basis annually, but no more than five hundred twenty (520) hours.
 6. Student Employee - An employee who works in a non-professional position requiring little or no skill. The person must be a student at an educational institution or a college intern, however, their assigned position needs to be directly related to the content or level of the person's education.
 7. Work Relief- An employee who works hours compensated with their public assistance benefits. Normally of duration that bears a ratio to their public assistance allotment.
- B. Full-time employees shall be entitled to all benefits as provided by the Village of Edgerton. Part-time, seasonal and intermittent employees shall be entitled to only those benefits which are specified in this manual.
- C. All employees of the Village, except those employed under a contract for a specific length of time or employed with the Police or Fire Departments, are Employees at Will. Employees at Will can terminate this relationship at any time or be terminated at any time by the Village, for any reason, with or without cause or notice.

SECTION 2.03:

**VERIFICATION OF EMPLOYMENT
ELIGIBILITY.**

- A. The U.S. Immigration Law (IRCA) requires that any employee who is hired after November 6, 1986, be subject to a document inspection process. The requirement applies to U.S. citizens as well as to non-citizens. The verification process must take place within three (3) business days of hiring.
- B. Each employee must testify that he is a citizen or national of the United States; is an alien lawfully admitted for permanent residence; or is an alien authorized to work in the United States.
- C. Each employee must present documents to prove his identity and employment eligibility and the Village Fiscal Officer must physically examine this evidence. A list of acceptable documents is provided on the Employment Eligibility Verification Form I-9
- D. A successful applicant refusing to provide documentation or providing false documentation will not be hired, or will be subject to discharge for cause.

SECTION 2.04: EVALUATION OF APPLICANTS.

- A. The Appointing Authority or designee may interview all job applicants who meet the minimum stated qualifications and are able to perform the essential functions of the position listed on the job posting, advertisement or notice. Applicants must submit to reference checks, interviews, background checks, and/or other job related screening procedures. Performance tests shall only be requested if applicable to the position.
- B. An applicant shall be required to provide any information and undergo any examinations necessary to demonstrate qualification for the position sought, insofar as such information is job-related.
- C. An applicant shall be required to sign a Village of Edgerton Release of Information form.

SECTION 2.05: CRIMINAL BACKGROUND CHECKS OF APPLICANTS.

- A. Prior to hiring, each applicant may be required to have a Criminal Background check report completed by the Edgerton Police Department.
- B. Prior to hiring, applicants may be required to also have an acceptable report from the Ohio Bureau of Criminal Identification and Investigation (BCII) and/or the FBI criminal background check of any conviction record.
- C. Under Ohio Revised Code Section 109.57, the Superintendent of Ohio Bureau of Criminal Identification and Investigation may charge a reasonable fee for providing requested information.
- D. Forms are available from Ohio BCII for submitting requests for criminal conviction reports.

SECTION 2.06:

FILLING VACANT POSITIONS.

- A. When it is determined by the Appointing Authority that a job is vacant, the Appointing Authority will determine according to law as to whether the position is to be filled through posting.
- B. All submitted applications will then be checked by the Appointing Authority for eligibility and qualifications. No person shall be eligible for promotion who lacks the qualifications prescribed in the specifications for the position involved, unless evidence is presented either that a person fully meeting the qualifications is not available, that the applicant possesses other special qualifications which make it desirable that he/she be considered for promotion, or that with a reasonable accommodation the individual could perform the essential functions of the position.
- C. No person shall be deemed eligible for promotion who has not satisfactorily completed the required probationary period.
- D. All applicants will be notified of their selection or non-selection. If no applicant can perform the essential functions nor possesses the necessary knowledge, skills and abilities, the option of not selecting any of the applicants is available. The Appointing Authority will then notify applicants that no selection was made.
- E. The Appointing Authority may then plan fill the position by one of the following methods:
 - 1. post the position or re-advertise again later;
 - 2. hire from outside the department.
- F. Position Posting and Selection Criteria.
 - 1. Positions not filled through promotional selection, administrative transfers will be posted. All vacancies will be posted on the Villages bulletin board for a period of five (5) working days.
 - 2. An employee selected for a higher job classification is reclassified as nearly as possible to the effective date of the newly assumed responsibilities.

- G. In addition to the Village position requirements, selection is based on the following criteria:
1. previous evaluations and possible reprimands;
 2. ability to perform the essential functions of the job, with or without an accommodation;
 3. clean and appropriate appearance;
 4. interview subsequent to the review of the applicant's personnel file;
 5. ability to follow supervision;
 6. additional education, training and/or experience;
 7. ability to get along with co-workers;
 8. ability to demonstrate general confidentiality and decorum;
 9. adaptability and flexibility in assuming additional responsibilities and change;
 10. seniority; and
 11. Attendance record, both excessive absences and tardiness.
- H. All employees are eligible to apply for any posted position Applicants are then screened and those meeting the following criteria will be considered:
- I.
1. possess the stated required qualifications; and
 2. have successfully completed his/her most recent probationary period. (Probationary period is defined beginning with the effective date of the appointment.) Reinstatement from resignation is subject to the probationary requirements for the purposes of applying for posted positions.
- J. No applications will be accepted other than when positions are posted or advertised.
- K. Applications will be held by the Appointing Authority for a period of six (6) months.

SECTION 2.07:

PROBATIONARY PERIODS.

- A. A probationary period begins on the first day of work. Probation is the "working test period" of an employee's performance on the job. Each newly hired employee will serve a one hundred eighty (180) calendar day probationary period before becoming a non-probationary employee unless said employee is specifically hired as a temporary employee

An employee of the Police Department will serve a six (6) month probationary period before becoming eligible for recommendation for final appointment unless said employee is specifically hired as an auxiliary officer under ORC 737.161.

An employee of the Voluntary Fire Department will serve a one (1) year probationary period before becoming eligible for final appointment unless said employee is specifically hired as a temporary employee.

- B. An employee who is promoted will serve a six (6) month probationary period if promoted within the Service Department or Police Department, and a one (1) year probationary period promoted within the Voluntary Fire Department.
- C. Time spent on a leave of absence or in non-paid status is not counted as part of the probationary period.
- D. Employees may be removed at any time until the completion of the probationary period without appeal.
- E. Part-time employees shall be subject to the same probationary periods as full-time employees. .

SECTION 2.08:

SENIORITY

- A. Seniority is defined, for the purpose of the Village of Edgerton the uninterrupted length of continuous service with the Village. An authorized leave of absence does not constitute a break in service and seniority time continues to accumulate during the term of the leave, provided that the employee complies with the rules and regulations governing his/her leave of absence, and that employee is reinstated from the leave.
- B. A break in service occurs if an employee is separated for any reason other than layoff. 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 the time spent on layoff.
- C. Seniority for the purposes of vacation is calculated according to the number of years of service with the Village. The service need not be continuous, however, completion of a total of one (1) year of service as defined in Section 9.44 of the Ohio Revised Code is required before eligibility for any vacation leave is established.
- D. Seniority for the purposes of determining retirement benefits is defined by the provisions of the retirement system in which the employee participates.
- E. For all other purposes, other than those specified above, seniority shall be defined as set forth in the provisions of the Ohio Revised Code.
- F. Veterans may receive preference for employment if all other employment qualifications are met.

SECTION 2.09:

PHYSICAL AND MEDICAL EXAMINATIONS

- A. A physical and medical examination by a qualified physician may be required by the Appointing Authority, when an offer of employment is made and during employment, to ensure that selected job applicants are physically and mentally able to perform the essential functions of the position for which they are applying. Examinations may include any job-related examination determined to be an employment requirement.

- B. The Appointing Authority shall select the physician to administer the examination and shall pay the cost. Non Police and Fire Department applicants may obtain a waiver of the medical examination for the following reasons:
 - 1. religious opinion or affiliation; or
 - 2. reinstatement within one (1) year of separation.

Any applicant choosing to waive the examination requirement shall submit a written affidavit from a qualified physician describing his/her state of health at the time of employment.

- C. Incumbents of specified positions may be legally required to submit to regularly scheduled medical or psychiatric examinations during this period of employment with the Village. Such an examination is intended to ensure that the incumbent continues to be physically and mentally able to perform the essential functions of his/her position. The Village of Edgerton will make reasonable accommodations for qualified individuals.

SECTION 2.10:

NOTIFICATION OF CHANGES.

- A. All employees are responsible to give written notice to the appropriate Supervisor of any changes of address, telephone number, name of the person to contact in case of emergency, and/or any beneficiary.

- B. All employees are responsible for notifying their Appointing Authority of any driving violations or convictions that may jeopardize their ability to drive a vehicle on behalf of the Village in the discharge of their duties or their insurability (i.e. loss of their Commercial Drivers License or regular drivers license).

- C. All employees are responsible for notifying their appropriate Supervisor of any arrest or conviction for drug use or abuse. This includes legal as well as illegal use of drugs.

SECTION 2.11:**OUTSIDE EMPLOYMENT**

- A. Under no circumstances shall an employee have employment which conflicts with the policies, operations of the Village of Edgerton.
- B. Under this policy, employment "conflicts" are an impairment of an employee's ability to perform his/her position with the Village. Two common conflicts which may arise are:
 - 1. Time conflict - when the working hours required of a "secondary job" directly conflict with the scheduled working hours of an employee's job with the Village, or when the demands of a secondary job prohibit adequate rest, thereby adversely affecting the quality standard of the employee's job performance with the Village.
 - 2. Interest conflict - when the employee engages in outside employment which tends to compromise his/her judgment, actions and/or job performance with the Village or which impairs the Village's reputation in the community.
- C. Conflict is not an excuse for failure to report during times of emergencies or call-out and an employee may be disciplined for failing to report to duty for the Village of Edgerton.
- D. Full-time employment with the Village shall be considered the employee's primary occupation, taking precedence over all other occupations.
- E. Outside employment, or "moonlighting", shall be a concern to the Village only if it adversely affects the job performance of the employee's duties with the Village or constitutes a conflict of interest.
- F. Should it become apparent that an employee's outside employment is adversely affecting his/her job performance, the Appointing Authority may request that the employee refrain from such activity. Any conflict, policy infraction or other specific offense which is the direct result of an employee's participation in outside employment shall subject him/her to discipline in accordance with the Policies set forth in this Manual.
- G. The Appointing Authority may request an opinion from the Village Solicitor on any specific question concerning conflict of interest.

SECTION 2.12:

**REASONABLE ACCOMMODATION FOR
DISABLED EMPLOYEES AND THE PUBLIC**
(Americans with Disabilities Act of 1990)

- A. In support of the Americans with Disabilities Act of 1990, the Village of Edgerton affirms its position that qualified individuals with a disability shall be assured of equal opportunities in employment and public accommodations.
- B. A person with a disability includes:
1. an individual with a physical or mental impairment that substantially limits that person in some major life activity;
 2. an individual with a record of such physical or mental impairment; and
 3. an individual who is regarded as having such an impairment.

Excluded from the definition of a disability for the purpose of this policy are individuals who are current users of illegal drugs, although protected are those who have overcome drug problems, including those who are participating in a rehabilitation program and who are currently drug free. Also excluded are those individuals with certain sexual and behavioral disorders.

A "qualified individual" with a disability is one who, with or without reasonable accommodations can perform the "essential functions" of the job. Essential job functions are those included in the detailed job descriptions and are the primary job duties. They may be essential because it is the reason the job exists.

- C. The Village of Edgerton and its Appointing Authorities will not discriminate against qualified individuals with a disability in regard to:
1. Job application, hiring, advancement, discharge, compensation, training, or other terms, conditions, or privileges of employment.
 2. Reasonable accommodations, which is one that will enable an otherwise qualified individual with a disability to perform the essential functions of a job.

3. Failure to remove structural, architectural and communication barriers in existing facilities where such removal is easily accomplished without much difficulty or expense; and/or failure to make reasonable modifications to policies or procedures and to offer auxiliary aids to individuals with disabilities so they can use and have access to the services of the Village of Edgerton and its Appointing Authorities.
- D. "Reasonable accommodation" may include:
1. making existing facilities used by employees readily accessible to and usable by individuals with disabilities.
 2. job structuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustments or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and similar accommodations; and
 3. any modification to a job application process that permits a disabled person to be considered for a position and that will not impose undue hardship.
- E. "Undue hardship" in general means an action requiring significant difficulty or expense, when considered in light of the factors considered in paragraph F below.
- F. In determining whether an accommodation would impose an "undue hardship" on the Village of Edgerton and/or its Appointing Authorities, factors which would be considered include:
1. the nature and cost of the accommodation;
 2. the overall financial resources of the Village and/or department, the number of persons employed and the impact of such accommodation upon the operation of the Village and/or department;
 3. the type of operation within the Village and/or department.
- G. The Village of Edgerton and its Appointing Authorities require that their workers not pose a threat to the health or safety of other individuals in their respective departments.

- H. Employees with disabilities will be accorded equal access to the same health coverage the Village of Edgerton provides to other Village employees.

- I. Any applicant, employee, parent or interested person who believes a disabled person has been discriminated under this policy may make a written complaint of discrimination to the EEO coordinator. If the action of the EEO coordinator is unsatisfactory a complaint may be filed with the Equal Employment Opportunity Commission. (See Section 5.07 for specific complaint procedures).

SECTION 2.13: NEPOTISM

- A. The Village attempts to control the placement and the employment of relatives and members of the same household (as defined in Section 6.05(B): Sick Leave) within the Village's position in order to prevent:
 - 1. situations that might result in unfair preferential treatment of other employees, participants and/or the public;
 - 2. professional decision that might be disadvantageous for the Village; and
 - 3. an employee being in a position to supervise or control a member of his/her family.
- B. Present employees who marry or who live in the same household may be transferred to avoid the situations as listed above. Employees who marry will be moved on the basis of seniority, with the senior employee determining whether or not to be transferred.
- C. The Village and its Appointing Authorities may employ relatives of employees in summer, casual and intermittent positions.
- D. Any positions which were assigned or appointed prior to the formal adoption of these policies will not be affected by paragraphs A, B or C above.

SECTION 2.14: RESIGNATION

- A. Employees who plan to voluntarily resign shall notify their Supervisor or the Appointing Authority at least two (2) weeks in advance of the effective date of termination.
- B. Any employee who resigns is encouraged to give his reasons for resigning and to discuss with his Supervisor any working conditions which he feels are unsatisfactory.
- C. A formal letter of resignation shall be required by the Appointing Authority.

SECTION 2.15:

BULLETIN BOARDS

A. It is the policy of the Village to provide and maintain official bulletin boards in several locations within the Village and in the Community Center to communicate official information to the citizens of Edgerton and to Village employees.

B. Official Bulletin Boards:

All Village notices, State or Federal required notices, and required legal notices shall be posted by designated representatives of each Appointing Authority on the official bulletin boards. Information not directly related to the conduct of the Village business shall not be posted on official bulletin boards. All official bulletin boards shall contain the most up to date postings on:

1. Minimum Wage/Wage and Hours Laws;
2. Child Labor;
3. Employment Discrimination;
4. Workers' Compensation;
5. Unemployment Compensation; and
6. Village Ordinances.

C. Village equipment other than bulletin boards shall not have any signs or messages posted on it other than approved official notices.

SECTION 2.16:

HOURS OF WORK

- A. The normal hours of work for Village Employees are 7:30 a.m. to 4:00 p.m., Monday through Friday, 7:30 a.m. to 12:00 p.m. on Thursday (Office Staff only), with a one half (1/2) hour lunch period between the hours of 11:00 and 2:00 p.m., or as otherwise designated by the Appointing Authority.

- B. With respect to hours of work, each Department Head reserves the right to:
 - 1. restructure the normal workday or workweek for the purpose of promoting efficiency or improving services;
 - 2. establish the work schedules of employees;
 - 3. establish part-time positions; and
 - 4. establish a flexible work day within the forty (40) hour work period; except for the Fire and Police Departments.

- C. Employees will receive one (1) fifteen (15) minute break each morning and one (1) fifteen (15) minute break each afternoon with the permission of the Appointing Authority. Break periods shall be considered a privilege and shall never interfere with the proper performance of the work responsibilities of the employee. Such breaks shall be considered as part of the employee's work time. Breaks shall not abut the start or end of the workshift or the start or end of lunch. Employees are not to take breaks and leave members of the public waiting for service.

- D. Employees must notify their Supervisor and/or Appointing Authority so they may be accounted for or notified in case of an emergency.

- E. Employees who are required to work overtime will be compensated for their overtime in accordance with the Fair Labor Standards Act.

SECTION 3.00 EMPLOYEE PERFORMANCE

3.01 Personnel Records

3.02 Performance Evaluation

3.03 Training

SECTION 3.01:

PERSONNEL RECORDS

A General.

The Village of Edgerton, its Administrator and the Appointing Authorities will be responsible and have access to all personnel files for their employees only. Review of personnel files by other individuals will require permission from the employee unless the request is made under ORC 149.43. Personnel files requested under ORC 149.43 shall be reviewed and approved for disclosure by the Village Administrator in consultation with the Village Solicitor prior to release.

B. Content of Personnel Records.

1. Personnel Records shall include the following when applicable, but not limited to:
 - a. Name, current address, home telephone number, and the name and telephone number of the person to notify in case of emergency.
 - b. Job description, job title and classification as established by the Village of Edgerton Council. A written copy of this information shall be given to each employee.
 - c. Vacation and sick leave usage records, a sick leave statement signed by a physician and attached to usage form is confidential and not subject to review under ORC 149.43.
 - d. Education and Experience Data Sheet when applicable.
 - e. A copy of the employee's initial employment application.
 - f. Record of permanent or temporary certifications or required licenses.
 - g. Copies of all Personnel Action Forms.
 - h. Annual performance evaluation, signed by the employee, indicating his awareness of or concurrence of the evaluation.
 - i. Additional evaluation data determined by the Council or Appointing Authority.
 - j. Records of Workers' Compensation claims; any physician's or medical statement is confidential and not subject to review under ORC 149.43.

- k. Withholding records, insurance enrollment records and Public Employees Retirement System enrollment records.
- l. Letters of Commendation.
- 2. Anonymous letters or materials shall not be placed in an employee's file nor shall they be made a matter of record.
- 3. All materials placed in the employee's personnel file after initial employment shall be open to him/her at reasonable times. The Village strongly recommends that each employee review his/her personnel file annually.
- 4. A separate file shall be maintained on employees containing wage and salary information for public review or questions.
- 5. Derogatory Material
 - a. Each employee shall have the opportunity to read any material which may be considered derogatory of his/her conduct, service, character or personality, before it is dated and placed in his/her personnel file. The employee shall acknowledge that he/she has read the material by affixing his/her signature to the copy and circling either the employee agrees with the content of the material or does not agree with the content of the material as follows:

(A)“I have read this but do not agree with the content.”

(B)“I have read this and do agree with the content.”

(Circle A or B)

Signature of Employee, Date of Review

b. Employees shall have the opportunity to reply to such derogatory material in written statements attached to the filed copy.

c. Derogatory material may be removed from the file of the employee upon the expiration of five (5) years provided that no reoccurrence or addition incident(s) has occurred. Derogatory material may be removed by mutual agreement of the employee and the Appointing Authority prior to the expiration of five (5) years.

SECTION 3.02:

PERFORMANCE EVALUATION

A. General.

1. The performance evaluation program of the Village is intended to be a system of communication between the Supervisor and the employee. The ratings are used in considering candidates for promotion and also is a basis for the continuation or discontinuance of employment. (
2. When a rating is completed, said rating shall be reviewed and discussed by the Supervisor and the employee. The employee may add his/her comments to the evaluation. At this time, the employee will be asked to sign the evaluation as acknowledgment that he/she read the evaluation. Signature on the evaluation does not signify agreement or disagreement with the rating. The evaluation will then be submitted by the Supervisor through appropriate channels for review. The Village will then send the employee a copy of the complete evaluation and will take any appropriate action at that time.
3. The content of the performance evaluation is not grievable but may be responded to in accordance with Section 3:01 (B) (5) of these Policies.

B. Types of ratings.

1. Probationary Period Ratings.
 - a. Probationary employees are to be rated twice during the probationary period. The first rating is to be made at the end of the first half of the probationary period. The final rating is to be made ten (10) days prior to the end of the probationary period. If the employee has been given a probationary removal between these two dates, the final rating should be made at the time of the probationary removal.
 - b. If the probationary period has been satisfactorily completed, the entry "employee to be retained" shall be made on the last evaluation form and signed by the Appointing Authority. If the probationary period has not been satisfactorily completed, the entry "probationary removal" shall be made at that point.

2. Annual Ratings.

All employees who are not on probationary status are to be rated once a year. The rating should cover the employee's performance during the entire year preceding the date of rating, or during the time since completion of his/her probationary period.

3. Special Ratings.

Use may be made of additional rating procedures at the discretion of the Village or Appointing Authority.

SECTION 3.03: TRAINING

A. Training Program Evaluation.

The Appointing Authority shall periodically examine current and proposed training programs in order to ensure the program's relevance to both the individual employee and the organizational training needs.

B. On-the-Job Training (OJT).

On-the-job training prepares an employee to effectively perform the responsibilities required of his position. It allows the employee to learn his job duties, correct procedures and expected performance levels, under the immediate direction of an experienced worker. The conduct of such training is the responsibility of Supervisors under the direction of the Appointing Authority.

C. Employees may be required to attend job-related training programs, courses, workshops, etc. Employees who attend such programs, where the program begins before or after the employee's normal working hours. Travel time to and from seminars, meetings, etc., is not considered time worked; unless such training is required or approved by the Appointing Authority, the expense incurred shall be paid by the Village. (See allowances, Section 6.12 – 6.13 Compensation).

D. Attendance at lectures, meetings, training programs and similar activities shall not be considered time worked, therefore not compensable, provided the following criteria is met:

1. Attendance is outside the employee's regular work hours;
2. Attendance is in fact voluntary;
3. The course, lecture, or meeting is not directly related to the employee's job; and
4. The employee does not perform any productive work during such attendance.

SECTION 4.00 EMPLOYEE CONDUCT

- 4.01 Personnel Records
- 4.02 Confidentiality
- 4.03 Tardiness And Attendance
- 4.04 Safety And Health
- 4.05 Report Of On The Job Injuries and Accidents
- 4.06 Supplies, Equipment And Telephone
- 4.07 Use of Motor Vehicles
- 4.08 Dress Code and Office Decorum
- 4.09 Political Activity
- 4.10 Prohibition Against Acceptance of Gifts an Gratuities
- 4.11 Solicitation Policy
- 4.12 Policy Against Sexual Harassment
- 4.13 Freedom From Substance Use/Abuse
- 4.14 Drug Free Workplace
- 4.15 Tobacco Policy
- 4.16 Protection Of “Whistleblowers”
- 4.17 Infectious Disease Policy
- 4.18 Commercial Drivers License

SECTION 4.01:**PERSONNEL RECORDS**

The Village of Edgerton is a local unit of government established by the Ohio Revised Code to provide services for the benefit of all the citizens of Edgerton. All employees of the Village of Edgerton must be aware of the importance placed upon them as Village employees and, being employed by a governmental agency, must realize that they are bound to uphold the Constitutions of both the United States of America and the State of Ohio, and the Codified Ordinances of Edgerton and its Appointing Authorities. All Village employees are bound by the highest standards of morality and should be concerned that both their official functions as Village employees as well as their private affairs should be conducted so as not to reflect poorly upon the Village. Village employees should cooperate fully with all public officials and employees and should have no personal or financial interest which may interfere or conflict with their functions as Village employees.

Personnel records are public records and available for inspections by the public; except records protected under section 149.43 of the Ohio revise code.

SECTION 4.02:**CONFIDENTIALITY**

- A. Certain matters handled by Village employees are of a confidential nature. All employees whose job assignments and/or job environments give them access to confidential information are required to maintain the confidentiality of this information by revealing it only to authorized personnel. Any employee who is uncertain as to whether or not information to which he/she has access is of a confidential nature is required to contact his/her Supervisor or Appointing Authority for determination prior to revealing the information to anyone.
- B. Violations of this Section may result in disciplinary action up to and including immediate dismissal.
- C. Employees working regularly with matters of a confidential nature may be required to sign a statement pledging, under penalty of law, to maintain the security of the confidential data to which they have access.
- D. Executive Sessions of the Council held under Ohio Revised Code 121.22 are confidential and matters discussed during these sessions are confidential and not to be discussed outside of the Executive Session.
- E. Confidentiality procedures and requirements are subject to change either through legislation or administrative ruling; any such changes will be communicated to each employee by the Appointing Authority.

SECTION 4.03:**TARDINESS AND ATTENDANCE**

- A. Employee attendance is a critical element in delivering quality services to individuals served by the Village. Absenteeism increases the work load of other employees and thus affects the quality of service being provided. Good attendance habits are encouraged and required.
- B. Each Village employee has regularly scheduled hours to work and it shall be his responsibility to be present on his job during these regularly scheduled hours. Whenever circumstances prevail that an employee must be absent from work, it is the sole responsibility of the employee to notify his immediate Supervisor of his absence no later than the employee's scheduled starting time on the day of the absence. Advance notification of an employee's absence shall be given to the Supervisor or Department Head whenever possible. Provisions governing absences due to sickness, vacation and approved unpaid leaves of absence are covered under the appropriate headings in these Personnel Policies (See Sections 6.04-6.11)
- C. Any employee who is absent without approved leave, who fails to contact his Supervisor regarding his/her absence or fails to work as scheduled shall be subject to disciplinary action. Any employee who is absent from work for three (3) consecutive days shall be required to have a signed physician's statement attesting to his/her fitness before being permitted to return to regularly scheduled work; however, the Supervisor, Mayor, or the Village Administrator may waive this requirement when extenuating circumstances justify such action.
- D. Employees shall be expected to maintain good records of attendance and timely appearance for work, any incident of tardiness or absenteeism shall be recorded and made apart of an employee's record.
- E. Tardiness on a regular basis is inexcusable and shall not be tolerated. Tardiness is defined as any situation where an employee reports to work after his scheduled starting time. Whenever an employee is tardy, that employee shall be subject to a reduction of pay corresponding to the amount of time he was late.

F. Tardiness shall be dealt with in the following manner:

First Occurrence Instruction and Cautioning (Verbal Reprimand)

Second Occurrence Written Reprimand

Third Occurrence Three (3) Day Suspension Without Pay

Fourth Occurrence Fifteen (15) Day Suspension Without Pay

Fifth Occurrence Termination from Service

SECTION 4.04: SAFETY AND HEALTH

Occupational Safety and Health Act of 1970; Public Employment Risk Reduction Act and O.R.C. 4167.

- A. Work safety and health are primary concerns of the Village of Edgerton. The safe and healthful performance of all work assignments is the responsibility of both the management and non management personnel. It is their responsibility to ensure that all equipment is used safely and all safety procedures and/or practices are observed.
- B. Any employee found to be negligent in equipment operation, resulting either in damage to the equipment or an accident, shall be disciplined according to Section 5.02 of this Policies and Procedures Manual.
- C. Any employee found to be deliberately negligent in equipment operation, resulting in either damage to the equipment or an accident, shall be subject to immediate termination.
- D. All employees are charged with the responsibility of reporting the existence of any hazardous condition or practice in the work place to their Supervisor or Appointing Authority.
- E. The Village will advise employees through correspondence, postings, meetings and material data sheets of any hazardous chemicals or materials that they may use or contact in the performance of their jobs. Further, the Village will cause educational dissemination of materials to employees to update and advise them of changes.
- F. Employees who believe that they are in imminent danger due to an unsafe working condition or conditions are to advise their Supervisor immediately.
 - 1. The Supervisor will immediately cause the job to be inspected to determine if the danger is imminent and how it may be corrected.
 - 2. The employee may be reassigned to another position if the Supervisor determines there is a safety hazard that might cause injury, or sent home until the appropriate actions can be taken to make the job safe.

SECTION 4.05: REPORT OF ON THE JOB INJURIES AND ACCIDENTS

- A. It is the responsibility of the employee to report immediately to his Supervisor, any injury incurred on the job no matter how minor the injury may seem to the employee. All accidents regardless or whether or not an injury is incurred shall be immediately reported by the employee(s) involved to the employee's Supervisor. If it is determined that immediate treatment or examination is needed, the Supervisor shall arrange transportation to the hospital or physician's office and shall make any other necessary arrangements.
- B. It is the responsibility of the injured employee's Supervisor to initiate and oversee the completion of an accident report within twenty-four (24) hours after the injury was incurred and submit the completed report promptly to the Village Administrator. If an employee or the employee's Supervisor is uncertain as to whether or not an injury is considered to be job related, an injury report shall be completed and submitted to the Village Administrator for review and determination.

SECTION 4.06: SUPPLIES, EQUIPMENT AND TELEPHONE

- A. When supplies and equipment needed to perform job duties are provided by the Village, it is the responsibility of the Supervisors and employees to see that they are properly used and maintained.
- B. Misuse, neglect, theft and/or abuse of supplies and/or equipment is prohibited. Accidents involving the misuse of equipment will be cause for disciplinary action.
- C. Telephones are provided for Village business. They should be answered promptly and in a courteous manner. Telephone use by employees for personal calls is discouraged. Personal calls are to be made only when absolutely necessary. Personal business calls are forbidden on Village time. Employees discovered using Village telephones for personal business are subject to disciplinary action.

SECTION 4.07: USE OF MOTOR VEHICLES

- A. Employees who are required to use their privately owned vehicles for Village business are required to carry, as a minimum, vehicle liability insurance in accordance with Section 4509.51 of the Ohio Revised Code as follows:
 - 1. Twelve thousand, five hundred dollars (\$12,500.00) because of bodily injury to or death of one person in any one accident;
 - 2. Twenty-five thousand dollars (\$25,000.00) because of bodily injury to or death of two or more persons in any one accident;
 - 3. Seven thousand, five hundred dollars (\$7,500.00) because of injury to property of others in any one accident.
- B. An employee's signature on a travel expense report will be considered as affirmation of possession of the insurance called for in Section 4509.51 of the Ohio Revised Code.
- C. All Village employees will adhere to safe and courteous driving practices while operating private vehicles on official Village business. Any Village employee operating a motor vehicle must obey all traffic laws at all times except in emergency situations in which specified driving regulations promulgated by the Village in accordance with the Ohio Revised Code shall prevail.
- D. An employee operating a Village owned motor vehicle is required to have a proper and valid motor vehicle operator's license. No employee shall use or permit the use of a Village owned vehicle for any purpose other than Village business. If the use of a Village owned vehicle requires a Commercial Driver's License, the employee must possess one.
- D. No Village owned vehicle may be used for any purpose outside its public functions during working hours or any other time unless such has been authorized by the Department Head or Appointing Authority.
- E. Traffic fines or arrests for illegal or improper use of vehicles are the sole responsibility of the employee. Reckless or destructive operation of vehicles is grounds for disciplinary action as outlined in Section 5.02 of this Manual.

- G. Any Village employee on official Village business involved in any traffic accident either moving or stationary, shall make an immediate report in complete detail to his Supervisor or Appointing Authority.
- H. An employee who discovers any problems with the operating condition of a Village owned vehicle is required to report such condition to his Supervisor or Appointing Authority.

SECTION 4.08: DRESS CODE AND OFFICE DECORUM

A. Dress Code.

- 1. Employees are to be meticulous about their personal grooming and take a personal interest in the cleanliness of their surroundings. The purpose of this section is to serve as a guide in setting an acceptable standard for employees, attire without restricting the individual employee for exhibiting one's own personal preference.
- 2. Employees are required to dress in accordance with their job task, when a worker is in direct contact with the public, one's dress should be appropriate and professional. (Examples of "inappropriate" are; bare backs or midriffs, tube tops, halter tops, spaghetti strap dresses/tops, sheer garments, shorts, tennis shoes, thongs, beach wear, house slippers, muscle shirts, sports jerseys, curlers, bandanna style scarves.) Skorts are acceptable as long as they are knee length.
- 3. The Appointing Authority and/or Supervisors will send employees home to change clothing if dress is inappropriate. Time spent away from the job by the employee due to inappropriate dress will not be paid for by the Village.

B. Office Decorum.

- 1. The Village of Edgerton and the Appointing Authorities serve the entire community and provide direct services to thousands of individuals and personnel of other agencies. Therefore, employees are to be meticulous about their personal grooming and take a personal interest in the cleanliness of their surroundings.

2. Profanity or abusive language will not be tolerated by Village employees. Use of abusive, threatening or profane language toward a fellow employee, Supervisor, Department Head or Appointing Authority will result in disciplinary action.
 3. An employee's desk should be kept neat and orderly at all times. Employees are to also take care of any office equipment in their area.
- C. Continued abuse of these standards can result in severe disciplinary action up to and including termination.

SECTION 4.09: POLITICAL ACTIVITY

- A. Employees of the Village of Edgerton may not engage in partisan political activity during working hours.
- B. Employees of the Village of Edgerton may not at any time utilize Village vehicles, equipment, supplies or facilities to influence the outcome of an election or to further the cause of a political party or candidate.
- C. No Federal funds may be used by an employee of the Village on behalf of partisan politics.
- D. Village of Edgerton employees may participate in the political process on their own time by making speeches, writing on behalf of a candidate or issue, soliciting voters to support or oppose a candidate or issue, attending political rallies or meetings, and may serve on committees which direct or organize political rallies or meetings.

SECTION 4.10: PROHIBITION AGAINST ACCEPTANCE OF GIFTS AND GRATUITIES

Employees of the Village of Edgerton are prohibited from accepting gifts, money or gratuity from any person in exchange for services or benefits provided by the Village.

Employees shall not accept from vendors or the general public any gifts. Gifts such as cards, pens, pencils, cookies, cakes, pies; etc., are excluded from this prohibition of acceptance. These limitations are not intended to prohibit employees from accepting articles of negligible value which are widely distributed to the general public nor from accepting social courtesies which promote good public relations.

SECTION 4.11: SOLICITATION POLICY

- A. Solicitations left unrestricted would interfere with the orderly and normal operations of the Village, be detrimental to discipline and productivity on the part of the employees, be annoying to taxpayers and pose a threat to both expeditious service to the citizens of Edgerton and the confidentiality of the citizens of Edgerton.

- B. It is the policy of the Village of Edgerton to prohibit solicitations on Village property, whether made by employees, or by individuals or groups not associated with the Village except in the circumstances as outlined below:
 - 1. The Village may permit charities to solicit contributions on the premises for specified periods of time. Any such activity shall be approved in advance by the Mayor or Village Administrator. All other solicitations of funds or signatures, membership drives, distributions of literature or gifts, and offers for sale of merchandise or tickets by individuals or groups not associated with the Village are prohibited. Instances of such activity shall be reported immediately to the Department Head of the employee(s) involved and the appropriate Appointing Authority.
 - 2. An employee wishing to solicit money or other goods, etc., for gifts or expressions of sympathy for a fellow employee or his/her family must first obtain permission from his Department Head. The Department Head can permit this type of solicitation on certain occasions, provided prior permission is given by the Appointing Authority.
 - 3. Solicitation in support of or in opposition to union representation and the distribution of literature in support of or in opposition to union representation by individuals or groups not associated with the Village of Edgerton are prohibited on the premises.
 - 4. All activity in violation of the restrictions established in this policy shall be reported immediately to the employee's Department Head and the appropriate Appointing Authority.
 - 5. The Village of Edgerton shall ensure that solicitations and distributions authorized under this policy are conducted so as not to interfere with the duties of the employees and/or the providing of service to the citizens of the Village of Edgerton.

SECTION 4.12: POLICY AGAINST SEXUAL HARASSMENT
(ORC 4112; Civil Rights Act of 1991)

- A. Sexual harassment of any kind will not be tolerated by the Village of Edgerton. Sexual harassment is defined as a continuing pattern of unwelcome sexual advances, request for sexual favors, or physical contact of a sexual nature by the Administration, Supervisors, fellow employees or citizens under any of the following conditions:
1. When submission to the conduct involves a condition of the individual's employment, stated or implied;
 2. The individual's submission or refusal is used, or might be used, as the basis for an employment decision which affects the individual; and/or;
 3. The conduct unreasonably interferes with the individual's job performance or creates a work environment that is intimidating, hostile or offensive.
- B. The Village's appointed EEOC Officer is responsible for handling all complaints of sexual harassment and for insuring that all are investigated fully and fairly, regardless of the manner in which they are made or the individuals involved. Should the EEOC Officer be the subject of a complaint of sexual harassment, then the complaint should be made to the Village Solicitor, who shall investigate the complaint.
- C. The Mayor or his/her designee, will review every case and ensure that the complaint has been fully and impartially investigated. If the evidence shows a pattern of harassment as described above, the Administrator shall take appropriate disciplinary action against the offending employee, up to and including discharge from employment. Should the mayor be the subject of a complaint, Council or their designee shall sustain this process.
- D. Any employee making a complaint shall be fully advised of his/her rights and responsibilities under state and federal regulations. No employee shall be the focus of retaliation or reprisals for filing a sexual harassment charge.
- E. After exhausting local remedies, an employee who wishes to pursue a complaint under paragraph D above, should contact the Ohio Civil Rights Commission, 220 Parsons Avenue, Columbus, Ohio 43266-0543, telephone number 1-614-466-2785.

SECTION 4.13: FREEDOM FROM SUBSTANCE USE/ABUSE

- A. Prior to employment, employees may receive a physical at the Village's expense, the results of which must demonstrate a fitness for duty. The physical shall include a test for chemical use/abuse which will be paid for by the Village. The results of this testing shall not be supplied to any law enforcement agency nor shall the Village initiate a criminal prosecution based upon them. Failure of the test for chemical use/abuse is grounds for denial of an employment application.
- B. If a Supervisor thinks, based on observable behaviors (e.g., an accident, slurred speech, dozing, aggressive behavior, unsteady gait, inappropriate responses, etc.), that an employee is not in condition to perform his/her duties, the Supervisor shall relay the concern to the Department Head or Appointing Authority.
 - 1. The Department Head, Appointing Authority or their designee, shall meet with the employee in private to discuss and document the employee's behavior.
 - 2. After the discussion with the employee, if the Department Head, Appointing Authority or their designee, thinks that a fitness for duty evaluation is needed, the employee shall be taken to a medical center for the fitness for duty evaluation, a test for chemical use/abuse which will be paid for by the Village.
 - 3. Until the results of this evaluation are known, the employee will be on either sick leave or leave of absence without pay.

After the evaluation, the employee will be informed that he/she must call within

 - 4. 24 hours to schedule an appointment with the Appointing Authority or their designee, at which time the test results will be communicated to the employee.
 - 5. If the employee refuses to agree to the fitness for duty evaluation, that refusal is ground for possible termination.
- C. Employees who test positive on the chemical use/abuse examination under section B will be dealt with on an individual basis. An employee with positive test results shall be required to seek the assistance of a substance abuse rehabilitation program. Such treatment shall be at the expense of the employee and/or his/her insurance company. Refusal of evaluation and/or treatment by the employee is grounds for termination. The employee shall not perform duties during the rehabilitation period unless given a clearance by medical professionals approved by the Village. Sick leave, if available, or leave of absence without pay will be utilized during this period.

- D. Upon return to work, the employee will be subject to random testing for a two-year period and should continue counseling as appropriate. A second positive test shall result in dismissal.
- E. The Appointing Authority shall not terminate an employee for chemical use/abuse unless he/she is unable to safely and substantially perform the essential functions of his/her position without undue expense or hardship to the program; or he/she test positive for a second time as described in paragraph C.

SECTION 4.14: DRUG FREE WORKPLACE
Free Workplace of 1988)

(Drug

- A. In support of the Drug Free Workplace Act of 1988, the Village of Edgerton hereby affirms its position that no employee or contractor will unlawfully manufacture, distribute, dispense, possess or use any controlled substance in any workplace setting under the control of the Village of Edgerton. "Controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C 812).
- B. The Village of Edgerton hereby established a drug free awareness program by disseminating not less than annually approved brochures and other educational material on the problems of drug abuse and further, to disseminate not less than annually, appropriate mental health community resources to assist individuals with said problems. It is the policy of the Village of Edgerton to maintain a safe and productive workplace free of drugs and free of those individuals who use drugs.
- C. Each employee of the Village of Edgerton will receive a copy of this policy and sign an acknowledgment of receipt of same.
- D. As a condition of employment, each employee will abide by this policy and will notify his/her Supervisor and/or Appointing Authority of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- E. The "criminal drug statute" is defined to mean a criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance. The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State Criminal Drug Statutes.

Appropriate Action will be taken against such employee up to and including termination, taking into consideration any past disciplinary action and/or past rehabilitation efforts of the involved employee or require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by federal, state or local health, law enforcement or other appropriate agency.

SECTION 4.15: TOBACCO POLICY

- A. In interest of promoting the wellness of employees and the citizens of the Village of Edgerton, as well as enjoying a smoke-free environment, the use of legalized tobacco products is limited to designated areas and times, knowledge of which is the responsibility of each employee and his/her Supervisor. The Village of Edgerton prohibits the sale of any tobacco products on its grounds.
- C. Smoking is prohibited in all meetings. Breaks may occur in meetings exceeding on (1) hour in length.
- D. Compliance with the tobacco use policies and procedures is the responsibility of each employee.
- D. Use of legalized tobacco products is permitted only in those locations specifically identified as such by the Appointing Authority.
- E. Any Village employee that violates this section may be subject to disciplinary action and/or criminal action.

SECTION 4.16 PROTECTION OF "WHISTLEBLOWERS"

- A. Any employee who learns in the course of his/her employment of a violation of state or federal statutes, rules or regulations or the misuse of public resources which his/her Supervisor, Department Head or the Appointing Authority could correct may report that violation or misuse without reprisal. Such reporting is known as "whistleblowing" and reports may be made as follows:
 - 1. Reports must be written.
 - 2. The report must be filed with the Department Head or Appointing Authority unless the employee reasonably believes the violation or misuse constitutes a criminal offence or a violation of ORC Chapter 102 (ethics), ORC 2921.42 (unlawful interest in public contract) or ORC Section 2921.43 (soliciting or receiving improper compensation). Suspected criminal offenses can be reported to the Mayor, Chief of Police, Village Administrator or Village Solicitor. Suspected violations of ORC Chapter 102, Section 2921.42 and Section 2921.43 may also be reported to the Ohio Ethics Commission.
- B. Except as provided in paragraph C below, employees may not be punished for making any report authorized by paragraph A.
- C. Employees are to make reasonable efforts to determine the accuracy of any information reported under this policy. Employees may be punished, up to and including removal, for purposely, knowingly or recklessly reporting false information.

- D. An employee who is punished as a result of reporting violations or misuse under this policy may avail themselves of the grievance procedure in section 5.06 of this manual. .

- E. **Fraud Reporting and Your Rights as an Employee**

The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or through the United States mail.

Auditor of State's fraud contact information:

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, OH 43215

Web: www.ohioauditor.gov

All public employees are required to confirm that they received information about the Auditor's Fraud Hotline within thirty days after beginning employment. Employees who file a complaint with the fraud reporting system are entitled to whistle-blower protections contained in Section 124.341 of the Revised Code and are protected against certain retaliatory or disciplinary actions.

SECTION 4.14: INFECTIOUS DISEASE POLICY

- A. It is the policy of the Village of Edgerton that in providing the necessary services to the public, together with working in harmony with one another, all employees be educated and thus knowledgeable in dealing with infectious diseases and the issues surrounding them. The Village will endeavor to conduct ongoing training and providing information as to the appropriate response in dealing with Acquired Immune Deficiency Syndrome (AIDS), Hepatitis B, T.B. and other infectious disease.
- B. The Village will appoint a committee of employees to serve voluntarily in formulating a response to the issues surrounding infectious diseases in accordance with the policies of the Village of Edgerton.
- C. Employees coming into contact with other employees or members of the public who are known to have a serious infectious disease should immediately notify their Supervisor. Employees are hereby admonished, however, of the confidentiality surrounding the service rendered to the public and should act in accordance therewith.
- D. The Ohio Civil Rights Commission's policy statement of October 5, 1987, and The American with Disabilities Act of 1990, recognizes AIDS victims as being disabled. Therefore, neither the Village, nor any of its employees, may lawfully discriminated against a person suffering from AIDS whether that person is a member of the public or another employee.
- E. Any employee who believes that he has been exposed to an infectious disease should immediately report the incident to his Supervisor and seek medical attention. Said reporting shall be held in the strictest of confidence and the employee shall not be the subject of any employer reprisal.
- F. Provisions dealing with sick leave under this Manual are applicable to employees suffering from infectious diseases, providing for sick leave and disability leave. The Village has a statutory right to require the employee to submit to a medical examination in order to determine the employee's capability to perform the substantial material duties of the employee's position when requested under reasonable circumstances.

G. In order to alleviate the fears of the public and co-workers, it is important that the employee is aware that the most recent guidelines issued by the Centers for Disease Control provide that AIDS is not spread by the kind of nonsexual, person-to-person contact that occurs among workers, clients, and consumers in such settings as offices, schools, factories, and construction sites. Therefore, there is no evidence that AIDS can be spread by any of the following:

1. Using a telephone or headphone;
2. Eating at a cafeteria table;
3. Sharing a word processor or other office machine;
4. Sharing a drinking fountain;
5. Sharing a restroom;
6. Using the same tools;
7. Conversing in a meeting;
8. Riding in the same car;
9. Washing in the same sink;
10. Wearing the same protective outer clothes, or;
11. Sharing a desk or chair.

H. Workplace Practice.

The Centers for Disease Control have made recommendations to protect workers from HIV and HBV. These precautions are prudent practices that apply to preventing the transmission of these viruses and other similar bloodborne type infections that should be used routinely.

1. Use gloves where blood, blood products or other certain body fluids will be handled.
2. Use gowns, masks and eye protection for procedures that could involve splashing or splattering or body fluids.
3. All personal protective equipment should be removed immediately, or as soon as possible, upon leaving the work area and placed in an appropriately designated area or container for storage, washing or disposal.

4. Wash hands thoroughly after removing gloves and immediately after contact with blood or other potentially infectious material.
 5. In the case of accidents at the work setting, equipment that is contaminated with blood or other body fluids from any worker, whether known to be infected or not, should be cleaned with soap and water or a detergent. A disinfectant or fresh solution of household bleach should be used to wipe the area after cleaning.
- I. The Village asks the employees' help in dispelling unfounded public fears by continuing to emphasize that AIDS is not easy to catch and is not spread by casual contact.

SECTION 4.18: COMMERCIAL DRIVERS LICENSE

- A. Employees whose position require a valid State of Ohio Commercial Drivers License (CDL) are required to possess such license with proper and necessary endorsements.
- B. Employees who do not possess the required CDL with endorsements will not be permitted to operate the Village of Edgerton's equipment that requires a CDL for operation. The employee will be removed from his/her position and may be offered any other available open position for which he/she is qualified that might exist in the Department. If no such position exists for which the employee is qualified, the employee will be laid off in accordance with Section 7.01 of this Policy Manuel and may be recalled upon satisfactory completion of the CDL examination in accordance with Section 7.02.
- C. An employee who loses his/her driving rights for a period of sixty (60) days due to violation of law, may move to an available/open position for which he/she is qualified that does not require the operation of any Village of Edgerton and/or leased equipment. During this time period, the employee's position will be filled temporarily for sixty (60) days until the employee again obtains his CDL. Should no open and/or vacant position exist for which the employee is qualified, the employee will be laid off in accordance with Section 7.01 of this Policy Manual.
- D. An employee who loses his/her driving rights for a second time, after the initial sixty (60) day suspension, will face termination of his/her employment with the Village of Edgerton.

- E. The Mayor and/or appropriate Village of Edgerton Department Head will require a driving abstract of a prospective Village of Edgerton's employee's driving record for two years prior to the date of his/her application or promotion to a position requiring a CDL and a copy of the CDL for the personnel files.
- F. All Village employees whom operate Village equipment or vehicles that require a CDL must submit themselves for random drug testing at the request of their Supervisor, Department Head or Appointing Authority in accordance with State and Federal law..
- G. Any employee involved in an injury accident while in the course of employment may be required to submit to an alcohol and/or drug test immediately thereafter as required by the provisions of Omnibus Transportation Employee Testing Act of 1991 Program, the Ohio Worker's Compensation Program or any other State or Federal law. Failure to submit to testing may be grounds for disciplinary action, up to and including dismissal. Employees having questions about these requirements may request additional information from the Village Administrator.
- H. Employees that are required to take home a village vehicle for the purpose of expediting their response time to an emergency call shall be taxed as an employee benefit according to the IRS code (See IRS Publication 15-B).
- The rate of taxable benefit shall be as set forth in IRS Publication 15-B, currently 54 cents per mile, from the place of residence to work and from work to the place of residence. Based on the number of days the employee is scheduled to work.
 - No employee shall use such vehicle for personal use at any time without a written authorization by the Department Head, Village Administrator or Mayor.

SECTION 4.19: PUBLIC RECORDS POLICY

A. It is the policy of the Village of Edgerton that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Village of Edgerton to adhere to state's Public Records Act. As such, all employees of the Village shall comply with the Public Records Policy as detailed herein.

B. Public records

1. The Village, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic, or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Village of Edgerton are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

2. It is the policy of the Village of Edgerton that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying.

C. Record requests

Each request for public records should be evaluated for a response using the following guidelines:

1. Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the request may be denied but the requester will be given an opportunity to clarify the request and will be informed of the manner in which the records are maintained and accessed.
2. Although, the requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record the Village of Edgerton may ask for a written request with such information in order to assist its employees in processing the request.
3. Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. The actual time necessary to process a particular request will depend on the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.
4. Any denial of a public records request must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, the redactions must be accompanied by a supporting explanation, including legal authority. If the request was made in writing, the explanation for a denial shall also be in writing.
5. The Village of Edgerton may impose a limit of ten per month on the number of mailed records requested by a person, unless the person certifies that the person does not intend to use or forward the requested records or the information contained in them, for commercial purposes.

D. Costs for Public Records

Those seeking public records will be charged only the actual cost of reproducing the public records and transmitting them to the requester. The Village of Edgerton may

require such costs to be paid in advance. The charge for paper copies will be determined by the Clerk and will be reviewed from time to time as necessary. If records are to be mailed, the requester is responsible for the actual cost of mailing the records (including postage and mailing supplies).

SECTION 5.00: DISCIPLINE AND GRIEVANCE PROCEDURE

5.01 Discipline Principles

5.02 Progressive Disciplinary Policy

5.03 Work Rules

5.04 Orders For Disciplinary Action And Penalties

5.05 Appeals

5.06 Grievance Procedure

5.07 Equal Employment Opportunity (EEO) Complaint Policy
&/Procedure

SECTION 5.01 DISCIPLINE PRINCIPLES

- A. The Village of Edgerton and its Appointing Authority believe that a clearly written discipline policy will serve to promote fairness and equality in the workplace. The purpose of discipline is to correct an employee's behavior. Discipline shall be applied uniformly and consistently.
- B. The tenure of every employee of the Village shall be during good behavior and efficient service. The Department Head and/or Appointing Authority may take disciplinary action against any employee of the Village for cause.
- C. Causes for disciplinary action shall include but not be limited to: incompetence, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, absence without approved leave, or any other failure of good behavior or any other acts of malfeasance, misfeasance, or nonfeasance in office, or any other causes and violations of this Policy Manual.
- D. Certain instances may arise wherein, for the good of the Village, an employee should be removed immediately from the premises of the Village. The Appointing Authority shall take such action when necessary. An employee so removed shall be afforded his/her rights in accordance with these policies.

SECTION 5.02: PROGRESSIVE DISCIPLINARY POLICY

- A. Progressive discipline will be administered in successive steps, with due regard for the severity of the violation. Progressive discipline shall take into account the nature of the violation, the employee's record of discipline and the employee's record of conduct. However, the penalty will normally be adjusted to the severity of the violation or breach of conduct and may be increased to any level up to and including discharge from employment.
- B. Forms of disciplinary actions are:
 - 1. Caution and instruction (verbal warning);
 - 2. Written reprimand;
 - 3. Suspension without pay;
 - 4. Discharge from employment;
 - 5. Combination of all the above.

- C. Each disciplinary action in B-1 or B-2 shall remain effective and in the employee's personnel file for twenty-four (24) months after its issuance. Thereafter, the action shall be removed from the employee's personnel file provided that an additional offense does not occur within this twenty-four (24) month period following the disciplinary action. Suspensions shall only be removed after a two (2) year period upon petition of the employee provided there has been no intervening disciplinary action during the two (2) years.
- D. Termination or Suspension for Benefit of the Village.
1. A request for termination or suspension of an employee must come from the Department Head, in writing to the Appointing Authority. Such requests must be accompanied by documentation detailing the allegations for which disciplinary job action against the employee is requested.
 2. Termination or suspension shall take place only with the knowledge and approval of the Appointing Authority for those employees they appoint.
 3. Terminated employees or employees suspended for more than five (5) days may appeal the decision by requesting a review by the Appointing Authority. Such requests must be submitted in writing within ten (10) days of the job action. Decisions of council.
 4. Certain offenses, by their nature, are severe enough to require immediate discharge.

SECTION 5.03 WORK RULES

The orderly and efficient operation of the Village requires reasonable standards of discipline and conduct. In order to minimize the likelihood of any employee becoming subject to disciplinary action, the following represents the work rules which govern employee conduct.

These work rules do not and could not cover every act or omission which might be considered wrongful. If wrongful acts or omissions occur which are not specifically on this list of work rules, reasonable disciplinary action will be taken.

For guidance of employees, the usual penalty which will result from violation of the work rules is listed. These penalties are not exclusive, and may be modified or changed in cases involving either aggravating or mitigating circumstances.

11. Misuse, destruction, or removal from Village property of any Village record, including time sheets or classified information of any nature without written authorization.
12. Conviction of a criminal charge which leads to the employee being unable to report for work.
13. Insubordination, meaning disregarding, disobeying or refusing an order or instruction of a Supervisor.
14. Bringing, consuming, possessing or being under the influence of intoxicants/drugs and drug paraphernalia not prescribed on Village property during working hours.
15. Any other activity nor heretofore set forth which severely hampers the work effort of the employees or which cast the Village in an unfavorable light with the public, including the sexual harassment of other employees, citizens.
16. Failure to pass alcohol/drug testing and refusal/failure to attend a alcohol/drug rehabilitation program, according to Section 4.13.
17. Improper applications of electronic equipment.
18. Other.

B. Group Two.

First Offense	Up to Three (3) Days Suspension Without Pay
Second Offense	Up to Thirty (30) Days Suspension Without Pay
Third Offense	Discharge from Employment

Group Two Offenses are categorized as infractions of a more serious nature causing disruption to the Village. The following are examples of Group Two Offenses:

1. Bringing, consuming, possessing or being under the influence of intoxicants on Village property at any time.
2. Illegal use of narcotics, or drugs, possessing or being under the influence of narcotics or drugs, or attempting to bring same onto Village property.
3. Working in an unsafe manner that endangers one's self, fellow employees or citizens.
4. Altering in any way or destroying any time sheet.
5. Tampering with any time sheet.
6. Gambling or participating in any other game of chance on Village property at any time other than when such is authorized as a charity fund raiser and Ohio Lottery Commission sponsored chance games.
7. Participating in a work stoppage, interruption or impeding of work of other Village employees.
8. Use of abusive or threatening language toward a fellow employee, Supervisor, Department Head, or Appointing Authority' or coercing a fellow employee, Supervisor, Department Head, Appointing Authority or citizen in any way.
9. Sleeping on Village property during working hours.
10. Excessive absenteeism.
11. Abuse of benefits.
12. Other.

C. Group Three.

First Offense	Written Reprimand
Second Offense	Up to Three (3) Days Suspension Without Pay
Third Offense	Up to Thirty (30) Days Suspension Without Pay
Fourth Offense	Discharge from Employment

Group Three Offenses are categorized as infractions of a relatively serious nature causing disruption to the Village. The following are examples of Group Three Offenses:

1. Reporting for work under the influence of intoxicants.
2. Reporting for work under the influence of narcotics or drugs, or in an unsafe condition.
3. Being absent without approved leave.
4. Leaving the building or job assignment without the approval of the Supervisor or his/her designee.
5. Taking more than the authorized lunch period or failing to return to work after the lunch period without permission of the Supervisor or his/her designee.
6. Performing personal work on Village time without the written authorization of the Supervisor or his/her designee.
7. Failure to follow instructions of the Appointing Authority, Department Head or his/her designee or to perform work assigned by the Supervisor or his/her designee.
8. Posting, defacing, mutilating or removing notices or signs on bulletin boards, other Village property or property in the custody of the Village at any time without the authorization of the Supervisor.
9. Contributing to unsanitary conditions.

10. Reading newspapers, magazines, books or other literature while at work, except as required by work assignment.
11. Wasting Village time by loafing, loitering, engaging in unauthorized visiting during working hours, or in any interfering with the performance of the duties of other employees.
12. Engaging in "horseplay".
13. Smoking in areas where smoking is expressly prohibited.
14. Bringing a television to work, or playing a radio such that it interferes with the performance of duties of other employees.
15. Failure to report an accident on Village property involving either himself, a fellow employee or a member of the general public.
16. Other.

D. Group Four.

First Offense	Caution and Instruction (Verbal Reprimand)
Second Offense	Written Reprimand
Third Offense	Up to Three (3) Days Suspension Without Pay
Fourth Offense	Up to Thirty (30) Days Suspension Without Pay
Fifth Offense	Discharge from Employment

Group Four Offenses are categorized as the least serious infractions causing minimal disruption to the Village. Repeated, deliberate and/or flagrant violations will subject the offender to a more serious form of discipline. The following are examples of Group Four Offenses:

1. Habitual leaves without pay.
2. Reporting late for work without prior approval.
3. Failure to return to work as directed or scheduled following vacation or leave of absence without prior approval of the Department Head or Appointing Authority.
4. Poor productivity or poor workmanship.
5. Failure of an employee to be in his/her designated work area ready to work at his/her specified starting time.
6. Leaving the work area before specified quitting time.
7. Circulating petitions or distributing literature or articles of any kind on Village property without written authorization of the Department Head or the appropriate Appointing Authority.
8. Violating the Solicitation Policy of the Village as contained in Section 4.11 of this Policy and Procedures Manual.
9. Unauthorized use or possession of equipment or Village property.

10. Failure to observe accepted standards of sanitation, cleanliness and general health.
11. Failure of an employee to write down the correct time when reporting for work, or reporting back after having left the building during his/her scheduled work hours.
12. Failure to report an accident or injury as soon as possible.
13. Making personal long distance telephone calls on the Village's telephones, unless authorized by a Supervisor or the Appointing Authority.
14. Other.

SECTION 5.04:

ORDERS FOR DISCIPLINARY ACTION AND PENALTIES

Police Officers: Discipline, Termination, and Right of Appeal

Sections 737.171 and 737.19 of the Revised Code govern the discipline and termination of the police chief and police officers. As provided by ORC 737.171 and 737.19, a certified police officer may appeal a decision of the Council for removal to the Court of Common Pleas.

Fire Department: Discipline, Termination, and Right of Appeal

Sections 733.35 and 733.39 of the Revised Code govern the discipline and termination of fire personnel. The decision of Council with regard to termination of employment under Section 733.36 shall be final.

Non-Applicability to Probationary Employees

Nothing in this Article applies to a probationary employee's removal made during the employee's official probationary period.

- C. All written reprimands will be placed in the employee's personnel file.
 - 1. Employees may request a conference with their Department Head to review the reasons for the reprimand.
 - 2. Employees may request a written and signed statement of their account or perspective of the incident that led to the reprimand to be placed in their personnel file. The statement must be submitted by the employee within three (3) working days after receipt of the written reprimand.

- D. All verbal reprimands or cautioning and instructions will be noted in the employee's personnel file in the following format:
 - 1. date and time;
 - 2. a statement and supporting documents when available stating the cause for reprimand; and
 - 3. the Supervisor's name and signature.

SECTION 5.05:

APPEALS

An employee shall have the right to appeal a disciplinary action through the grievance procedure as contained in Section 5.06 of this Manual.

SECTION 5.06:

GRIEVANCE PROCEDURE

A All employees of the Village of Edgerton shall have access to a standing grievance procedure through which they may appeal any and all alleged mistreatment or complaints as they relate to these Personnel Policies. The procedure shall be honored by the Village of Edgerton and shall consist of three (3) steps. Any employee filing a grievance must utilize each step before action within the following step may be undertaken. Employees and Supervisors are urged to attempt to resolve differences informally prior to implementation of the grievance procedure.

1. The term "grievance" as used herein is defined as a timely written complaint by an employee over the alleged violation, misinterpretation or misapplication of this Manual.
2. No grievance shall be considered or adjusted unless the action has been commenced within four (4) actual working days after the occurrence of the act or acts.
3. Grievances not appealed to the next step of the procedure in a timely manner will be considered settled on the basis of the management decision in the prior step. Grievances not answered in a timely manner automatically go to the next step of the procedure upon the written request of the employee.
4. Time limits of any grievance step may be extended by mutual agreement of the participants.
5. For the purpose of this Section a "working day" is defined as a day the Village of Edgerton offices are open.
6. An employee may have a representative of his/her choice present at any and all steps of the Grievance Procedure.

B. Grievance Procedure - All Departments.

Step I:

- a. The affected employee shall discuss the problem and the circumstances surrounding it with his/her Department Head/designee. Failure to resolve the grievance orally, the employee may reduce the grievance to writing within four (4) working days.
- b. Once the complaint is reduced to writing, it will be signed and dated by both the employee and the Department Head/designee. The Department Head must then give the employee a written response within three (3) working days. The employee will sign and date the response.
- c. The Department Head will render a decision after the hearing in Step II-b to the employee within five (5) working days.
- d. The Department Head shall forward to the Village Administrator copies of the appeal and response.

Step II:

- a. The employee may appeal the decision of the Department Head to the Appointing Authority or a designated representative with five (5) working days by requesting in writing, a review of the grievance decision, or;
 - b. The employee may appeal the decision of the Supervisor/Village Administrator to the Mayor or a designated representative within five (5) working days by requesting in writing, a review of the grievance decision, or;
 - c. A hearing will be held within five (5) working days by the Village or its designated representative giving the affected employee, Supervisor and any necessary witnesses notice of the time and place of the hearing. At the conclusion of the hearing a decision will be issued within five (5) working days to the employee.
- C. All decisions of the Mayor or his designated representative are final.
- D. This grievance procedure is not to be utilized to adjudicate allegations of discrimination by reason of an employee's race, color, religion, sex, age, natural origin, political affiliation, veteran status, or handicap. Employees alleging such discrimination shall refer to the appeal procedure outlined in the Village of Edgerton's Affirmative Action Plan and/or Section 5.07 of these policies. Further, this grievance procedure is not to be utilized to appeal any disciplinary action levied against an employee.

SECTION 5.07:

**EQUAL EMPLOYMENT OPPORTUNITY (EEO)
COMPLAINT POLICY/PROCEDURE**

- A. Filing a Discrimination Complaint.
1. Any employee or applicant having a complaint of discrimination based on race, color, religion, sex, national origin, disability, or age (40 and over) may file a written discrimination complaint with the Equal Employment Opportunity Coordinator through the Village Administrator who acts as the EEOC for the Village of Edgerton.
 2. The complaint must be filed within thirty (30) days of the alleged discriminatory action, except that this time limit may be extended if the complainant can show that he/she did not have notice of the time limit, or was prevented by circumstances beyond his/her control from submitting the complaint within the time limit, or for other reasons considered sufficient by the Coordinator. A complaint filed with a federal agency must be filed within 180 days of the date of the alleged act(s) of discrimination.
 3. A complaint shall be deemed filed on the date it is received or on the date postmarked if mailed.
 4. Complaints may also be filed with the Equal Employment Opportunity Commission. Section II-9.200 of the ADA, Title II Technical Assistance manual lists the federal agencies with which a complaint may be filed under the Americans with Disabilities Act.
- F. Complainants, their representatives and witnesses shall be free from restraint, interference, coercion, discrimination or reprisal during the processing of any complaint and following the completion of the complaint procedure.
- G. Procedures for Consultation, Investigation and Resolution of Complaints of Discrimination.
1. Any person who believes that he has been discriminated against by reason of race, color, religion, sex, national origin or disability, in connection with any personnel action, administration of any program, or award of any grant, by or under the authority of the Village of Edgerton shall be advised of his rights, including his right to seek advice and consultation through the Village of Edgerton.
 2. The aggrieved party shall submit his complaint in writing to the Village of Edgerton's EEOC Officer.

3. The Village of Edgerton's EEOC Officer shall conduct the necessary investigation as he deems appropriate in the circumstances, and shall seek to conciliate the complaint with the appropriate Supervisor or other appropriate person.
 4. If the EEOC Officer is unable to achieve a satisfactory determination of the matter through consultation, he shall complete his investigation and forward his recommendations to the Mayor.
 5. The Mayor or his designee shall review the recommendations of the EEOC Officer and render a decision. (1) either in favor of the complaint (2) request for further investigation, or (3) against the complainant and advise the complainant of his rights to a hearing.
 6. If the complainant requests a hearing, said hearing will be held by the Mayor or his designee along with the EEOC Officer, in attendance with the complainant. The Mayor/designee will then determine, based on the testimony presented, whether discrimination has occurred and will make a final decision on the complainant. The final recommendation of the designee shall be in writing and will be forwarded to the complainant and to the Mayor of Edgerton for final action.
- D. The Personnel Committee of the Village of Edgerton shall provide advice to the Mayor and assist the Equal Employment Opportunity Coordinator in determining whether any employee grievance constitutes a complaint of discrimination that should be handled by the Village of Edgerton and Conciliation Panel. The Human Resources Committee member may serve as the Village's representative in conciliation panels convened by the Equal Employment Opportunity Coordinator to consider complaints of discrimination in employment or participation within the area served by the Village.

SECTION 6.00 EMPLOYMENT PROVISIONS

- 6.01 Work Day; Overtime
- 6.02 Holidays
- 6.03 Personal Days
- 6.04 Vacation Time
- 6.05 Sick Time
- 6.06 Funeral Leave
- 6.07 Military Leave
- 6.08 Court Leave
- 6.09 Calamity Days/Emergency Closing
- 6.10 Miscellaneous Leaves Of Absence
- 6.11 Health Insurance
- 6.12 Travel Allowances
- 6.13 Subsistence Allowances
- 6.14 Employment Standards And Policies
- 6.15 Longevity Payments
- 6.16 Payment Schedule
- 6.17 Benefits For Members Of Retirement Systems

SECTION 6.01:

WORK DAY; OVERTIME

- A. Regular working hours for all full-time employees of the Village shall be eight hours per day, forty hours per week, except members of the Voluntary Fire Department. Police
- B. Overtime shall be calculated and paid in accordance with the Village Pay Ordinance.
- C. An employee will be paid overtime or compensatory time when the extra hours are authorized by the employee's Department Head. Any employee working overtime must have prior approval of his/her Supervisor.
- D. For the purpose of this section, paid holidays, and paid vacation shall be considered time worked, for overtime benefits. Employees must have actual time worked in excess of 40 hours to receive overtime benefits, 43 for Police Department.
- E. Any Employee that is called out shall be compensated at a minimum of two hours, at a rate within the rules of overtime.

SECTION 6.02:

HOLIDAYS

- A. In addition to the normal and regular vacation schedule, the following days are declared to be legal holidays: New Year's Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day, and the day after Thanksgiving, Christmas Eve and Christmas Day and any other mentioned day approved by the Council.

- B. Each full-time employee of the Village, except for the Police and Voluntary Fire Department employees shall be granted compensation, either in wages or in compensatory time, for any or all of these legal holidays the employee is required to work, as determined by the following schedule:
 - 1. Salaried Employees – If any or all of these ten legal holidays falls on the regularly scheduled work day for a full-time, salaried employee, except Police and Voluntary Fire Department, is required to work eight or more consecutive hours on that legal holiday, the salaried employee shall be granted compensatory time of one day for each legal holiday worked, by having one day for each legal holiday worked added to his normal vacation schedule.

 - 2. In the event any or all of the ten legal holidays set out in this section fall on a Saturday, the holiday shall be observed on the Friday preceding the holiday date. In the event any or all of the ten legal holidays set out in this section fall on a Sunday, the holiday shall be observed on Monday following the holiday date.

 - 3. Work Holiday Period - For purposes of determining a work holiday period, a work day shall consist of eight (8) consecutive hours in the period from midnight to midnight.

 - 4. Cash Payments - The Treasurer is authorized to pay, upon certification by the Mayor as to the amounts of each employee, cash in lieu of compensatory time for all full-time employees in the Police and Voluntary Fire Departments, (Department Head excluded) entitled to ten (10) paid holidays as provided in this section and set forth below:

Compensation for employees shall be paid in the pay period in which the holiday falls.

- C. Employees required to work on a holiday shall receive one and a half times their hourly rate (1 ½) for all hours actually worked, plus eight hours holiday pay.

D. Each employee receiving compensatory time in lieu of overtime must have prior approval of the Department Head and must follow the following procedures:

1. Maximum accumulated compensatory time accumulated by each hourly employee is 240 hours, 80 hours if hired on or after July 1, 2016. Salary employees maximum accumulated time is 480 hours, 80 hours if hired after July 1, 2016.
2. Accrued compensatory time should be utilized within the year earned. After which the employer has the option of extending the accumulated compensatory time and/or convert to cash payment at any time.
3. All compensatory leave must have prior approval by the Department Head.
4. The maximum usage of compensatory time at any given time is five consecutive (5) days, unless otherwise approved by Appointing Authority.
5. Abuse of compensatory time is subject to disciplinary action.

SECTION 6.03: PERSONAL DAYS

Each full time employee will received 3 personal days per year. Personal leave will be credited to each full time employee on the first day of January on each calendar year in accordance of the following procedures.

1. Each employee must have prior authorization and approval prior to exercising such benefit.
2. Personal day must be utilize within twelve months upon receipt of such benefit. Failure to utilize such benefit will result to the loss of any and all unused personal day.
3. Personal days must be utilized in a minimum of one hour increments.
4. All employees must provide a 48 hour notice prior to exercising their personal day, unless otherwise approved by appointing authority.
5. Conflicting personal day request will be approved based on staff availability and seniority.
6. Abuse of personal day is subject to disciplinary action.

SECTION 6.04:

VACATION

A. There is hereby allowed to all regular, full-time employees of the Departments of the Village, whether employed on a yearly, monthly, daily or hourly basis, annual vacation with pay. Vacation schedules shall be arranged between the employee and his Department Head at a time that is in keeping with Department policy, and rank and seniority shall be the basis for selection of vacation schedule whenever possible. The number of vacation hours given each employee in any year shall be determined the day preceding the first day of such employees vacation period in accordance with the following schedule.

YEARS OF SERVICE RENDERED	WEEKS AND DAYS OF VACATION EARNED	ACTUAL NUMBER OF VACATION DAYS
0-5	Two	10
5-10	Three	15
10-15	Four	20
16	Four weeks and 1 day	21
17	Four weeks and 2 days	22
18	Four weeks and 3 days	23
19	Four weeks and 4 days	24
20+	Five	25

B.

It should be noted that vacation leave must be taken by the employee during the year in which it is accrued. Carry overs of vacation leave may be approved by the Department Head or Mayor for a maximum of 80 hours in any given year.

C. All employees must submit their vacation request one week in advance, unless otherwise approved by Appointing Authority.

D. Conflicting vacation request will be approved based on staff availability and seniority.

SECTION 6.05: SICK LEAVE

- A. Sick Leave is a fringe benefit privilege and is very similar to insurance in that it is designed to prevent you from suffering economic hardship by providing you with your usual rate of compensation during periods of incapacity. Sick Leave, like insurance, is a protection in case of need and not a benefit to be used whenever you, as an employee, would like to take a day off.
- B. Each full-time employee of the Village shall be entitled for each complete hour of service to sick leave of .0575 hours, a total of four and six-tenths hour for each eighty hours of service. Each employee may use sick leave upon approval of the responsible Supervisor for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and illness or death in the employee's immediate family, provided, however, that absence due to death or illness in the family shall be limited to three working days unless further absence is approved by the Department Head or Mayor on receipt of a request in writing for such an extension. Immediate family defined as only: spouse, parent or legal guardian, child or foster child, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law and sister-in-law.
- C. Unused sick leave shall be cumulative without limit. When sick leave is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour of absence from previously scheduled work.
- D. The responsible Supervisor shall require an employee to furnish a satisfactory written, signed statement to justify the use of sick leave. If medical attention is required, a certificate stating the nature of the illness and that you are physically fit to return to work from a licensed physician shall be required to justify the use of sick leave. Falsification of either a written signed statement, or a physician's certificate shall be grounds for disciplinary action, including dismissal.
- F. This section shall not be construed to interfere with existing unused sick leave credit where attendance records have been maintained and credit has been given employees for unused sick leave.
- G. Sick Leave will accrue based upon these hours; regular, overtime, holiday, and vacation only, with a maximum of 120 hours per calendar year.

- F. Sick Leave will be paid only when the employee, or a member of his immediate family, notifies his Supervisor, or other designated person, of his absence - one (1) hour before reporting time. In the event of absence of more than one (1) day, additional reporting for each day of absence will be required.

Procedure In case of Sickness: In order that the Village may schedule its work and function effectively, you must notify your Supervisor or designee as soon as possible by telephone or messenger as established by the Departmental Policy.

Please provide the following information:

- a) The nature of your illness.
 - b) Whether you are confined to your home or a hospital, and where.
 - c) Whether you have contacted a physician. If so, who.
 - d) In the case of illness of the member of the immediate family, the name of the person and the type of illness.
 - e) In the case of death in the immediate family, the name of the person and the relationship.
 - f) When you expect to return to work.
- G. Abuse of the sick leave benefit privileges hurts you and your fellow employees. You, because you will not have sick leave available when you really need it, and your absence adds to the work load which your fellow employees must bear to give adequate service to the citizens of Edgerton. Further, abuse of sick leave benefit privileges by taking off nearly every sick leave day as it accumulates, or when a history of absenteeism is noted on your personal leave record, may result in requiring a physicians certificate on the first day of illness. Any employee who is discovered to be abusing the Sick Leave Policy will receive a three (3) day suspension for the first offense, a thirty (30) day suspension for the second, and dismissed for the third offense, upon the recommendation of the Department Head and approved by the Village Administrator and/or Mayor.
- H. You are not entitled to Sick leave with pay while absent for the following causes:
- a) Disability arising from any sickness or injury purposely self-inflicted.
 - b) When the absence is due to your own intemperate habits.

- I. Absence for a fraction or a part of a day that is chargeable to Sick Leave in accordance with these provisions shall be charged proportionately in an amount not smaller than one (1) hour.
- J. Sick Leave with pay of three (3) consecutive days for reason of personal illness or physical incapacity, shall be granted only after presentation of a written statement by a physician certifying that the employee's condition prevented him from performing the duties of his position. If you are absent for such a period, or longer, you must obtain a physician's statement that you are physically able to return to work.
- K. A policy for payment of unused and accrued sick leave for all full-time employees of the village, is hereby established as set forth in the following:
 - 1. Any full-time employee of the village upon retirement from employment after 5 years of service with the village shall be compensated for a part of unused and accrued sick leave credited to the employee at the time of such retirement from employment, such compensation to be in accordance with the following schedule payment.
 - 2. Schedule of payment:
 - a. Hourly & Salary paid employees. Payment will be made for accrued unused sick leave up to a maximum of 480 hours. Payment for hourly and salary paid employees hired on or after July 1, 2016 shall be determined by multiplying the hourly rate of pay, by one-fourth of the accrued and unused sick leave credited to the maximum payment for 250 hours accrued and unused sick leave or whichever is the lesser, one-fourth accumulated hours or 250 hours.
 - b. Payment for unused and accrued sick leave on this basis shall be considered to eliminate all accrued and unused sick leave credited to the employee at the time of payment.
- L. Upon written notice of retirement from employment certified as to effective date by the chief administrative officer of the Village, the Village Fiscal Officer shall, within ninety days of the effective date, determine the amount of payment according to the schedule and shall forward the payment to the employee, payment to be made from funds duly appropriated and set aside for such payment by Council.

SECTION 6.06: FUNERAL LEAVE

- A. Upon application to the employee's Department Head an employee may be granted a maximum of three (3) working days funeral leave, one of which must be the day of the funeral which the employee must attend, for a death in the immediate family. Immediate family is defined as only: spouse, parent or legal guardian, child or foster child, brother, sister, grandparent, grandchild, mother-in-law, father-in law, son-in-law, daughter- in law, brother-in-law, sister-in-law, legal guardian or other person who stands in the place of a parent.
- B. Leave due to the death of other family members may be granted with the approval of the Appointing Authority if the employee submits, in writing, the special circumstances.
- C. Any funeral leave request in excess of 3 days will be charged against the employee's accumulated sick leave hours balance.

SECTION 6.07: MILITARY LEAVE

- A. Any full-time and part-time Village employee who enlists in the United States Armed Forces shall be granted a military leave of absence in accordance with the Uniformed Services Employment and Re-employment Rights Act (USERRA) and any applicable State laws. To the extent that they are not in conflict with the provisions of USERRA, the following provisions shall be applicable to each Village of Edgerton employee who is granted a military leave of absence.
 - 1. The cumulative period of military leave shall not exceed five (5) years.
 - 2. An employee called up for military service may use any leave with pay available to them.
 - 3. An employee must give their Department Head an advance notice of service, where possible.
 - 4. Unless injured or disabled during military service, employees are eligible for the following re-employment rights:
 - a. Up to 30 days service - an employee must report to work for the next regularly scheduled work shift (with an 8-hour period for safe transportation). Returning employees are to be placed in the position equivalent they would have attained had they remain continuously employed or their pre-service position if the employee doesn't qualify to perform in a higher position.

- b. 31 to 180 days service - an employee must apply for re-employment no later than 14 days following completion of service. Re-employed employees may not be discharged for up to six (6) months, except for just cause. Returning employees with service of 91 or more days may be given a higher position or a position of like seniority, status and pay if qualified, or returned to a lesser position for which they are qualified.
 - c. 180 days or more service - an employee must apply for re-employment no later than 90 days after completion of service. Re-employed employees may not be discharged for up to one year, except for just cause. Returning employees are to be placed in the position equivalent they would have attained had they remain continuously employed or their pre-service position if the employee doesn't qualify to perform in a higher position.
5. . Employees performing military duty of more than 30 days may elect to continue Village sponsored health care for up to 24 months; however, they will be required to pay *up to* 102 percent of the full premium. For military service of less than 31 days, health care coverage will be provided as if the service member had remained employed.
 6. The Village of Edgerton will continue to make contributions to the employee's retirement fund that would have been made if the employee was not absent for military leave.
 7. Employees must have been honorably discharged from military service in order to be entitled to the above benefits.
 8. Upon returning to work for the Village of Edgerton, the employee will be granted full seniority for his entire enlistment time the same as if such employee had worked continuously for the Village of Edgerton during enlistment. Any employee who enters the military prior to completing the required probationary period shall be required to complete the remaining time under his former probationary status.
 9. An employee returning for the military leave of absence of 31 days or longer shall be required to place, in writing, his request to be reinstated to his former position and the date he will be available for work within ninety (90) days of returning from military service or upon being honorable discharged from military service.
 10. Failure to an employee who has been granted a military leave of absence to request reinstatement to his former position within ninety (90) days after receiving an honorable discharge or separation from military service shall cause such employee to forfeit all reinstatement rights with the Village of Edgerton.

11. Temporary and seasonal personnel and provisional appointees are not eligible for a military leave of absence.
12. Request for military leave of absence shall be made by the employee, in writing, and forwarded to the Village of Edgerton Administrator, who also shall receive a copy of the request for his/her records.

B. National Guard and Reserve Services.

Employees shall be granted leaves of absence up to thirty-one (31) days or a maximum of one hundred seventy-six (176) hours paid leave within any one calendar year for military training in the Guard or Reserve in accordance with the Ohio Revised Code without sacrifice of vacation time. The Village of Edgerton Administrator shall approve the scheduling of vacations for such employee at his own discretion. Employees desiring to enter the Guard or Reserve are required to first contact the Mayor and or appropriate Department Head to discuss any work scheduling problems which may arise as a result of such service.

1. When receiving reimbursement under this Section, employees are required to bring copies of their military pay stubs to the Department Head and Village Fiscal Officer.
2. Employees are required to bring the Department Head or Appointing Authority a copy of the orders stating their period of military training.

SECTION 6.08: COURT LEAVE

- A. Court leave shall be granted to employees for attending court as a witness on behalf of the United States or the State of Ohio, or for jury duty. The Appointing Authority shall grant full pay when an employee is subpoenaed for court or jury duty by the United States, the State of Ohio, or a political subdivision.
- B. Any matter before a court where the employee is personally involved or the employee or their family would receive financial consideration, they shall not be reimbursed for witness duty.
- C. Any monies paid to an employee for attending court as a witness, or for jury duty shall be refunded to the Village of Edgerton.

SECTION 6.09: CALAMITY DAYS/EMERGENCY CLOSING

- A. Delays in opening or emergency closing of the facilities will be determined by the Appointing Authority. Such information will be reported to the local radio stations, and the employee if possible.

- B. On any day the Village offices are open, employees who are scheduled but unable to report to work due to weather conditions are required to contact their immediate Supervisor within one (1) hour of their scheduled starting time. Any scheduled employee who fails to contact his/her immediate supervisor will be docked one (1) day's pay for the day the employee was off of work.

- C. Employees whose office is closed due to any emergency or calamity and who are required to report or who are sent home will be paid for their full day's pay. Employees who are to report later in the day will be notified in accordance with Paragraph A.

SECTION 6.10: MISCELLANEOUS LEAVES, OF ABSENCE.

A. Unpaid Disability Leave

1. An employee may request an unpaid disability leave if he continues to be injured, ill, or physically incapacitated from the performance of the regular duties of his position after he has exhausted his accumulated sick leave.
2. The Mayor, Administrator and/or Department Head may place an employee on an unpaid disability leave after the employee has exhausted accumulated sick leave if; after an informal hearing concerning the employee's condition, the Appointing Authority determines that the individual is unable to perform the regular duties of his position because of illness, injury or other physical or mental disability. Prior to the hearing, the employee may be required to submit to an examination conducted by a licensed physician, psychiatrist or psychologist, as appropriate to the circumstances. Ordinarily, if the employee is hospitalized or institutionalized at the time of the request, the disability leave may be granted without examination.
3. Within one (1) year from the effective date of the unpaid disability leave, the employee may apply for reinstatement. After receipt of a timely application for reinstatement, the Appointing Authority shall require examination of the employee by a licensed physician, psychiatrist or psychologist, as appropriate to the circumstances, and may designate the person to conduct the examination. The examination shall be done at the Village's expense. If the examination discloses that the employee has recovered from the disability and is otherwise able to perform the regular duties of his position, the Council shall reinstate the employee within thirty (30) calendar days from the employees written application to his former position or to a similar position within the same classification.
4. An employee on an unpaid disability leave does not earn sick leave or vacation leave, nor is he entitled to any holiday pay. An employee on an unpaid disability leave must pay the premium cost for health insurance after twelve (12) weeks for himself (and for dependent coverage, if applicable) in order to keep the coverage in effect during the leave. The employee's anniversary date shall be adjusted to exclude the time spent on the unpaid disability leave.
5. In the event that the effective employee is incapable in performing his/her duties, the Village has the option in offering a lower paying position within his/her organization.

SECTION 6.11: HEALTH INSURANCE

- A. The Village of Edgerton provides a health/life insurance plan for full-time regular employees and their families.
- B. The Village assumes and pays 100% of the monthly premium, in an amount not to exceed the present or future cost of a contract for each full-time Village employee in Active Pay Status desiring such coverage. It is the intent of this section that all present full-time employees be covered as well as those who may hereafter enroll in the Village contract.
- C. The Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 allows an individual who loses his/her health care coverage as a result of the death of the covered employee, termination of the employment, reduction of hours, divorce or legal separation, a dependent child ceasing to be a dependent under the terms of the Village's health care plan or the covered employee becoming eligible for Medicare, to continue health care coverage for a period of up to thirty-six (36) months, depending on the particular situation. The individual affected is required to pay the premium. An affected individual should contact the Village Fiscal Officer for additional information.
- D. The Village of Edgerton will provide one health insurance policy to married employees when one or both family members are employed in a qualifying position for the village.
- E. The Village of Edgerton may at any time change or amend the terms of the insurance policy provided, including requiring employees to contribute toward premiums with a 30 day notification.

SECTION 6.12: TRAVEL ALLOWANCES

- A. Allowances are established at the IRS rate; subject to the approval of the Village Administrator and/or Mayor, for Village officials and employees for the use of their privately owned motor vehicles and the proper use of the vehicles in the interest of the Village. However, as a condition to the allowance of any such claim for mileage pursuant to this section, a proper requisition shall be drawn and approved by the Department Head within whose department such allowance is made. The requisition will also be approved in the same manner and form as other requisitions.
- B. There shall be no authority on the part of any official or employee to use any privately owned motor vehicle unless the operator and vehicle are protected from property damage and liability damage by insurance or other surety to the extent required by the Financial Responsibility Law of the State.
- C. In the event it is necessary to place any privately owned vehicle or any vehicle owned by the Village when on Village business outside the Village, within a parking lot or garage in order that the business of the Village may be accomplished, the charges for the same shall be paid by the Village when proper receipt accompanies the mileage requisition above provided for.

SECTION 6.13: SUBSISTENCE ALLOWANCES

- A. Employees of the Village shall be reimbursed for subsistence expenses while on official Village business as follows:
1. No more than one hundred dollars (\$100.00) per day, for lodging, parking, taxi fares, telephone calls and other similar items of expenses incident and necessary to performance of official Village business; provided, however, that such items of business shall be documented fully. However, additional dollars may be reimbursed under special circumstances such as the city traveled to and the prevailing expenses for lodging and travel there, upon approval by the Mayor or Village Administrator.
 2. Village employees required to stay overnight outside of the Village on official business will be reimbursed for meals not more than thirty dollars (\$30.00) per day when costs of meals are itemized and accompanied by receipts. Village employees required to attend a meeting where they leave and return the same day will be reimbursed for one (1) meal not more than fifteen dollars (\$15.00) when cost of meal is itemized and accompanied by a receipt.
 3. The amount of expenditure in Section 6.13 A(1) or (2) may not exceed the cap without prior approval by the Village Mayor and/or Administrator.
 4. No alcoholic beverages will be reimbursed by the Village.
 5. The Village of Edgerton will reimburse employees for gratuities (15%) and appropriate taxes with proof of expenditures; any gratuities in excess of 15% must have prior approval.

SECTION 6.14: EMPLOYMENT STANDARDS AND POLICIES (See also Section 2)

- A. Standards Applicable To All Departments.
 - 1. Appointees shall pass a physical examination by a licensed physician indicating that he/she meets the physical requirements necessary to perform the duties of the position.
 - 2. Appointees must be a high school graduate, or equivalent, or have proven work experience.
 - 3. Appointees must be a resident of the State of Ohio, and agree to maintain a residence in the State of Ohio at time of appointment except as follows in subsection below:
 - a. Federally Funded Departments. Residence requirements for appointees to all positions in the Village that are funded from Federal Funds, and whose employment is only for a period of Federal funding, may be waived at the discretion of the Mayor, but only for the purpose of obtaining qualified employees for a specific program.

- B. Minimum Employment Standards for the Service Department. Such employees shall:
 - 1. Meet all the requirements provided in subsection (A) (1), (A) (2) and (A) (3) hereof; and
 - 2. Be at least eighteen years old at time of employment for full time employment.
 - 3. Shall have a valid State of Ohio Motor Vehicle Operator License for the duration of employment in the Service Department.
 - 4. Failure to have a valid State of Ohio Motor Vehicle Operator License shall constitute an act of voluntary termination in the Service Department.

- C. Minimum Employment Standards for the Voluntary Fire Department. Such employees shall:
1. Meet all the requirements provided in subsection (A) hereof; and
 2. Meet all the mandated training requirements limitation established by the State for such. Refusal to meet training requirements shall voluntary termination of employment.
 3. Shall have a valid State of Ohio Motor vehicle Operator License for the duration of employment in the Fire Department.
 4. Failure to have a valid State of Ohio Motor Vehicle Operator License shall constitute grounds for disciplinary action.
- D. Minimum Employment Standards for the Police Department. Such employees shall:
1. Meet all the requirements provided in subsection (a) hereof; and
 2. Meet all the mandated training requirements within time limitation established by the State for such training. Refusal to meet training requirements shall constitute a voluntary termination of employment.
 3. Shall have a valid State of Ohio Motor Vehicle Operator License for the duration of employment in the Police Department.
 4. Failure to have a valid State of Ohio Motor Vehicle License shall constitute grounds for disciplinary action.
- E. The requirements of training for all departments and the requirements of having a valid State of Ohio Motor Vehicle Operator License for members of the Police Fire and Service Departments, as set forth in this section shall apply to all persons employed on the date of the passage of this section as well as to new appointees after this date.

SECTION 6.15: PAYMENT SCHEDULE

- A. The Village Fiscal Office is authorized to make all wage and salary payments for all officers and employees on a bi-weekly (every other week) schedule, following the end of a pay period. Each pay period ends every other Sunday.

SECTION 6.16: BENEFITS FOR MEMBERS OF RETIREMENT SYSTEMS

- A. The Village of Edgerton shall be a designated member of the Public Employees Retirement System of Ohio and the Police and Fireman's Disability and Pension Fund and pay the employers share of such benefit under the Pension Fund by each person within any of the classes established in section (B) hereof. No person subject to this "pick-up" shall have the option of choosing to receive the statutorily required contribution to the Public Employees Retirement System of Ohio and the Police and Fireman's Disability and Pension Fund directly instead of having it "pick-up" by the Village or being excluded from the "pick-up".
- B. The Village shall, in reporting and making remittance to the Public Employees Retirement System of Ohio and the Police and Fireman's Disability and Pension Fund report that the public employee's contribution for each person subject to this "pick-up" has been made as provided by the statute.
- C. The "pick-up" by the Village provided by this section shall apply to all persons that are employees of the Village who are or become contributing members of the Public Employees Retirement System of Ohio and the Police and Fireman's Disability and Pension Fund, excluding elected officials.
- D. The Village's method of payment of salary to employees who are participants in Public Employees Retirement System of Ohio and the Police and Fireman's Disability and Pension Fund is hereby modified as follows in order to provide for fringe benefit pick-up of employee contribution to Public Employees Retirement System of Ohio and the Police and Fireman's Disability Pension Fund.
- E. The total salary for each employee shall payable under the Village policies. As each employee, the Village will pick-up the statutorily required contribution. Benefit Method the final average salary the amount of the pick-up contributions.

SECTION 6.17: WORKERS COMPENSATION

- A. All employees are covered under the Ohio Worker's Compensation Program. From this fund, medical expenses are covered for workers who suffer injury or certain kinds of illness in the course of their employment.

B. When an employee is injured, he or she must notify the Department Head or the Village Administrator, at once. In each case of injury on the job, it is the responsibility of the Department Head or the Village Administrator to establish the validity of the claim. This includes a determination that the injury was actually sustained in the performance of the employee's duties. Should a Department Head find that the injury did not occur on the job, the facts of the case should be reported to the Village Administrator in writing. When an employee is injured on the job, a written explanation or "injury investigation report" should be prepared by the employee and his or her immediate Supervisor. All required information must be supplied and submitted within twenty-four (24) hours following the injury. All injuries shall be reported at once to the Village Administrator. Failure to report an injury may preclude approval by the Bureau of Workers' Compensation and can result in disciplinary action against the employee for failure to comply.

SECTION 6.18: SICK LEAVE INCENTIVE PROGRAM

A. Employees may participate in Sick Leave Incentive Program twice a year; October – March, and April – September. During each six (6) month interval employees who do not utilize any Sick Leave will be eligible to cash up to sixty (60) hours of sick leave as an incentive. Payments for Sick Leave Incentive will be made in October of each year for all qualifying employees and 6 month intervals. Participation is voluntary.

SECTION 7.00

REDUCTION IN FORCE

7.01 Layoff Procedure

7.02 Recall to Work

SECTION 7.01: LAYOFF PROCEDURE

Should a reduction in the work force of the Village be necessary, that reduction shall occur in the manner prescribed as follows:

The Council shall determine those employees which shall be reduced in number. Such reduction will take place solely as to those employees as determined by the Council with the consultation of the Department Head, Village Administrator and Mayor. Employees may be laid off at the time and in the number specified by the Council, in inverse order of their relative merit as determined solely by the Council. All part-time employees may be laid off before the probationary employees and all probationary employees may be laid off before full-time employees.

7.02 Recall to Work

When situations so warrant, those employees who have been laid off shall be called back to work as determined by Council with the consultation of the Department Head, Village Administrator and Mayor. Should an employee be unavailable to return to work in a period of time as deemed reasonable by the Council, or refuse to return to work, that employee's name shall be removed from the re-employment list. Any such employee shall be eligible to apply for original appointment in accordance with the appropriate hiring procedure.

SECTION 8.00

GENERAL INFORMATION

8.01 Savings Clause

8.02 Notice of Village of Edgerton's Policies

8.03 Acknowledgment of Receipt and Disclaimer

SECTION 8.01: SAVINGS CLAUSE

Should any Section or Article of this Personnel Policies and Procedures Manual or any amendments thereto be held invalid by operation of law, or by a tribunal of competent jurisdiction, or should compliance with or enforcement of any Section or Article of this Personnel Policies and Procedures Manual be restrained by such tribunal, the remainder of this Manual and amendments thereto shall not be affected and shall remain in full force and effect.

SECTION 8.02: NOTICE OF VILLAGE OF EDGERTON'S POLICIES

By signing for the receipt of these Personnel Policies, the employee hereby acknowledges that he is placed on notice that the Village of Edgerton has promulgated policies which, in addition to setting the goals and objectives of the manner in which the program is to be operated, sets forth the Village's position on certain matters pertaining directly to employment. The employee further acknowledges that he assumes the responsibility for familiarizing himself with the policies of the Village, as they presently exist, and as they may be supplemented from time.

SECTION 8.03: ACKNOWLEDGMENT OF RECEIPT AND DISCLAIMER

I have received the Village of Edgerton Policies and Procedures Manual and had it explained to me regarding my privileges and responsibilities. It is my responsibility to be familiar with these policies and the rules of the Village of Edgerton. I understand that I will be directed by them.

I further acknowledge that the policies, benefits, rules and regulations set forth herein are not to be considered as creating terms and/or conditions of an employment contract, either expressed or implied, or any vested rights other than those rights created by applicable state or federal law. These policies are subject to unilateral changes by the Village of Edgerton without notice.

I also understand that this Personnel Policies and Procedures Manual is the property of the Village of Edgerton. Upon my separation from employment, this Manual must be returned prior to my receipt of my final pay.

Signature of Employee

Date

Signature of Administrator

Date

(This page to be given to the Village Administrator)

