

**AGENDA**  
Jefferson Village Council  
Order of Business

Date: Monday December 2, 2024.

Regular Meeting 7:30 p.m.  
Next Ordinance No. 24-(R/O) 3358

**Meeting Called to Order by: Mayor Chiacchiero**

**Pledge of Allegiance:**

**Moment of Silence**

**Opening Prayer: The Baptist Church**

**Roll Call of Council:** Dreier, Febel, Martuccio, Roderick, Sekanina, Orvos

**Corrections or Additions to the Agenda**

**Minutes: Addition/Correction**

Motion to approve the Council Meeting Minutes of  
November 18, 2024.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion: \_\_\_\_\_

Roll: \_\_\_\_\_

**Visitors' Comments (five-minute limit per council rule #13)**

**DEPARTMENTS**

**Administrator Mackensen**

Administrator Report

**Clerk/Treasurer Fisher**

## Payroll Report/Special Pay Report

### Deputy Chief Schor

The following is a list of major calls for service and incident report categories for the month of November 2024. Attached is the statistics for the month as well for your review.

Calls For Service	422
Incident Offence Reports	28
Traffic Stops	52
Traffic Citations	21
Traffic Crashes	6
Physical Arrests	2
Medical Call Assists	26
Vehicle Lock Outs	5
Suspicious Activity	13
Towed Vehicles	1

#### Incident Offences Reported:

Threats, Trespassing, Juvenile Complaint, Theft, Property Damage, Protection Order Violation, Warrant Arrest, Domestic Violence, Assault, Title Violation, Endangering Children, Disturbance, Found Property, and a Welfare Check.

### Chief Lachey

No Report

### COMMITTEES

#### Building and Lands Dreier/Sekanina

**Committee Report:** No report

**Forestry**  
**Martuccio/Febel**

**Committee Report: No Report**

**Finance**  
**Sekanina/Dreier**

**Committee Report: No Report**

**Ordinance/Resolution to Read:**

**Ordinance No. 24-O- 3357**

An ordinance amending chapter 254 of the code of Ordinances of the Village of Jefferson, Ohio pertaining To personnel rules and regulations for employees generally and declaring an emergency

**Motion for the First Reading of Ordinance No. 24-O- 3357**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion

**Motion to Suspend Council Rules on Ordinance No. 24-O- 3357**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion: \_\_\_\_\_  
Roll: \_\_\_\_\_

**Motion to Adopt Ordinance No. 24-O- 3350**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion: \_\_\_\_\_  
Roll: \_\_\_\_\_

**Recreation**  
**Roderick/ Martuccio**

**Committee Report:**

Motion to accept the Administrator recommendation to move Jamie Dean up to receive her one step increase she has completed one year with the Village. Move her to the pay status of the wage Ordinance effective December 9, 2024, pay period.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion: \_\_\_\_\_  
Roll: \_\_\_\_\_

**Safety**  
**Febel /Orvos**

**Committee Report:**

Motion to accept the Mayor's recommendation to move Joe Schor up to receive his one step increase he has completed one year with the Village. Move him to the pay status of the wage Ordinance effective December November 24, 2024, pay period.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion: \_\_\_\_\_

Roll: \_\_\_\_\_

**Ordinance/Resolution to Read:**

**Ordinance No. 24-O- 3350**

An Ordinance authorizing the Village Administrator and Village Clerk/Treasurer to enter into a Fire Service contract with the Board of Township Trustees of Lenox Township, Ohio to provide fire protection to said Township from January 1, 2025, through December 31, 2027.

**Motion for the Third Reading of Ordinance No. 24-O- 3350**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion: \_\_\_\_\_

Roll: \_\_\_\_\_

**Motion to Adopt Ordinance No. 24-O- 3350**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion: \_\_\_\_\_

Roll: \_\_\_\_\_

**Utilities/Wastewater Treatment/**  
**Service**  
**Orvos/Roderick**

**Committee Report: No Report**

**Resolution No. 24-O- 3351**

A Resolution declaring the 2015 Grasshopper Z Turn lawn mower model no. 329b, serial no. 6517634 owned by the village of Jefferson to be no longer needed for Municipal purposes and authorizing the sale to the highest and best bidder as is

**Motion for the Third Reading of Resolution No. 24-R- 3351**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion: \_\_\_\_\_  
Roll: \_\_\_\_\_

**Motion to Adopt Resolution No. 24-R- 3351**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion: \_\_\_\_\_  
Roll: \_\_\_\_\_

**Mayor**

None

**OLD BUSINESS/  
NEW BUSINESS**

None

**Visitor's Comments (five-minute limit per council rule #13)**

**CORRESPONDENCE**

None

**MEETINGS**

**EMPLOYEE HANDBOOK MEETING**

**December 2, 2024**

**6:00 p.m.**

**Town Hall**

**Topic: Updating the Personnel Rules and Regulations**

**Adjourn: Motion: \_\_\_\_\_ Time: \_\_\_\_\_**

# Memo

To: Mayor Chiacchiero  
CF: Fire Chief Lachey  
From: Chris Mackensen,  
Subject: Administrator's Report  
Date: December 2, 2024

Members of Council  
Police Deputy Chief Schor  
Village Administrator

Village Administrator's report for the period ending November 27<sup>th</sup>, 2024.

Projects update:

Project	Project #	Status	Vendor	Grant/Loan	Total Cost
<b>ACTIVE PROJECTS</b>	<b>Project #</b>				
WWTP EQ Basin	OPWC – R37	Submitted to DOD/EPA Resubmitting to OPWC – R37	CT Consulting	Engineering grant \$90,000	\$1,250,000
WWTP Clarifier Improvement phase 1	OPWC – R38	Starting Engineering 01/01/2024	CT Consulting	\$207,500 Grant \$50,000 Loan	\$515,000
WWTP Clarifier Improvement Phase 2	OPWC-R39	Submitted to DOD/EPA Resubmitting to OPWC – R39	CT Consulting		\$515,000

## In the Village

Jefferson Village is Gearing up for Festive Weekend with Christmas Tree Lighting and Parade

Jefferson Village invites residents and visitors to kick off the holiday season with many highly anticipated events this weekend.

Friday, December 6, 2024 – Christmas Tree Lighting Ceremony

The Rotary Club will host the first annual remembrance Christmas Tree Lighting Ceremony on Friday at 5:00 PM. Located at the gazebo in the center of town. Join us for a magical evening filled with holiday spirit, music, and community cheer as we light the village Christmas tree. For 3 dollars, you can buy a remembrance ornament for a loved one that will be placed on the tree.

Saturday, December 7, 2024 –The holiday festivities continue starting with the breakfast with Santa from 9 to 11 am at Giddings Hall. 3 dollars per adult kids eat free.

As well as the annual craft show taking place in the Recreation building from 9 am to 3 pm

From 11 am to 2 pm is the life-size Candyland game located at the Jefferson Church of the Nazarene 55 East Satein St. All Ages and free for all.

Come visit Santa's workshop from noon to 4 located in Village Hall

From 1230pm to 4 pm, the Rotary Club Christmas Church walk will be taking place it is a guided historic tour with music. The walk starts at the First Baptist Church85 West Jefferson St.

Don't miss the horse draw wagon ride back again this year from 1 pm to 5 pm, pick up at the corner of East Jefferson North Chestnut St.

At 6:00 PM come join us for the Jefferson Village Annual Christmas Parade. This year, the parade will begin at Mulberry Street and wind its way through the village, showcasing floats, marching bands, and Santa himself!

Don't forget to join Santa after the parade in the expo building located at the fairgrounds for a hot cocoa mac and cheese and hotdogs.

**Important Parking Information:**

To ensure the safety and enjoyment of the parade, no parking will be permitted on Chestnut Street (from Satin Street to Walnut Street). However, the new parade route starting on Mulberry Street offers convenient off-street parking from Sanders to Drugmart. The Village again this year will have dedicated handicapped parking on the west side of Chestnut St. near Satin St.

These cherished events are a perfect opportunity for families and friends to gather and celebrate the holiday season together. Don't miss out on the fun and festive spirit!

**Street Dept.**

Snow is here! Please remember that parking on streets is prohibited if the snow is 3 inches or more to allow room for plow trucks.

**Recreation Department:**

**Wastewater Treatment Plant:**

**Police:**

**Fire:**

**Other Items:**

Address	Violation Type	Status	Comments



**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

Meeting called to order by Mayor Chiacchiero.

Pledge of Allegiance:

Moment of Silence:

Opening Prayer: Pastor Isaac Chappell

**Roll call of Council** Dreier, Febel, Martuccio-Absent, Roderick, Sekanina, Orvos

**Corrections or Additions to the Agenda:**

None

**Minutes: Approval/Addition/Correction**

Motion by Councilperson Febel to approve the Council Meeting Minutes of November 4, 2024.

2<sup>nd</sup>

Roll: All yea, motion carried

Motion by Councilperson Orvos to approve the Special Council Meeting Minutes Of November 7, 2024.

2<sup>nd</sup>

Roll: All yea, motion carried

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

Motion by Councilperson Sekanina to accept the Jefferson Emergency Rescue Meeting Minutes of October 9, 2024.

2<sup>nd</sup>

Roll: All yea, motion carried

Motion by Councilperson Febel to approve the Safety Committee Meeting Minutes of November 4, 2024.

2<sup>nd</sup>

Roll: All yea, motion carried

Motion by Councilperson Febel to approve the Safety Committee Meeting Minutes of November 9, 2024.

2<sup>nd</sup>

Roll: All yea, motion carried

Motion by Councilperson Febel to approve the Safety Committee Meeting Minutes of November 12, 2024.

2<sup>nd</sup>

Roll: All yea, motion carried

**Visitor's Comments (five-minute limit per council rule #13)**

None

**Also present:**

Stephanie Wessell of the Gazette, Pastor Isac Chappell, Mary Howe, Deputy Chief Joe Schor and Devin Chiacchiero

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

**DEPARTMENTS**

**Administrator Mackensen**

Village Administrator's report for the period ending November 14th, 2024.

**Projects update:**

Project	Project #	Status	Vendor	Grant/Loan	Total Cost
<b>ACTIVE PROJECTS</b>	<b>Project #</b>				
WWTP EQ Basin	OPWC – R37	Submitted to DOD/EPA Resubmitting to OPWC – R37	CT Consulting	Engineering grant \$90,000	\$1,250,000
WWTP Clarifier Improvement phase 1	OPWC – R38	Starting Engineering 01/01/2024	CT Consulting	\$207,500 Grant \$50,000 Loan	\$515,000
WWTP Clarifier Improvement Phase 2	OPWC-R39	Submitted to DOD/EPA Resubmitting to OPWC – R39	CT Consulting		\$515,000

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

**In the Village**

I am contacting CT Consultants regarding a paving repair that needs to be addressed on North Spruce St. from the new paving.

The Zoning Board of Review held a meeting on 11/12/2024. The board approved a signage height variance for Ashtabula County signs with stipulations on the sign base veneer design.

**Street Dept.**

I would like to remind residents that the final leaf pickup for the season will occur during the week of Thanksgiving, from 11/25/2024 to 11/27/2024. This is the last opportunity for residents to dispose of their leaves through the Village's curbside pickup service.

**Recreation Department:**

The Village is excited to announce that the new playground equipment at Giddings Playground is now complete and officially open to the public! Families can now enjoy the upgraded play structures, along with two pickleball courts.

In addition, West Park, located on Adams Street, has the addition of the spiral slide and swings.

The Village encourages residents to visit these parks and enjoy the new amenities, For more details about the new park facilities, and where to sign up for pickleball nets please contact the Village Recreation Department at 440-576-9052 or visit our website at [Jeffersonohio.gov](http://Jeffersonohio.gov) under recreation and rentals.

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

**Wastewater Treatment Plant:**

**Police:**

**Fire:**

**Other Items:**

Address	Violation Type	Status	Comments

**Clerk /Treasurer Fisher**

Payroll Report/Special Pay Report

**Deputy Chief Schor**

No Report

**Chief Lachey**

No Report

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

**COMMITTEE REPORTS**

**Building and Lands**

**Committee Report:** None

**Forestry**

**Committee Report:** None

**Finance**

**Committee Report:** None

**Ordinance/Resolution to Read:**

**Ordinance No. 24-O- 3349**

An Ordinance for the Appropriations for current expenses and other expenditures of the Village of Jefferson, Ohio during Fiscal year ending December 31, 2024.

**Motion by Councilperson Sekanina for the Third Reading of Ordinance No. 24-O- 3349**

2<sup>nd</sup>

Roll: All yea, motion carried

**Motion by Councilperson Sekanina to Adopt Amended Ordinance No. 24-O- 3349**

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to  
Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

**Recreation**

**Committee Report:** No Report

**Safety**

**Committee Report:** No Report

**Ordinance/Resolution to Read:**

**Ordinance No. 24-O- 3350**

An Ordinance authorizing the Village Administrator and Village Clerk/Treasurer to enter into a Fire Service contract with the Board of Township Trustees of Lenox Township, Ohio to provide fire protection to said Township from January 1, 2025, through December 31, 2027.

**Motion by Councilperson Orvos for the Second Reading of Ordinance No.  
24-O- 3350**

2<sup>nd</sup>

Roll: All yea, motion carried

Motion by Councilperson Febel to approve the Deputy Chiefs Recommendation to send Patrolman Adam Gozelanczyk to Advance Patrol Tactics training December 2, 2024. The cost of the class will be \$199.00.

2<sup>nd</sup>

Roll: All yea, motion carried

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

**Utilities/Wastewater Treatment/ Service**

**Committee Report:** No Report

**Ordinance/Resolution to Read:**

**Resolution No. 24-O- 3351**

A Resolution declaring the 2015 Grasshopper Z Turn lawn mower model no. 329b, serial no. 6517634 owned by the village of Jefferson to be no longer needed for Municipal purposes and authorizing the sale to the highest and best bidder as is

**Motion by Councilperson Orvos for the Second Reading of Resolution No. 24-R- 3351**

2<sup>nd</sup>

Roll: All yea, motion carried

**Mayor**

Motion by Councilperson Febel to go into executive session at 7:38 p.m. to discuss a promotion of a Police Officer with no action taken after the executive session.

Roll: All yea, motion carried

**Executive Session**

Motion by Councilperson Febel to go out of the executive session and into regular session at 7:52.

Roll: All yea, motion carried



**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

**OLD BUSINESS/NEW BUSINESS**

**Visitor's Comments (five-minute limit per council rule #13)**

None

**CORRESPONDENCE**

None

**MEETINGS**

**CRA HOUSING COUNCIL MEETING**

**November 18, 2024  
6:00 p.m.  
Town Hall**

**Topic: Appointing Members**

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to  
Council at the December 2, 2024, Council Meeting**

**VILLAGE OF JEFFERSON  
COUNCIL MEETING**

November 18, 2024

**ADJOURN**

Motion by Councilperson Sekanina to adjourn the Council Meeting.  
2<sup>nd</sup>

Roll: All yea, motion carried.

Meeting adjourned at 7:46 p.m.

Submitted by,

Patricia A Fisher, Clerk of Council

# *Jefferson Village Police*

*Serving Since 1902*



**Joseph Schor**  
Deputy Chief of Police

104 East Jefferson St.  
Jefferson, Ohio 44047  
Telephone (440) 576-0010  
Fax (440) 576-0714  
Email: [Joe.schor@jeffersonpolice.us](mailto:Joe.schor@jeffersonpolice.us)

November 18, 2024

Dear Mayor Chiacchiero,

After considerable thought and meaningful conversations with Chief Mackensen, and my family, I have decided to remain in my current role as Deputy Chief of Police for the time being.

This decision was not made lightly. I greatly appreciate the support and confidence that has been extended to me regarding my potential promotion to Chief of Police. However, upon reflection, I believe it is in both my best interest and that of the department and village to focus on further personal and professional development to ensure I am fully prepared to meet the demands of such a critical role in the future.

I remain fully committed to serving the department and our community to the best of my ability as Deputy Chief. I look forward to continuing to work collaboratively to uphold the high standards and goals we all strive to achieve.

Thank you for your understanding and support.

Very Respectfully,

A handwritten signature in blue ink, appearing to read "Joseph Schor".

Joseph Schor  
Deputy Chief of Police  
Jefferson Village Police Department

# *Jefferson Village Police*

*Serving Since 1902*



**Chris Mackensen**  
Chief of Police

104 East Jefferson St.  
Jefferson, Ohio 44047  
Telephone (440) 576-0010  
Fax (440) 576-0714  
Email: [chris.mackensen@jeffersonpolice.us](mailto:chris.mackensen@jeffersonpolice.us)

November 18th

Dear Mayor Chiacchiero,

I am writing to express my full support for Deputy Chief Joe Schor's recent decision to remain in his current position for the time being. I believe this choice reflects his thoughtful consideration and genuine dedication to the best interests of the department and the community.

Deputy Chief Schor's decision demonstrates his commitment to personal and professional growth. By focusing on further development at this stage, he is ensuring that he can be fully prepared to take on greater responsibilities soon. This kind of self-awareness and strategic planning is an asset to the department and underscores Joe's potential for future leadership.

In the meantime, Deputy Chief Schor will continue to serve as a competent and dependable leader within our department with my full support. I have full confidence Joe will use this period to further expand his skills and contribute meaningfully to our department.

Thank you for your ongoing support of this department, Deputy Chief Joe Schor and myself.

Please let me know if you would like to discuss this matter further.

Sincerely,

A handwritten signature in blue ink that reads "Christopher Mackensen".

Christopher Mackensen  
Chief of Police  
Jefferson Village Police Department

# *Jefferson Village*

**Jim Chiacchiero**  
Village Mayor



27 East Jefferson St.  
Jefferson, Ohio 44047  
Telephone (440) 576-3941  
Fax (440) 576-5548  
Email: [mavor@jeffersonohio.us](mailto:mavor@jeffersonohio.us)

**11/20/2024**

**I am writing in response to my recent conversation with Deputy Chief Joe Schor and Chief Chris Mackensen in regards to Deputy Chief Schor's decision that he would like to focus on his continued development at this time and remain as Deputy Chief.**

**Therefore at this time I am recommending that Deputy Chief Schor continue as Deputy Chief for The Village of Jefferson Police Department.**

**I have spoken to Deputy Chief Schor regarding this matter and I am confident that Deputy Chief Schor will continue to dedicate himself with training and development so that in the future he will lead the Village of Jefferson Police Department as Chief.**

Sincerely,

*Jim Chiacchiero*  
Mayor  
Village of Jefferson  
440-576-3941

# Village Of Jefferson Net Allocation Report

Period Number: 24  
Payroll Period: 2024/11/29 BIWEEKLY PAYROLL  
11/29/2024 CORRECTION

Check Date: 11/29/2024  
Period Dates: 11/11/2024 to 11/24/2024

Check Number	Job Number	Employee Name	Net Allocation	Gross	Net
<b>Direct Deposit (ACH file)</b>					
000006373	ADMF030	GUERINI, RONI S.	Direct Deposit [***134]	\$1,284.03	\$974.56
000006374	ADMF030	GUERINI, RONI S.	Direct Deposit [***832]	\$494.08	\$375.00
000006375	ADMF030	GUERINI, RONI S.	Direct Deposit [***815]	\$461.14	\$350.00
000006376	ADMF080	MACKENSEN, CHRISTOPHER W.	Direct Deposit [***940]	\$3,098.47	\$2,569.26
000006377	CLEF010	FISHER, PATRICIA A.	Direct Deposit [***218]	\$102.50	\$50.00
000006378	CLEF010	FISHER, PATRICIA A.	Direct Deposit [***372]	\$1,230.08	\$600.00
000006379	CLEF010	FISHER, PATRICIA A.	Direct Deposit [***001]	\$853.47	\$416.30
000006380	CLEF010	FISHER, PATRICIA A.	Direct Deposit [***699]	\$51.25	\$25.00
000006381	CLEF010	FISHER, PATRICIA A.	Direct Deposit [***001]	\$102.51	\$50.00
000006382	ACTF080	BERKOWITZ, AMANDA L.	Direct Deposit [***193]	\$1,724.55	\$1,391.68
000006383	POLF970	ABBOTT, MARIA ELENA	Direct Deposit [***082]	\$1,609.58	\$1,271.35
000006384	POLF900	DAILEY, MATTHEW C.	Direct Deposit [***504]	\$2,278.80	\$1,836.01
000006385	POLF920	DYE, WILLIAM DAVID	Direct Deposit [***950]	\$3,303.54	\$2,542.41
000006386	POLF940	GOZELANCZYK, ADAM M.	Direct Deposit [***693]	\$2,383.36	\$1,704.76
000006387	POLF360	LACHEY, GREGORY F.	Direct Deposit [***209]	\$591.61	\$450.00
000006388	POLF360	LACHEY, GREGORY F.	Direct Deposit [***638]	\$1,914.95	\$1,456.59
000006389	POLF060	NELSON, GARY W.	Direct Deposit [***118]	\$2,334.50	\$1,820.32
000006390	POLF890	SCHOR, JOSEPH GENE	Direct Deposit [***543]	\$2,279.92	\$1,836.12
000006391	POLP240	CASTO, NICOLE R.	Direct Deposit [***511]	\$84.96	\$82.03
000006392	RECF610	MESSENGER-DEAN, JAMIE L.	Direct Deposit [***771]	\$1,616.00	\$1,264.92
000006393	RECP460	ATKINS, MICHELLE E.	Direct Deposit [***891]	\$792.00	\$737.89
000006394	RECPT590	DICKSON, LISA REAANNE	Direct Deposit [***486]	\$841.00	\$782.48
000006395	00101	PHILLIPS, VICKY M.	Direct Deposit [***532]	\$623.90	\$576.33
000006396	RECP600	SARDELLA, KAREN ELIZABETH	Direct Deposit [***153]	\$333.96	\$301.73
000006397	RECP580	WIDGER, KIMBERLY ANN	Direct Deposit [***838]	\$293.30	\$257.68
000006398	STRF320	BONCIMINO, ELLIOTT T.	Direct Deposit [***654]	\$1,986.98	\$1,494.28
000006399	STRF290	BURR, BLAZE P.	Direct Deposit [***247]	\$1,871.20	\$1,500.62
000006400	STRF3501	DEAN, RICHARD LEE	Direct Deposit [***005]	\$1,806.20	\$1,420.30
000006401	STRF110	HITCHCOCK, WILLIAM D.	Direct Deposit [***457]	\$2,327.96	\$1,869.75
000006402	STRF240	NORRIS, JON W.	Direct Deposit [***294]	\$1,760.00	\$1,359.71
000006403	STRF310	WATERS, ZACHARY MICHAEL	Direct Deposit [***169]	\$1,261.25	\$940.83
000006404	STRF310	WATERS, ZACHARY MICHAEL	Direct Deposit [***802]	\$335.14	\$250.00
000006405	STRF310	WATERS, ZACHARY MICHAEL	Direct Deposit [***543]	\$268.11	\$200.00
000006406	WASF010	LICATE, GARY H.	Direct Deposit [***746]	\$2,421.20	\$1,999.35
000006407	WASF010	LICATE, GARY H.	Direct Deposit [***280]	\$363.30	\$300.00
000006408	WASP096	MAYLISH, TYLER J.	Direct Deposit [***751]	\$328.43	\$250.00
000006409	WASP096	MAYLISH, TYLER J.	Direct Deposit [***209]	\$1,687.57	\$1,284.59
<b>Direct Deposit (ACH file) Total:</b>				<b>\$47,100.80</b>	<b>\$36,591.85</b>
<b>Grand Total:</b>				<b>\$47,100.80</b>	<b>\$36,591.85</b>

# Village Of Jefferson Net Allocation Report

Period Number: 11

Check Date: 11/29/2024

Payroll Period: 2024/11/29 MONTHLY PAYROLL 11/29/2024

Period Dates: 11/01/2024 to 11/30/2024

Check Number	Job Number	Employee Name	Net Allocation	Gross	Net
<b>Direct Deposit (ACH file)</b>					
0000006324	MAMY150	CHIACCHIERO, JAMES K.	Direct Deposit [***995]	\$500.00	\$482.33
0000006325	COUM160	DREIER, KATY	Direct Deposit [***189]	\$300.00	\$13.04
0000006326	COUM115	FEBEL, STEVEN D.	Direct Deposit [***330]	\$300.00	\$284.00
0000006327	COUM220	MARTUCCIO, PASQUALE	Direct Deposit [***545]	\$300.00	\$1.45
0000006328	COUM190	ORVOS, KEVIN D.	Direct Deposit [***999]	\$300.00	\$289.65
0000006329	COUM210	RODERICK, KAREN M.	Direct Deposit [***033]	\$300.00	\$289.92
0000006330	COUM200	SEKANINA, STEVEN M.	Direct Deposit [***177]	\$300.00	\$289.65
0000006331	FIRH370	EDISON, JOSEPH W.	Direct Deposit [***495]	\$319.64	\$279.61
0000006332	FIRH430	FARINA, DAVID P.	Direct Deposit [***098]	\$319.64	\$214.61
0000006333	FIRH330	RICE, JACOB M.	Direct Deposit [***970]	\$319.64	\$278.80
0000006334	FIRS080	LACHEY, THOMAS	Direct Deposit [***162]	\$1,028.94	\$747.18
0000006335	FIRS050	LOCY SR, DAVID B.	Direct Deposit [***951]	\$610.93	\$489.42
<b>Direct Deposit (ACH file) Total:</b>				<b>\$4,898.79</b>	<b>\$3,659.66</b>
<b>Grand Total:</b>				<b>\$4,898.79</b>	<b>\$3,659.66</b>

# Village Of Jefferson Special Pay Analysis

Payroll Period: 2024/11/29 BIWEEKLY PAYROLL  
11/29/2024 CORRECTION

Emp Number	Name	Pay Code	Hours	Amount
STRF320	BONCIMINO, ELLIOTT T.	O- OVERTIME	2	\$57.89
STRF320	BONCIMINO, ELLIOTT T.	O- OVERTIME	1	\$23.16
STRF320	BONCIMINO, ELLIOTT T.	O- OVERTIME	1	\$34.73
POLF900	DAILEY, MATTHEW C.	HOLIDAY WORKED OVERTIME	12	\$455.76
STRF350	DEAN, RICHARD LEE	HOLIDAY WORKED OVERTIME		\$12.87
STRF350	DEAN, RICHARD LEE	HOLIDAY WORKED OVERTIME	1	\$21.45
STRF350	DEAN, RICHARD LEE	O- OVERTIME		\$0.99
STRF350	DEAN, RICHARD LEE	O- OVERTIME		\$1.65
STRF350	DEAN, RICHARD LEE	HOLIDAY WORKED OVERTIME		\$8.58
STRF350	DEAN, RICHARD LEE	O- OVERTIME		\$0.66
POLF920	DYE, WILLIAM DAVID	O- OVERTIME	14	\$521.22
POLF920	DYE, WILLIAM DAVID	HOLIDAY WORKED OVERTIME	12	\$446.76
POLF940	GOZELANCZYK, ADAM M.	HOLIDAY WORKED OVERTIME	12	\$437.76
ADMF030	GUERINI, RONI S.	O- OVERTIME	1	\$47.70
ADMF030	GUERINI, RONI S.	O- OVERTIME		\$17.89
ADMF030	GUERINI, RONI S.	O- OVERTIME	1	\$53.66
STRF110	HITCHCOCK, WILLIAM D.	O- OVERTIME	1	\$25.00
STRF110	HITCHCOCK, WILLIAM D.	O- OVERTIME		\$15.00
STRF110	HITCHCOCK, WILLIAM D.	O- OVERTIME		\$10.00
POLF360	LACHEY, GREGORY F.	HOLIDAY WORKED OVERTIME	2	\$78.33
WASF010	LICATE, GARY H.	HOLIDAY WORKED OVERTIME	4	\$191.14
WASF010	LICATE, GARY H.	O- OVERTIME	1	\$56.47
STRF310	WATERS, ZACHARY MICHAEL	HOLIDAY WORKED OVERTIME	2	\$52.80
STRF310	WATERS, ZACHARY MICHAEL	HOLIDAY WORKED OVERTIME	2	\$79.20
STRF310	WATERS, ZACHARY MICHAEL	O- OVERTIME		\$4.95
STRF310	WATERS, ZACHARY MICHAEL	HOLIDAY WORKED OVERTIME	4	\$132.00
STRF310	WATERS, ZACHARY MICHAEL	O- OVERTIME		\$3.30
STRF310	WATERS, ZACHARY MICHAEL	O- OVERTIME		\$8.25
<b>Grand Total:</b>			<b>75</b>	<b>\$2,799.17</b>



# Jefferson Village Police

Serving Since 1902



**Joseph Schor**  
Deputy Chief of Police

104 East Jefferson St.  
Jefferson, Ohio 44047  
Telephone (440) 576-0010  
Fax (440) 576-0714

Email: [Joe.schor@jeffersonpolice.us](mailto:Joe.schor@jeffersonpolice.us)

November 27, 2024

Attn: Mayor Jim Chiacchiero,  
Safety Committee,  
And Council

The following is a list of major calls for service and incident report categories for the month of November 2024. Attached is the statistics for the month as well for your review.

Calls For Service	422
Incident Offence Reports	28
Traffic Stops	52
Traffic Citations	21
Traffic Crashes	6
Physical Arrests	2
Medical Call Assists	26
Vehicle Lock Outs	5
Suspicious Activity	13
Towed Vehicles	1

## Incident Offences Reported:

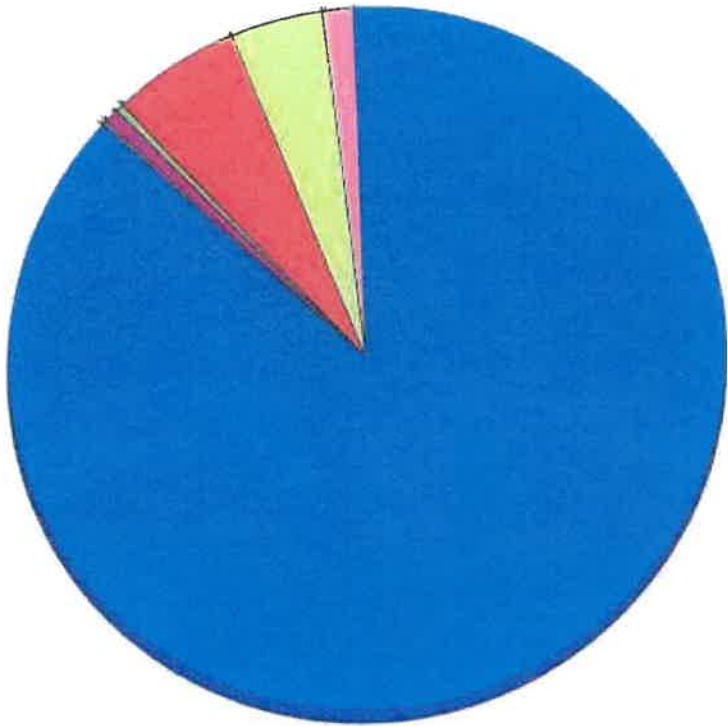
Threats, Trespassing, Juvenile Complaint, Theft, Property Damage, Protection Order Violation, Warrant Arrest, Domestic Violence, Assault, Title Violation, Endangering Children, Disturbance, Found Property, and a Welfare Check.

Very Respectfully,

A handwritten signature in blue ink that reads "Deputy Chief Joe Schor".

Joseph Schor  
Deputy Chief of Police  
Jefferson Village Police Department

# RMS Statistics



- Arrests
- Incident Reports
- Citations
- Crashes
- CFS
- Field Contacts
- SWC
- Towed Vehicles
- Warnings
- Warrants

	<b>JEFFERSON POLICE DEPARTMENT</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<h2>Statistics Overview</h2> <p>RMS Statistics for Month: 11 Year: 2024</p>
		<p>Print Date: <a href="#">11-27-2024</a>      Print Time: <a href="#">09:02</a></p>

System	Total
Arrests	2
Incident Reports	28
Citations	21
Crashes	6
CFS	422
Field Contacts	0
SWC	0
Towed Vehicles	1
Warnings	0
Warrants	3

	<b>JEFFERSON POLICE DEPARTMEN</b> <b>104 EAST JEFFERSON ST</b> <b>JEFFERSON, OH 44047</b>	<b>Gender</b>	
		RMS Statistics for Month: 11 Year: 2024	
		<a href="#">ARRESTS</a>	
		Print Date: <a href="#">11-27-2024</a>	Print Time: <a href="#">09:02</a>

Gender	Count
<b>MALE</b>	<b>2</b>

	<b>JEFFERSON POLICE DEPARTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<h2>Arrest Type</h2>	
		RMS Statistics for Month: 11 Year: 2024	
		<a href="#">ARRESTS</a>	
		Print Date: <a href="#">11-27-2024</a>	Print Time: <a href="#">09:02</a>

ArrestType	Count
SUSPECT/ARRESTEE	1
ARRESTEE	1

<b>JEFFERSON POLICE DEPTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<h1>IBR Code</h1>	
	RMS Statistics for Month: 11 Year: 2024	
	INCIDENTS	
	Print Date: 11-27-2024	Print Time: 09:03

IBR Code	Count
2919.26-Domestic Violence	2
72-THREATS/HARASSMENT	2
125-FOUND PROPERTY	2
26-FIGHT / DISTURBANCE	2
104-ASSIST PUBLIC	1
2161.022-Unruly Juvenile Offenses	1
24-DRUNK	1
2903.13A-Assault _ knowingly harm victim	1
2908.06A1-Criminal Damaging/Endangering _ knowingly any means 2909.06A2Criminal Damaging/Endangering	1
2909.06-Criminal Damaging/Endangering	1
100-CHILD ABUSE	1
2913.02A2-Theft _ beyond express/Implied consent	1
WC-WELFARE CHECK	1
2919.27-Violate Protection Order or Consent Agreement	1
2963.11-Fugitive from Justice	1
2-ACCIDENT (PROPERTY DAMAGE)	1
4505.18 -Title Violation	1
4510.11-Driving Under Susp/Rev	1
4549.021 -Hit Skip/Leave Scene - Non-public road	1
65-PROPERTY DAMAGE	1
2911.21-Criminal Trespass	1

	<b>JEFFERSON POLICE DEPARTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<h2 style="margin: 0;">Day of Week</h2>
		RMS Statistics for Month: 11 Year: 2024
		<a href="#">INCIDENTS</a>
		Print Date: <a href="#">11-27-2024</a> Print Time: <a href="#">09:03</a>

Day	Count
Wednesday	4
Tuesday	8
Thursday	2
Sunday	3
Saturday	2
Monday	4
Friday	5

	<b>JEFFERSON POLICE DEPARTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<h1>Charge</h1>
		RMS Statistics for Month: 11 Year: 2024
		<b>CITATIONS</b>
		Print Date: <a href="#">11-27-2024</a> Print Time: <a href="#">09:06</a>

Charge Description	Count
Assault	1
ASSURED CLEAR DISTANCE AHEAD	1
Driving Under Susp/Rev	1
Driving While Texting Effective	1
Expired License	1
EXPIRED PLATES	2
NO TAILLIGHTS	1
PROHIBITED STANDING OR PARKING PLACES	1
RED LIGHT	1
SPEED	8
STOP SIGN	3



	<b>JEFFERSON POLICE DEPARTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<h2>Day of Week</h2> <p>RMS Statistics for Month: 11 Year: 2024</p>
		<p>CITATIONS</p>
		Print Date: <a href="#">11-27-2024</a> Print Time: <a href="#">09:06</a>

Day	Count
Friday	6
Monday	3
Saturday	4
Sunday	2
Thursday	2
Tuesday	4

	<b>JEFFERSON POLICE DEPARTMEN</b> <b>104 EAST JEFFERSON ST</b> <b>JEFFERSON, OH 44047</b>	<h2>Location</h2>
		<b>RMS Statistics for Month: 11 Year: 2024</b>
		<a href="#">CRASHES</a>
		Print Date: <a href="#">11-27-2024</a> Print Time: <a href="#">09:06</a>

Location	Count
SR CHESTNUT	3
SR BEECH	1
MADISON	1
JEFFERSON	1

	<b>JEFFERSON POLICE DEPARTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<h2>Hour of Day</h2>
		RMS Statistics for Month: 11 Year: 2024
		CRASHES
		Print Date: 11-27-2024      Print Time: 09:06

Hour	Count
03	1
09	1
12	1
14	2
18	1

	<b>JEFFERSON POLICE DEPARTMENT</b> <b>104 EAST JEFFERSON ST</b> <b>JEFFERSON, OH 44047</b>	<h2>Location</h2>
		<b>RMS Statistics for Month: 11 Year: 2024</b>
		<b>CFS</b>
		<b>Print Date: 11-27-2024      Print Time: 09:07</b>

Location	Count
207 W MULBERRY ST	18
204 W MULBERRY ST	17
251 EAST JEFFERSON ST	11
DOG PARK	10
VILLAGE COMPOST SITE	9
GIDDINGS PARK	8
36 EAST JEFFERSON ST	8
150 NORTH CHESTNUT ST	8
149 N CHESTNUT ST	7
120 SOUTH CHESTNUT ST	7

	<b>JEFFERSON POLICE DEPARTMENT</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<b>Activity</b>	
		RMS Statistics for Month: 11 Year: 2024	
		CFS	
		Print Date: 11-27-2024	Print Time: 09:07

Activity Type	Count
EXTRA PATROL	100
PROPERTY/BUSINESS CHECK	93
TRAFFIC STOP	42
PUBLIC SERVICE	30
MEDICAL CALL	26
CIVIL MISCELLANEOUS	11
BURGLAR ALARM	9
SUSPICIOUS ACTIVITY	7
ACCIDENT PROPERTY DAMAGE	5
ASSIST OTHER UNIT	5
DISABLED VEHICLE/MOTORIST ASSIST	5
DISTURBANCE	5
FOLLOW-UP	5
LOCKOUT OF VEHICLE (P)	5
OTHER INVESTIGATION	5
SPECIAL DETAIL	5

	<b>JEFFERSON POLICE DEPARTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<h1>Type</h1> <p>RMS Statistics for Month: 11 Year: 2024</p>
		TOW
		Print Date: 11-27-2024      Print Time: 09:08

Tow Type	Count
MOTOR VEHICLE ACCIDENT	1

	<b>JEFFERSON POLICE DEPARTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<h2>Company</h2>	
		RMS Statistics for Month: 11 Year: 2024	
		TOW	
		Print Date: 11-27-2024	Print Time: 09:08

Tow Company	Count
A+ TOWING COMPANY	1

	<b>JEFFERSON POLICE DEPARTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<b>Type</b>	
		RMS Statistics for Month: 11 Year: 2024	
		<a href="#">WARRANTS</a>	
		Print Date: <a href="#">11-27-2024</a>	Print Time: <a href="#">09:08</a>

Tow Type	Count
BENCH	3



	<b>JEFFERSON POLICE DEPARTMEN</b> 104 EAST JEFFERSON ST JEFFERSON, OH 44047	<b>Disposition</b>	
		RMS Statistics for Month: 11 Year: 2024	
		<a href="#">WARRANTS</a>	
		Print Date: <a href="#">11-27-2024</a>	Print Time: <a href="#">09:08</a>

Disposition	Count
<Blank>	3

ORDINANCE NO. 2024-O-\_\_3357\_\_

AN ORDINANCE AMENDING CHAPTER 254 OF THE CODE OF ORDINANCES OF THE VILLAGE OF JEFFERSON, OHIO PERTAINING TO PERSONNEL RULES AND REGULATIONS FOR EMPLOYEES GENERALLY AND DECLARING AN EMERGENCY

WHEREAS, Council has been advised of the need to provide for the amendment of Chapter 254 of the Code of Ordinances of the Village of Jefferson, Ohio pertaining to personnel rules and regulations for employees generally:

WHEREAS, Chapter 254 presently reads as follows:

CHAPTER 254: PERSONNEL RULES AND REGULATIONS FOR EMPLOYEES GENERALLY

§ 254.01 DEFINITIONS OF TERMS; EMPLOYMENT, PERSONNEL AND PROGRAM PRACTICES; MANAGEMENT RIGHTS; AMENDMENTS; ADMINISTRATIVE ORDERS; CHAIN-OF-COMMAND; MERIT SYSTEM; DISCLAIMER; SAVINGS CLAUSE; AND ETHICS.

(a) *Definitions.*

**ABSENCE WITHOUT LEAVE.** Means unexcused absence from work.

**APPOINTING AUTHORITY.** Means the official or body having the power of appointment to, or removal from, positions in any village office or department.

**ASSISTANT.** Means the employee who aids and assists the appointing authority in the discharge or performance of duties which are of a confidential and fiduciary character and which involve the responsibility of his or her principal.

**BREAK IN SERVICE.** Means termination of employment for more than 30 days for any reason other than layoff or approved leave.

**CONTINUOUS SERVICE.** Means the uninterrupted service of an employee with the village.

**CONTROLLED SUBSTANCE.** Means a drug, compound, mixture, preparation, or substance included in schedule I, II, III, IV, or V of R.C. § 3719.41.

**DAY.** Means calendar day unless specified otherwise.

**DEMOTION.** Means placement of an employee in a position which carries a lower salary range than that previously held.

**DEPARTMENT.** Means a village organizational unit directed and controlled by a department head and charged with a specific public service function.

**DEPARTMENT HEAD.** Means the director or manager of a department.

**DISHONESTY.** Means the disposition to lie, cheat or defraud; untrustworthiness; lack of integrity.

**DISTRIBUTION.** Means delivering goods, materials and/or written materials.

**EMPLOYEE.** Means any person holding a position subject to appointment, removal, promotion, or reduction by an appointing authority.

**EXCUSED ABSENCE.** Means being absent from work with the approval of the appointing authority or designee.

**FIRE CHIEF.** Means the Chief of the Fire Department.

**FULL TIME EMPLOYEE.** Means an employee who has completed the applicable probationary period and occupies an authorized position scheduled to work 40 hours per work week or hourly employees for the Police Department who have completed the applicable probationary period and occupy an authorized position scheduled to work 84 hours during their 14-day work period.

**GENDER.** Means whenever the pronouns he or she or the derivatives thereof are used in this manual they will be interpreted as referring to both sexes.

**IMMORAL CONDUCT.** Means conduct which is willful, flagrant, or shameless, and which shows a moral indifference to the opinions of the community.

**INSUBORDINATION.** Means the state of being unwilling to perform duties and responsibilities required of an employee. Refusal to obey an order issued by an employee's supervisor.

**NEGLECT.** Means to omit or fail to comply with an order that can be done. The absence of care or attention in the doing. An omission of a given act. A designed refusal or unwillingness to perform one's duty.

**ORAL REPRIMAND.** Means the discussion a supervisor holds with an employee in which he or she disciplines the employee for his or her conduct and impresses upon him or her the need for improvement. This method of discipline can eliminate misunderstandings immediately and set and maintain desired standards of conduct and performance. A notation of the date, time and reason for an oral reprimand shall be kept in the employee's personnel file.

**PART-TIME EMPLOYEE CLASS A EMPLOYEE.** An employee of the village who is expected to or actually does average at least 30 hours per week, but who works less than 40 hours per week. Averages are to be determined on a semi-annual basis and will not include sick, vacation, or other paid time off.

**PART-TIME CLASS B EMPLOYEE.** An employee of the village who is expected to or actually does average less than 30 hours per week. Averages are to be determined on a semiannual basis and will not include sick, vacation, or other paid time off.

**PAY RANGE.** Means the division of a salary schedule to which a classification or position is assigned.

**POLICE CHIEF.** Means the Chief of the Police Department.

**POSITION.** Means the group of job duties intended to be performed by an individual as assigned by the appointing authority.

**PROBATIONARY PERIOD.** Means the period of time at the beginning of an original appointment, hiring or promotion which lasts for six months. During this period an employee may be terminated or reduced to a lower classification without cause.

**PROMOTION.** Means the act of placing an employee in a position which carries a higher salary range than that previously held.

**PRORATED.** To make an arrangement on a basis of proportional distribution. Example: If an employee who works 40 hours a week is entitled to eight hours pay for a holiday, then an employee who

works 32 hours a week is entitled to 6.4 hours of pay for that same holiday.  $40/32 = 8/x$  hours worked = 6.4 hours of entitlement.

**REDUCTION.** Means the change of the classification held by an employee to one having a lower base pay range, a change to a lower step within a salary range, or any decrease in compensation for an employee. For purposes of layoff, a "reduced employee" is one serving in a classification lower than the one from which the employee was laid off or displaced.

**REMOVAL.** Means the termination of an employee's employment.

**RESIGNATION.** Means the voluntary separation from the village by the employee.

**SCHEDULED HOURS OF WORK.** The hours an employee is assigned to work by their supervisor in any given work week. Changes to these scheduled hours need to be communicated to the employee at least a week ahead of time.

**SENIORITY.**

A. For purposes of all matters such as vacation scheduling and other internal matters affected by **SENIORITY** and not dictated by law or policy, seniority means the uninterrupted length of continuous service with the village. An authorized leave of absence does not constitute a break in service. **SENIORITY** continues to accumulate during the term of the leave, provided the employee complies with the rules and regulations governing his or her leave of absence.

B. For the purpose of layoff, **SENIORITY** means continuous service with the village. Service may be transferred from one village department to another without loss of **SENIORITY** as long as no break in service occurs.

C. Employees who are reinstated from layoff within one year of the layoff date retain previously accumulated **SENIORITY**, but will not be credited with **SENIORITY** for the time spent on layoff.

D. **SENIORITY** for the purposes of vacation accrual means the total number of years of service with the village. However, the completion of a total of one year service with the village is required before eligibility for any vacation leave is established.

E. **SENIORITY** for the purposes of determining retirement benefits is defined by the provisions of the retirement system in which the employee participates.

F. For all other purposes, **SENIORITY** shall be defined as set forth in the provisions of the Ohio Revised Code.

**SHALL.** Means mandatory.

**SOLICITATION.** Means an act of requesting an individual to purchase goods, materials, or services, or a plea for financial contribution or a plea for support of any cause.

**SPECIFICATION.** Means a general description of job duties including examples of the kinds of tasks performed in positions allocated to a classification. Specifications may include class title, a statement of job functions, a grouping of task statements by job duties (ranked by importance), and a summary of required worker characteristics, behaviors and minimum qualifications for employment in the classification.

**STATUS.** Means the type of appointment such as: probational, full time, part time, or seasonal/temporary.

**SUPERVISOR.** Means an individual authorized to oversee, manage, or direct the work of lower level employees.

**SUSPENSION.** Means the relieving of an employee from duty without pay, usually for a short period of time (i.e., one to 50 days) as a disciplinary measure aimed at improving the employee's conduct.

**TARDINESS.** Means arriving at or reporting to work after the usual, proper or appointed time.

**TRANSFER.** Means the movement of an employee from one position to another within the village having the same rate of pay and similar duties.

**WORK AREA.** Means any office, building, physical location, vehicles where official village business is transacted and/or operations of the village being conducted. This includes any public or private area where employees are engaged in work activities.

**WORK TIME.** Means all the time when an employee must engage in work tasks.

**WORK UNIT.** Means a division of a department, usually directed by a supervisor in charge with a specific work function.

**WORK WEEK.** The seven consecutive 24 hour periods from Monday 12:00 a.m., to Sunday 11:59 p.m. (Note of justification: This is consistent with past practice, matches the state time interval for PERS, and coincides with the printed time cards).

**WORK PERIOD.** For purposes of hourly employees of the Police Department, the term work period shall mean the 14-day work period established by the village as authorized pursuant to 29 U.S.C. § 207(k) and 29 C.F.R. § 553.230(c).

**WRITTEN WARNING.** Means a written record of disciplinary action, usually issued after an oral reprimand has failed to improve an employee's conduct.

(b) *Chain-of-command.* No employee of the village will have more than one supervisor to which he or she directly reports. The chain of command will be as follows, starting with the highest authority.

(1) Mayor -> Village Administrator -> department supervisor -> employee.

(2) Mayor -> Police Chief -> Deputy Chief -> officers.

(3) Mayor -> Fire Chief -> 1st assistant -> 2nd assistants -> Captain -> Lieutenant -> fire fighter.

(c) *Merit system.* Employees shall be evaluated solely on merit without regard to race, gender, disability, or any other factor precluded by law.

(1) Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills.

(2) Paying every employee according to the wage ordinance.

(3) Offering training and seminars that are directly related to work to assure high quality performance.

(4) Retaining and correcting performance with due process per the Ohio Revised Code.

(5) Assuring fair treatment of all employees.

(6) Assuring that employees are protected against coercion from partisan or political purposes.

(d) *Disclaimer.* These policies are not to be considered an employment contract with an employee. Information included in this chapter is not to be considered a contract and may be changed by the Council with notification.

(e) *Saving clause.* If any article or section of this chapter or any amendments shall be held invalid by operation of law or by a tribunal of competent jurisdiction, or compliance with or enforcement of any article or section of this chapter shall be restrained by such tribunal, the remainder of this chapter and amendments shall not be affected and shall remain in full force and effect.

(f) *Repealer.* Any prior ordinance or resolutions in conflict with this chapter are hereby invalid and repealed.

(g) *Ethics.* All village employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the United States, of the state, and other rules and regulations as may be set forth by the village. It is important to remember that the compensation of all employees is paid through taxes or user fees. Therefore, each village employee assumes responsibility to serve the public in an honest, effective and cheerful manner.

#### **§ 254.02 COMPENSATION AND CLASSIFICATION GENERALLY.**

(a) *General.* Employees shall be compensated as determined from time to time by Council. Before a salary is effective, an employee classification must be recommended by the Mayor and/or the Village Administrator to Council and must be approved by a majority of Council.

(b) All employees shall have all income taxes withheld from their wages and shall be enrolled in the appropriate retirement system as dictated by state law.

(c) Part time - Class B shall receive their hourly pay and PERS funding, but do not receive holiday pay, uniform allowance, vacation pay, personal day pay, longevity pay, bereavement pay, sick leave pay, or jury duty pay.

(d) *OPERS and OPFPF contribution.*

(1) Generally, all employees, except full time fire and full time police are required to be a member of the Ohio Public Employee Retirement System (OPERS). The village will pay an amount equal to 10% of the employee's regular salary, before taxes, to the appropriate retirement system (OPERS or Ohio Police and Fire Pension Fund (OPFPF)), as the employee contribution to same and the employee will pay any contribution required in excess of 10%. An employee shall not have the option to take cash in lieu of this pension plan contribution.

(2) The village will pay the required contribution on behalf of employees each month. Generally, full time police and fire personnel participate in OPFPF, and have Employee contributions deducted from net earnings after taxes are applied.

(3) Part time - Class A and part time - Class B police officers shall participate in OPERS. Part time fire personnel participate in Social Security (FICA) instead of OPERS or OPFPF. This obligation to pay 10% of the employee's regular salary to the appropriate retirement system shall not apply to volunteer firemen unless the volunteer firemen qualify to participate in OPFPF.

#### **§ 254.03 MEDICAL, HOSPITAL, PRESCRIPTION, LIFE, DENTAL, AND VISION INSURANCE FOR FULL TIME AND PART TIME CLASS A EMPLOYEES.**

(a) *Health insurance.*

(1) The village shall pay 100% of the premium for full-time and part-time Class A employees to enroll in the village health insurance group plan, which is known as a "Qualifying High Deductible Health Plan."

(2) For each full-time and part-time Class A employee enrolled in the village's "Qualifying High Deductible Health Plan" with family coverage: the village shall contribute 50% of the IRS pretax limit, to a "Single Health Savings Account" (HAS).

(3) For full-time and part-time Class A employees on a "Qualifying High Deductible Health Plan" with single coverage: the village shall contribute 50% of the IRS pretax limit, to a "Single Health Savings Account" (HSA).

(4) Each full-time and part-time Class A employee who refuses village provided health insurance must show group coverage from another insurance carrier to opt out of the village plan. The village shall contribute \$4,150 into the deferred compensation plan of an employee who properly opts out of the village provided health insurance.

(b) *Dental and vision insurance.*

(1) The village shall pay 100% of all full-time and part-time Class A employees' dental coverage premium.

(2) Full-time and part-time Class A employees shall be responsible for 100% of the vision insurance premium.

(3) Any full-time or part-time Class A employee not accepting village provided dental and vision insurance must show group coverage from another insurance carrier.

(c) *Life insurance.*

(1) The village shall contribute 100% of the premium for \$25,000 of single life insurance coverage and \$25,000 of accidental death and dismemberment (AD&D) insurance coverage for all full-time employees.

(2) Full-time employees on family plan health insurance may secure a family life insurance policy by paying the difference in premiums between the single person life insurance premium and the family life insurance policy premium.

(3) Part-time Class A employees shall not be entitled to any payment of premiums for life insurance or AD&D insurance.

**§ 254.031 MEDICAL, HOSPITAL, PRESCRIPTION, LIFE, DENTAL, AND VISION INSURANCE FOR PART TIME CLASS B EMPLOYEES.**

Part-time Class B employees shall not be eligible for medical, hospital, prescription, life, dental, and vision insurance paid by the village, but are able to participate in the federally-mandated health insurance as its provisions are implemented.

**§ 254.04 CALL-OUT TIME.**

(a) Each hourly employee of the village, except hourly employees of the Village of Jefferson Police Department, shall be entitled to the sum of \$25 plus an hourly rate of one and one-half his or her regular hourly rate for the number of hours actually worked for any call-out by his or her supervisor, the Village Administrator, or the Mayor outside of regular working hours for that employee. In emergency situations the police duty officer may call out individual employees directly.

(b) Each hourly employee of the Village of Jefferson Police Department shall be entitled to the sum of \$25 plus an hourly rate of one and one-half his or her regular hourly rate for the maximum of two hours of hours actually worked for any call-out by his or her supervisor, the Village Administrator, or the Mayor outside of regular working hours for that hourly employee of the Village of Jefferson Police Department with any remaining hours worked during the call-out in excess of two hours being paid at that employee's regular rate of pay, provided the call-out notice to the hourly employee of the Village of Jefferson Police Department was received less than four hours prior to the time designated for the employee to report to work for the call-out.

(c) For purposes of this section, a call-out shall mean a request for emergency assistance requiring an employee to report to a work site during that employee's off duty time or day off to respond to an emergency situation that requires an immediate response to protect life and property. In the event there is a dispute as to whether an employee should be paid for a call-out pursuant to this section, the employee's department head and/or the Village Administrator shall have the authority to decide whether the work performed by that employee was pursuant to a call-out as defined above.

**§ 254.041 COURT APPEARANCE TIME.**

(a) Each full time police officer scheduled to appear in court on an off-shift time will be paid the greater of a two hour minimum at overtime pay or the actual time worked at overtime pay.

(b) Part time - Class A and part time - Class B police officers scheduled to appear in court on an off-shift time will be paid the greater of a two hour minimum at their normal rate of pay or the actual time worked at their normal rate of pay.

(c) Overtime pay shall only be paid to an employee of the Village of Jefferson Police Department who actually work in excess of more than 86 hours during the work period.

**§ 254.05 VACATIONS AND HOLIDAYS.**

(a) *Full-time employees.*

(1) A full-time employee is defined as an individual employed on a 40 hour per week, nine-, ten-, 11-, or 12-month basis per fiscal year; or an individual employed an average of not less than 30 hours per week on a 12-month contract shall be considered a full-time employee.

(2) Each full-time employee shall be eligible for vacation leave paid at the full-time employee's regular base rate on the basis of time earned or accrued in accordance with the following schedule:

<i>Length of Continuous Service</i>	<i>Rate of Earned Vacation</i>
Upon completion of the first year of employment	80 hours with full pay
Second year through fifth year	3.077 hours per biweekly period for an annual total of 80 hours
Sixth year through tenth year	4.615 hours per biweekly period for an annual total of 120 hours
Eleventh year through twentieth year	6.154 hours per biweekly period for an annual total of 160 hours
Twenty-first year through separation or retirement	7.690 hours per biweekly period for an annual total of 200 hours



(3) Any full-time employee hired shall be granted years of service credit for that full-time employee's prior full-time employment with the State of Ohio or any other political subdivision thereof for purposes of determining and computing that employee's entitlement to vacation accrual under division (a)(2) above. The aforementioned vacation accrual based upon the granting of a full-time employee's prior years of service shall only take effect after that employee's first year of employment with the village or upon Council's approval of the service credit, whichever is later. The granting of years of service credit for a full-time employee as contemplated herein shall occur upon the approval of same by Council after Council has received, reviewed and verified all supporting documentation provided by the full-time employee seeking the years of service credit. The accrual rate will take effect the pay cycle after an employee's first year of employment with the village or upon Council's approval of the service credit, whichever is later.

(4) A full-time employee is entitled to compensation at that full-time employee's current rate of pay, for any earned but unused vacation leave that the full-time employee has accrued at the time of the full-time employee's separation or retirement, up to a maximum of 240 hours.

(5) Accrued vacation leave may be carried forward, but total vacation leave time in any period is limited to no more than six weeks or 240 hours. If an employee is estimated to exceed the maximum 240 hours during the upcoming year, that employee must schedule 120 hours of vacation leave time within the first six months of the calendar year.

(6) Vacation leave time must be scheduled ahead of time and may need to be rescheduled if an emergency in the village or department requires attendance at work, or as staffing needs dictate, at the discretion of the supervisor.

(b) *Part-time employees.* Part-time employees are not eligible for and do not accrue vacation leave.

(c) *Holidays.*

(1) Each full-time employee with at least 60 days of service prior to the month in which such holiday occurs, shall be entitled to eight hours or prorated hours (for those who work less than 40 hours per week) of holiday pay for the following holidays:

New Year's Day	Martin Luther King, Jr. Day
Presidents' Day	Memorial Day
Juneteenth	Independence Day
Labor Day	Columbus Day
Veterans' Day	Thanksgiving Day
Day after Thanksgiving Day	Christmas Day

(2) If any of the foregoing holidays falls on a Saturday, the Friday immediately preceding shall be observed as the holiday. If any of the foregoing holidays falls on a Sunday, the Monday immediately succeeding shall be observed as the holiday. However, when the actual holiday falls on a Saturday or Sunday, employees who are entitled to holiday pay and scheduled to work Saturday or Sunday will be paid holiday pay on the actual Saturday or Sunday date not the observed Friday or Monday date.

(3) Each eligible employee shall be entitled to two hours off, with pay, on Good Friday.

(4) Each eligible employee shall be entitled to four hours off, with pay, on the day before the Christmas Day holiday.

(5) Each eligible employee, after one year of service, shall be entitled to two personal days (eight hours each) of leave in addition to the holidays and time off set forth in division (c)(1) through (4) above. Such personal days, however, cannot be accrued.

(6) An employee entitled to holiday pay when on vacation, paid sick leave, or other paid leave will be paid holiday pay, not sick, vacation, or other paid leave pay. An employee shall not be paid for a holiday during an unpaid leave of absence or disciplinary action.

(7) *Payment to an estate upon death.* When an employee has earned regular pay, holiday pay, vacation pay or sick pay, and dies before receiving payment for same, his or her estate shall receive the pay that has accrued.

(8) For each holiday described above, eligible employees shall receive their normal hourly rate as holiday pay, regardless of whether or not they performed actual work on that holiday.

### **§ 254.06 LEAVES.**

(a) *Sick leave.*

(1) Full time and part time - Class A employees of the village shall be credited with sick leave of .0575 hours for each one hour of work. Employees may use sick leave, upon approval of the responsible administrative officer of the village, for absence due to personal illness, pregnancy, injury, exposure to contagious disease, which could be communicated to other employees, and to illness, injury, or death in the employee's immediate family. 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 and the employee will be paid his or her normal hourly rate. The previously accumulated sick leave of an employee who has been separated from the public service shall be placed to his or her credit upon his or her re-employment in the public service, provided that such re-employment takes place within ten years of the date on which the employee was last terminated from public service. An employee who transfers from one public agency to another shall be credited with the unused balance of his or her accumulated sick leave up to the maximum of the sick leave accumulation permitted in the public agency to which the employee transfers. If the sick leave exceeds three days, the Mayor and/or the Village Administrator shall require an employee to furnish a satisfactory written, signed statement to justify the use of sick leave. A certificate stating the nature of the illness from a licensed physician shall also be required to justify the use of sick leave in excess of three days. Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action, including dismissal. The village maintains the right to investigate any employee's absence.

(2) If any employee of the village engages in any form of activity while on sick leave from the village, which is inconsistent with the employee's claimed reason for the sick leave, said employee's sick leave shall immediately terminate.

(3) This section does not interfere with existing unused sick leave credit in any agency of government where attendance records are maintained and credit has been given employees for unused sick leave.

(4) Unused sick leave shall be cumulative without limit.

(5) Upon retirement, any employee of the village who has accumulated sick time shall be compensated at a rate of one day's pay for each four days of sick leave.

(b) *Bereavement leave.* Each full time and part time - Class A employee shall receive three pro-rated days off, with pay, after the death of an immediate family member - spouse, children, grandchildren, grandparent, parent, brother or sister, (including in-laws) step father, step mother, half brother, half sister

- for the purpose of attending the funeral of the deceased. The Mayor or Village Administrator must approve special circumstances for unpaid bereavement.

(c) *Military leave.*

(1) In accordance with state law, any employee who presents official orders requiring his or her attendance for a period of training or other active duty as a member of the United States Armed Forces shall be entitled to military leave. Such military leave shall be in addition to and may not be concurrent with authorized vacation leave. Any employee who enters extended military service with the Armed Forces shall be granted a leave of absence without pay to extend until 90 days beyond the termination of such military service.

(2) It is the intent of this division to effect exact compliance with the provisions of the Universal Military and Service Act, 50 U.S.C. 459, and the provisions of such Act, as amended, are hereby incorporated herein by reference.

(3) Nothing in division (c)(1) hereof shall be construed to require the village to hold a job for or grant any leave of absence to, any employee of the village who voluntarily enlists in any branch of the United States Armed Forces or who volunteers to go on active duty while in the reserves.

(4) Employees who belong to military-reserve units and who are required to spend two weeks per year in training shall notify their immediate supervisors of the dates scheduled for such training upon learning of them. An employee will be paid the difference between his or her regular salary and the total amount received for military reserve time.

(5) If an employee is called into active duty and placed on military leave, the employee's medical, hospital, prescription, life, dental, and vision insurance benefits will continue until the employee is covered by military insurance.

(6) Military service time shall be counted as village service for the purpose of determining vacation benefits.

(d) *Absence without leave.* All unauthorized and unreported absences shall be considered absence without leave and a deduction of pay shall be made for the period of absence. Such absence may be grounds for disciplinary action. An unauthorized leave for three or more consecutive working days may be considered by the department head as an automatic resignation.

(e) *Return to service after unpaid leave of absence.* An employee returning after a leave of absence without pay shall be reinstated in his or her former position. However, if the Mayor and/or the Village Administrator, during such absence, found it necessary to fill the position and notified the absent employee to this effect, and if, further, the latter refused, in writing, to curtail his or her leave and return to work, or failed to respond to his or her notification, then it is not required that such employee be reinstated in his or her former position.

(1) Upon the written request of a permanent employee, the Village Administrator and/or Mayor may grant the employee a leave of absence without pay.

(2) The maximum duration of a leave of absence without pay for personal reasons of the employee shall not exceed six months.

(3) The maximum duration of a leave of absence without pay for purposes of education, training or specialized experience which would benefit village service, or for other related reasons shall not exceed two years.

(4) The authorization of a leave of absence without pay is solely a matter of administrative discretion, and each request will be decided by the Mayor and/or the Village Administrator, based upon the merits of the request.

(5) When an employee fails to return to work upon the expiration of an authorized leave of absence without pay, that employee shall be considered as having resigned from the position.

(6) An employee who has received an authorized leave of absence without pay does not earn sick, vacation or longevity credit. However, time spent on the leave of absence may be considered in determining length of service for purposes where tenure is a factor and may be considered for promotion purposes.

(7) If it is determined that an employee is abusing the leave of absence and not actually using the leave for the purpose specified, the Mayor and/or Village Administrator may cancel the leave and provide the employee with a written notice directing the employee to report for work.

(8) Persons who are on an authorized leave of absence may continue their hospitalization insurance coverage only by paying the premium in full to the Clerk/Treasurer. The employee is fully responsible for payment of such premium.

(f) *Family leave: the Family and Medical Leave Act (FMLA)*. Available to employees as provided by federal law.

(g) *Jury or witness duty*.

(1) Each full time and part time - Class A employee who is called to and reports for jury or witness duty during regularly scheduled work hours shall be compensated at his or her regular straight time rate, less any moneys received for such duty and/or travel expenses.

(2) If jury or witness service is for a period of time less than the employee's regularly scheduled work day, he or she shall be excused only for that portion of the day required for such service, plus reasonable time for travel and changing clothes. No overtime shall be granted to employees performing such duties.

(3) In reference to appearances at hearings before a court, legislative committee or judicial or quasi-judicial body, such appearances shall be considered leave with full pay only if the appearance is the result of village employment and approved by the village.

(h) *On-duty injuries*. Any employee who is injured on the job may be paid to the extent of one working day (the day the injury is sustained) for each new and separate injury, in addition to and prior to the use of sick leave accumulation. Such injury leave shall be in accordance with the following rules:

(1) An on-duty injury of any nature shall be immediately reported to the department head that in turn shall immediately report the incident to the village offices. The accident report form shall include a brief description of the accident and injury in the "remarks" section and shall be sent to the Mayor and/or the Village Administrator. The length of injury leave shall be based on the written verification of the employee's standing physician; such verification shall be provided to the Mayor and/or the Village Administrator within 48 hours of the injury. To confirm the projected length of injury leave, the village may require that the employee be examined by a physician designated and paid for by the village. If there is a difference of opinion between the employee's physician and the village's physician concerning the length of injury leave, the opinion of the village's physician will take precedence.

(2) When an employee is unable to work as a result of an on-duty injury, the department supervisor shall cause to be filed an application for workers' compensation for the employee.

(3) An injured employee may elect to use accrued sick leave and vacation leave prior to receiving payments from Worker's Compensation. Employees may not receive payment from sick leave while simultaneously receiving payment from Worker's Compensation.

(4) Where disability caused by an on-duty injury continues for a period of 12 months after the use of all sick leave and vacation time accrued and due, the employee shall apply for disability retirement.

(5) As soon as it is determined by the employee's physician or the village's designated physician that the injured employee is able to return to full duty, the village may require the employee to report to work and terminate injury leave. The village will require a written determination of the employee's ability to return to work by a physician at least at the beginning of each 30 day interval and more often if warranted. Again, if there is a disagreement between the employee's physician and the village's physician concerning the employee's ability to work, the opinion of the village's physician takes precedence.

(6) The village shall require the employee to furnish medical proof or submit to medical examination by the village and at the village's expense to determine whether a subsequent injury is a new and separate injury or an aggravation of a former injury sustained while in village service.

(7) Leave of absence without pay may be granted by the department head with the approval of the Mayor and/or the Village Administrator, for off-duty injuries, illness or temporary physical disability.

(i) *Administrative leave with pay.*

(1) An appointing authority may, in their sole discretion, place an employee on administrative leave with pay when the health or safety of an employee or any person or property entrusted to the employee's care could be adversely affected.

(2) The length of administrative leave with pay granted under this section is solely in the discretion of the appointing authority but it shall never exceed the length of the situation for which the leave was granted.

(3) Compensation for an employee placed on administrative leave with pay shall be equal to the employee's current base rate of pay and the employee shall retain benefits of employment, including the accrual of leave and service credit.

(4) Time spent on administrative leave with pay shall not be used toward calculating hours worked for overtime purposes.

(5) An employee placed on administrative leave with pay must always be in workready status during their regularly scheduled work time and must be able to report to work on short notice.

(6) An employee on administrative leave with pay may be separated if during their administrative leave he/she accepts any other employment without prior approval of the village, files for unemployment compensation, or, upon return from leave, refuses a job reassignment from the village.

(7) An employee placed on administrative leave shall return all village property on or before the last workday, unless otherwise permitted by the appointing authority.

(8) For the purposes of this division, the appointing authority for the village departments shall be as follows:

A. Mayor - Police Department, Fire Department, and Administrator.

B. Clerk-Treasurer - Income Tax Department.

C. Administrator - All other departments.

**§ 254.07 TRAVEL ALLOWANCE.**

(a) Reimbursement may be made for travel when an employee or village officer uses his or her own vehicle, subject to the following standards and conditions:

(1) *TRAVEL* means trips required in the performance of official business, beginning, and ordinarily ending, at the village limits. Travel within the village limits is not compensable under this section.

(2) There is no official vehicle available or suitable at the time.

(3) Such travel is authorized in advance by the Mayor, or Village Administrator or department heads and other officials, and by department heads, for department employees.

(4) The authorized vehicle owner and operator assume all costs of operation during such travel.

(5) Reimbursement shall be made at the standard mileage deduction allowance rate set annually by the Internal Revenue Service for taxpayers who use their automobiles for business purposes. An account of all travel shall be submitted at the conclusion of the trip on an official form reporting the date, trip purpose, speedometer reading, make and license number of the vehicle and signature of the traveler with countersignature of the Mayor or Village Administrator.

(b) Travel under this section is contemplated only occasionally and only nominal funds are budgeted. Review of travel frequencies and fund balances should be made by authorized officials.

**§ 254.08 OVERTIME.**

(a) With the exception of hourly employees of the Village of Jefferson Police Department, all hours worked outside a full time employee's scheduled 40 hours of work shall be paid at one and one halftimes the employee's normal hourly rate of pay. In addition any other employee who works more than 40 hours in a work week is entitled to overtime pay for all hours worked in excess of 40 hours at one and one halftimes their normal rate of pay. With respect to hourly employees of the Village of Jefferson Police Department only, all hourly employees of the Village of Jefferson Police Department who work more than 86 hours in a work period are entitled to overtime pay for all hours worked in excess of 86 hours in that work period at one and one half times their normal rate of pay. With respect to all hourly employees for the Village of Jefferson, absences during a work week or work period due to unpaid leave, disciplinary time off, paid leave, vacation and sick leave are not included as hours worked for purposes of determining an employee's entitlement to overtime pay.

(b) Full time employees who are scheduled to work Monday through Friday as work days and have to work on a day scheduled off as a holiday will be compensated for working on that holiday at a rate one and one-half times their normal rate of pay.

(c) Full time employees, part time employees and auxiliary/seasonal/temporary employees who are scheduled to work on Saturday and/or Sunday will be paid one and one-halftimes their normal rate of pay for working on the actual holiday rather than a scheduled Monday or Friday holiday being observed by those who work a Monday through Friday schedule.

**§ 254.09 AUTHORITY TO OPEN SAFE DEPOSIT BOX.**

(a) Two officials of the village shall be present whenever the safe deposit box is opened.

(b) Any two of the following officials are hereby authorized to open the safe deposit box:

- (1) The Clerk-Treasurer;
- (2) The Administrator;
- (3) The Mayor; or
- (4) The Solicitor.

#### **§ 254.10 INDEMNIFICATION AGAINST LAWSUITS AND CLAIMS.**

(a) If there is no liability or other insurance in place that provides coverage against claims made against any elected official, appointed official or employee of the village, the village shall hold harmless and indemnify such elected official, appointed official or employee from any lawsuit or claim filed against him or her as a result of his or her conduct while acting in his or her official capacity as an official or employee of the village, provided that the official or employee has not acted in a malicious manner, has not acted in a manner beyond the scope of his or her employment and/or has not acted in a manner known or that should have been known to him or her to be improper, illegal or that disregards his or her duties and/or responsibilities to the village.

(b) The village's legal counsel will review the matter with the employee or official against whom the claim is made to obtain said employee's or official's version of the facts surrounding the claim. However, nothing in this section shall obligate the village to consult with or obtain the permission of any official or employee prior to settling or otherwise resolving any claim made against such official or employee.

(c) If any claim is made for which the village has responsibility pursuant to subsection (a) hereof, the village shall also pay and be responsible for the attorney fees and expenses of suit, provided that the village shall have the sole and exclusive right to choose the attorney who will represent the village and the official or employee involved.

#### **§ 254.11 LONGEVITY COMPENSATION.**

(a) All full time and part time - Class A hourly and salaried employees shall receive longevity pay as provided in this section.

(1) A full time employee qualifies for longevity pay only upon completion of two continuous, uninterrupted years of employment service with the village, so that no village employee with less than two years of continuous service qualifies or is eligible for longevity pay under this section until attainment of such two years of continuous service. In no event shall an employee receive in excess of \$2,500 per longevity period in longevity pay. A longevity period is defined as a one-year period commencing with the employee's anniversary date and ending with the same. For purposes of application of this section, the date that a given employee commenced employment service with the village shall be deemed to be his or her anniversary date. The longevity pay amount for an eligible full time employee shall be determined by multiplying \$100 times the number of such employee's continuous years of service with the village, minus one year (the Provisional year).

(2) Part time - Class A employees who complete two continuous, uninterrupted years of employment service and at least 1,664 hours each year qualify for longevity compensation. The longevity pay amount for a part time - Class A employee shall be determined by multiplying \$100, prorated according to their hours worked in the calendar year, times the number of employee's continuous years of service with the village, minus one year (the Provisional year).

(3) Employees entitled to longevity pay may elect to receive the payment thus determined in a lump sum, less lawful deductions, on the anniversary of their second year and each year thereafter. Alternatively, the employee may receive the longevity payment in equal installments commencing at the

beginning of their third year, to be received along with his or her regular pay during the year following their qualifying anniversary date.

(b) Upon termination for any reason, an employee shall be entitled to receive a prorated share of what the longevity pay would have been had the employee lasted in service to the next anniversary date. Service requirements for advancement with pay ranges as provided in this section means continuous service, which means employment in the village service without break or interruption. Approved sick leave, approved maternity leave, National Guard service, military or Peace Corps service, and approved leaves of absence with or without pay, do not serve to interrupt continuity of service. Where an interruption of service does occur, consisting of all other absences without leave in excess of three working days in any one calendar month, the employee shall be assigned a new anniversary date. An interruption in continuity of employment shall occur for any employee who works less than 720 hours in a longevity period.

#### **§ 254.12 DEFERRED COMPENSATION PLAN.**

(a) The village has in the past and may in the future adopt deferred compensation plans in the form specifically set forth and described in past and future village resolutions passed by Village Council for that purpose.

(b) Village Administrator and Village Clerk-Treasurer are specifically authorized to execute, on behalf of the village, all documents necessary to implement a deferred compensation plan approved by Village Council by a specific resolution for such plan.

(c) The assets of any deferred compensation plan adopted by the village shall be held in trust, with the village serving as trustee, for the exclusive benefit of the plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose.

(d) Any deferred compensation plan adopted by the village will permit loans.

(e) The village agrees to serve as trustee under any deferred compensation plan adopted by the village.

(f) The Clerk-Treasurer shall be the coordinator for any deferred compensation plan adopted by the village; shall cast, on behalf of the village, any required votes under any trust related to the approved plan; and, in conjunction with the Village Administrator, is authorized to execute all necessary agreements with the manager of the deferred compensation plan incidental to the administration of the plan. Administrative duties to carry out the plan may be assigned to the appropriate departments.

#### **§ 254.13 FLEXIBLE BENEFITS PLAN.**

The Village Council hereby adopts the flexible benefits plan (consisting of the flexible benefits plan document, the adoption agreement, and component benefits plan and policies) for the village, effective as of June 29, 1996.

#### **§ 254.14 HIRING AND TERMINATION.**

Falsifying of information on the employment application or resume shall lead to immediate disciplinary dismissal.

(a) *Nepotism.*

(1) *Definition.* As used in this section:

**IMMEDIATE FAMILY** includes:



- A. Spouse, mother, father, sister, brother, daughter, son;
- B. Stepmother, stepfather, stepsister, stepbrother, stepdaughter, stepson;
- C. Grandmother, grandfather, granddaughter, grandson;
- D. Step-grandmother, step- grandfather, step-granddaughter, step-grandson;
- E. Aunt, uncle, cousin (by blood); or
- F. Aunt, uncle, cousin (by marriage).

(2) Unless Council determines, by a two- thirds vote of its members, which vote shall be recorded as part of the official proceedings, that the best interests of the village will be served by an applicant's employment or promotion, no applicant for employment or promotion shall be hired to a position that will cause him or her to be directly supervised by a member of his or her immediate family or will place him or her in a situation where a member of his or her immediate family can influence working conditions, hours or wages.

(3) A member of the immediate family of an incumbent Mayor or Village Administrator shall be ineligible for employment or consideration for selection for village contracts.

(4) The policies set forth in this section apply to all village positions, full or part-time, village, state or federally funded, or employment under contract where the terms of the contract may be influenced by the supervisor.

(b) *Probationary period.*

(1) A new employee upon appointment by administration and confirmation by the Village Council shall work a six-month probationary period at a salary level set by Council.

(2) The probationary period shall begin immediately upon confirmation to a permanent position and shall continue for a period of six consecutive months of work, unless specifically stated otherwise in an applicable contract. The village shall retain the right to extend the probationary period for an additional six months, unless specifically stated otherwise in an applicable contract, provided that written notice is given to the affected employee. The probationary period shall be regarded as an integral part of the examination process and shall provide an opportunity for the village to determine whether the probationary employee has the ability, work habits and other attributes to qualify him or her for regular employment status. An employee shall be retained beyond the probationary period and granted full time or part time status only if the department head affirms that the services of the employee have been found to be satisfactory and recommends to the appointing authority that the employee be given full time or part time status. At any time during the probationary period, the department head may recommend to the appointing authority the dismissal of a probationary employee if, in his or her opinion, the employee is unable or unwilling to perform the duties of the position satisfactorily or his or her habits and dependability do not merit continuance in the village service.

(3) When an employee is promoted or transferred to another job classification, he or she shall be on probation in the new job classification for six months. During the probationary period, the employee may be removed from the position at any time if the employee demonstrates that he or she is unable to satisfactorily perform the requirements of the job as determined by supervisory personnel. If the employee is not performing at an acceptable level, the department head may recommend removal to the appointing authority, with final approval resting with the Mayor and/or the Village Administrator. If removed from the new job classification, the employee may be returned to his or her former position or any open position in the job classification the employee occupied prior to his or her promotion or transfer.

The Mayor and/or the Village Administrator shall make a final decision on such assignment. If removed from the new job classification, the employee may be returned to his or her former position or any open position in the job classification the employee occupied prior to his or her promotion or transfer. The Mayor and/or the Village Administrator shall make a final decision on such assignment.

(c) *Lay-offs.*

(1) An employee may be laid off because of a re-organization of a department, or for lack of work or funds. Whenever possible, an employee laid off from one village department shall be transferred to a suitable position elsewhere. Whenever possible, at least two weeks' notice shall be given an employee prior to lay-off. Lay-offs shall not be considered disciplinary actions.

(2) A person who has been laid off may be routinely recalled to work at any time within one year, provided the person remains qualified to perform the duties of the position.

(d) *General retirement.*

(1) Any employee of the village who is eligible to retire under the applicable rules, regulations and statutes of the state shall be permitted to do so in accordance with the rules of the Public Employees Retirement System or the Police and Fire Pension System.

(2) Employees shall file with the Mayor and/or the Village Administrator a notice of their intent to retire, one calendar year prior to the anticipated retirement date. Although this notice should include a date certain regarding the retirement, it will not be the official notice of the date of retirement.

(3) Employees who intend to retire should file a formal retirement date with the Mayor and/or the Village Administrator at least two months prior to the actual effective date of the retirement. Employees who wish to continue their employment after the age of 70 shall submit an application for continued employment to the Mayor and/or the Village Administrator. The Mayor and/or Village Administrator will review the application and should he or she deem it necessary, order the employee to be examined by a physician. The decision of the Mayor and/or the Village Administrator shall be final.

(4) Any vacation earned by an employee and unused shall be paid to that employee at the time of retirement on the basis of one day's pay for each day of accumulated vacation.

(5) Should an employee have sick leave at the time of retirement, that employee will be compensated one day's pay for each four days of sick leave remaining.

(e) *Disability retirement.*

(1) If a department head has reason to believe that an employee is no longer capable of performing his or her job, the department head may send a written request to the office of the Mayor and/or the Village Administrator asking for a review of the situation. The Mayor and/or the Village Administrator may appoint a committee to study the request and recommend whether or not an examination by a disinterested physician (selected and paid by the village) should be conducted to determine the employee's fitness.

(2) If the physician finds the employee to be unfit to continue working, the village will aid the employee in applying for disability retirement.

(3) If the employee refuses, the village will apply upon the prescribed forms to the appropriate retirement board provided for in R.C. Chapter 145 or 742 for the disability retirement of the employee.

(4) The disability for which the retirement allowance is being requested must have existed to some degree, as evidenced by medical records, prior to the application for retirement.

(5) Such retirement board will have its physician determine whether or not the employee is mentally or physically incapacitated for the performance of duty by a disabling condition, either permanent or presumed to be permanent. Such disability must have occurred since the employee last became a member of the retirement system, or must have increased since such employee last became a member, to such extent as to make the disability permanent or presumed to be permanent.

(6) If the retirement board's physician determines that the employee qualifies for retirement by reason of disability, and the retirement board concurs with such determination, the employee shall be retired for disability and the action of the board shall be final.

(7) If the village files a disability retirement application to retire an employee on disability retirement, and if the physician selected by the retirement board reports to the board that the employee is physically and mentally capable of performing service, then the employee shall retain his or her present position and shall be required to return to work and perform at a competent level.

**§ 254.15 REGULATIONS AND REIMBURSEMENT RULES FOR TRAINING, CONFERENCE, CONVENTION, AND MEETING FEES AND EXPENSES.**

(a) Any elected official, appointed municipal officer, commission member, board member, deputy, assistant, or employee of the village may attend, at the expense of the municipal corporation, any conference, trade show, training session, meeting, convention, seminar or college class, relating to municipal affairs, and in their area of responsibility if authorized by the Supervisor, Village Administrator and/or Mayor, and having funds certified by the Clerk-Treasurer, and confirmed by Council.

(b) The following shall be the rules, regulations, rates and amounts of reimbursements to be paid to village officers and employees for attendance at any approved and authorized session and while on village business:

(1) Prior to attending a training session, meeting, conference or convention, individuals must present a request form with an estimate of expenses and the account to which they are to be charged. The request form must be approved by the Supervisor, Village Administrator and/or the Mayor and confirmed by Council. Approved requests will be presented to the Clerk-Treasurer for certification that funds are appropriated and available. The Clerk-Treasurer will issue a purchase order or issue a cash advance.

(2) When time is of the essence the Mayor and/or Village Administrator have the authority to approve attendance to training sessions, conferences, conventions, and meetings and then advise Council after the fact.

(3) Receipts covering expenses should be obtained in all instances. These receipts should be presented with the expense account voucher to the Clerk-Treasurer when requesting payment of expenses.

(4) The village will pay the actual cost of overnight lodging when it is necessary in the furtherance of village business, upon the presentation of the receipt showing payment for such lodging. It is the policy of the village to encourage conference attendees to stay at the lodging facility where the conference attended is being held. If an employee's spouse also attends, no reimbursement will be made for his or her added costs.

(5) Registration fees in connection with attending a meeting, conference or convention will be considered as part of the attendance expense and will be paid by the village after proper documentation is presented to the Clerk-Treasurer.

(6) Any official trip on municipal business in excess of 50 miles one way shall require Council approval before the individual shall be entitled to reimbursement of expenses by the village.

(7) The village will pay the actual cost of meals, plus a 15% tip when necessary in the furtherance of village business, up to a maximum daily amount of \$47.50 per day for all meals upon the presentation of receipts showing payment for such meals. No alcoholic beverages will be covered for reimbursement.

(8) Upon the submission of an expense account voucher, signed by a claimant, showing the necessary miles traveled on village business, the village shall pay car mileage allowance at the standard mileage deduction allowance rate set annually by the Internal Revenue Service for taxpayers who use their automobiles for business purposes, subject to current policies and practices related to total mileage as may be specified from time to time in the ordinances and resolutions of Council. Turnpike tolls and parking fees will be considered extra expenses, for which there will be reimbursement to the officer or employee.

(9) If village officers or employees attend training sessions, conventions, conferences, or meetings or are otherwise on village business outside the village, such officers or employees may obtain from the Clerk-Treasurer an expense advance by making a written request for such advance in an amount not to exceed the estimate of expenses also submitted. The Mayor, however, must approve such advance, and/or the Village Administrator and funds certified by the Clerk-Treasurer before it is issued.

(c) Such officers or employees shall within three days after their return from attendance at such training session, convention, conference, meeting or other village business, reconcile such advance with the Clerk-Treasurer by presenting the necessary receipts for expenses. If such an advance exceeded the actual expenses, the officer or employee shall return the excess to the village.

#### **§ 254.16 CONDUCT.**

(a) *Political activity.* Political activity among village employees and officers is governed by federal and state legislation. Generally, no village officer or employee shall solicit any money, influence, service or other thing of value or otherwise aid or promote any political committee or the nomination or election of any person to public office while on the job or during working hours. However, nothing in this section is intended to restrict the right of a public employee to express his or her personal political views.

(b) *Workplace violence.*

(1) The village does not tolerate violence within the workplaces. No person employed with the village shall be the instigator of, or participant in, any of the following:

- A. Obscenities, ethnic slurs, or epithets directed toward individuals.
- B. Threats of bodily harm or damage to one's property.
- C. Actual bodily harm or damage to one's property.
- D. Callous or intentional disregard for the physical safety or well-being of others.
- E. Possession of any weapon or the brandishing of any object that could reasonably be perceived as a weapon (police officers and other authorized personnel are exceptions).
- F. Any other conduct that a reasonable person would perceive as constituting a threat of violence.

(2) Any such behavior, comments, and/or weapon possession shall be reported immediately to one's supervisor. Supervisors shall be required to take appropriate, immediate action to curtail any such behavior or comments. Any known weapon possession or potential serious violent situations shall be reported immediately to the Police Department by the supervisor.

(3) Violations of this policy will lead to immediate disciplinary action up to, and including, termination and any appropriate legal action.

(4) Supervisors may require an evaluation of the offending employee by outside experts and/or progressive discipline, depending upon the severity of the offense.

(c) *Possession and use of municipal property.* No employee or elected official shall have in his or her control or possession any equipment, tools, implements, cell phones or other property belonging to the village without being authorized by the Mayor, the employee's immediate supervisor or, Village Council. Personal use of equipment assigned to an employee, of a minor, casual, or subordinate nature, with no financial gain to the employee may be allowed provided that the user reimburses the village for any cost to the village created by that such personal use.

(d) *Use of the time clock.*

(1) *Required.* All hourly employees of the village are required to utilize the time clock facility daily when reporting to and from work, except in circumstances where the use of the time clock would be grossly inconvenient and impractical. Deviation from the use of the time clock for any employee or group of employees shall only be granted by a resolution duly enacted by Council. Failure to utilize the time clock shall be grounds for dismissal of any employee from village employment, as shall falsification or the punching of a time card of another employee.

(2) *Employees granted deviations.* Employees granted a deviation from using a time clock shall record time worked, vacations, holidays, sick leave and other leaves and absences on a time card or time slip. Such time card or time slip shall be approved by the department head, the Mayor, the Village Administrator prior to payment of wages or salary covered on the time card or time slip.

(3) *Grace period.* There shall be a six- minute grace period when reporting at the start of an employee's shift. Employees reporting within the grace period will not be considered late for purposes of disciplinary action.

(4) *Docking of wages.* Employee starting and stopping times shall be set by each department supervisor and posted for all employees to see. Employees reporting to work after their established start time shall have their wages docked for the actual time lost.

(5) *Tardiness.*

A. Tardiness will not be tolerated and may subject an employee to disciplinary action up to and including discharge from employment.

B. Employees reporting late to duty within a three-month period shall be subject to the following disciplinary actions:

1. First time - Verbal warning;
2. Second time - Written reprimand;
3. Third time - Three-day suspension; and
4. Fourth time - Dismissal.

C. Verbal and written reprimands for tardiness will be disregarded at the end of each calendar year.

D. Suspensions shall be included in the employee's permanent personnel folder and shall be used in determining additional disciplinary action.

E. Excused tardiness will not be considered as reporting late for duty. Employees must request permission to report late prior to the beginning of their shift. The department head or supervisor retains the sole discretion in granting or denying an employee's request. Employees shall have their wages docked as provided for under division (d) hereof.

F. If an employee anticipates that he or she will report late for duty, and tardiness has not previously been excused pursuant to paragraph (e)(5)E. hereof, he or she shall call the village and advise his or her supervisor of that fact and the circumstances attendant thereto. If an employee calls his or her supervisor, in compliance with this paragraph, his or her tardiness shall be excused and shall not be subject to the provisions of divisions (e)(5)A. through C. hereof, except that his or her wages shall be docked pursuant to division (e)(4) hereof.

(6) *Prohibitions.*

A. No employee is permitted to punch another employee's time card.

B. No employee is permitted to mutilate or otherwise tamper with his or her own or another employee's time card nor is an employee permitted to remove a time card from the immediate vicinity of the time clock without the approval of the supervisor.

C. Employees in violation of this subsection may be subject to disciplinary action up to and including discharge from employment.

D. No employee shall punch in earlier than five minutes prior to the normal starting time or later than five minutes after the normal quitting time without supervisor approval.

E. No employee is allowed to punch out early at the end of his or her shift. There is NO grace period granted before the normal quitting time.

(7) *Maintenance of time cards and payroll records.*

A. Department supervisors shall be responsible for maintaining the time cards of employees under their supervision in a secure area.

B. Department supervisors shall be responsible for supervising the preparation of biweekly payroll records from employee time cards and both the employee and supervisor shall sign the standard attendance form prior to submitting it to the Clerk-Treasurer.

(e) *Sexual harassment.*

(1) *Adoption and implementation of policy.* The policy against sexual harassment in the workplace, as set forth in this section, is hereby adopted and shall be implemented.

(2) *Policy.*

A. It is imperative that all village employees be afforded a work atmosphere that is free from unwanted sexual harassment. The village will not tolerate sexual harassment.

B. As used in this section, **SEXUAL HARASSMENT** means unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; and/or

3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

C. Sexual harassment may involve pressure from a person of either sex against a person of the opposite or the same sex and may occur in any relationship.

D. Each department head shall be responsible for taking immediate and appropriate corrective action when there is an act of sexual harassment in the workplace by:

1. Investigating and fully documenting any alleged act of sexual harassment, including the nature of the sexual advances and the context in which the incident occurred;

2. Documenting the corrective action taken based on the facts resulting from the investigation; and

3. Providing the above documentation to the Village Administrator.

### **§ 254.17 PERFORMANCE STANDARDS AND EVALUATIONS.**

(a) *Standards.* Every employee shall receive a copy of their job description and acknowledge in writing that they have reviewed and understand its content. Every employee must meet basic standards of performance in his or her work. At a minimum, he or she must fulfill the criteria established in the applicable job description. Council shall approve all job descriptions. The employee shall be judged on:

(1) How well he or she is fulfilling the job criteria;

(2) Quality and quantity of work;

(3) Dependability;

(4) Work habits;

(5) Initiative;

(6) Judgment; and

(7) Other factors as may be determined by the appointing authority and/or the department head.

(b) *Probationary period.* During the probationary period, the employee shall be evaluated continuously and informally by his or her immediate supervisor. A formal evaluation shall be completed at the conclusion of the employee's probationary period and yearly just prior to the employee's anniversary date thereafter.

(c) *Confidentiality.* Employee evaluation sheets are confidential employee records. The appointing authority shall maintain these forms as a part of the employee's permanent file for a period of not less than five years. Access to the forms and other materials in the employee's personnel file shall be denied to all but the employee's department head, the appointing authority, the Mayor, the Village Administrator and the employee.

(d) *Use of performance evaluations.* The quality of performance rendered by the employee in the past shall receive due consideration in such personnel matters as promotions, transfers, demotions, terminations and salary adjustments.

### **§ 254.18 SAFETY.**

(a) *Physical examinations.* A physical examination is required for each position of employment in the village. Prior to commencing employment, prospective employees shall be required to have a physical examination by a medical doctor. The type of physical examination to be undergone by a prospective employee shall be determined by the village and the village shall pay the expense of it. Prior to employment, the examining doctor shall certify that the prospective employee is physically able to perform the duties of the job for which the employee is to be hired. The physical examination records of an employee or prospective employee shall be privileged and confidential and shall be filed in the non-public records portion of an individual's personnel file.

(b) *Relief periods.* Two relief periods not to exceed 15 minutes each are allowed per day, one in the morning and one in the afternoon. Department heads are responsible for scheduling relief periods so as not to interfere with regular village work.

(c) Required safety shoes, uniforms, outerwear, and personal protective equipment for employees of the Wastewater Treatment Department and/or the Street Department.

(1) Safety shoes. An allowance of up to \$200 per year is credited to all employees who may be subject to foot injuries in the service of the village and who are, for that reason, required by supervisors to wear hard toe safety shoes. The reimbursement allowance shall be paid during each year between January 1st and December 31st upon presentment to the Clerk/Treasurer of a receipt documenting such expenditure. These allowance credits expire on December 31st of each year and shall not be carried forward.

(2) The village shall supply work uniforms at no cost to employees. Lost or missing uniform replacements shall be the responsibility of the employee. Uniforms damaged as result of work activity shall be repaired or replaced at the village's option.

(3) The village will arrange and pay for laundry services each week.

(4) The village shall supply one pair of Carhartt bib overalls and one Carhartt winter coat or vest every third year between January 1st and December 31st, and or replace ones damaged due to work activity mid cycle.

(5) Each department supervisor is responsible to see that his or her employees wear clothing and equipment to protect against known work hazards. The department shall supply safety glasses; hearing protectors; hard hats; high visibility shirts, sweatshirts, and vests; work gloves; aprons; welding supplies and chemical worker supplies; and all other items necessary to protect village employees from known hazards.

(6) It shall be a condition of employment that all workers must wear the required clothing and personal protective equipment available and assure that it is maintained in a usable and safe condition, or replaced when necessary,

(7) All shoe and clothing credit allowances shall be issued yearly and must be used between January 1st and December 31st each year. There will be no carry forward for unused credit allowances.

(d) *Occupational injury and safety program.*

(1) Municipal safety program.

A. General safety rules. An accident is often a warning signal of a faulty condition and reveals the need for correction in design, procedure, training or equipment. Both as a safety goal and as an important obligation to the public in the form of greater efficiency, accident prevention needs the full cooperation of all municipal employees. Therefore, all employees are required to be familiar with safety regulations that



are issued and to help in promoting a safe work environment. Any employee found in violation of any of the following rules or department safety rules may be subject to disciplinary action in accordance with this chapter,

1. Do not engage in practical jokes and horseplay.
2. Do not use chemical intoxicants or alcoholic beverages on the job or during working hours.
3. Do not jump from any height, such as a table, truck bed, bench or platform.
4. Do not mount or dismount from a moving vehicle.
5. Inspect all tools and equipment prior to use. Report defective items to the supervisors.
6. Mark all hazardous areas and/or equipment with appropriate signs or tags.
7. Obey all hazard warning signs and tags must be obeyed.
8. Do not operate municipal equipment unless properly trained and authorized to do so.
9. Do not remove safety guards installed in accordance with manufacturer's recommendations except for servicing.
10. Wear appropriate clothing. Clothing must be suitable for the type of work performed. Loose clothing or personal equipment should not be worn near machinery or equipment with moving parts.
11. Remove jewelry such as rings, identification bracelets, etc. Such items must be removed when work involves climbing, materials handling, electrical work or operating mechanical equipment.
12. Wear protective equipment and/or clothing as required by department supervisors.
13. Properly maintain all first-aid and fire equipment and keep it accessible for emergency use.
14. Employees shall have in their possession a valid driver's or commercial driver's license when operating a municipal vehicle.
15. All employees operating municipal vehicles or road equipment shall strictly adhere to all traffic laws.
16. Employees shall not operate mechanical equipment or vehicles when taking medication that may affect their ability to function in a normal manner.
17. Employees are required to keep their work areas in good order.
18. Accidents, no matter how minor, must be reported immediately to the employee's supervisor and safety representative.
19. Any injury, no matter how minor, must be reported immediately to the employee's supervisor and safety representative.
20. All village employees shall use seat belts when on duty while riding in or operating a village vehicle. Employees found guilty of a first violation of the seat belt law (R.C. § 4513.263) while on duty in a village vehicle are subject to disciplinary action up to and including a three day suspension, depending on the facts of the case. Repeated violations may result in more severe disciplinary action.

B. Additional regulations. Since it is not possible to anticipate or cover in detail all hazardous situations that might arise on the job site, personnel are expected to use common sense and proper advance planning to eliminate hazardous situations.

#### **§ 254.19 DISCIPLINARY CODES.**

(a) Safety and conduct work rules and regulations. This section summarizes the rules and regulations under which the village operates. They do not limit the proper rights of any employee in discipline matters. Strict observance of them helps build orderly procedures which produce the sound growth and quality service upon which our jobs and incomes are founded. Violations of any of the items listed below may result in disciplinary action, up to and including discharge.

- (1) Habitual and excessive absence.
- (2) Habitual or excessive tardiness.
- (3) Failure to report absence properly, i.e., notice to immediate supervisor in advance of scheduled starting time for each day of absence.
- (4) Leaving the job during working hours for personal reasons without permission.
- (5) Overstaying breaks.
- (6) Failure to commence work on time or leaving work early.
- (7) Improper use or care of village vehicles.
- (8) Soldiering, loafing or sleeping while on duty.
- (9) Unauthorized use of village telephones without permission.
- (10) Violations of any safety rule.
- (11) Failure to promptly report any accidents, on or off duty, personal injury or property damage to immediate supervisor.
- (12) Failure to observe parking and other regulations of the village.
- (13) Engaging in horseplay.
- (14) Failure to use safety equipment and devices as required, when furnished by the village.
- (15) Theft or removal from village premises without proper authorization, of any property belonging to the village or another employee.
- (16) Failure to properly clean assigned work area.
- (17) Gambling on village property.
- (18) Reporting false reason for absence.
- (19) Immoral conduct while on duty.
- (20) Removal of notices, signs or written information in any form from village bulletin boards without permission.
- (21) Defacing or changing any posted matter.

- (22) Defacing or intentionally damaging property of the village, fellow employees or citizens.
- (23) Circulating petitions or distributing literature, written or printed matter of any description, or posting literature or written or printed matter of any description of village property, including the village parking garage and parking lots, without permission.
- (24) Circulating petitions or distributing literature written or printed matters of any description on work time without permission.
- (25) Unauthorized selling merchandise or services of any kind or pursuing personal enterprises on village time.
- (26) Refusal to work requested overtime without acceptable excuse.
- (27) Insubordination.
- (28) Deliberate padding of time or making false statements of any type regarding work.
- (29) Failure to record work time off or on job properly.
- (30) Careless handling, unauthorized use or loaning of village vehicles or other equipment.
- (31) Careless handling, unauthorized use or loaning of village tools.
- (32) Failure to secure village equipment.
- (33) Threatening, intimidating, coercing or using indecent or abusive language to a supervisor, a fellow employee or citizen.
- (34) Malicious gossip, slander, or talk against a supervisor, fellow employee or a citizen.
- (35) Defrauding a citizen of the village.
- (36) Unauthorized possession or use of alcoholic beverages or narcotic drugs or being under the influence of same on village property.
- (37) Unauthorized possession of firearms or other weapons on village premises.
- (38) Giving false information for employment.
- (39) Assignment of wages to or garnishment procedures in excess of two from different creditors.
- (40) Attempted or accomplished theft of village property, property of fellow employee or property of a citizen.
- (41) Failure to attend required meetings.
- (42) Smoking in posted and prohibited areas.
- (43) Fighting on village time or property.
- (44) Renting or lending village property without written authorization.
- (45) Jumping from any height, such as a table, truck bed, bench or platform, may result in injury. Such action shall be avoided.
- (46) Employees shall not mount or dismount from a moving vehicle.

(47) All hazard areas and/or equipment must be clearly marked with appropriate signs or tags.

(48) All hazard warning signs and tags must be obeyed.

(49) Safety guards installed in accordance with manufacturer's recommendations shall not be removed except for servicing.

(50) Appropriate clothing must be suitable for the type of work performed. Loose clothing or personal equipment should not be worn near machinery or equipment with moving parts.

(51) Jewelry such as rings, identification bracelets, and the like, must be removed when work involves climbing, materials handling, electrical work or operating mechanical equipment.

(b) *Safety and health.* The safe and healthful performance of all work assignments is the responsibility of both supervisory and non-supervisory personnel. It is their responsibility to insure that all safety equipment is properly used and safety procedures/practices are observed.

(1) Any employee found to be willfully negligent in equipment operation, resulting either in damage to the equipment or an accident, shall be subject to immediate discipline including termination.

(2) All employees, particularly supervisors, are charged with the responsibility of reporting the existence of any hazardous condition or practice in the work place or hazards to the public.

(3) Supervisors found to be negligent in requiring the use of prescribed safety equipment shall be disciplined.

#### **§ 254.20 DISCIPLINE.**

(a) *Disciplinary principles.* A clearly written discipline policy promotes fairness and equality in the workplace and minimizes misunderstandings in disciplinary matters. The principles outlined below should consistently be applied to effectively and fairly correct unsatisfactory job behavior.

(1) Employees shall be advised of expected job behavior, what conduct is unacceptable, and the penalties for unacceptable behavior.

(2) Immediate attention shall be given to policy infractions.

(3) Discipline shall be applied uniformly and consistently throughout the village.

(4) Each offense shall be handled objectively.

(5) Discipline shall be progressive as outlined in this chapter.

(6) An employee's immediate supervisor or the Village Administrator/Mayor shall be responsible for administering discipline.

(b) *Progressive discipline.*

(1) Department supervisors and the Village Administrator/Mayor should follow this system of progressive discipline when correcting job behavior.

(2) This policy is a guide for uniform administration of discipline. It neither delegates nor limits the powers and duties conferred upon the village, department heads or Village Administrator/Mayor by the Ohio Revised Code.

(3) This policy provides standard penalties for specific offenses. The examples of specific offenses given in each grouping are illustrative, not inclusive.

(4) The inclusion of standard penalties in this policy does not preclude the application of a more or less severe penalty for an infraction when circumstances warrant it. The appointing authority must be advised in any case where a non- standard penalty is imposed.

(5) Records of oral warning (written documentation) and suspension shall be purged 30 months after issuance, provided no intervening discipline occurs.

A. *Oral warning.* Supervisors or department heads shall address unsatisfactory behavior promptly by discussing the problem with the employee and counseling more suitable behavior.

B. *Written warning.* If an oral reprimand does not resolve misbehavior or where more severe action is warranted, supervisors and department heads may issue written reprimands. The original shall be placed in the employee's personnel folder and a copy given to the employee.

C. *Suspension.* If oral or written reprimands fail or where more severe action is warranted, department heads may recommend suspension from work, without pay.

D. *Dismissal/discharge.* If lesser disciplinary actions fail, employees may be discharged. The employee shall be given, at minimum, same day written notice listing the effective date of and reason(s) for dismissal. Employees being considered for discharge, may be suspended with or without pay. Final discharge of employees approved by Village Administrator/Mayor are contingent on approval of Council.

(c) *Grounds for disciplinary action and penalties.*

(1) The Group I, II and III Offenses which follow illustrate the kinds of offenses which historically warrant the penalties established for the group.

(2) In general, Group I Offenses are of a relatively minor nature. They cause only a minimal disruption to the organization in terms of a slight yet significant decrease in organizational productivity, efficiency and/or morale. If ignored, Group I Offenses usually cause only temporary or minor impact to the organization unless they are compounded over time.

(3) Group II Offenses are more serious than Group I Offenses. They cause a more serious and longer lasting disruption to the organization. If ignored, Group II Offenses can have a more serious and longer lasting impact against the organization than Group I Offenses.

(4) Group III Offenses are very serious or, possibly, criminal. They cause a critical disruption to the organization. If ignored, Group III Offenses cause long lasting and serious impact against the organization.

(5) *Group I Offenses.*

First Offense:	Instruction and cautioning
Second Offense:	Written reprimand
Third Offense:	Up to three working days suspension without pay
Fourth Offense:	Up to ten working days suspension without pay
Fifth Offense:	Termination

A. Failure to "report off" work or any absence.

- B. Failure to commence duties at the beginning of the work period, or leaving work prior to the end of the work period.
- C. Leaving the job or work area during working hours without authorization.
- D. Making preparations to leave work authorization before lunch, any scheduled break, or before quitting time.
- E. Leaving a continuous operations position before being relieved by another employee.
- F. Neglect or carelessness in signing in or out, clocking in or out, or signaling in or out.
- G. Unauthorized absence from work.
- H. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping.
- I. Distracting the attention of others, or otherwise causing disruption on the job.
- J. Malicious mischief, horseplay, wrestling, or other undesirable conduct, including use of profane or abusive language.
- K. Threatening, intimidating, coercing, or interfering with subordinates or other employees.
- L. Failure to cooperate with other employees as required by job duties.
- M. Abuse of village property or equipment.
- N. Unauthorized use or possession of another employee's equipment.
- O. Failure to follow safety rules or disregard of common safety practices.
- P. Failure to observe department rules.
- Q. Obliging the village for any expense, service or performance without prior authorization.
- R. Failure to report accidents, injuries or equipment damage.
- S. Disregarding job duties by neglect of work, conducting personal business or reading for pleasure during working hours.
- T. Unsatisfactory work or failure to maintain required standard of performance.
- U. Use of telephone for other than village business purposes without authorization.
- V. Violation of departmental uniform regulations.
- W. Any conflict with job duties and outside employment.

(6) *Group II Offenses.*

First Offense:	Instruction and up to three days suspension without pay
Second Offense:	Up to ten day suspension without pay
Third Offense:	Termination

- A. Discourteous treatment of the public.

- B. Sleeping during working hours.
- C. Reporting for work or working while unfit for duty.
- D. Conduct violating morality or common decency.
- E. Unauthorized use of village property or equipment.
- F. Performing private work on village time.
- G. Willful failure to sign in or out, clock in or out, or signal in or out when required.
- H. Unauthorized failure to report for overtime work after being scheduled to work according to overtime policy.
- I. Willful failure to make required reports.
- J. Unauthorized solicitation on village premises.
- K. Making or publishing false, vicious or malicious statements concerning employees, supervisors, the village or its operations.
- L. Refusing to testify in court, during an accident investigation, or any type of public hearing.
- M. Lying during a complaint or grievance investigation or hearing.
- N. Unauthorized posting or removal of notices or signs from bulletin boards.
- O. Unauthorized distributing or posting written or printed matter of any description on village premises.
- P. Willful disregard of department rules.
- Q. Use of abusive or threatening language toward supervisors, fellow employees, or anyone in general.
- R. Unauthorized political activity.
- S. For police officers, carrying weapons off duty while using alcoholic beverages.
- T. Willful misuse of equipment resulting in damage to the equipment or an accident.

(7) *Group III Offenses.*

First Offense:	Up to and including termination of employment
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A. Wanton or deliberate neglect of duty in the care, use or custody of any village property or equipment. Wanton or deliberate destruction, in any manner, of village property, tools, equipment, or the property of employees.

B. Lying during accident investigations. Falsifying or assisting in falsification or destruction of any village records. Lying or withholding information required on employment applications. Falsifying or altering any time card (own or other employee's).

C. Making false claims or misrepresentation in an attempt to obtain any village benefit.

- D. Gambling during working hours.
- E. Theft or concealment of any property of the village or of other employees.
- F. Use of, or the sale of controlled substances, anytime, anyplace.
- G. Workplace violence as described in Section 254.16(b).
- H. Unauthorized carrying or possession of firearms on village property.
- I. Concealing a communicable disease such as TB which may endanger other employees.
- J. Instigating, leading, or participating in any unauthorized walkout, strike, sit-down, stand-in, refusal to return to work at the scheduled time for the scheduled shift, or other curtailment, restriction or interference with work in or about the village's work stations.
- K. Dishonesty or any dishonest action. Examples included but are not limited to: theft, pilfering, opening desks assigned to other employees without authorization; theft or pilfering of lunch boxes, refrigerator, tool kits, or other property of the village or other employees without authorization; inserting slugs in vending machines; lying to secure an excused absence or to justify an absence or tardiness;
- L. Insubordination.
- M. Convicted of sexual harassment.
- N. Violation of confidentiality which results in disruption of any law enforcement action.
- O. Unnecessary and unwarranted violence (physical or mental) to a prisoner.
- P. Discharging a firearm in a non-life threatening situation or not in accordance with Departmental policy (other than approved target practice).
- Q. Possession of and/or drinking alcoholic beverages on the job.

**WHEREAS**, Council finds it to be in the best interest of the Village to provide for the amendment of Chapter 254 of the Code of Ordinances of the Village of Jefferson, Ohio.

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE COUNCIL OF THE VILLAGE OF JEFFERSON, ASHTABULA COUNTY, STATE OF OHIO:**

**Section 1.** That Chapter 254 of the Code of Ordinances of the Village of Jefferson, Ohio is hereby amended to read as follows:

**CHAPTER 254: PERSONNEL RULES AND REGULATIONS FOR EMPLOYEES GENERALLY**

**§ 254.01 BONDS**

Bonds for various Village officials shall be as provided by state law and/or by Council from time to time.

**§ 254.02 EMPLOYEE HANDBOOK.**

The Village publishes an employee handbook which sets forth employee benefits and conditions of employment as adopted by the Council and amended from time to time by Council. Copies are available at the Village Offices. The definition for certain terms used in the employee handbook are contained in Village Ordinance § 254.03.



**§ 254.03 DEFINITIONS OF TERMS; EMPLOYMENT, PERSONNEL AND PROGRAM PRACTICES; MANAGEMENT RIGHTS; AMENDMENTS; ADMINISTRATIVE ORDERS; CHAIN-OF-COMMAND; MERIT SYSTEM; DISCLAIMER; SAVINGS CLAUSE; AND ETHICS.**

(a) *Definitions.*

**ABSENCE WITHOUT LEAVE.** Means unexcused absence from work.

**APPOINTING AUTHORITY.** Means the official or body having the power of appointment to, or removal from, positions in any village office or department.

**ASSISTANT.** Means the employee who aids and assists the appointing authority in the discharge or performance of duties which are of a confidential and fiduciary character and which involve the responsibility of his or her principal.

**BREAK IN SERVICE.** Means termination of employment for more than 30 days for any reason other than layoff or approved leave.

**CONTINUOUS SERVICE.** Means the uninterrupted service of an employee with the village.

**CONTROLLED SUBSTANCE.** Means a drug, compound, mixture, preparation, or substance included in schedule I, II, III, IV, or V of R.C. § 3719.41.

**DAY.** Means calendar day unless specified otherwise.

**DEMOTION.** Means placement of an employee in a position which carries a lower salary range than that previously held.

**DEPARTMENT.** Means a village organizational unit directed and controlled by a department head and charged with a specific public service function.

**DEPARTMENT HEAD.** Means the director or manager of a department.

**DISHONESTY.** Means the disposition to lie, cheat or defraud; untrustworthiness; lack of integrity.

**DISTRIBUTION.** Means delivering goods, materials and/or written materials.

**EMPLOYEE.** Means any person holding a position subject to appointment, removal, promotion, or reduction by an appointing authority.

**EXCUSED ABSENCE.** Means being absent from work with the approval of the appointing authority or designee.

**FIRE CHIEF.** Means the Chief of the Fire Department.

**FULL TIME EMPLOYEE.** Means an employee who has completed the applicable probationary period and occupies an authorized position scheduled to work 40 hours per work week or hourly employees for the Police Department who have completed the applicable probationary period and occupy an authorized position scheduled to work 80 hours during their 14-day work period.

**GENDER.** Means whenever the pronouns he or she or the derivatives thereof are used in this manual they will be interpreted as referring to both sexes.

**IMMORAL CONDUCT.** Means conduct which is willful, flagrant, or shameless, and which shows a moral indifference to the opinions of the community.

**INSUBORDINATION.** Means the state of being unwilling to perform duties and responsibilities required of an employee. Refusal to obey an order issued by an employee's supervisor.

**NEGLECT.** Means to omit or fail to comply with an order that can be done. The absence of care or attention in the doing. An omission of a given act. A designed refusal or unwillingness to perform one's duty.

**ORAL REPRIMAND.** Means the discussion a supervisor holds with an employee in which he or she disciplines the employee for his or her conduct and impresses upon him or her the need for improvement. This method of discipline can eliminate misunderstandings immediately and set and maintain desired standards of conduct and performance. A notation of the date, time and reason for an oral reprimand shall be kept in the employee's personnel file.

**PART-TIME EMPLOYEE CLASS A EMPLOYEE.** An employee of the village who is expected to or actually does average at least 32 hours per week, but who works less than 40 hours per week. Averages are to be determined on a semi-annual basis and will not include sick, vacation, or other paid time off.

**PART-TIME CLASS B EMPLOYEE.** An employee of the village who is expected to or actually does average less than 32 hours per week. Averages are to be determined on a semiannual basis and will not include sick, vacation, or other paid time off.

**PAY RANGE.** Means the division of a salary schedule to which a classification or position is assigned.

**POLICE CHIEF.** Means the Chief of the Police Department.

**POSITION.** Means the group of job duties intended to be performed by an individual as assigned by the appointing authority.

**PROBATIONARY PERIOD.** Means the period of time at the beginning of an original appointment, hiring or promotion which lasts for six months. During this period an employee may be terminated or reduced to a lower classification without cause.

**PROMOTION.** Means the act of placing an employee in a position which carries a higher salary range than that previously held.

**PRORATED.** To make an arrangement on a basis of proportional distribution. Example: If an employee who works 40 hours a week is entitled to eight hours pay for a holiday, then an employee who works 32 hours a week is entitled to 6.4 hours of pay for that same holiday.  $40/32 = 8/x$  hours worked = 6.4 hours of entitlement.

**REDUCTION.** Means the change of the classification held by an employee to one having a lower base pay range, a change to a lower step within a salary range, or any decrease in compensation for an employee. For purposes of layoff, a "reduced employee" is one serving in a classification lower than the one from which the employee was laid off or displaced.

**REMOVAL.** Means the termination of an employee's employment.

**RESIGNATION.** Means the voluntary separation from the village by the employee.

**SCHEDULED HOURS OF WORK.** The hours an employee is assigned to work by their supervisor in any given work week. Changes to these scheduled hours need to be communicated to the employee at least a week ahead of time.

**SENIORITY.**

A. For purposes of all matters such as vacation scheduling and other internal matters affected by **SENIORITY** and not dictated by law or policy, seniority means the uninterrupted length of continuous service with the village. An authorized leave of absence does not constitute a break in service. **SENIORITY** continues to accumulate during the term of the leave, provided the employee complies with the rules and regulations governing his or her leave of absence.

B. For the purpose of layoff, **SENIORITY** means continuous service with the village. Service may be transferred from one village department to another without loss of **SENIORITY** as long as no break in service occurs.

C. Employees who are reinstated from layoff within one year of the layoff date retain previously accumulated **SENIORITY**, but will not be credited with **SENIORITY** for the time spent on layoff.

D. **SENIORITY** for the purposes of vacation accrual means the total number of years of service with the village. However, the completion of a total of one year service with the village is required before eligibility for any vacation leave is established.

E. **SENIORITY** for the purposes of determining retirement benefits is defined by the provisions of the retirement system in which the employee participates.

F. For all other purposes, **SENIORITY** shall be defined as set forth in the provisions of the Ohio Revised Code.

**SHALL.** Means mandatory.

**SOLICITATION.** Means an act of requesting an individual to purchase goods, materials, or services, or a plea for financial contribution or a plea for support of any cause.

**SPECIFICATION.** Means a general description of job duties including examples of the kinds of tasks performed in positions allocated to a classification. Specifications may include class title, a statement of job functions, a grouping of task statements by job duties (ranked by importance), and a summary of required worker characteristics, behaviors and minimum qualifications for employment in the classification.

**STATUS.** Means the type of appointment such as: probational, full time, part time, or seasonal/temporary.

**SUPERVISOR.** Means an individual authorized to oversee, manage, or direct the work of lower level employees.

**SUSPENSION.** Means the relieving of an employee from duty without pay, usually for a short period of time (i.e., one to 50 days) as a disciplinary measure aimed at improving the employee's conduct.

**TARDINESS.** Means arriving at or reporting to work after the usual, proper or appointed time.

**TRANSFER.** Means the movement of an employee from one position to another within the village having the same rate of pay and similar duties.

**WORK AREA.** Means any office, building, physical location, vehicles where official village business is transacted and/or operations of the village being conducted. This includes any public or private area where employees are engaged in work activities.

**WORK TIME.** Means all the time when an employee must engage in work tasks.

**WORK UNIT.** Means a division of a department, usually directed by a supervisor in charge with a specific work function.

**WORK WEEK.** The seven consecutive 24 hour periods from Monday 12:00 a.m., to Sunday 11:59 p.m. (Note of justification: This is consistent with past practice, matches the state time interval for PERS, and coincides with the printed time cards).

**WORK PERIOD.** For purposes of hourly employees of the Police Department, the term work period shall mean the 14-day work period established by the village as authorized pursuant to 29 U.S.C. § 207(k) and 29 C.F.R. § 553.230(c).

**WRITTEN WARNING.** Means a written record of disciplinary action, usually issued after an oral reprimand has failed to improve an employee's conduct.

(b) *Chain-of-command.* No employee of the village will have more than one supervisor to which he or she directly reports. The chain of command will be as follows, starting with the highest authority.

(1) Mayor -> Village Administrator -> department supervisor -> employee.

(2) Mayor -> Police Chief -> Deputy Chief -> officers.

(3) Mayor -> Fire Chief -> 1st assistant -> 2nd assistants -> Captain -> Lieutenant -> fire fighter.

(c) *Merit system.* Employees shall be evaluated solely on merit without regard to race, gender, disability, or any other factor precluded by law.

(1) Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills.

(2) Paying every employee according to the wage ordinance.

(3) Offering training and seminars that are directly related to work to assure high quality performance.

(4) Retaining and correcting performance with due process per the Ohio Revised Code.

(5) Assuring fair treatment of all employees.

(6) Assuring that employees are protected against coercion from partisan or political purposes.

(d) *Disclaimer.* These policies are not to be considered an employment contract with an employee. Information included in this chapter and in the employee handbook is not to be considered a contract and may be changed by the Council with notification.

(e) *Saving clause.* If any article or section of this chapter or any amendments shall be held invalid by operation of law or by a tribunal of competent jurisdiction, or compliance with or enforcement of any article or section of this chapter shall be restrained by such tribunal, the remainder of this chapter and amendments shall not be affected and shall remain in full force and effect.

(f) *Repealer.* Any prior ordinance or resolutions in conflict with this chapter are hereby invalid and repealed.

(g) *Ethics.* All village employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the United States, of the state, and other rules and regulations as may be set forth by the village. It is important to remember that the compensation of all employees is

paid through taxes or user fees. Therefore, each village employee assumes responsibility to serve the public in an honest, effective and cheerful manner.

**§ 254.04 INDEMNIFICATION AGAINST LAWSUITS AND CLAIMS.**

- (a) If there is no liability or other insurance in place that provides coverage against claims made against any elected official, appointed official or employee of the village, the village shall hold harmless and indemnify such elected official, appointed official or employee from any lawsuit or claim filed against him or her as a result of his or her conduct while acting in his or her official capacity as an official or employee of the village, provided that the official or employee has not acted in a malicious manner, has not acted in a manner beyond the scope of his or her employment and/or has not acted in a manner known or that should have been known to him or her to be improper, illegal or that disregards his or her duties and/or responsibilities to the village.
- (b) The village's legal counsel will review the matter with the employee or official against whom the claim is made to obtain said employee's or official's version of the facts surrounding the claim. However, nothing in this section shall obligate the village to consult with or obtain the permission of any official or employee prior to settling or otherwise resolving any claim made against such official or employee.
- (c) If any claim is made for which the village has responsibility pursuant to subsection (a) hereof, the village shall also pay and be responsible for the attorney fees and expenses of suit, provided that the village shall have the sole and exclusive right to choose the attorney who will represent the village and the official or employee involved.

**§ 254.05 OVERTIME.**

- (a) With the exception of hourly employees of the Village of Jefferson Police Department, all hours worked outside a full time employee's scheduled 40 hours of work shall be paid at one and one halftimes the employee's normal hourly rate of pay. In addition any other employee who works more than 40 hours in a work week is entitled to overtime pay for all hours worked in excess of 40 hours at one and one halftimes their normal rate of pay. With respect to hourly employees of the Village of Jefferson Police Department only, all hourly employees of the Village of Jefferson Police Department who work more than 80 hours in a work period are entitled to overtime pay for all hours worked in excess of 80 hours in that work period at one and one half times their normal rate of pay. With respect to all hourly employees for the Village of Jefferson, absences during a work week or work period due to unpaid leave, disciplinary time off, and sick leave are not included as hours worked for purposes of determining an employee's entitlement to overtime pay.
- (b) Full time employees who are scheduled to work Monday through Friday as work days and have to work on a day scheduled off as a holiday will be compensated for working on that holiday at a rate one and one-half times their normal rate of pay.
- (c) Full time employees, part time employees and auxiliary/seasonal/temporary employees who are scheduled to work on Saturday and/or Sunday will be paid one and one-half times their normal rate of pay for working on the actual holiday rather than a scheduled Monday or Friday holiday being observed by those who work a Monday through Friday schedule.

**§ 254.051 CALL-OUT TIME.**

- (a) Each hourly employee of the village, except hourly employees of the Village of Jefferson Police Department, shall be entitled to the sum of \$25 plus an hourly rate of one and one-half his or her regular hourly rate for the number of hours actually worked for any call-out by his or her supervisor, the Village Administrator, or the Mayor outside of regular working hours for that employee. In emergency situations the police duty officer may call out individual employees directly.
- (b) Each hourly employee of the Village of Jefferson Police Department shall be entitled to the sum of \$25 plus an hourly rate of one and one-half his or her regular hourly rate for the maximum of two hours of hours actually worked for any call-out by his or her supervisor, the Village Administrator, or the Mayor outside of regular working hours for that hourly employee of the Village of Jefferson Police Department with any remaining hours worked during the call-out in excess of two hours being paid at that employee's regular rate of pay, provided the call-out notice to the hourly employee of the Village of Jefferson Police Department was received less than four hours prior to the time designated for the employee to report to work for the call-out.
- (c) For purposes of this section, a call-out shall mean a request for emergency assistance requiring an employee to report to a work site during that employee's off duty time or day off to respond to an emergency situation that requires an immediate response to protect life and property. In the event there is a dispute as to whether an employee should be paid for a call-out pursuant to this section, the employee's department head and/or the Village Administrator shall have the authority to decide whether the work performed by that employee was pursuant to a call-out as defined above.

**§ 254.052 COURT APPEARANCE TIME.**

- (a) Each full time police officer scheduled to appear in court on an off-shift time will be paid the greater of a two hour minimum at overtime pay or the actual time worked at overtime pay.
- (b) Part time - Class A and part time - Class B police officers scheduled to appear in court on an off-shift time will be paid the greater of a two hour minimum at their normal rate of pay or the actual time worked at their normal rate of pay.

**§ 254.06 COMPENSATION AND CLASSIFICATION GENERALLY.**

- (a) *General.* Employees shall be compensated as determined from time to time by Council. Before a salary is effective, an employee classification must be recommended by the Mayor and/or the Village Administrator to Council and must be approved by a majority of Council.
- (b) All employees shall have all income taxes withheld from their wages and shall be enrolled in the appropriate retirement system as dictated by state law.
- (c) Part time - Class B shall receive their hourly pay and PERS funding, but do not receive holiday pay, uniform allowance, vacation pay, personal day pay, longevity pay, bereavement pay, sick leave pay, or jury duty pay.
- (d) *OPERS and OPFPF contribution.*
  - (1) Generally, all employees, except full time fire and full time police are required to be a member of the Ohio Public Employee Retirement System (OPERS). The village will pay an amount equal to 10% of the employee's regular salary, before taxes, to the appropriate retirement system (OPERS or Ohio Police

and Fire Pension Fund (OPFPF)), as the employee contribution to same and the employee will pay any contribution required in excess of 10%. An employee shall not have the option to take cash in lieu of this pension plan contribution.

(2) The village will pay the required contribution on behalf of employees each month. Generally, full time police and fire personnel participate in OPFPF, and have Employee contributions deducted from net earnings after taxes are applied.

(3) Part time - Class A and part time - Class B police officers shall participate in OPERS. Part time fire personnel participate in Social Security (FICA) instead of OPERS or OPFPF. This obligation to pay 10% of the employee's regular salary to the appropriate retirement system shall not apply to volunteer firemen unless the volunteer firemen qualify to participate in OPFPF.

#### **§ 254.061 MEDICAL, HOSPITAL, PRESCRIPTION, LIFE, DENTAL, AND VISION INSURANCE FOR FULL TIME AND PART TIME CLASS A EMPLOYEES.**

(a) *Health insurance.*

(1) The village shall pay 100% of the premium for full-time and part-time Class A employees to enroll in the village health insurance group plan, which is known as a "Qualifying High Deductible Health Plan."

(2) For each full-time and part-time Class A employee enrolled in the village's "Qualifying High Deductible Health Plan" with family coverage: the village shall contribute 50% of the IRS pretax limit, to a "Single Health Savings Account" (HSA).

(3) For full-time and part-time Class A employees on a "Qualifying High Deductible Health Plan" with single coverage: the village shall contribute 50% of the IRS pretax limit, to a "Single Health Savings Account" (HSA).

(4) Each full-time and part-time Class A employee who refuses village provided health insurance must show group coverage from another insurance carrier to opt out of the village plan. The village shall contribute \$4,150 into the deferred compensation plan of an employee who properly opts out of the village provided health insurance.

(b) *Dental and vision insurance.*

(1) The village shall pay 100% of all full-time and part-time Class A employees' dental coverage premium.

(2) Full-time and part-time Class A employees shall be responsible for 100% of the vision insurance premium.

(3) Any full-time or part-time Class A employee not accepting village provided dental and vision insurance must show group coverage from another insurance carrier.

(c) *Life insurance.*

(1) The village shall contribute 100% of the premium for \$25,000 of single life insurance coverage and \$25,000 of accidental death and dismemberment (AD&D) insurance coverage for all full-time employees.

(2) Full-time employees on family plan health insurance may secure a family life insurance policy by paying the difference in premiums between the single person life insurance premium and the family life insurance policy premium.

(3) Part-time Class A employees shall be entitled to the payment of premiums for life insurance and AD&D insurance.

**§ 254.062 MEDICAL, HOSPITAL, PRESCRIPTION, LIFE, DENTAL, AND VISION INSURANCE FOR PART TIME CLASS B EMPLOYEES.**

Part-time Class B employees shall not be eligible for medical, hospital, prescription, life, dental, and vision insurance paid by the village, but are able to participate in the federally-mandated health insurance as its provisions are implemented.

**§ 254.063 VACATIONS AND HOLIDAYS.**

(a) *Full-time employees.*

(1) A full-time employee is defined as an individual employed on a 40 hour per week, nine-, ten-, 11-, or 12-month basis per fiscal year; or an individual employed an average of not less than 30 hours per week on a 12-month contract shall be considered a full-time employee.

(2) Each full-time employee shall be eligible for vacation leave paid at the full-time employee's regular base rate on the basis of time earned or accrued in accordance with the following schedule:

<i>Length of Continuous Service</i>	<i>Rate of Earned Vacation</i>
Upon completion of the first year of employment	80 hours with full pay
Second year through fifth year	3.077 hours per biweekly period for an annual total of 80 hours
Sixth year through tenth year	4.615 hours per biweekly period for an annual total of 120 hours
Eleventh year through twentieth year	6.154 hours per biweekly period for an annual total of 160 hours
Twenty-first year through separation or retirement	7.690 hours per biweekly period for an annual total of 200 hours

(3) Any full-time employee hired shall be granted years of service credit for that full-time employee's prior full-time employment with the State of Ohio or any other political subdivision thereof for purposes of determining and computing that employee's entitlement to vacation accrual under division (a)(2) above. The aforementioned vacation accrual based upon the granting of a full-time employee's prior years of service shall only take effect after that employee's first year of employment with the village or upon Council's approval of the service credit, whichever is later. The granting of years of service credit for a full-time employee as contemplated herein shall occur upon the approval of same by Council after Council has received, reviewed and verified all supporting documentation provided by the full-time employee seeking the years of service credit. The accrual rate will take effect the pay cycle after an employee's first year of employment with the village or upon Council's approval of the service credit, whichever is later.



(4) A full-time employee is entitled to compensation at that full-time employee's current rate of pay, for any earned but unused vacation leave that the full-time employee has accrued at the time of the full-time employee's separation or retirement, up to a maximum of 240 hours.

(5) Accrued vacation leave may be carried forward, but total vacation leave time in any period is limited to no more than six weeks or 240 hours. If an employee is estimated to exceed the maximum 240 hours during the upcoming year, that employee must schedule 80 hours of vacation leave time within the first six months of the calendar year.

(6) Vacation leave time must be scheduled ten (10) days ahead of time and may need to be rescheduled if an emergency in the village or department requires attendance at work, or as staffing needs dictate, at the discretion of the supervisor.

(b) *Part-time employees.* Part-time employees are not eligible for and do not accrue vacation leave.

(c) *Holidays.*

(1) Each full-time employee with at least 60 days of service prior to when the holiday occurs, shall be entitled to eight hours or prorated hours (for those who work less than 40 hours per week) of holiday pay for the following holidays:

New Year's Day	Martin Luther King, Jr. Day
Presidents' Day	Memorial Day
Juneteenth	Independence Day
Labor Day	Columbus Day
Veterans' Day	Thanksgiving Day
Day after Thanksgiving Day	Christmas Day

(2) If any of the foregoing holidays falls on a Saturday, the Friday immediately preceding shall be observed as the holiday. If any of the foregoing holidays falls on a Sunday, the Monday immediately succeeding shall be observed as the holiday. However, when the actual holiday falls on a Saturday or Sunday, employees who are entitled to holiday pay and scheduled to work Saturday or Sunday will be paid holiday pay on the actual Saturday or Sunday date not the observed Friday or Monday date.

(3) Each eligible employee shall be entitled to two hours off, with pay, on Good Friday.

(4) Each eligible employee shall be entitled to four hours off, with pay, on the day before the Christmas Day holiday.

(5) Each eligible employee, after one year of service, shall be entitled to two personal days (eight hours each) of leave in addition to the holidays and time off set forth in division (c)(1) through (4) above. Such personal days, however, cannot be accrued.

(6) An employee entitled to holiday pay when on vacation, paid sick leave, or other paid leave will be paid holiday pay, not sick, vacation, or other paid leave pay. An employee shall not be paid for a holiday during an unpaid leave of absence or disciplinary action.

(7) *Payment to an estate upon death.* When an employee has earned regular pay, holiday pay, vacation pay or sick pay, and dies before receiving payment for same, his or her estate shall receive the pay that has accrued.

(8) For each holiday described above, eligible employees shall receive their normal hourly rate as holiday pay, regardless of whether or not they performed actual work on that holiday.

#### **§ 254.07 LONGEVITY COMPENSATION.**

(a) All full time and part time - Class A hourly and salaried employees shall receive longevity pay as provided in this section.

(1) A full time employee qualifies for longevity pay only upon completion of two continuous, uninterrupted years of employment service with the village, so that no village employee with less than two years of continuous service qualifies or is eligible for longevity pay under this section until attainment of such two years of continuous service. In no event shall an employee receive in excess of \$2,500 per longevity period in longevity pay. A longevity period is defined as a one-year period commencing with the employee's anniversary date and ending with the same. For purposes of application of this section, the date that a given employee commenced employment service with the village shall be deemed to be his or her anniversary date. The longevity pay amount for an eligible full time employee shall be determined by multiplying \$100 times the number of such employee's continuous years of service with the village, minus one year (the Provisional year).

(2) Part time - Class A employees who complete two continuous, uninterrupted years of employment service and at least 1,664 hours each year qualify for longevity compensation. The longevity pay amount for a part time - Class A employee shall be determined by multiplying \$100, prorated according to their hours worked in the calendar year, times the number of employee's continuous years of service with the village, minus one year (the Provisional year).

(3) Employees entitled to longevity pay may elect to receive the payment thus determined in a lump sum, less lawful deductions, on the anniversary of their second year and each year thereafter. Alternatively, the employee may receive the longevity payment in equal installments commencing at the beginning of their third year, to be received along with his or her regular pay during the year following their qualifying anniversary date.

(b) Upon termination for any reason, an employee shall be entitled to receive a prorated share of what the longevity pay would have been had the employee lasted in service to the next anniversary date. Service requirements for advancement with pay ranges as provided in this section means continuous service, which means employment in the village service without break or interruption. Approved sick leave, approved maternity leave, National Guard service, military or Peace Corps service, and approved leaves of absence with or without pay, do not serve to interrupt continuity of service. Where an interruption of service does occur, consisting of all other absences without leave in excess of three working days in any one calendar month, the employee shall be assigned a new anniversary date. An interruption in continuity of employment shall occur for any employee who works less than 720 hours in a longevity period.

#### **§ 254.08 DEFERRED COMPENSATION PLAN.**

(a) The village has in the past and may in the future adopt deferred compensation plans in the form specifically set forth and described in past and future village resolutions passed by Village Council for that purpose.

(b) Village Administrator and Village Clerk-Treasurer are specifically authorized to execute, on behalf of the village, all documents necessary to implement a deferred compensation plan approved by Village Council by a specific resolution for such plan.

(c) The assets of any deferred compensation plan adopted by the village shall be held in trust, with the village serving as trustee, for the exclusive benefit of the plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose.

(d) Any deferred compensation plan adopted by the village will permit loans.

(e) The village agrees to serve as trustee under any deferred compensation plan adopted by the village.

(f) The Clerk-Treasurer shall be the coordinator for any deferred compensation plan adopted by the village; shall cast, on behalf of the village, any required votes under any trust related to the approved plan; and, in conjunction with the Village Administrator, is authorized to execute all necessary agreements with the manager of the deferred compensation plan incidental to the administration of the plan. Administrative duties to carry out the plan may be assigned to the appropriate departments.

#### **§ 254.09 FLEXIBLE BENEFITS PLAN.**

The Village Council hereby adopts the flexible benefits plan (consisting of the flexible benefits plan document, the adoption agreement, and component benefits plan and policies) for the village, effective as of June 29, 1996.

#### **§ 254.10 LEAVES.**

(a) *Sick leave.*

(1) Full time and part time - Class A employees of the village shall be credited with sick leave of .0575 hours for each one hour of work. Employees may use sick leave, upon approval of the responsible administrative officer of the village, for absence due to personal illness, pregnancy, injury, exposure to contagious disease, which could be communicated to other employees, and to illness, injury, or death in the employee's immediate family. 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 and the employee will be paid his or her normal hourly rate. The previously accumulated sick leave of an employee who has been separated from the public service shall be placed to his or her credit upon his or her re-employment in the public service, provided that such re-employment takes place within ten years of the date on which the employee was last terminated from public service. An employee who transfers from one public agency to another shall be credited with the unused balance of his or her accumulated sick leave up to the maximum of the sick leave accumulation permitted in the public agency to which the employee transfers. If the sick leave exceeds three days, the Mayor and/or the Village Administrator shall require an employee to furnish a satisfactory written, signed statement to justify the use of sick leave. A certificate stating the nature of the illness from a licensed physician shall also be required to justify the use of sick leave in excess of three days. Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action, including dismissal. The village maintains the right to investigate any employee's absence.

(2) If any employee of the village engages in any form of activity while on sick leave from the village, which is inconsistent with the employee's claimed reason for the sick leave, said employee's sick leave shall immediately terminate.

(3) This section does not interfere with existing unused sick leave credit in any agency of government where attendance records are maintained and credit has been given employees for unused sick leave.

(4) Unused sick leave shall be cumulative without limit.

(5) Upon retirement, any employee of the village who has accumulated sick time shall be compensated at a rate of one day's pay for each four days of sick leave.

(b) *Bereavement leave.* Each full time and part time - Class A employee shall receive three pro-rated days off, with pay, after the death of an immediate family member - spouse, children, grandchildren, grandparent, parent, brother or sister, (including in-laws) step father, step mother, half brother, half sister - for the purpose of attending the funeral of the deceased. The Mayor or Village Administrator must approve special circumstances for unpaid bereavement.

(c) *Military leave.*

(1) In accordance with state law, any employee who presents official orders requiring his or her attendance for a period of training or other active duty as a member of the United States Armed Forces shall be entitled to military leave. Such military leave shall be in addition to and may not be concurrent with authorized vacation leave. Any employee who enters extended military service with the Armed Forces shall be granted a leave of absence without pay to extend until 90 days beyond the termination of such military service.

(2) It is the intent of this division to effect exact compliance with the provisions of the Universal Military and Service Act, 50 U.S.C. 459, and the provisions of such Act, as amended, are hereby incorporated herein by reference.

(3) Nothing in division (c)(1) hereof shall be construed to require the village to hold a job for or grant any leave of absence to, any employee of the village who voluntarily enlists in any branch of the United States Armed Forces or who volunteers to go on active duty while in the reserves.

(4) Employees who belong to military-reserve units and who are required to spend two weeks per year in training shall notify their immediate supervisors of the dates scheduled for such training upon learning of them. An employee will be paid the difference between his or her regular salary and the total amount received for military reserve time.

(5) If an employee is called into active duty and placed on military leave, the employee's medical, hospital, prescription, life, dental, and vision insurance benefits will continue until the employee is covered by military insurance.

(6) Military service time shall be counted as village service for the purpose of determining vacation benefits.

(d) *Absence without leave.* All unauthorized and unreported absences shall be considered absence without leave and a deduction of pay shall be made for the period of absence. Such absence may be grounds for disciplinary action. An unauthorized leave for three or more consecutive working days may be considered by the department head as an automatic resignation.

(e) *Return to service after unpaid leave of absence.* An employee returning after a leave of absence without pay shall be reinstated in his or her former position. However, if the Mayor and/or the Village Administrator, during such absence, found it necessary to fill the position and notified the absent employee to this effect, and if, further, the latter refused, in writing, to curtail his or her leave and return to work, or failed to respond to his or her notification, then it is not required that such employee be reinstated in his or her former position.

(1) Upon the written request of a permanent employee, the Village Administrator and/or Mayor may grant the employee a leave of absence without pay.

(2) The maximum duration of a leave of absence without pay for personal reasons of the employee shall not exceed six months.

(3) The maximum duration of a leave of absence without pay for purposes of education, training or specialized experience which would benefit village service, or for other related reasons shall not exceed two years.

(4) The authorization of a leave of absence without pay is solely a matter of administrative discretion, and each request will be decided by the Mayor and/or the Village Administrator, based upon the merits of the request.

(5) When an employee fails to return to work upon the expiration of an authorized leave of absence without pay, that employee shall be considered as having resigned from the position.

(6) An employee who has received an authorized leave of absence without pay does not earn sick, vacation or longevity credit. However, time spent on the leave of absence may be considered in determining length of service for purposes where tenure is a factor and may be considered for promotion purposes.

(7) If it is determined that an employee is abusing the leave of absence and not actually using the leave for the purpose specified, the Mayor and/or Village Administrator may cancel the leave and provide the employee with a written notice directing the employee to report for work.

(8) Persons who are on an authorized leave of absence may continue their hospitalization insurance coverage only by paying the premium in full to the Clerk/Treasurer. The employee is fully responsible for payment of such premium.

(f) *Family leave: the Family and Medical Leave Act (FMLA)*. Available to employees as provided by federal law.

(g) *Jury or witness duty.*

(1) Each full time and part time - Class A employee who is called to and reports for jury or witness duty during regularly scheduled work hours shall be compensated at his or her regular straight time rate, less any moneys received for such duty and/or travel expenses.

(2) If jury or witness service is for a period of time less than the employee's regularly scheduled work day, he or she shall be excused only for that portion of the day required for such service, plus reasonable time for travel and changing clothes. No overtime shall be granted to employees performing such duties.

(3) In reference to appearances at hearings before a court, legislative committee or judicial or quasi-judicial body, such appearances shall be considered leave with full pay only if the appearance is the result of village employment and approved by the village.

(h) *On-duty injuries*. Any employee who is injured on the job may be paid to the extent of one working day (the day the injury is sustained) for each new and separate injury, in addition to and prior to the use of sick leave accumulation. Such injury leave shall be in accordance with the following rules:

(1) An on-duty injury of any nature shall be immediately reported to the department head that in turn shall immediately report the incident to the village offices. The accident report form shall include a brief description of the accident and injury in the "remarks" section and shall be sent to the Mayor and/or the Village Administrator. The length of injury leave shall be based on the written verification of the employee's standing physician; such verification shall be provided to the Mayor and/or the Village

Administrator within 48 hours of the injury. To confirm the projected length of injury leave, the village may require that the employee be examined by a physician designated and paid for by the village. If there is a difference of opinion between the employee's physician and the village's physician concerning the length of injury leave, the opinion of the village's physician will take precedence.

(2) When an employee is unable to work as a result of an on-duty injury, the department supervisor shall cause to be filed an application for workers' compensation for the employee.

(3) An injured employee may elect to use accrued sick leave and vacation leave prior to receiving payments from Worker's Compensation. Employees may not receive payment from sick leave while simultaneously receiving payment from Worker's Compensation.

(4) Where disability caused by an on-duty injury continues for a period of 12 months after the use of all sick leave and vacation time accrued and due, the employee shall apply for disability retirement.

(5) As soon as it is determined by the employee's physician or the village's designated physician that the injured employee is able to return to full duty, the village may require the employee to report to work and terminate injury leave. The village will require a written determination of the employee's ability to return to work by a physician at least at the beginning of each 30 day interval and more often if warranted. Again, if there is a disagreement between the employee's physician and the village's physician concerning the employee's ability to work, the opinion of the village's physician takes precedence.

(6) The village shall require the employee to furnish medical proof or submit to medical examination by the village and at the village's expense to determine whether a subsequent injury is a new and separate injury or an aggravation of a former injury sustained while in village service.

(7) Leave of absence without pay may be granted by the department head with the approval of the Mayor and/or the Village Administrator, for off-duty injuries, illness or temporary physical disability.

(i) *Administrative leave with pay.*

(1) An appointing authority may, in their sole discretion, place an employee on administrative leave with pay when the health or safety of an employee or any person or property entrusted to the employee's care could be adversely affected.

(2) The length of administrative leave with pay granted under this section is solely in the discretion of the appointing authority but it shall never exceed the length of the situation for which the leave was granted.

(3) Compensation for an employee placed on administrative leave with pay shall be equal to the employee's current base rate of pay and the employee shall retain benefits of employment, including the accrual of leave and service credit.

(4) Time spent on administrative leave with pay shall not be used toward calculating hours worked for overtime purposes.

(5) An employee placed on administrative leave with pay must always be in workready status during their regularly scheduled work time and must be able to report to work on short notice.

(6) An employee on administrative leave with pay may be separated if during their administrative leave he/she accepts any other employment without prior approval of the village, files for unemployment compensation, or, upon return from leave, refuses a job reassignment from the village.

(7) An employee placed on administrative leave shall return all village property on or before the last workday, unless otherwise permitted by the appointing authority.

(8) For the purposes of this division, the appointing authority for the village departments shall be as follows:

- A. Mayor - Police Department, Fire Department, and Administrator.
- B. Clerk-Treasurer - Income Tax Department.
- C. Administrator - All other departments.

**§ 254.11 TRAVEL ALLOWANCE.**

(a) Reimbursement may be made for travel when an employee or village officer uses his or her own vehicle, subject to the following standards and conditions:

(1) *TRAVEL* means trips required in the performance of official business, beginning, and ordinarily ending, at the village limits. Travel within the village limits is not compensable under this section.

(2) There is no official vehicle available or suitable at the time.

(3) Such travel is authorized in advance by the Mayor, or Village Administrator or department heads and other officials, and by department heads, for department employees.

(4) The authorized vehicle owner and operator assume all costs of operation during such travel.

(5) Reimbursement shall be made at the standard mileage deduction allowance rate set annually by the Internal Revenue Service for taxpayers who use their automobiles for business purposes. An account of all travel shall be submitted at the conclusion of the trip on an official form reporting the date, trip purpose, speedometer reading, make and license number of the vehicle and signature of the traveler with countersignature of the Mayor or Village Administrator.

(b) Travel under this section is contemplated only occasionally and only nominal funds are budgeted. Review of travel frequencies and fund balances should be made by authorized officials.

**§ 254.12 REGULATIONS AND REIMBURSEMENT RULES FOR TRAINING, CONFERENCE, CONVENTION, AND MEETING FEES AND EXPENSES.**

(a) Any elected official, appointed municipal officer, commission member, board member, deputy, assistant, or employee of the village may attend, at the expense of the municipal corporation, any conference, trade show, training session, meeting, convention, seminar or college class, relating to municipal affairs, and in their area of responsibility if authorized by the Supervisor, Village Administrator and/or Mayor, and having funds certified by the Clerk-Treasurer, and confirmed by Council.

(b) The following shall be the rules, regulations, rates and amounts of reimbursements to be paid to village officers and employees for attendance at any approved and authorized session and while on village business:

(1) Prior to attending a training session, meeting, conference or convention, individuals must present a request form with an estimate of expenses and the account to which they are to be charged. The request form must be approved by the Supervisor, Village Administrator and/or the Mayor and confirmed by Council. Approved requests will be presented to the Clerk-Treasurer for certification that funds are appropriated and available. The Clerk-Treasurer will issue a purchase order or issue a cash advance.

(2) When time is of the essence the Mayor and/or Village Administrator have the authority to approve attendance to training sessions, conferences, conventions, and meetings and then advise Council after the fact.

(3) Receipts covering expenses should be obtained in all instances. These receipts should be presented with the expense account voucher to the Clerk-Treasurer when requesting payment of expenses.

(4) The village will pay the actual cost of overnight lodging when it is necessary in the furtherance of village business, upon the presentation of the receipt showing payment for such lodging. It is the policy of the village to encourage conference attendees to stay at the lodging facility where the conference attended is being held. If an employee's spouse also attends, no reimbursement will be made for his or her added costs.

(5) Registration fees in connection with attending a meeting, conference or convention will be considered as part of the attendance expense and will be paid by the village after proper documentation is presented to the Clerk-Treasurer.

(6) Any official trip on municipal business in excess of 50 miles one way shall require Council approval before the individual shall be entitled to reimbursement of expenses by the village.

(7) The village will pay the actual cost of meals, plus a 15% tip when necessary in the furtherance of village business, up to a maximum daily amount of \$47.50 per day for all meals upon the presentation of receipts showing payment for such meals. No alcoholic beverages will be covered for reimbursement.

(8) Upon the submission of an expense account voucher, signed by a claimant, showing the necessary miles traveled on village business, the village shall pay car mileage allowance at the standard mileage deduction allowance rate set annually by the Internal Revenue Service for taxpayers who use their automobiles for business purposes, subject to current policies and practices related to total mileage as may be specified from time to time in the ordinances and resolutions of Council. Turnpike tolls and parking fees will be considered extra expenses, for which there will be reimbursement to the officer or employee.

(9) If village officers or employees attend training sessions, conventions, conferences, or meetings or are otherwise on village business outside the village, such officers or employees may obtain from the Clerk-Treasurer an expense advance by making a written request for such advance in an amount not to exceed the estimate of expenses also submitted. The Mayor, however, must approve such advance, and/or the Village Administrator and funds certified by the Clerk-Treasurer before it is issued.

(c) Such officers or employees shall within three days after their return from attendance at such training session, convention, conference, meeting or other village business, reconcile such advance with the Clerk-Treasurer by presenting the necessary receipts for expenses. If such an advance exceeded the actual expenses, the officer or employee shall return the excess to the village.

#### **§ 254.13 AUTHORITY TO OPEN SAFE DEPOSIT BOX.**

(a) Two officials of the village shall be present whenever the safe deposit box is opened.

(b) Any two of the following officials are hereby authorized to open the safe deposit box:

(1) The Clerk-Treasurer;

(2) The Administrator;

(3) The Mayor; or

(4) The Solicitor.



## § 254.14 LAY-OFFS, GENERAL RETIREMENT AND DISABILITY RETIREMENT

### (a) *Lay-offs.*

(1) An employee may be laid off because of a re-organization of a department, or for lack of work or funds. Whenever possible, an employee laid off from one village department shall be transferred to a suitable position elsewhere. Whenever possible, at least two weeks' notice shall be given an employee prior to lay-off. Lay-offs shall not be considered disciplinary actions.

(2) A person who has been laid off may be routinely recalled to work at any time within one year, provided the person remains qualified to perform the duties of the position.

### (b) *General retirement.*

(1) Any employee of the village who is eligible to retire under the applicable rules, regulations and statutes of the state shall be permitted to do so in accordance with the rules of the Public Employees Retirement System or the Police and Fire Pension System.

(2) Employees shall file with the Mayor and/or the Village Administrator a notice of their intent to retire, one calendar year prior to the anticipated retirement date. Although this notice should include a date certain regarding the retirement, it will not be the official notice of the date of retirement.

(3) Employees who intend to retire should file a formal retirement date with the Mayor and/or the Village Administrator at least two months prior to the actual effective date of the retirement. Employees who wish to continue their employment after the age of 70 shall submit an application for continued employment to the Mayor and/or the Village Administrator. The Mayor and/or Village Administrator will review the application and should he or she deem it necessary, order the employee to be examined by a physician. The decision of the Mayor and/or the Village Administrator shall be final.

(4) Any vacation earned by an employee and unused shall be paid to that employee at the time of retirement on the basis of one day's pay for each day of accumulated vacation.

(5) Should an employee have sick leave at the time of retirement, that employee will be compensated one day's pay for each four days of sick leave remaining.

### (c) *Disability retirement.*

(1) If a department head has reason to believe that an employee is no longer capable of performing his or her job, the department head may send a written request to the office of the Mayor and/or the Village Administrator asking for a review of the situation. The Mayor and/or the Village Administrator may appoint a committee to study the request and recommend whether or not an examination by a disinterested physician (selected and paid by the village) should be conducted to determine the employee's fitness.

(2) If the physician finds the employee to be unfit to continue working and the employee is eligible for disability retirement, the village will aid the employee in applying for disability retirement. If the employee is not eligible for disability retirement, then employee may be involuntarily disability separated.

(3) If the employee refuses, the village will apply upon the prescribed forms to the appropriate retirement board provided for in R.C. Chapter 145 or 742 for the disability retirement of the employee.

(4) The disability for which the retirement allowance is being requested must have existed to some degree, as evidenced by medical records, prior to the application for retirement.

(5) Such retirement board will have its physician determine whether or not the employee is mentally or physically incapacitated for the performance of duty by a disabling condition, either permanent or presumed to be permanent. Such disability must have occurred since the employee last became a member of the retirement system, or must have increased since such employee last became a member, to such extent as to make the disability permanent or presumed to be permanent.

(6) If the retirement board's physician determines that the employee qualifies for retirement by reason of disability, and the retirement board concurs with such determination, the employee shall be retired for disability and the action of the board shall be final.

(7) If the village files a disability retirement application to retire an employee on disability retirement, and if the physician selected by the retirement board reports to the board that the employee is physically and mentally capable of performing service, then the employee shall retain his or her present position and shall be required to return to work and perform at a competent level.

**Section 2.** That any and all ordinances or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

**Section 3.** That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council, or any of its committees, which resulted in such formal actions, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 4.** That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare, and safety of the inhabitants of this Village, and to provide guidance for the management of the Village's personnel.

**WHEREFORE**, this Ordinance shall take effect and be in force from and immediately upon its passage.

**Passed by Council on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.**

\_\_\_\_\_ Yeas      \_\_\_\_\_ Nays

**AUTHENTICATION:**

\_\_\_\_\_  
Patricia A. Fisher  
Clerk/Treasurer of Council

\_\_\_\_\_  
James Chiacchiero  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**APPROVED AS TO LEGAL FORM:**

\_\_\_\_\_  
Jason L. Fairchild, Esq.  
Village Solicitor

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**VILLAGE OF JEFFERSON  
EMPLOYEE HANDBOOK/PERSONNEL POLICY  
MANUAL**

Effective as of January 1, 2025  
Drafted November 27, 2024

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**SECTION 1  
INTRODUCTION**

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<b>Section 1.2</b>	<b>Dissemination and Instruction</b>
<b>Section 1.3</b>	<b>Policy Changes and Interpretations</b>
<b>Section 1.4</b>	<b>Disclaimer and Savings Clause</b>
<b>Section 1.5</b>	<b>Management Rights</b>

## SECTION 1.1 SCOPE AND PURPOSE OF POLICIES

### A. SCOPE OF COVERAGE

This Personnel Policy Manual (“Manual”) contains policies for all employees of the Village of Jefferson (“Village”). The policies contained in this Manual are subject to, and in accordance with, the laws of the Village of Jefferson, the State of Ohio and the United States of America. In the event of a conflict between a specific policy statement in this Manual and Village, State or Federal law, the law will prevail. In the event of a conflict between a specific policy statement and any provision of any other employment-related contract, the provisions of the other employment-related contract will prevail. Should any provision of this Manual be found to be unenforceable and invalid, such finding will not invalidate the entire Manual, but only that particular provision.

**THIS MANUAL IS NOT AN EMPLOYMENT CONTRACT. NOTHING IN THIS MANUAL NOR ANY INTERPRETIVE OR ENFORCEMENT COMMUNICATION SHOULD BE CONSTRUED TO GRANT A GUARANTEED RIGHT TO CONTINUED EMPLOYMENT OR BENEFITS.**

### B. PURPOSE OF POLICIES

It is the Village’s philosophy that well-written, comprehensive personnel policies positively impact the recruitment and retention of qualified, competent employees. To that end, the policies and procedures in this Manual are designed to:

1. Aid Village administrators charged with the responsibility for the equitable and non-discriminatory application of the conditions of employment;
2. Promote high morale and foster good working relationships among employees by providing personnel policies based on a foundation of respect for employee contributions and concern for employee welfare;
3. Provide fair and equal opportunity for qualified employees to enter and progress in service based upon merit and fitness as determined through objective and practical personnel management methods;
4. Promote and secure a safe and healthy work environment, including the enforcement of Village regulations, ordinances and applicable Ohio Revised Code provisions, ensuring that all activities are conducted in an ethical and legal manner to promote the Village’s reputation as an efficient, progressive body in the region and State;
5. Enhance the attractiveness of a career with the Village and encourage each of its employees to give his or her best effort to the Village and the public; and
6. Put all employees on notice as to expected behavior while representing the interests of the Village.

## **SECTION 1.2      DISSEMINATION AND INSTRUCTION**

It is essential that a system be established for implementing and administering the policies contained in the Manual. To ensure that this is done properly, specific administrative procedures for implementation have been developed.

The specific administrative procedures for implementation and administration are as follows:

1. All employees are to be notified of the existence of these policies and the nature of the availability of these policies for their review;
2. Certain management level personnel shall be provided a copy of the Manual, as determined by the Mayor and/or Fiscal Officer;
3. The Mayor and/or Fiscal Officer shall keep a list of the names of those employees, and their job titles, who have received copies of the Manual;
4. All policies shall be compiled in a three-ring binder to allow for subsequent additions, deletions and/or revisions; or kept in an electronic format to accomplish same.
5. All revisions shall be issued by the Mayor and/or Fiscal Officer and copies distributed to Manual holders. For each revision, a memorandum shall be attached to inform the Manual holder which policy is being altered. The effective date of the new or revised policy shall appear on the revisions. The Manual holders shall then include the revised policy in their copies; and
6. All employees shall be required to read this Manual and each employee shall sign a statement that he or she has read this Manual. The signed statement shall be placed in the employee's personnel file, or recorded in electronic format files which can be produced as needed.



## **SECTION 1.3      POLICY CHANGES AND INTERPRETATIONS**

### **A.      CHANGES TO THE MANUAL**

1.      It is the intent of the Village to create and maintain personnel policies reflective of current laws, practices and trends.
2.      Adoption, revision or deletion of personnel policies requires approval by the Mayor, or his or her designee.
3.      The most recent version of a policy as adopted by the Village supersedes all previous policies and related interpretative communications.
4.      The Mayor, Fiscal Officer, or his or her designee, is charged with maintaining a complete, accurate, and up-to-date compilation of the approved personnel policies.
5.      In the case of an emergency or an adverse safety situation, the Mayor may implement or suspend policies without notice.

### **B.      POLICY INTERPRETATIONS**

Official policy interpretations are those approved by or provided directly by the Mayor and/or Fiscal Officer. There may be times when the Mayor and/or Fiscal Officer must give current policies a different interpretation from those interpretations previously made. The Mayor and/or Fiscal Officer have the right to change practices and policies, both written and unwritten, as business requires.

**SECTION 1.4      DISCLAIMER AND SAVINGS CLAUSE**

The policies set forth and adopted within this Manual supersede all previous written and unwritten Village policies. The policies contained in this Manual apply to all employees of the Village.

Questions regarding the interpretation and application of these policies shall be directed to the employee's immediate supervisor, or Fiscal Officer.

If any article or section of this Manual, or any amendments made thereto, shall be held invalid by operation of law or by a tribunal of competent jurisdiction, the remainder of this Manual and any amendments thereto shall not be affected, and shall remain in full force and effect.

## **SECTION 1.5      MANAGEMENT RIGHTS**

The Village reserves the right to manage the operation, control the premises, direct the working forces, and maintain the efficiency of operations in the Village. Specifically, the Village's rights include, but are not limited to, the following:

1. To hire, determine compensation of personnel, discipline, suspend, terminate, or reduce in pay or position any employee of the Village pursuant to applicable law;
2. To lay off employees for lack of work, job abolishment, or lack of funds;
3. To promote, transfer and select employees to fill job vacancies based on valid job selection procedures;
4. To reorganize, discontinue or enlarge any work station as deemed appropriate;
5. To choose and introduce new and/or improved equipment, facilities and work methods;
6. To classify, reclassify, establish, modify, consolidate or abolish jobs, except as modified herein;
7. To determine the size and number of employees in the workforce, the number of work shifts required, hours of employment, and work schedules;
8. To schedule overtime as well as to determine the amount required;
9. To determine the assignment of employees, number of employees, areas worked, and qualifications required, except as limited herein;
10. To add, delete, amend, and/or revise policies and procedures; and
11. Any other powers and obligations provided by law or by the virtue and authority of the office itself.

**SECTION 2  
EMPLOYMENT**

<b>Section 2.1</b>	<b>Equal Employment Opportunity</b>
<b>Section 2.2</b>	<b>Employment Status</b>
<b>Section 2.3</b>	<b>Vacancies</b>
<b>Section 2.4</b>	<b>Promotion</b>
<b>Section 2.5</b>	<b>On-Going Employment Eligibility</b>
<b>Section 2.6</b>	<b>Medical Examination</b>
<b>Section 2.7</b>	<b>Probationary Periods</b>
<b>Section 2.8</b>	<b>Employment of Relatives</b>
<b>Section 2.9</b>	<b>Employee Evaluations</b>

## SECTION 2.1 EQUAL EMPLOYMENT OPPORTUNITY

### A. STATEMENT OF COMMITMENT

1. The Village is an Equal Opportunity Employer.
2. The Village will not discriminate in employment-related decisions, including those affecting selection, compensation or benefits, discipline, evaluation or termination, based upon race, color, religion, creed, age, sex, national origin or ancestry, armed forces veteran status or having a qualifying disability that does not affect the individual's ability to perform the essential functions of a position with or without reasonable accommodation.
3. 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 ancestry, armed forces veteran status or qualifying disability.

### B. PRACTICES

1. External vacancy postings will be accessible to all members of the community and general public and will include a statement summarizing the Village's commitment to Equal Employment Opportunity.
2. The Fiscal Officer serves as the Village's Equal Employment Opportunity Officer. Employees who are personally affected or have first-hand knowledge of an alleged violation have a responsibility to report the incident or allegation to the Fiscal Officer or, in the event the allegation concerns the Fiscal Officer, to the Mayor. The Fiscal Officer or Mayor will conduct a timely and thorough investigation in accordance with the Complaint Procedure as set forth in Section 5.17, Harassment.
3. Employees proved to have engaged in discriminatory conduct or conspiring to conceal evidence of such conduct will be subject to disciplinary action, up to and including termination.
4. The Fiscal Officer shall maintain records and complete reports as required by the Equal Employment Opportunity Commission and/or Ohio Civil Rights Commission.

## SECTION 2.2 EMPLOYMENT STATUS

### A. FLSA STATUS

Positions in the Village are designated exempt or non-exempt in accordance with the Fair Labor Standards Act.

1. Exempt positions are those which meet the definitions for executive, administrative or professional positions as established in the Fair Labor Standards Act. These positions are exempt from the overtime pay provisions of the Act.
2. Non-exempt positions are those which do not meet the definitions for executive, administrative or professional positions as established in the Fair Labor Standards Act. The Village is required to pay overtime to employees assigned to non-exempt positions when they work over forty (40) hours in a work week.<sup>1</sup>

### B. EMPLOYMENT STATUS

1. 'Regular'/Permanent appointments are made for an indefinite period of time during which employees have consistent work schedules which are not interrupted by intermittent periods of less or no work. These position may be full-time or part time.
2. 'Interim' appointments are made in anticipation of a prospective vacancy due to retirement or a planned resignation or termination due to occur within one hundred and twenty (120) days of the appointment. Interim appointments are authorized to promote an efficient transition in positions where significant training or expertise is required.
3. 'Temporary' appointments are necessary to meet staffing needs of one (1) year or less. The Mayor may appoint a temporary employee in the event that a regularly appointed employee is unable to work for a limited period due to sickness, disability or for any other reason. The temporary assignment shall continue only as long as the absence of the regularly appointed employee, but shall not exceed one (1) year.
4. 'Intermittent' appointments address fluctuating levels or amounts of work. Intermittent employees work varying amounts from one pay period to the next and may not work at all in a pay period.
5. 'Seasonal' appointments address individuals hired to perform specific services in an industry which, because of climate conditions or because of the seasonal nature of the industry, is capable of operation only during recurring periods of 40 weeks

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<sup>1</sup> Other departments may establish other overtime schedules in accordance with the FLSA, i.e. the Police Department may use a different "work period" as defined by the FLSA.

and/or 1,400 hours or less in any consecutive 52-week period or 1,400 hours or less in any 2,080-hour period.

C. WORK HOURS

Positions in the Village are designated as full-time or part-time depending upon the number of hours worked. Employees working 40 hours per week or more are considered full-time, while employees working less than that are considered part time. Most benefits are only available to full-time employees.

## **SECTION 2.3      VACANCIES**

- A.     The Mayor or his or her designee has sole discretion to determine if a vacancy exists in accordance with Council manpower limits.
  
- B.     The Mayor or his or her designee shall publicly announce by appropriate means, all vacancies to be filled by other than promotion, transfer or reinstatement, and shall maintain a list of announced vacancies for public inspection.
  
- C.     Each announcement, insofar as practicable, shall specify the title, salary, nature of the job, required qualifications, type of selection procedure to be used, and the deadline for and method of application.
  
- D.     An application must be properly completed and submitted before an application will be considered for employment.



## **SECTION 2.4      PROMOTION**

- A. Factors to consider for promotion include, but are not limited to: an employee's completion of any required probationary period; required training courses; and/or annual performance evaluation ratings.
  
- B. Current employees interested in being considered for a promoted posted position or for a different posted position than the one the employee currently holds needs to complete the required documents prior to the end of the posting period.

## **SECTION 2.5 ON-GOING EMPLOYMENT ELIGIBILITY**

Employees are appointed subject to the following employment constraints. An offer of employment may be withdrawn or a current employee discharged if he or she no longer qualifies under these constraints. These are separate considerations from an employee's performance and/or ability to perform the essential functions of the job.

### **A. IMMIGRATION/CITIZENSHIP STATUS**

1. The Village will not discriminate in recruitment, hiring or discharge on the basis of a person's national origin or citizenship status. However, it will not knowingly employ any person who is, or becomes, an unauthorized alien.
2. A newly-hired employee must provide suitable documentation and complete INS Form I-9 to verify identify and employment eligibility.
3. A newly-hired employee refusing to provide documentation within three (3) business days of his or her start date or providing false documentation will be subject to discharge for cause.

### **B. COMMERCIAL DRIVER'S LICENSE**

Employees assigned to positions requiring an Ohio Commercial Driver's License (CDL) are required to maintain a valid, current CDL, including meeting the drug and alcohol testing requirements of the Federal Transportation and Safety Regulations.

### **C. MAINTAINING PROFESSIONAL LICENSURE**

An employee occupying a position requiring a current and valid professional license who does not maintain his or her licensure is subject to transfer, demotion or discharge.

## **SECTION 2.6      MEDICAL EXAMINATION**

- A. Physical and/or mental examination by a qualified physician may be required by the Village prior to and during employment to ensure that selected job applicants are physically and mentally able to perform the duties of the position for which they are applying or in which they are employed. Examinations may include any job-related examination determined to be a pre-employment requirement.
  
- B. The Village shall select the physician to administer the examination and shall pay the cost. Applicants may obtain a waiver of the medical examination requirement if the applicant is applying for a position that would result in his/her 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 or her state of health at the time of employment).
  
- C. Employees of specified positions may be legally required to submit to a regularly scheduled medical examination during their period of employment with the Village. Such an examination is intended to ensure that the employee continues to be physically and mentally able to perform the duties or his or her position.

## SECTION 2.7 PROBATIONARY PERIODS

- A. All new employees, promotions, or transfers shall serve a probationary period of at least six (6) months from the date of hire which may be extended for an additional six (6) month period by the Village. During the probationary period, the Department Head shall counsel the employee and extend the necessary direction and training to assist the employee through the job assignment process.
- B. HeadIf it is determined during the probationary period or any extended probationary period that the employee has not progressed sufficiently or the work being performed is not satisfactory, the employee shall not be retained.

If a promoted employee is removed from the new job classification, the employee may be returned to his or her former position or any open position in the job classification the employee occupied prior to his or her promotion or transfer

- C. New employees in their probationary period may be terminated with or without cause, and are not afforded the rights outlined in Section 6.1 (Corrective Action) and Section 6.2 (Pre-Suspension, Demotion or Termination Hearing) of this Manual. This policy is not intended to guarantee an employee any specific time period of employment.
- D. Newly hired employees are not eligible to receive an increase in compensation until after the successful completion of the probationary period, unless otherwise authorized.
- E. The Mayor or authorized designee shall ensure that the probationary period has been successfully completed by the employee, evidence of which will be documented in a formal performance evaluation placed in the employee's personnel file prior to any increase in compensation.
- F. The Mayor or his or her designee may extend the probationary period if deemed necessary.

## SECTION 2.8 EMPLOYMENT OF RELATIVES

- A. Generally, the Village will not employ members of the immediate family of current employees to work in the same work unit, or in a direct supervisor/subordinate relationship unless otherwise specified or authorized by the Ohio Revised Code. Notwithstanding the foregoing, if Council determines by a two-thirds vote of its members that the best interests of the Village will be served by an applicant's employment or promotion to a position that will cause him or her to be directly supervised by a member of his or her immediate family or will place him or her in a situation where a member of his or her immediate family can influence working conditions, hours or wage, then that applicant may be employed or promoted according provide such vote by Council is recorded as part of the official proceedings of Council.
- B. If two employees marry neither shall be required to resign or transfer unless the positions they occupy are in a direct supervisor/subordinate relationship.
- C. Changes in existing status or position of a permanent employee shall not be required if such relationship exists at the time of the adoption of this policy.
- D. For purposes of this policy, "immediate family" shall include parents, spouses, children (including step-children), cousins, grandparents, grandchildren, in-laws, aunts, uncles, and siblings (including step-siblings).

## SECTION 2.9 EMPLOYEE EVALUATIONS

### HeadHeadA. ANNUAL EVALUATIONS

Annual formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches to meeting goals.

The performance of all employees is generally evaluated according to an on-going 12-month cycle, beginning in January of each year.

### B. ADDITIONAL EVALUATIONS

Evaluations may also be completed after the following:

1. When the employee is transferred to a new job;
2. When the employee is assigned a new supervisor; and/or
3. At the time of the employee's termination.

### C. RECORDS

A copy of all such aforementioned evaluations shall be provided to the Department's appropriate Supervisor, the Administration, and the employee. The employee shall sign a copy of the evaluation which shall be maintained in the employee's personnel file.

### D. EVALUATION STANDARDS

1. Every employee must meet basic standards or performance in his or her work. At a minimum, he or she must fulfill the criteria established in the applicable job description adopted by Council for that position. The employee shall be evaluated on the following:
  - a. How well he or she is fulfilling the job criteria;
  - b. Quality and quantity of work;
  - c. Dependability;
  - d. Work habits;
  - e. Initiative;
  - f. Judgment; and

- g. Other factors as may be determined by the appointing authority and/or department head and/or supervisor.
- 2. Employee evaluations are confidential employee records which shall be maintained in the employee's permanent personnel file for a period of not less than five (5) years. Generally, the Employee's department head, supervisor, appointing authority, the Mayor, the Village Administrator and the employee are the only individuals entitled to access these materials unless other individuals are authorized access by other applicable law.
- 3. Employee evaluations may be used when considering personnel matters such as promotions, transfers, demotions, terminations and salary adjustments.

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**SECTION 3  
COMPENSATION AND HOURS OF WORK**

<b>Section 3.1</b>	<b>Hours of Work</b>
<b>Section 3.2</b>	<b>Pay Periods</b>
<b>Section 3.3</b>	<b>Overtime</b>
<b>Section 3.4</b>	<b>Payroll Deductions</b>



## SECTION 3.1 HOURS OF WORK

### A. REGULAR HOURS OF WORK

1. Generally, the Village's employees work Monday through Friday. The Village may establish alternative work schedules (i.e., ten (10) hour work days, etc.), including overtime and flexible starting and ending times, when necessary to ensure adequate staffing and provision of services.
  - a. Minor (less than eighteen years old) employees are scheduled to work in accordance with federal and state legislation governing the employment of minors.
  - b. Employees are not to begin work prior to the start of their shift or continue working past the end of their shift unless specifically authorized by the Mayor or other designated person.
2. *Break periods.* Two break periods not to exceed 15 minutes each are allowed per day, one in the morning and one in the afternoon. Department heads are responsible for scheduling break periods so as not to interfere with regular village work.

## SECTION 3.2 PAY PERIODS

### A. PAY PERIODS

The standard pay period shall consist of eighty (80) hours worked starting 12:01AM Sunday and concluding at midnight on Saturday, fourteen (14) calendar days later. There shall be normally twenty-six (26) pay periods per year, with the exception of those years in which twenty-seven (27) pay periods occur in a calendar year.

### B. TIME CARDS/TIMESHEETS/TIME SLIPS/PAYROLL RECORDS

All hourly employees are required to utilize the time clock facility daily when reporting to and from work, except in circumstances where the use of the time clock would be grossly inconvenient and impractical. Deviation from the use of the time clock for any employees shall only be granted by a resolution duly enacted by Council. Failure to use the time clock shall be grounds for disciplinary action up to and including termination. Falsifying time cards, timesheets, time slips or any other payroll records shall be grounds for disciplinary action up to and including termination. All employees' hours worked are to be recorded on time cards, timesheets, time slips or other payroll record. All time cards, timesheets, time slips and other payroll records must be turned in to the Fiscal Officer by noon on Monday following the end of the pay period. All time cards, timesheets, time slips and other payroll records are reviewed and approved by the Administrator or Department Head for accuracy prior to processing.

1. There shall be a six-minute grace period when reporting at the start of an employee's shift. Employees reporting within the grace period will not be considered late for purposes of disciplinary action unless it becomes a pattern.
2. Employee starting and stopping times shall be set by each department supervisor and posted for all employees to see. Employees reporting to work after their established start time shall have their wages docked for the actual time lost.
3. Tardiness will not be tolerated and may subject an employee to disciplinary action up to and including discharge from employment.
4. No employee is permitted to punch another employee's time card.
5. No employee is permitted to mutilate or otherwise tamper with his or her own or another employee's time card nor is an employee permitted to remove a time card from the immediate vicinity of the time clock without the approval of the supervisor.
6. No employee shall punch in earlier than five minutes prior to the normal starting time or later than five minutes after the normal quitting time without supervisor approval.
7. No employee is allowed to punch out early at the end of his or her shift. There is NO grace period granted before the normal quitting time.

Employees found to be in violation of any of the above may be subject to disciplinary action up to and including discharge from employment.

Department supervisors shall be responsible for maintaining the time cards, timesheets, time slips and/or other payroll records of employees under their supervision in a secure area. Department supervisors shall be responsible for supervising the preparation of biweekly payroll records from employee time cards, timesheets, and/or time slips and both the employee and supervisor shall sign the standard attendance form prior to submitting it to the Clerk-Treasurer.

C. PAY DAY

Pay day for all employees shall be the Friday following the end of the preceding pay period. All payroll shall be directly deposited into a bank account of the employee's choice.

Employees shall receive one (1) paycheck encompassing all remuneration due to that employee for the pay period.

C. PAY ADVANCES

Pay advances shall not be permitted.

D. PAYMENT ERRORS

Employees are responsible for reporting any errors in their paycheck (i.e., overpayments or underpayments) to the Finance Department as soon as possible. The failure to report a known payment error may result in disciplinary action. The Village reserves the right to credit or otherwise adjust an account made in error within a reasonable period of time.

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**SECTION 3.3 OVERTIME CALCULATION/CALL-OUT TIME/COURT APPEARANCE TIME**

**A. OVERTIME CALCULATION**

1. As discuss in Section 2.2, Non-Exempt employees will receive overtime in accordance with the Fair Labor Standards Act and Village Code Of Ordinances § 254.05.
2. Hours worked on a holiday are automatically paid at a rate of one and one-half (1.5) times the regular hourly rate of pay and thus, are not included when counting hours worked for the purpose of computing overtime in the work week.
3. Scheduled overtime that is subsequently canceled and not worked will not entitle the employee to any overtime compensation. Only overtime actually worked is compensable.
4. When attendance at meetings, conferences and training sessions is required outside of Ashtabula County by the Village, travel time and time actually spent in meeting sessions will be considered time worked for calculating overtime. Meal breaks will be counted as time worked only when the meal is an integral part of a required meeting. Travel or meeting time is not considered time worked if attendance at the meeting or class is optional.

**B. CALL-OUT TIME AND COURT APPEARANCE TIME**

Any employee entitled to compensation for Call-Out time and/or Court Appearance Time shall be paid pursuant to Village Code Of Ordinances §§ 254.051 and 254.052 whichever is applicable.

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## **SECTION 3.4 PAYROLL DEDUCTIONS**

Certain deductions are made from an employee's paycheck as required by law, in accordance with employee benefit plans, or as requested by the employee. These deductions are itemized on the employee's pay statement that accompanies each bi-weekly paycheck. Deductions may include, but are not limited to, the following:

A. PERS OR POLICE AND FIREMAN'S DISABILITY AND PENSION FUND

Federal law requires each employee to contribute a part of his or her income for social security benefits. The Village is empowered to forego social security and to replace it with a deduction for the Public Employees Retirement System or the Police and Fireman's Disability and Pension Fund as authorized in Village Code Of Ordinances § 254.06.

B. INCOME TAXES

Federal, State and Local governments require that taxes be withheld from each wage and/or salary payment. The amount of federal, state and/or local tax to be withheld is determined from tables furnished to the Fiscal Officer by those taxing entities, and varies according to the amount of wages and/or salary earned and number of dependency exemptions. Employees are required to complete withholding tax certificates upon initial employment and to inform the Village of any exemption change whenever such change occurs.

C. HEALTH CARE DEDUCTION

For those employees eligible and choosing to receive health care insurance provided by the Village, the employee's portion of the health care premium shall be automatically deducted from the employee's first paycheck, on a pre-tax basis, in each month in which the employee is receiving health care insurance from the Village as authorized pursuant to Village Code Of Ordinances §§ 254.061 and 254.062 as applicable.

D. MISCELLANEOUS DEDUCTIONS

Examples include garnishments, union dues, and other approved deductions. The employer may refuse to make deductions below certain prescribed minimum amounts, or at regular intervals, or for other cause which the Fiscal Officer deems not in the best interests of the Village.

**SECTION 4  
EMPLOYEE BENEFITS**

<b>Section 4.1</b>	<b>Vacation</b>
<b>Section 4.2</b>	<b>Sick Leave</b>
<b>Section 4.3</b>	<b>Holidays</b>
<b>Section 4.4</b>	<b>Bereavement Leave</b>
<b>Section 4.5</b>	<b>Jury Duty and Witness Pay</b>
<b>Section 4.6</b>	<b>Military Leave</b>
<b>Section 4.7</b>	<b>Leave of Absence</b>
<b>Section 4.8</b>	<b>Health Insurance</b>
<b>Section 4.9</b>	<b>Ohio Public Employees' Retirement System &amp; Ohio Police and Fire Pension</b>
<b>Section 4.10</b>	<b>Workers' Compensation</b>
<b>Section 4.11</b>	<b>Family and Medical Leave Act</b>
<b>Section 4.12</b>	<b>Reimbursement of Travel Expenses</b>
<b>Section 4.13</b>	<b>Additional Miscellaneous Benefits</b>

## SECTION 4.1 VACATION

### A. ACCUMULATION OF VACATION LEAVE

Only regular, full-time employees shall be eligible for vacation leave. Paid vacation shall not be available to part-time employees. The vacation eligibility schedule and amount credited per pay period is as follows:

1. Each full time employee, after service of one year with the village, shall have earned, and will be due upon attainment of the first year of employment, 80 hours (two weeks) of vacation leave with full pay.
2. Each full time employee, at the beginning of their second year of employment and continuing until the end of their fifth year of employment, shall accrue vacation at the rate of 3.077 hours per biweekly period for an annual total of 80 hours.
3. Each full time employee, at the beginning of their sixth year of employment and continuing until the end of their tenth year of employment, shall accrue vacation at the rate of 4.615 hours each biweekly period for an annual total of 120 hours.
4. Each full time employee, at the beginning of their eleventh year of employment and continuing until the end of their twentieth year of employment, shall accrue vacation at the rate of 6.154 hours each biweekly period for an annual total of 160 hours.
5. Each full time employee, at the beginning of their twenty-first year of employment and continuing until their separation or retirement from village employment, shall accrue vacation at the rate of 7.690 hours each biweekly period for an annual total of 200 hours.

Days specified as holidays in Section 4.3 of this Manual shall not be charged to an employee's vacation leave. An employee is entitled to compensation, at his or her current rate of pay, for the prorated portion of any earned but unused vacation leave for the current year to his or her credit at the time of separation, and in addition shall be compensated for any unused vacation leave accrued to his or her credit at the time of separation.

### B. USE OF VACATION LEAVE

1. Vacation time off must be scheduled ahead of time and may need to be rescheduled if an emergency in the village or department requires attendance at work, or as staffing needs dictate, at the discretion of the supervisor.
2. The period of vacation requested by all employees is subject to the prior approval of the employee's immediate supervisor.
3. If an employee has commenced vacation leave and subsequently becomes ill, the employee may not substitute sick leave for vacation leave.

C. ACCRUED VACATION LEAVE

1. "Accrued vacation leave" means days of earned vacation leave which an employee does not use during the one-year period following the one-year period of full-time employment in which the days were earned.
2. Employees who have accrued vacation leave shall be permitted to carry over accrued vacation leave from one year period to the following one year, however total vacation leave in any period is limited to no more than six weeks.
3. An employee is entitled to compensation at that employee's current rate of pay for any vacation leave that the employee has accrued at the time of the employee's separation or retirement, up to a maximum of 240 hours. In the event of an employee's death, the employee's estate shall be paid at that employee's current rate of pay for any accrued vacation leave that the full-time employee had at the time of the employee's death up to a maximum of 240 hours.

D. SERVICE CREDIT

Any full-time employee hired shall be granted years of service credit for that full-time employee's prior full-time employment with the State of Ohio or any other political subdivision thereof for purposes of determining and computing that employee's entitlement to vacation accrual under Section 4.1 A. above. The aforementioned vacation accrual based upon the granting of a full-time employee's prior years of service shall only take effect after that employee's first year of employment with the village or upon Council's approval of the service credit, whichever is later. The granting of years of service credit for a full-time employee as contemplated herein shall occur upon the approval of same by Council after Council has received, reviewed and verified all supporting documentation provided by the full-time employee seeking the years of service credit. The accrual rate will take effect the pay cycle after an employee's first year of employment with the Village or upon Council's approval of the service credit, whichever is later.



## SECTION 4.2 SICK LEAVE

The sick leave policy for all full-time employees of the Village, excluding elected officials, is hereby established as follows:

### A. SICK LEAVE CREDIT

Full-time employees of the village shall be credited with sick leave of .0575 hours for each one hour of work.

### B. USE OF SICK LEAVE

Employees may use sick leave for absence due to:

1. Personal illness, pregnancy, injury or exposure to contagious disease where quarantined by the Board of Health; or
2. Illness in the immediate family; employees may use up to fifteen (15) work days per year of earned and accumulated sick leave if necessitated by illness in the employee's immediate family. For purposes of this policy, "immediate family" shall be interpreted to be spouse, children, parents of the employee (regardless of place of residence) and other relatives living within the household of the employee.
3. If any employee of the Village engages in any form of activity while on sick leave from the Village, which is inconsistent with the employee's claimed reason for the sick leave, said employee's sick leave shall immediately terminate and the employee may be subject to disciplinary action, up to and including termination.
4. This section does not interfere with existing unused sick leave credit in any agency of government where attendance records are maintained and credit has been given employees for unused sick leave.
5. Unused sick leave shall be cumulative without limit.

### C. PROOF OF ABSENCE

The department head shall require that the employee furnish a satisfactory affidavit to the effect that the absence was caused by illness or due to any of the foregoing causes.

### D. RETURN TO WORK

If an employee is absent on sick leave for more than three (3) consecutive work days, the Village shall require the employee to present medical evidence that the employee was under a doctor's care and is able to return to work. The Village shall review the attendance records of employees periodically, and at least once in each three (3) month period. If the Village believes that an employee is developing an attendance problem, it shall notify the

employee in writing that medical evidence will be required for absence of one day or less. When an employee's record becomes satisfactory, the requirement for such medical evidence for short-term absences shall be removed, and the employee shall be notified in writing.

In the event the Village questions whether the employee is physically able to do the work, it shall require the employee to furnish a Village-supplied medical certificate from a physician supporting his or her claim of fitness, and the Village shall have the right to have the employee examined by a doctor of the Village's choice. If the original doctor's response is insufficiently detailed, the employee shall authorize the Village to contact the doctor to secure necessary information. The charges for the second physician shall be borne by the Village.

E. PAYMENT OF ACCUMULATED SICK LEAVE CREDIT

An employee shall be paid for unused, accumulated sick leave at the time of disability, retirement or death. For purposes of this paragraph, "disability" and "retirement" shall mean, respectively, disability or service retirement under any state retirement system in Ohio. Payment shall be based upon the basic hourly rate of pay at the time of disability, retirement or death, and the amount shall be 25% of the unused sick leave.

In the case of death, such sick leave credit payment shall be made in the following order of precedence:

1. As directed in writing by the employee;
2. If there is no direction in writing, then to the spouse of the employee; or
3. If there is no spouse, then to the estate of the employee.

**SECTION 4.3 HOLIDAYS**

A. All full-time employees with at least sixty (60) days of service prior to when the holiday occurs are entitled to eight hours of holiday pay and all part-time Class A employees are entitled to prorated holiday pay based on the number of hours that part-time Class A employee works per day for the following legal holidays:

HOLIDAY	DATE
New Years' Day	January 1
Martin Luther King Day	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Two hours off, with pay, on Good Friday	
Memorial Day	Last Monday in May
Juneteenth	
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Columbus Day	
Veterans Day	November 11
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Day after Thanksgiving Day	4 <sup>th</sup> Friday in November
Four hours off, with pay, on the day before Christmas Day holiday	December 24 <sup>th</sup>
Christmas Day	December 25

B. If the holiday falls on Sunday, it will be observed on the following Monday; if it falls on a Saturday, it will be observed on the preceding Friday. However, when the actual holiday falls on Saturday or Sunday, employees who are entitled to holiday pay and scheduled to work Saturday or Sunday will be paid holiday pay on the actual Saturday or Sunday date not the observed Friday or Monday date.

- C. In observance of each authorized holiday, eligible employees shall receive his or her normal hourly rate as holiday pay, regardless of whether or not they performed actual work on that holiday.
- D. An employee entitled to holiday pay when on vacation, paid sick leave, or other paid leave will be paid holiday pay, not sick, vacation, or other paid leave pay. However, an employee shall not be paid for a holiday during unpaid leave of absence or disciplinary action.
- E. If an employee is required to work on one of the recognized holidays, then he or she shall receive time and one-half (1 ½) for all hours worked, in addition to eight (8) hours of holiday pay.
- F. Each eligible employee, after one year of service, shall be entitled to two additional personal days of leave in addition to the holidays all other leaves and/or vacation time

earned. Such personal days, however, cannot be accrued or carried over from year to year.

- G. If an employee has earned holiday pay and dies before receiving payment for the same, his or her estate shall receive the pay that has accrued.

#### **SECTION 4.4      BEREAVEMENT LEAVE**

- A. A full-time employee shall be granted a three (3) day paid leave of absence in the event of the death of an immediate family member who resides in Ohio.
- B. A full-time employee shall be granted a five (5) day leave of absence, three (3) days with pay and two (2) days without pay, in the event of the death of an immediate family member who resides outside of Ohio.
- C. A part-time employee shall be granted a three (3) day leave of absence without pay in the event of the death of an immediate family member.
- D. For the purpose of this policy, “immediate family” includes - spouse, children, grandchildren, grandparent, parent, brother or sister, (including in-laws) step father, step mother, half brother, half sister, as well as other relatives living with the employee if the employee is acting as parent or guardian.
- E. The Mayor or Village Administrator must approve special circumstances for any unpaid bereavement leave.

## **SECTION 4.5 JURY DUTY AND WITNESS PAY**

Each full time and part time - Class A employee who is called to and reports for jury or witness duty during regularly scheduled work hours shall be compensated at his or her regular straight time rate, less any moneys received for such duty and/or travel expenses.

If jury or witness service is for a period of time less than the employee's regularly scheduled work day, he or she shall be excused only for that portion of the day required for such service, plus reasonable time for travel and changing clothes. No overtime shall be granted to employees performing such duties.

In reference to appearances at hearings before a court, legislative committee or judicial or quasi-judicial body, such appearances shall be considered leave with full pay only if the appearance is the result of village employment and approved by the village.

## SECTION 4.6 MILITARY LEAVE

For purposes of this policy only, a permanent public employee is defined as any person holding a position at the Village that requires working a regular schedule of twenty-six (26) consecutive bi-weekly pay periods, or any other schedule of comparable consecutive pay periods, which is not limited to a specific season or duration.

### A. MILITARY SERVICES

A permanent public employee who is a member of the Ohio National Guard, Defense Corps, Naval Militia, or a U.S. Armed Forces reserve component member is authorized to take up to twenty-two (22), eight (8) hour work days or a maximum of one hundred seventy-six (176) hours paid leave per calendar year to perform military duty. The employee must submit a copy of the Active Duty for Training Orders with the request for leave and complete the required leave forms.

### B. UNIFORMED SERVICES LEAVE

A permanent public employee, including a probationary employee, who voluntarily or involuntarily enters any of the Armed Services of the United States, will be granted an unpaid military leave of absence, and, upon discharge, will be reinstated as defined by State and Federal law. No single leave or combination of leaves may exceed five (5) years, unless the service time is for a single, initial period of service.

### C. MILITARY LEAVE BENEFITS

1. Permanent public employees of the Village, as defined in Section 5903.01 of the Ohio Revised Code, who are members of the Ohio organized militia, or members of other reserve components of the armed forces of the United States, including the Ohio National Guard, are entitled to leave of absence from their respective Village positions without loss of pay or benefits for the time they are performing service in the uniformed services because of an executive order issued by the President of the United States or an act of Congress for a period not to exceed one year. "Without loss of pay" means that the Village shall pay to any such employee to the extent practicable, in accordance with the Village's regular payment schedule, the difference between the pay the employee would be receiving as a Village employee had he or she not been called to active duty, and the pay he or she is receiving as a member of the Ohio organized militia or other reserve components of the armed forces of the United States, including the Ohio National Guard. "Benefits" means only those benefits that were provided to such employees by the Village.
2. If any such employee subject to an executive order or act of Congress as set forth in subsection (C)(1) above, is required to perform services in the uniformed services for a period that exceeds one year, then the employee's leave of absence from his or her respective Village position shall be extended, as necessary, for a period not to exceed an additional four (4) years. During said extended leave period, the

employee shall be entitled to receive only the difference in pay between his base Village pay and base military pay, and Village health care insurance benefits.

3. Each permanent public employee who is entitled to military leave as provided herein shall submit to the permanent public employee's appointing authority the published order authorizing the call or order to the uniformed services or a written statement from the appropriate military commander authorizing that service, prior to being credited with such leave. Upon return from such military leave, each employee shall, within thirty (30) days following his or her return, submit to the Fiscal Officer, military documentation which sets forth the amount of base military pay that the employee received during the period of his or her leave of absence.

D. REINSTATEMENT AFTER MILITARY SERVICE

A permanent public employee, including a probationary employee, who voluntarily or involuntarily enters any of the Armed Services of the United States, will be reinstated pursuant to State and Federal law.

E. MILITARY SERVICE CREDIT

Military service time shall be counted as Village service for the purpose of determining vacation benefits.



## SECTION 4.7 LEAVE OF ABSENCE

### A. PERSONAL UNPAID LEAVE OF ABSENCE

1. All employees of the Village may take a personal unpaid leave of absence with the approval of the department head and the Village Administrator. Any leave of absence for personal reasons shall not, however, exceed a ninety (90) day period. During such ninety (90) day period, the employee, in order to maintain any and all benefits which are paid by the Village, shall be required to pay to the Fiscal Officer, the cost of such benefits in advance on a monthly basis. In no event, however, may an employee take a personal leave of absence and combine it with a leave of absence for sickness, as hereinafter provided. The maximum permissible leave of absence for any reason shall be ninety (90) days. During this personal unpaid leave of absence the employee does not earn sick, vacation or longevity credit.
2. Any employee who is required to be away from work due to sickness as specified in Section 4.2 of this Manual, having met all of the requirements for absence from work because of the sickness, shall be entitled to use up sick leave which has been accumulated in accordance with Section 4.2 of this Manual. When an employee has exhausted all accumulated sick leave, then that employee shall be entitled to a sickness leave of absence which shall not exceed ninety (90) days from the date that such employee has exhausted his or her accumulated sick leave. During such ninety (90) day period, the employee, in order to maintain any and all benefits which are paid by the Village, shall be required to pay to the Fiscal Officer, the cost of such benefits in advance on a monthly basis.
3. After the leave of absence specified in subsections (A) and (B), above, has terminated, the employee shall report to the department head or the Village Administrator for work. If the employee fails to do so, the employee shall be considered as having resigned his or her position and/or may be terminated.
4. All unauthorized absences shall be considered absence without leave and a deduction of pay shall be made for the period of absence. Such absence may be grounds for disciplinary action up to an including termination. An unauthorized leave for three or more consecutive working days may be considered by the department head as an automatic resignation.
5. An employee returning after a leave of absence without pay shall be reinstated in his or her former position. However, if the Mayor and/or the Village Administrator, during such absence, found it necessary to fill the position and notified the absent employee to this effect in writing, and if the absent employee refused to curtail his or her leave and return to work, or failed to respond to his or her notification, then the Village may refuse to reinstate the employee in his or her former position.

6. If it is determined that an employee is abusing the leave of absence without pay and not actually using the leave for the purpose specified, the Village Administrator may cancel the leave and provide the employee with a written notice directing the employee to return to work. If the employee refuses to return to work as directed, the employee may be terminated.

**B. ADMINISTRATIVE LEAVE WITH PAY**

1. An appointing authority may, in their sole discretion, place an employee on administrative leave with pay when the health or safety of an employee or any person or property entrusted to the employee's care could be adversely affected.
2. The length of administrative leave with pay granted is solely in the discretion of the appointing authority but it shall never exceed the length of the situation for which the leave was granted.
3. Compensation for an employee placed on administrative leave with pay shall be equal to the employee's current base rate of pay and the employee shall retain benefits of employment, including the accrual of leave and service credit.
4. Time spent on administrative leave with pay shall not be used toward calculating hours worked for overtime purposes.
5. An employee placed on administrative leave with pay must always be in work ready status during their regularly scheduled work time and must be able to report to work on short notice.
6. An employee on administrative leave with pay may be separated if during their administrative leave he/she accepts any other employment without prior approval of the Village, files for unemployment compensation, or, upon return from leave, refuses a job reassignment from the Village.
7. An employee placed on administrative leave with pay shall return all Village property on or before the last workday, unless otherwise permitted by the appointing authority.
8. For the purposes of this division, the appointing authority for the village departments shall be as follows:
  - a. Mayor - Police Department, Fire Department, and Administrator.
  - b. Clerk-Treasurer - Income Tax Department.
  - c. Village Administrator - All other departments.

## **SECTION 4.8      HEALTH INSURANCE**

The Village currently offers health insurance to all eligible employees as authorized in Village Code Of Ordinances § 254.061 and 254.062. Employees eligible for coverage under the Village's health insurance plan that wish to enroll should contact their immediate supervisor.

Employees receiving health insurance under the Village's plan must notify the Village of any changes in dependency status, including divorce, birth, death or marriage of a dependent, or loss of eligibility due to age. The failure to report a change in status may result in disciplinary action, including but not limited to reimbursement to the Village for premium(s) improperly paid, and/or reimbursement for claims improperly paid by the insurance carrier, and/or termination.

Employees that are on an authorized leave of absence may continue their health insurance coverage only by paying the entire premium in full to the Clerk/Treasurer. The employee is fully responsible for the payment of such premium. Health insurance premiums are paid a month in advance and an employee on an authorized leave of absence shall be responsible for his or her pro-rata share of the health insurance premiums based upon his or her beginning date and/or ending date of the authorized leave of absence.

**SECTION 4.9 OHIO PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND OHIO POLICE & FIRE PENSION FUND**

All Village employees, except for part-time fire personnel, are required to participate in the Ohio Public Employees' Retirement System (OPERS) and Ohio Police & Fire Pension Fund (OPFPF) as provided for in Village Code Of Ordinances § 254.06. Part-time fire personnel participate in Social Security (FICA) instead of OPERS or OPFPF.

Any employee who has questions regarding OPERS, OP&F, or their current benefits, should call or write the appropriate address below, and include their Social Security Number:

Public Employees' Retirement System  
277 East Town Street  
Columbus, Ohio 43215

Ohio Police & Fire Pension Fund  
140 East Town St  
Columbus, Ohio 43215

## SECTION 4.10 WORKERS' COMPENSATION

### A. REPORTING PROCEDURE

1. Any employee injured arising out of and in the course of employment with the Village must notify his or her supervisor immediately. Regardless of whether or not the employee required medical attention, he or she must complete an accident report recording all pertinent and factual information about the accident and submit this report to his or her immediate supervisor. The failure of an employee to report an injury or accident to their supervisor may result in disciplinary action.
2. Supervisors are responsible for obtaining injury reports from employees and forwarding them to the Fiscal Officer within one (1) day of the accident. The failure of a supervisor to forward injury reports to the Fiscal Officer may result in disciplinary action. In the event of an accident resulting in serious injury, the supervisor must notify the Fiscal Officer immediately.
  - a. If an injury requires medical attention, the supervisor will provide the injured employee with a "First Report of Injury" form which is to be completed by the attending health care provider and returned to the supervisor for submission to the Mayor and/or Fiscal Officer.

An employee who, in the course of working, sustains an injury that requires departure for immediate medical attention will be compensated at his or her regular rate of pay for the balance of time left in the scheduled workday.
  - b. Workers' compensation claims for injuries sustained in accidents that were not reported may not be certified by the Village.
  - c. The Village shall require the injured employee to furnish medical proof or submit to a medical examination by the Village and at the Village's expense to determine whether an injury is a new and separate injury or an aggravation of a former injury sustained while in Village service.
3. The Bureau of Workers' Compensation ("BWC") is responsible for payment of medical benefits in the event an employee suffers a work-related injury that requires medical treatment and his or her claim has been certified by the Village.
4. If the claim is denied by BWC, the employee will receive no further wage continuation for time off due to the injury. In the event the claim is denied, the employee will be required to use accrued leave to cover any lost time starting at the date of denial.

B. LOST-TIME ACCIDENTS

1. The BWC is responsible for payment of wage replacement benefits (temporary total compensation) in the event an employee suffers a work-related injury requiring time away in order to recover.
2. An injured employee may elect to use accrued sick leave and vacation leave prior to receiving payments from the BWC. Employees are prohibited, however, from receiving payment for sick leave while simultaneously receiving payment from the BWC.
3. A leave taken due to an on-the-job injury that qualifies as a “serious health condition” under the Family and Medical Leave Act (“FMLA”) will be counted as part of the twelve (12) week leave entitlement provided under the FMLA.

C. TRANSITIONAL DUTY ASSIGNMENTS

The Village may attempt to place employees injured on the job in transitional duty assignments. Said assignments may be outside the employee’s department or division. Transitional duty assignments must conform to any restriction imposed by the care Providers, and will be used in lieu of time-off in order to transition the employee back to full-duty. The Village shall be under no obligation to provide light duty when no Transitional duty positions exist within the employee’s restrictions. Employees on transitional duty assignments shall be paid at their regular rate of pay for all hours worked. Transitional duty assignment will generally be allowed for a thirty (30) day period, however, they may be extended with consent of the Village and the care Provider, provided that the extension will facilitate a transition back to full-duty.

D. RETURN TO WORK

As soon as it is determined by the injured employee's physician or the Village's designated physician that the injured employee is able to return to full duty, the Village may require the employee to report to work and terminate injury leave. The Village will require a written determination of the employee's ability to return to work by a physician at least at the beginning of each 30 day interval and more often if warranted. If there is a disagreement between the employee's physician and the Village's physician concerning the employee's ability to work, the opinion of the Village's physician takes precedence.

## SECTION 4.11 FAMILY AND MEDICAL LEAVE ACT

Pursuant to the Family and Medical Leave Act of 1993 (“FMLA”), the Village hereby establishes the Family and Medical Leave Policy. This policy is not intended to be inclusive of all employee or employer rights relative to the FMLA, and will be updated periodically to reflect ongoing changes in the FMLA. The objective of this policy is to summarize and provide notice of FMLA benefits and the procedures related thereto, as defined and administered pursuant to the rules and regulations of the Department of Labor (“DOL”), which are incorporated herein by reference.<sup>2</sup>

### A. BASIS FOR FMLA LEAVE & ELIGIBILITY REQUIREMENTS

1. Any employee who is employed by the Village for at least twelve (12) months and accumulates at least 1,250 hours of work during any twelve (12) month period shall be entitled to unpaid leave for up to twelve (12) workweeks for any of the following reasons:
  - a. Birth of a son or daughter;
  - b. Placement of a son or daughter with the employee for adoption or foster care;
  - c. To care for a spouse,<sup>3</sup> son or daughter, biological parent, or parent by legal adoption if said relative has a serious health condition (for example, an illness, injury, impairment, physical or mental condition that involves inpatient care in a medical facility or continuing treatment by a health care provider);
  - d. Because of a serious health condition that makes the employee unable to perform the essential functions of his or her job;
  - e. Qualifying Exigency Leave<sup>4</sup> arising out of the fact that the spouse, son, daughter or parent of an employee is placed on active duty or call-to-active duty status for one or more qualifying exigencies as a covered military member deployed to any foreign country in the capacity of a regular member or reserve component of the Armed Forces; or

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<sup>2</sup> The Family and Medical Leave Act of 1993 (Public Law 103-3, enacted 2/5/93, 29 U.S.C. §2601, *et seq.*), as thereafter interpreted by the Secretary of Labor by supplemental regulations. See 29 C.F.R. Part 825.

<sup>3</sup> “Spouse” as defined in this policy shall have the same meaning as set forth in 29 C.F.R. 825.122(b) and 29 C.F.R. 825.102, as amended from time to time.

<sup>4</sup> “Qualifying Exigency Leave” refers to benefit terminology as used in the FMLA, as amended by Section 585 of the National Defense Authorization Act for Fiscal Year 2008, and as further amended by the National Defense Authorization Act for Fiscal Year 2010, and subject to regulatory interpretation and definition by the Secretary of Labor.

- f. Military Caregiver Leave<sup>5</sup> (a.k.a. Covered Servicemember Leave) as described below, may be available beyond twelve (12) and up to twenty-six (26) workweeks.
2. FMLA entitles an “eligible employee” to take up to a total of twelve (12) workweeks of unpaid leave during any twelve (12) month period. FMLA leave time will be counted on a rolling twelve (12) month look-back. A week is determined by a regular workweek. For example, an employee who has a five (5) day workweek is entitled to 60 days leave in a twelve (12) month period: 5 days x 12 weeks. Hours of leave will be calculated based on an employee’s regular workweek. For example, an employee who regularly works a five (5) day week and eight (8) hours a day, is entitled to 480 hours of leave: (5 days x 12 weeks) x 8 hours.
3. Military Caregiver Leave – Subject to timely notification issued to the Village, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember may be entitled to unpaid leave for up to twenty-six (26) workweeks in any twelve (12) month period.
  - a. A covered servicemember of the Armed Forces is one who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, including a veteran of the Armed Forces who is undergoing such medical care for said injury or illness at any time during the succeeding five-year period.
  - b. A serious injury or illness that is an injury or illness incurred by said servicemember in the line of duty on active duty in the Armed Forces, that may render them medically unfit to perform the duties of office, grade, rank or rating, including an injury or illness incurred before active duty which was aggravated in the line of active duty and that manifested itself either before or after the covered servicemember became a veteran; in such case, said individual shall be entitled to up to a total of twenty-six (26) workweeks in a single twelve (12) month period to care for the servicemember. During a single twelve (12) month period described in the Military Caregiver Leave above, an eligible employee shall be entitled to a combined total of twenty-six (26) workweeks of leave under numbers 1 and 3.
4. Coordination of Leave – FMLA leave will run concurrent with any leave established by ordinance of the Village or pursuant to a leave established by an applicable collective bargaining agreement being utilized. FMLA leave will run concurrent with workers’ compensation leave.

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<sup>5</sup> “Military Caregiver Leave” refers to benefit terminology as used in the FMLA, as amended by Section 585 of the National Defense Authorization Act for Fiscal Year 2008, as further amended by the National Defense Authorization Act for Fiscal Year 2010, and subject to regulatory interpretation and definition by the Secretary of Labor.



5. Substitution of Paid Leave – The Village will require employees to substitute any available paid leave, such as sick time, vacation or personal time for any unpaid FMLA leave. The substitution of paid leave for unpaid FMLA leave does not extend the length of FMLA leave. The paid leave will run concurrently with the employee’s FMLA entitlement. Nothing herein is intended to require the Village to provide paid sick or medical leave in any situation in which it would not normally provide such paid leave.
6. Employer Notification – The Village’s general obligation to provide notification of FMLA benefits shall be satisfied by DOL posters and circulation of this general FMLA policy. The Village shall also issue eligibility notification, “Rights and Responsibilities,” and “Designation” in accordance with DOL regulations within five (5) business days.
7. Procedures for Requesting Leave – Employees who take FMLA leave must timely notify the Village of their need for FMLA leave.

- a. Timing of Employee Notice

Employees must provide thirty (30) days advance notice of the need to take FMLA if the need for leave is foreseeable. When scheduling planned medical treatment, the employee must consult with the Village and must make reasonable efforts to schedule the treatment so as not to disrupt unduly the Village’s operations, subject to the health care provider’s approval.

When the need for leave is not foreseeable, employees must provide notice as soon as practicable and must generally comply with the Village’s normal call-in procedures. The employee must also explain the inability to provide the notice within thirty (30) days of the leave.

- b. Content of Employee Notice

To trigger FMLA protections, employees must inform their supervisor and the Fiscal Officer of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do so by specifically referring to FMLA leave or explaining the reasons for leave so as to allow the Village to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- i. a medical condition renders the employee unable to perform the functions of their job;
- ii. the employee is pregnant;
- iii. the employee is hospitalized overnight;

- iv. the employee is or a family member is under the continuing care of a health care provider;
- v. the leave is due to a qualifying exigency caused by a covered military member being on active duty or called to active duty status; or
- vi. if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

When calling off from work, the employee must provide sufficient information to the employee's supervisor and the Fiscal Officer to reasonably determine that the absence is FMLA-related. Calling in sick, without providing more information, may not be considered sufficient notice to trigger the Village's obligations under this policy. Employees must respond to the Village's questions to determine if absences are potentially FMLA-qualifying. If the employee fails to completely or sufficiently explain the reason(s) for FMLA leave, the leave may be denied.

When employees seek leave due to FMLA-qualifying reasons for which the Village has already approved FMLA-protected leave, the employee must specifically reference the qualifying reason for the leave or the need for FMLA leave.

- c. Cooperation in Scheduling of Planned Medical Treatment – When planning medical treatment, employees must consult with the Village and make a reasonable effort to schedule treatment so as not to unduly disrupt the Village's operations, subject to the approval of the employee's health care provider. Employees must consult with the Village prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the Village and the employees, subject to the approval of the employee's health care provider. If an employee who provides notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglects to fulfill this obligation, the Village may require the employee to attempt to make such arrangements, subject to the approval of the employee's health care provider.
- d. Notification of Eligibility for, and Designation of, FMLA Leave

The Village will notify employees who request FMLA whether they are eligible. If an employee is eligible for FMLA, the Village will notify the employee of any rights and responsibilities with regard to taking FMLA and whether the employee will be required to provide any additional information. Depending upon the type of FMLA leave that the employee is taking, the Village may require employees to submit documentation in

support of their request. If an employee has already begun leave, the Village may mail a copy of this notice to the employee's address. Employees are responsible for ensuring that the Fiscal Officer is aware of the employee's current address.

The Village will also state whether the leave will be designated as FMLA and the total amount of leave that will be counted against the employee's FMLA entitlement. Under certain circumstances and to the extent permitted by law, the Village may retroactively designate leave as FMLA with appropriate written notice to employees.

- e. Submission of Documentation and Certifications Supporting Need for FMLA Leave – Depending upon the nature of FMLA leave sought, employees may be required to submit documentation or certification supporting their need for FMLA-qualifying leave.
- f. Documentation for Active Duty or Call to Active Duty – Employees requesting this type of servicemember FMLA must provide proof of the qualifying member's call-up for active military service. This documentation may be a copy of the military orders or other official Armed Forces communication.
- g. Documentation of the Need for Leave to Care for an Injured or Ill Servicemember – Employees requesting this type of leave must provide documentation of the family member's or the next of kin's injury, recovery or need for care. This documentation may be a copy of the military medical information, orders for treatment or other official Armed Forces communication pertaining to the servicemember's injury or illness, incurred on active military duty that renders the member medically unfit to perform his or her military duties.
- h. No Moonlighting While on Leave – Taking or working at another job during FMLA leave or any other authorized leave of absence is grounds for disciplinary action, up to and including termination, to the extent permitted by law.

8. Medical Certifications

a. Initial Medical Certification

If the leave request is for the employee's own serious health condition or to care for a family member's serious health condition, the employee must also provide a *Certification of Health Care Provider* form signed by the employee's health care provider within fifteen (15) calendar days of when the employee becomes aware of the need for FMLA leave.

When the Certification provided by the employee is incomplete or insufficient, the Village will inform the employee of what is missing or insufficient and allow the employee seven (7) calendar days to correct the documentation. Additional time may be allowed in extenuating circumstances. If the employee fails to provide Certification at all, or if the employee fails to provide a complete and sufficient Certification despite the opportunity to do so, the employee may be denied FMLA leave.

Due to HIPAA regulations, any and all communications by the Village with the employee and/or health care providers with regard to the submission or content of medical certification and forms shall be conducted exclusively by a qualified representative, such as The Fiscal Officer, and shall not be conducted by the employee's direct supervisor or other Village personnel. Further, such communication shall be limited to the provision of FMLA medical certification forms only.

b. Second and Third Opinions

The Village may request a second opinion if the Certification is confusing, provides conflicting information, etc. Employees may be required to authorize release of their FMLA-related medical information from their health care provider if requested by the health care provider selected by the Village. The second opinion is conducted at the Village's expense. While waiting on the outcome of the second opinion, employees will provisionally remain on FMLA. If the second opinion does not ultimately establish that the leave qualifies for FMLA, then the leave shall not be designated as FMLA, and the absences will be treated in accordance with the Village's attendance policy.

If there is a difference between the original Certification and the second opinion, the Village can request a third opinion, at its own expense. The health care provider will be jointly chosen by the Village and the employee. Again, employees may be required to authorize release of their FMLA-related medical information to the third opinion provider, and employees will provisionally remain on FMLA. This third opinion will be binding. If the third opinion does not ultimately establish that the leave qualifies for FMLA, then the leave shall not be designated as FMLA, and the absences will be treated in accordance with the Village's attendance policy.

Upon written request from the employee, the Village will provide the employee with copies of the second and third opinions.

Except in unusual circumstances, employees will not be asked to travel outside a normal commuting distance for a second or third opinion. For both the second and third opinions, the Village will reimburse the employee for "out of pocket" travel expense upon receipt of appropriate documentation.

c. Recertification

For an employee's own serious health condition or the serious health condition of a family member, the Village may require a recertification after the duration of the original leave request expires.

The Village may also require recertification within thirty (30) days of a previous certification if the employee's circumstances change significantly, the employee asks for an extension of leave, or the Village learns of information that casts doubt on the validity of the certification.

In all cases, the Village may request a recertification of a medical condition every six (6) months in connection with a FMLA-related work absence. Once the Village has requested the recertification, the employee will have fifteen (15) days to provide the recertification, at the employee's own expense.

9. Fitness for Duty Certification – An employee with a serious health condition, prior to return to work, will:
- a. Complete the "Notice of Intention to Return from Leave" form and provide a physician completed "Return to Work" form; and
  - b. Contact his or her supervisor at least two (2) weeks prior to the scheduled return to work date to verify the date of return.

The employee's return to work is dependent upon the ability to perform essential job functions, as addressed and certified by the health care provider. If an employee fails to provide a requested fitness-for-duty certification to return to work, the Village will delay restoration until the employee submits the certificate.

B. INTERMITTENT/REDUCED LEAVE, SENIORITY AND BENEFITS

1. Intermittent or reduced leave schedule requested must be mutually agreed to between the employee and the Department Director. Intermittent or reduced leave may be requested when medically necessary. Any such leave taken for the birth of a child or placement for adoption or foster care expires at the end of the twelve (12) month period beginning on the date of the birth or placement. An employee shall advise the Fiscal Officer, upon request, of the reasons why the intermittent/reduced leave schedule is necessary and of the schedule for treatment, if applicable. The Department Director may require the employee requesting the intermittent or reduced leave to transfer temporarily to an available, comparable alternative position, for which the employee is qualified, that better accommodates the requested leave.

2. Most eligible employees will be restored to the position of employment held by the employee when the FMLA commenced or be restored to an equivalent position with equivalent employment benefits, pay and other terms and conditions. A “key employee” (defined under FLSA as executive, administrative, and professional) may be denied job restoration if such denial is necessary to prevent substantial and grievous economic injury to the operations of the Village. Title 29, Part 825 of the CFR, 825.217, 825.218, and 825.219 further explain the Village’s position on “key employee.”
3. An employee on an approved FMLA leave is not entitled to the accrual of any seniority benefits that would have accrued had he or she not taken leave. For example, an employee with five (5) years and two (2) months of seniority before taking the leave will have five (5) years and two (2) months at the return from the leave.
4. FMLA leave will be treated as “continuous service” (no break in service) for purposes of vesting and eligibility to participate in retirement plans. For example, an employee with five (5) years and two (2) months service towards retirement and takes an approved FMLA leave for one (1) month, will have five (5) years and three (3) months of serviced credit toward retirement upon return to work.
5. An employee who is in an unpaid status will not accrue time for sick leave, vacation, holidays, or other benefits that would normally accrue if the employee had not been on a leave. The non-accrual of benefits will be for the duration of the leave.
6. An employee who is working a reduced schedule shall accumulate sick leave on a pro-rated basis. Employees will continue to accrue vacation leave and will be paid for holidays.
7. Employees may choose to continue life insurance coverage during FMLA leave. For continuation of such benefit coverage, the employee must pay the full amount of the cost of such coverage to the employer not later than the first pay day of each month to the Human Resource Department.
8. The employee’s group health plan benefits will be maintained on the same basis as coverage would have been provided if the employee had been continuously employed during the approved FMLA leave period. Therefore, any share (contribution) of group health plan premiums which had been paid by the employee prior to FMLA leave must continue to be paid by the employee during the approved FMLA leave period. If premiums are raised or lowered, the employee will be required to pay the new premium rates. The employee’s monthly health care contribution must be paid to the employer not later than the first pay day each month to the Fiscal Officer. Payment of partial months will be pro-rated.

9. The Village's obligation to maintain health insurance coverage will cease under FMLA if an employee's premium payment (contribution) is more than thirty (30) days late. The Village will require the employee to pay back the employee's share of any missed premium payments for any FMLA leave period during which the Village maintains health coverage by paying the employee's share after the premium payment is missed.
10. Should an employee fail to return to active duty as the expiration of the FMLA leave, the employee shall be required to pay the cost of any premium paid by the Village to maintain the employee's health coverage during any period of unpaid leave except under the following conditions:
  - a. The continuation, recurrence, or onset of a serious health condition that entitles the employee to leave to care for a child, parent, or spouse with a serious health condition, or if the employee is unable to perform the functions of the position due to his or her own serious health condition.
  - b. Other conditions beyond the employee's control that prevents him or her from returning to work.
11. Provision for "Light Duty" assignment and report for duty in accordance therewith shall not accrue against, diminish eligibility for, or reduce the duration of FMLA leave.
12. Employee waiver of FMLA rights and benefits may be subject to terms and conditions of voluntary agreement, including settlement and release of claims, without DOL review and approval.

## SECTION 4.12 REIMBURSEMENT OF TRAVEL EXPENSES

### A. REIMBURSEMENT OF TRAVEL EXPENSES

1. Authority for Travel
  - a. In Village – all travel within the Village must be necessary for carrying out normal Village functions.
  - b. Out of Village – all travel outside of the Village requires the prior approval of the Department Head.
  - c. Travel to Seminars, Workshops and Conferences – travel to seminars, workshops and conferences require the prior approval of the Department Head and Council.
2. Reimbursement for Travel
  - a. Except as provided in the next paragraph, travel will be reimbursed using the travel expense report. The report must be signed by the employee and approved by the Department Head.
  - b. Reimbursement for mileage and associated parking fees can be submitted using the request for mileage reimbursement. The report must be signed by the employee and approved by the Department Head.
3. Transportation Expenses
  - a. Travel by Village-Owned Vehicle – Travel by a Village-owned vehicle is encouraged for all trips. Reimbursement is authorized for incurred expenses necessary to the efficient and safe operation of the vehicle. This includes reimbursement for gasoline and oil, if a Village credit card is not available.
  - b. Travel by Privately-Owned Vehicle – Travel by a privately-owned vehicle is authorized only if the owner is insured under a policy of liability insurance that provides for a minimum of \$12,500.00 because of injury to or death of one person, \$25,000.00 because of injury to or death of two or more persons, and \$7,500.00 because of injury to property of others in any one accident. Reimbursement is authorized at the rate allowed by the Internal Revenue Service for tax purposes. No reimbursement shall be allowed for mileage commuting to and from the place of residence to work. No reimbursement shall be allowed for travel between the offices and facilities physically located within the limits of the Village.

Individuals receiving a mileage allowance shall only be reimbursed for mileage involving approved travel out of the Village, except inspectors who



may use their personal vehicles for Village inspections within the Village limits.

- c. Travel by Common Carrier – Travel by common carrier is authorized at the lowest available regular rate. Employees are encouraged to take advantage of super saver fares for air travel. If a super saver is only available if travel is started one day early, or requires the stay of one extra day, travel for the additional day is authorized provided that the savings in fare offsets the lodging cost of the extra day.
- d. Car Rental – Reimbursement is authorized for car rental only if car rental is more economical than any other mode of transportation or if the employee's destination is not easily accessible by any other available mode of transportation. Advance approval for car rental is required.
- e. Miscellaneous Transportation Expenses – Reimbursement is authorized for parking charges, road tolls, and other reasonably incurred transportation expenses directly related to authorized travel. These expenses shall be listed separately on the travel expense report.
- f. Required Receipts for Transportation Expenses – Detailed itemized receipts are required for all service expenses incurred in connection with the operation of Village-owned vehicles; all common carrier expenses; and all miscellaneous transportation expenses exceeding \$10.00 (Ten Dollars and Zero Cents). An exception to the receipt requirement shall be allowed where a receipt is normally not available, such as a toll road, metropolitan bus, taxicab, ferry or subway.

**B. REIMBURSEMENT FOR MEAL & INCIDENTAL EXPENSES**

- 1. Meal and Incidental Expenses for Travel – Expenses incurred for meals and incidentals will be reimbursed at the current Per Diem Rate published by the U. S. General Services Administration (GSA) for the primary destination of the travel.

**C. REIMBURSEMENT OF LODGING EXPENSE**

- 1. It is expected that an employee will use accommodations appropriate to the nature of the business trip and consistent with the employee's normal standard of living.
- 2. Lodging required by approved travel shall be provided at a rate not in excess of single room rate, regardless of the room actually occupied, except when two (2) or more employees are traveling together.
- 3. Detailed itemized receipts are required for all lodging expenses.

D. REIMBURSEMENT OF MISCELLANEOUS LIVING AND BUSINESS EXPENSES

1. Reimbursement is authorized for reasonable miscellaneous living expenses including laundry, dry cleaning, postage and other expenses, if the employee is in travel status for more than one (1) week, including a weekend.
2. Reimbursement for business telephone expenses and other business expenses are authorized regardless of the length of stay. Reimbursement is authorized for one personal telephone call for each day of travel, subject to the approval of the Mayor.
3. Miscellaneous living and business expenses shall be listed separately on the travel expense report. Employees are encouraged to use the Village credit card for such expenses.
4. Detailed itemized receipts are required for miscellaneous living and business expenses, including gratuities for porter, housekeeping, taxi, etc., exceeding \$10.00 (Ten Dollars and Zero Cents).

E. REIMBURSEMENT FOR CONFERENCES, INCLUDING SEMINARS AND WORKSHOPS

Reimbursement is authorized for conference registration fees and conference expenses as follows:

1. Registration Fees – Conference registration fees may be paid directly by the Village in advance of the conference. If the registration fee includes any meals, the traveler should not be reimbursed for those same meals as provided under Section B.
2. Conference Meals – Meals that are not included in the registration fee but are an integral part of the conference may be reimbursed at actual cost provided the cost was approved on the travel request. Meals are considered an integral part of the conference when the meals are provided as an organized group activity for all conference participants.
3. Conference Lodging – Lodging at the conference site may be authorized at actual cost, providing the cost was shown on the travel request. Reimbursement for lodging includes taxes, if the hotel will not accept the Village's tax-exempt registration number. Employees should request that the tax be waived, if possible.
4. Required Receipts for Conference Expenses – Detailed itemized receipts are required for conference registration fees, conference meals not included in a registration fee and conference lodging.
5. Mileage Reimbursement – Mileage reimbursement to and from the conference to work is authorized. If the employee goes to a conference directly from his or her residence, mileage reimbursement is authorized only for the mileage that exceeds

the distance required to commute from the residence to work. For example, if an employee who lives six (6) miles from work drives ten (10) miles to a conference, the employee will be reimbursed for four (4) miles. If the mileage to or from a conference is less than the mileage to or from work, there will be no reimbursement.

F. KNOWINGLY MAKING A FALSE STATEMENT

Knowingly submitting any substantially false claim for reimbursement under this policy shall be grounds for disciplinary action, up to and including termination.

**SECTION 4.13      ADDITIONAL MISCELLANEOUS BENEFITS**

A.      LONGEVITY COMPENSATION

The Village does offer longevity compensation to employees that qualify as authorized in and governed by Village Code Of Ordinances § 254.07.

B.      DEFERRED COMPENSATION

The Village offers a deferred compensation plan that employees may participate in as authorized in and governed by Village Code Of Ordinances § 254.08.

C.      FLEXIBLE BENEFITS PLAN

The Village maintains a flexible benefits plan which consists of the flexible benefits plan document, the adoption agreement and component benefits plan and policies as established by Village Code Of Ordinances § 254.09.

**SECTION 5  
EMPLOYEE CONDUCT**

<b>Section 5.1</b>	<b>Expectations of Employee Conduct</b>
<b>Section 5.2</b>	<b>Attendance</b>
<b>Section 5.3</b>	<b>Personal Appearance</b>
<b>Section 5.4</b>	<b>Solicitation, Distribution and Selling</b>
<b>Section 5.5</b>	<b>Ethics of Public Employment</b>
<b>Section 5.6</b>	<b>Code of Ethics</b>
<b>Section 5.7</b>	<b>Political Activity</b>
<b>Section 5.8</b>	<b>Cell Phone Usage</b>
<b>Section 5.9</b>	<b>Computer &amp; E-Mail Usage</b>
<b>Section 5.10</b>	<b>Tools, Supplies &amp; Equipment</b>
<b>Section 5.11</b>	<b>Vehicle Use</b>
<b>Section 5.12</b>	<b>Workplace Safety &amp; Health</b>
<b>Section 5.13</b>	<b>External Employment</b>
<b>Section 5.14</b>	<b>Personnel Records</b>
<b>Section 5.15</b>	<b>Drug Free Workplace</b>
<b>Section 5.16</b>	<b>Harassment</b>
<b>Section 5.17</b>	<b>Disability Accommodation</b>
<b>Section 5.18</b>	<b>Workplace Violence</b>
<b>Section 5.19</b>	<b>Weapons in the Workplace</b>
<b>Section 5.20</b>	<b>Smoke Free Environment</b>
<b>Section 5.21</b>	<b>Social Media Policy</b>
<b>Section 5.22</b>	<b>Fraud Policy</b>

## **SECTION 5.1 EXPECTATIONS OF EMPLOYEE CONDUCT**

In addition to those expectations and standards set forth in the Code of Ethics, and elsewhere in this Manual, employees are expected to conduct themselves at all times in a manner befitting their employment with the Village and to refrain from any action that would reflect adversely on the Village or its operations. Any questions or concerns about the applicability of this policy to a particular situation should be discussed with the employee's immediate supervisor.

- A. An employee must always conscientiously perform all assigned job duties.
- B. An employee must always be tactful, patient and courteous when conducting Village business, serving the public in an honest, effective and cheerful manner. When dealing with members of the public, employees will be held to the highest standards of customer service.
- C. An employee may not grant special consideration to any citizen or group of citizens.
- D. An employee may not engage in any outside employment or have a financial interest that will conflict with his/her duties or be detrimental to the Village.
- E. An employee may not request or permit the use of Village vehicles, equipment, material or property for personal convenience or profit.
- F. An employee may not use the Village's name or tax-exempt status for his/her personal advantage on any purchases.
- G. An employee may not discuss or reveal confidential Village information to anyone, under any circumstances, except within the scope of his/her job duties.
- H. No employee may commit the Village to any agreement, contract or course of action that involves the expenditure of Village funds.
- I. Employees are expected to dress in an acceptable, professional manner. Clothing must be clean, neat, in good repair, and appropriate for the assigned duties. Work time missed in conjunction with this policy by a non-exempt employee will not be compensated. Each Department Head will determine the proper dress standards for his/her department.
- J. The Village will investigate any possible fraudulent conduct or dishonest use or misuse of Village resources or property. Any employee found to have engaged in fraudulent or dishonest conduct is subject to disciplinary action, up to and including termination and/or criminal prosecution.

## SECTION 5.2 ATTENDANCE

### A. GENERAL EXPECTATIONS FOR ALL EMPLOYEES

Daily attendance is an expectation for all Village employees. Daily attendance is especially important within divisions and departments that provide direct service to Village residents. Sick leave is made available to employees for such unscheduled events as personal illness of such degree that it prevents or inhibits the employee's ability to perform their essential job tasks, immediate family member illness that requires the direct care of the employee, and personal doctor appointments of those of immediate family that require the employee to be present. Sick leave is to be used only for the purposes for which it is defined.

### B. NOTIFICATION PROCEDURE

Employees who are ill are required to give notice to their supervisor. Notice consist of calling as soon as possible but no later than two (2) hour prior to the start of a work shift. Attempts should be made to reach the supervisor or on-duty operator in person or by leaving a telephone message.

### C. ATTENDANCE PROBLEM

An attendance problem is defined as excessive use of sick leave, such as 24 hours or more within a quarter, or for purposes other than which it is defined, or a pattern of sick leave, e.g., taken adjacent to weekends, pay days, vacations, or holidays, and/or failure to document sick leave.

If the Village determines that there is an attendance problem, the Village will notify the employee in writing. The Village may require medical evidence for absences of three (3) days or less, which will be stated in the notification to the employee.

Once an employee has been notified in writing that medical evidence is required for absences of three (3) days or less, the employee will be obligated to produce the medical evidence.

For employees who have been placed on the medical evidence list, the following disciplinary measures will apply:

1. the first instance of failing to produce medical evidence will result in a written warning;
2. the second instance of failing to produce medical evidence will result in a one (1) day suspension;
3. the third instance of failing to produce medical evidence will result in a three (3) day suspension;

4. the fourth instance of failing to produce medical evidence will result in a five (5) day suspension; and
5. the fifth instance of failing to produce medical evidence will result in termination.

Employees will remain on the medical evidence requirement list until such time as their attendance improves but for no longer than one (1) year.

D. APPLICATION OF ATTENDANCE POLICY

Time off under an approved medical leave or time off which qualifies and is approved under the Family Medical Leave Act by the Fiscal Officer or because of bereavement is not considered under this attendance policy.

E. POLICE ATTENDANCE POLICY

Attendance is tracked on a quarterly basis throughout the calendar year. There are four (4) quarters consisting of three (3) months each within a calendar year period. Attendance will be reviewed by the Village with input and consultation of the Chief of Police to determine the amount of time the employee has used, reasons behind the use of sick leave, and to determine if there is an attendance problem.

An attendance problem is defined as excessive use of sick leave for purposes other than which it is defined, or a repetitive pattern of sick leave, e.g., taken adjacent to week-ends, pay-days, vacations, or holidays, and/or failure to document sick leave.

If the Chief of Police determines that there is an attendance problem, the Chief of Police will notify the employee in writing. The Village may require medical evidence for absences of three (3) days or less, which will be stated in the notification to the employee.

Once an employee has been disciplined for just cause regarding sick leave abuse the employee will be obligated to produce the medical evidence for absences of three (3) days or less and be subject to any and all discipline procedures contained in the current handbook.

The Attendance Policy shall be interpreted and implemented in accordance with applicable state and federal law.

Employees will remain on the medical evidence requirement list until such time as their attendance improves but for no longer than one (1) year.

F. TARDINESS

1. Tardiness is defined as reporting more than six (6) minutes late for the beginning of an employee's scheduled work day.



2. Unexcused tardiness will not be tolerated and may subject an employee to disciplinary action pursuant to Section 6 of this Manual, up to and including discharge from employment.
3. Excused tardiness will not be considered as reporting late for duty. An employee must request permission to report late prior to the beginning of his or her work day. The department head or supervisor retains the sole discretion in granting or denying an employee's request.
4. An employee's wages shall be docked in accordance with Section 3.2 B. of this Manual whether the tardiness is excused or unexcused.

## **SECTION 5.3      PERSONAL APPEARANCE**

Employees shall be expected to dress according to the nature of the work they are performing and attempt through conduct and overall appearance to put forth the best possible image of the Village to the residents. Employees are expected to be clean and well-groomed and wear clothing which is clean. In addition, employees are required to wear appropriate personal protective gear in all situations where such gear is necessary or appropriate. Each Department Head will determine the proper dress standards for his or her department.

- A. Safety shoes. An allowance of up to \$200 per year is credited to all employees who may be subject to foot injuries in the service of the village and who are, for that reason, required by supervisors to wear hard toe safety shoes. The reimbursement allowance shall be paid during each year between January 1st and December 31st upon presentment to the Clerk/Treasurer of a receipt documenting such expenditure. These allowance credits expire on December 31st of each year and shall not be carried forward.
- B. The Village shall supply work uniforms at no cost to employees. Lost or missing uniform replacements shall be the responsibility of the employee. Uniforms damaged as result of work activity shall be repaired or replaced at the Village's option.
- C. The Village shall supply needed work gear as determined by the supervisor and/or Village Administrator every third year between January 1st and December 31st, and or replace ones damaged due to work activity mid cycle.
- D. Each department supervisor is responsible to see that his or her employees wear clothing and equipment to protect against known work hazards and as more fully detailed under Section 5.13 of this Manual. The department shall supply safety glasses; hearing protectors; hard hats; high visibility shirts, sweatshirts, and vests; work gloves; aprons; welding supplies and chemical worker supplies; and all other items necessary to protect village employees from known hazards.
- E. It shall be a condition of employment that all workers must wear the required clothing and personal protective equipment available and assure that it is maintained in a usable and safe condition, or replaced when necessary.
- F. All shoe and clothing credit allowances shall be issued yearly and must be used between January 1st and December 31st each year. There will be no carry forward for unused credit allowances.

**SECTION 5.4 SOLICITATION, DISTRIBUTION AND SELLING**

Solicitation, distribution of materials, selling and/or collections of any nature on Village property or during employee work hours by an employee or any other individual shall be prohibited without prior approval from the Mayor or Fiscal Officer.

## SECTION 5.5 ETHICS OF PUBLIC EMPLOYMENT

### A. STATE OF OHIO ETHICS LAW

1. No public employee shall knowingly authorize or use his/her authority or influence to (a) secure a public contract for himself/herself, his/her family or his/her business associates; or (b) secure the investment of public money in any security in which he/she, his/her family or his/her business associates has an interest; or for which he/she, his/her family or his/her business associates has an interest; or for which he/she, his/her family or his/her business associates act as an underwriter or receive brokerage, origination or servicing fees. No public employee shall knowingly profit, during his/her term of office or for one (1) year after, from the execution of a public contract authorized by himself/herself or by a legislative body, commission or board for which he/she was a member when the contract was authorized, if the contract was not competitively bid or the contract was not the lowest and best bidder.
2. No public employee shall knowingly have an interest in the profits or benefits of a public contract. Employment with a public office is considered to be a contract with the public office. Therefore the use of one's position to obtain employment for a family member is prohibited by law.

### B. CONFLICTS OF INTEREST

1. No public employee shall participate as a public official in any license or rate-making proceeding that directly affects the license or rates of any person, partnership, trust, business trust, corporation or association in which he/she or his/her immediate family owns or controls more than five percent (5%) or any business to which he/she or his/her immediate family has sold goods or services of more than one thousand dollars (\$1,000.00) during the preceding year.
2. No public employee shall use or authorize the use of the authority or influence of employment to secure anything of value or the offer or promise thereof that is of such a character as to influence his/her duties.
3. No public employee shall solicit or accept anything of value that is of such a character as to influence his/her duties.

### C. VIOLATIONS

Any violation of Section 5.5 by an employee shall subject the employee to disciplinary action pursuant to Section 6 of this Manual, up to and including termination of employment.

## SECTION 5.6 VILLAGE OF JEFFERSON CODE OF ETHICS

### A. DECLARATION OF POLICY

The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions of policy be made in proper channels of governmental structure; that public office not be used for personal gains; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a Code of Ethics for all officials and employees, whether elected or appointed, paid or unpaid.

The purpose of this Code of Ethics is to establish ethical standards of conduct for all Village officials and employees by setting forth acts or actions that are incompatible with the best interests of the Village. All Village employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the United States, of the state, and other laws, rules and regulations as may be set forth by the Village. It is important to remember that the compensation of all employees is paid through taxes or user fees. Therefore, each Village employee assumes responsibility to serve the public in an honest, effective and cheerful manner.

### B. RESPONSIBILITIES OF PUBLIC OFFICE

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States, the Constitution of the State of Ohio and the laws of the Village of Jefferson, and to carry out impartially the laws of the nation, the State and the Village and thus to foster respect for all government. They are bound to observe in their official acts highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach.

### C. DEDICATED SERVICE

All officials and employees of the Village should be loyal to the political objectives expressed by the electorate and the programs developed to maintain those objectives. Appointed officials and employees should adhere to the rules of work and performance established for their positions by the appropriate authority.

Officials and employees should not exceed their authority or breach the law, or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from doing so by law or by the officially recognized confidentiality of their work.

D. FAIR AND EQUAL TREATMENT

No person shall canvass any member of Council, either directly or indirectly, in order to obtain preferential treatment in connection with any appointment except with reference to positions filled by appointment by Council.

No official or employee shall request or permit the use of Village-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such official or employee in the conduct of official business. No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

E. CONFLICT OF INTEREST

No official or employee, whether paid or unpaid, shall engage in any business or transaction or have a financial or personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties in the public interest or would tend to impair his or her independence of judgment or action in the performance of his or her official duties, without first making a public disclosure thereof and then abstaining from voting thereon. Personal interest, as distinguished from financial interest, includes an interest arising from blood or marriage relationships or close business or political association.

Special conflicts of interest are enumerated below for the guidance of officials and employees:

1. holding a position in addition to a public position which interferes or may interfere with the proper discharge of the public duty;
2. use of confidential information, obtained as a result of a public position, for personal gain;
3. soliciting of gifts and/or favors by a public official or employee;
4. any use of official position for personal gain;
5. holding (possession of) investments which interfere or tend to interfere with proper discharge of public duty;
6. representation by public officials or employees of private interests before government agencies, courts or legislative bodies, and participation in the profits from such representation;

7. participation in transaction as public representative with a business entity in which the public official or employee has a direct or indirect financial or other personal interest;
8. personal interest in legislation to the extent that private interest takes precedence over public interest or duty;
9. entry into contracts or other conduct of business for profit by a business in which a public official or employee has a substantial or controlling interest, especially when the public official or employee can influence such contract or business because of his public position; and
10. soliciting or obtaining future employment with a business doing business with the Village over which the public official or employee has some control in his official capacity at the time of the transaction.

F. INCOMPATIBLE EMPLOYMENT

No official or employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of his or her official duties.

G. CONFIDENTIAL INFORMATION

No official or employee of the Village shall, without proper legal authorization, disclose confidential information concerning the property, the government or the affairs of the Village, nor shall he or she use such information to advance the financial or other private interest of him- or herself or others.

H. GIFTS OR FAVORS

No official or employee of the Village shall accept any valuable gift, whether in the form of service, loan, thing or promise from any person, firm or corporation which to his or her knowledge is interested, directly or indirectly, in any manner whatsoever, in business dealings with the Village. No official or employee shall accept any gift, favor or thing of value that may tend to influence him or her in the proper discharge of his or her duties, nor shall he or she grant in the discharge of his or her duties any improper favor, service or thing of value.

I. REPRESENTING PRIVATE INTERESTS BEFORE VILLAGE AGENTS OR COURTS

No official or employee of the Village whose salary is paid in whole or in part by the Village shall appear on behalf of private interests before any agency of the Village. He or she shall not represent any private interests in any action or proceeding against the interests of the Village in any litigation to which the Village is a party.

No official or employee shall accept a retainer or compensation that is contingent on a specific action by a Village agency.

J. CONTRACTS WITH VILLAGE

No official or employee shall be interested in the profits of a contract, job, work, or services to the Village in any capacity during the term for which he or she was elected or appointed, or for one (1) year thereafter, nor shall he or she become the employee of the contractor of such contract, job, work or services while in office.

Any official or employee who willfully conceals such a substantial financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and subject to discipline, up to and including termination.

K. DISCLOSURE OF PRIVATE INTEREST IN LEGISLATION

Any official or employee of the Village who has a financial or private interest, and who profits in discussion with or gives an official opinion to Village Council, shall disclose on the records of Council the nature and extent of such interest.

L. POLITICAL ACTIVITY

No official or employee in the administrative service of the Village shall use the prestige of his or her position on behalf of any political party.

No official or employee in the administrative service of the Village shall orally or by letter or otherwise solicit or be in any manner concerned in soliciting any assessment, subscription or contribution to any political party, nor shall he or she be a party to such solicitation by others.

M. ACTION UPON VIOLATION

Violation of any provision of the Code of Ethics may result in disciplinary action under Section 6 of this Manual, up to and including termination.

N. COMPLAINTS TO OHIO ETHICS COMMISSION

Any and all complaints for investigation alleging unethical conduct or related violations of the law shall be referred to the Ohio Ethics Commission pursuant to Ohio Revised Code §102.06.



## **SECTION 5.7      POLITICAL ACTIVITY**

This policy lists the specific political activities legally permitted and legally prohibited to Village employees, including employees on an authorized leave of absence from their positions.

### **A.      ACTIVITIES PERMITTED TO EMPLOYEES:**

1.      Registration and voting;
2.      Expressing opinions, either orally or in writing;
3.      Voluntary financial contributions to political candidates or organizations;
4.      Circulating petitions on legislation relating to their employment;
5.      Attendance at political rallies (employees may attend political rallies that are open to the general public);
6.      Nominating petitions (employees may sign nominating petitions in support of individuals outside of the work place); and
7.      Displaying political pictures, badges, buttons and stickers in their homes or private automobiles.

### **B.      ACTIVITIES PROHIBITED TO EMPLOYEES:**

1.      Participation in a partisan election as a candidate for public office;
2.      Circulating official nominating petitions for any candidate;
3.      Holding an elected or appointed office in any political organization;
4.      Accepting appointment to any office normally filled by election;
5.      Campaigning by writing for publications, by distributing political material or by making speeches on behalf of a candidate for elective office;
6.      Soliciting, either directly or indirectly, any assessment, contribution, or subscription for any party or candidate;
7.      Soliciting the sale of or selling political party tickets;
8.      Engaging in activities at the political polls, such as soliciting votes, assisting voters to mark ballots or transporting or helping get the voters out on election day; and
9.      Acting as recorder, checker, watcher, or challenger for any party or faction.

- C. Employees who desire to campaign for political offices which may not be considered partisan, and where no declaration of political party affiliation is made (i.e., village councils, school boards, etc.) must request an opinion from the Law Director as to the legality of campaigning for any such offices, prior to declaring candidacy or the circulation of petitions. The decision of the Law Director shall be final and binding on the employees.
  
- D. Employees must notify the appointing authority of any intent to declare and campaign for a political office. If, in the opinion of the appointing authority, the employee's candidacy is in conflict with his or her current position, or is not in the best interest of the Village, the employee will take a leave of absence or resign. The decision of the appointing authority shall be final.

## SECTION 5.8 CELL PHONE USAGE

### A. PURPOSE

The primary purpose of this policy is to establish fundamental rules for the use of Village-issued cell phones. This policy about cell phone usage applies to any Village-owned device that makes or receives phone calls, leaves messages, sends text messages, accesses the internet or downloads and allows for the reading of and responding to email.

### B. APPLICABILITY

This policy applies to all Village employees, including full-time, part-time and seasonal.

### C. STATEMENT OF POLICY

Cell phones issued by the Village are Village property. Employees must comply with Village requests to make their Village-issued cell phones available for any reason, including upgrades, replacement, or inspection. When an employee's employment relationship with the Village concludes for any reason, the employee must turn in his or her Village-issued cell phone.

Employees are to use cell phones in a safe manner. Employees must adhere to all federal, state or local rules and regulations regarding the use of cell phones while driving. Accordingly, employees must not use cell phones if such conduct is prohibited by law, regulation or other ordinance. Cell phones are not to be used for illegal activities.

Employees should not use hand held cell phones while driving. Should an employee need to make a business call while driving, he or she should locate a lawfully designated area to park and make the call.

Employees may use hands-free cell phones to make business calls, but only in emergency situations. Such calls should be kept short and should the circumstances warrant (e.g., heavy traffic, bad weather, etc.), the employee should locate a lawfully designated area to park to continue the call.

The prohibition of cell phone or similar device use while driving includes receiving or placing calls, text messaging, surfing the internet, receiving or responding to email, checking for phone messages, or any other purpose related to the employee's employment or the Village.

Employees may not use cameras, video and audio recording devices, or video or recording features of cell phones, MP3 players or personal digital assistants with wireless communications capabilities (PDAs) or other digital devices that contain such capability at work that can cause violations of privacy and breaches of confidentiality.

The Village allows employees to bring their personal cell phones to work. Employees are to keep personal conversations to a minimum. A personal cell phone is not to be used to conduct Village business.

If accessing the internet on a Village-issued cell phone, employees shall comply with the Village's policy on Computer and Email Usage.

Violation of this policy will subject an employee to disciplinary action pursuant to Section 6 of this Manual, up to and including termination.

## **SECTION 5.9      COMPUTER & EMAIL USAGE**

Technology systems are the property of the Village. Computers, computer files, the e-mail system, and software furnished to employees are Village property intended for Village business use only. Village technology system resources are intended to support Village objectives. This policy establishes standards designed to protect the Village from unwarranted and unauthorized technology usage. It provides a structure for the most effective use of computer systems/technology and helps prevent occurrences of abuse. This policy applies to all employees, as well as contractors who have access to the Village's technology systems. The restrictions to this policy are not applicable to internet use when required in police investigations. In addition, the access to police databases such as LEADS/NCIC, CRIS, CAD, OLEN and any other law enforcement information system shall be exempt in their use required in police department operations. To ensure compliance with this policy, computer and e-mail usage may be monitored.

The Village strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the Village prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-Village business matters.

The Village purchases and licenses the use of various computer software for Village purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the Village does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The Village prohibits the illegal duplication of software and its related documentation.

The software on any Village computer must have been purchased and installed by the Village. Installing multiple copies of a piece of software without a multi-user license is not permitted. Bringing a copy of software from home and installing it on a Village computer is not permitted. No personal software may be installed on a Village computer. No employee is permitted to use non-approved software, discs, CDs, tapes or online internet transfer in any computer owned by the Village. This standard is necessary in order to reduce the likelihood of a virus from entering into and endangering the Village's computer system.

Downloading or storage of non-Village related files, such as music, video, or picture files is not permitted. Desktop wallpaper is permitted.

Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Purchases, Services and Budgeting: The Fiscal Officer must approve all technology systems equipment, software, and any consultant source requisitions. Department and Division heads shall make requirements known each year through the Finance budget process.

Work Requests: Submit work requests through the appropriate Department or Division head to the Network Administrator. All work requests for any technology-related matter must be completed by e-mail and sent to the Network Administrator. This request must include your name, department, division, date, and your request stated in a simple, but complete manner.

Implementation of Hardware & Software: The Network Administrator determines configuration of equipment. The Network Administrator approves all installation or removal of equipment or software. Equipment may not be attached to or detached from the network without the permission of the Network Administrator. Under the direction of the Fiscal Officer, the Network Administrator may reconfigure systems and delete any unauthorized software and data discovered.

Computer Use: Computers are not to be used to play games during working hours except as part of formal training programs. Users are responsible for backing up critical data files. Employees will discretely communicate passwords (sign on, document, or data) to the department/division head. All pass codes are the property of the Village. No employee may use a pass code or voicemail access code that has not been issued to that employee or that is unknown to the Village. Employees cannot copy programs from Village-owned systems for use at home. Village-owned technology products may not be removed from a Village-owned building without the approval of the Department Head/Director.

E-Mail: The Village provides e-mail for employees to conduct Village business. Communication by e-mail is encouraged when it results in the most efficient and/or effective means of communication. The sender of e-mail messages must retain the primary responsibility for seeing that those intended receive the communication.

*Public Record*: Electronic mail may be a “public record” and subject to disclosure in the same way that messages of similar substance contained in or upon media are defined as “public record” pursuant to applicable law. Employees should, therefore, exercise care regarding the content of their e-mail transmissions.

*Village Property*: All e-mail messages are a part of the Village’s technology system and, therefore, are considered Village property. Village management reserves the right to review all communications made by Village personnel.

*Monitoring E-Mail*: The Village reserves the right to monitor all employee electronic messages, except messages that are protected by attorney-client privilege, or by other privilege recognized under state or federal law. The Village will refrain from accessing any employee’s electronic mail, unless its reasons for so doing are consistent with the Village’s need for supervision, control, and efficiency in the workplace. Subject to the foregoing

limitations, once an e-mail message has left a sender's computer workstation, the sender relinquishes all control and domain over all future use of the e-mail.

*Retention:* Generally, records transmitted through the e-mail system will have the same retention period as records in other formats related to the same program function or activity. Employees may comply with the retention requirements of the public records law by doing the following: the recipient of e-mail must determine if incoming e-mail should be printed before being deleted. If the recipient prints the e-mail, they store the hard copy in the relevant subject matter file and retain pursuant to the Village's retention schedule.

*Acceptable E-Mail Use:* The use of the network must comply with the rules appropriate to that network. Transmission of any material in violation of any Federal or State regulation is prohibited. It is not acceptable to interfere with or disrupt other users. Such interference or disruption includes, but is not limited to: distribution of unsolicited advertising; propagation of computer worms or viruses; and using the network to make unauthorized entry to other communications devices or resources.

*Etiquette:* Employees are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

- be polite: do not get abusive in messages to others.
- use appropriate language: do not swear, use vulgarities, or any other inappropriate language.
- do not use the network in such a way that you would disrupt the use of the network by other users.
- prohibited uses of electronic systems and information include but are not limited to: illegal activities; threats; harassment; slander; defamation; obscene or suggestive messages or offensive graphical images; racially offensive or derogatory material; political endorsements; commercial activities; chain letters; copies of documents in violation of copyright laws or trade secrets; or any use which compromises the integrity of the Village in any way.

Vandalism: Vandalism is defined as any malicious attempt to harm or destroy data of another user. This includes, but is not limited to, the uploading or creation of computer viruses. Vandalism may result in the cancellation of privileges and/or disciplinary action pursuant to Section 6 of this Manual, up to and including termination.

Security: Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem, notify the Network Administrator. Do not demonstrate the problem to other users. Do not use another individual's account.

Downloading: Downloading and installation of programs from the internet falls within the policy of installation of software and requires the approval of the Fiscal Officer.

Use of the World Wide Web: Includes all restrictions which apply generally to the use of the Village's e-mail and other electronic equipment. In addition, the following rules apply with respect to internet usage:

*Browsing of Web Sites:* Browsing/accessing web sites that contain pornographic material is prohibited.

*No Participation in Web-Based Surveys Without Authorization:* When using the internet, the user implicitly involves the Village in his or her expression. Therefore, users should not participate in web or e-mail based surveys or interviews without authorization from the Department or Division Head.

*No Use of Subscription-Based Services Without Prior Approval:* Some internet sites require that users subscribe before being able to use them. Users should not subscribe to such services without the express approval of the Department or Division Head.

*No Violation of Copyright:* Many of the materials on the internet are protected by copyright. Even though they may seem to be freely accessible, many of the intellectual property laws which apply to print media still apply to software and material published on the internet. Please do not copy or disseminate material that is copyrighted. Employees having any questions regarding such materials should contact the Department or Division Head for guidance.

#### Policy Violation and Disciplinary Action

Employees should notify their immediate supervisor, the Fiscal Officer, or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action pursuant to Section 6 of this Manual, up to and including termination of employment.



## **SECTION 5.10 TOOLS, SUPPLIES & EQUIPMENT**

In general, tools, supplies and equipment needed to perform job duties may be provided by the Village. It is the responsibility of the employees and supervisors to see that all tools, supplies and equipment are properly used and maintained.

Misuse, neglect, theft, and abuse of tools, supplies, equipment, or telephones is prohibited. Accidents involving misuse of tools or equipment may be cause for disciplinary action. Loss of tools or more than one occasion will require payment by the employee for the cost of the tools lost. Reckless and destructive operation of vehicles or equipment is grounds for disciplinary action. Personal use of tools, supplies, equipment or vehicles is strictly prohibited.

Any violation of this policy by an employee may result in disciplinary action pursuant to Section 6 of this Manual, up to including termination.

## SECTION 5.11 VEHICLE USE

### A. PURPOSE

To establish policy guidelines for Village employees, ensure professional conduct and behavior, and list the Village's expectations in the provision of orderly and cost efficient services to its citizens.

### B. STATEMENT OF POLICY

This policy provides the authorization of a Village Vehicle Pool Program and establishes the guidelines for the utilization of Village-owned vehicles. Department heads who are able to demonstrate the need for assigning a vehicle to personnel on a "take-home" basis are allowed to do so under the parameters of this policy.

**Note:** Employees who choose to reside outside the boundaries of the Village shall not be allowed the privilege of utilizing a Village vehicle for "take-home" purposes without written approval by the Mayor or Village Administrator.

Vehicles are essential in accomplishing job duties and are expensive and may be difficult to replace. When using Village property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

An employee's supervisor is to be notified if any vehicle appears to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action pursuant to Section 6 of this Manual, up to and including termination of employment.

### C. USE OF VILLAGE VEHICLES

Village-owned vehicles are currently assigned to the Chief of Police, and K-9 Officer due to the nature of their positions in serving the community, their interaction with the community on a 24/7 basis, and the need for immediate and prompt responses to incidents. Additionally, the Mayor or designee may assign a certain limited number of vehicles to the primary service responders in their respective departments.

The criteria for judging a primary service responder is as follows:

- For maximized efficiency of service to the residents of the Village, the primary service responder may require a vehicle with specialized tools or equipment.
- It is cost effective for the employee to drive directly from his or her place of residence to the site of an incident and time is a crucial element in controlling personal property losses or damage to Village facilities or equipment.

The appropriate department supervisor is responsible for the:

- Assignment of vehicles to personnel;
- Continuous monitoring of general maintenance (i.e., oil & brake fluid levels, etc.) of assigned vehicles and the prompt notification of any potential mechanical problems to Supervisor; and
- Notification to Supervisor when a vehicle is not being utilized, thus becoming available for possible use by other Village employees.

Vehicles will not be utilized for personal transportation from an employee's home to the office or vice versa, unless the following "take-home" purposes apply:

- To enable the employee to report directly to a job site at the beginning of the next days' work shift, as it may change on a daily basis; or
- To provide direct transportation for an employee to attend a conference or seminar at the beginning of the next days' work schedule.

#### D. DRIVER'S LICENSE VALIDITY

Employees using Village vehicles must possess a valid Ohio driver's license of a level in keeping with the operational requirements of the vehicle assigned (i.e., CDL is required for operation of commercial grade truck, etc.).

Employees with restricted licenses must bring the restrictions to the attention of the his or her Supervisor before the use of a Village vehicle is approved. The employee's supervisor shall approve vehicle use only to the extent to which the employee's license is restricted.

Each vehicle operator must inform his or her Supervisor immediately whenever any of the following occur:

- temporary restrictions on driver's license;
- whenever convicted of a moving violation;
- permanent restriction of driver's license; and/or

- convicted of driving while under the influence of alcohol/drugs.

If a driver's license is suspended or revoked, the employee shall immediately notify his or her supervisor.

E. LAWFUL OPERATION

During the workday (including the lunch hour), driving any vehicle after consuming alcohol or under the influence of other self-administered drugs, except prescribed medication that does not impair vehicle operation, is prohibited. The driver shall not operate a vehicle while using any illegally obtained controlled substance(s), regardless of impairment.

Drivers shall comply with all applicable state and local driving laws and parking regulations. Safety restraints as provided by law shall be used by all occupants of the vehicle at all times.

Any moving or parking violation and subsequent fine occurring while using a Village-owned vehicle is the responsibility of the employee. Any fines incurred shall be paid or otherwise resolved promptly by the driver. Employees shall immediately notify their supervisor upon receiving a violation in a Village vehicle.

Whenever possible, "car-pooling" should be utilized as it relates to work crews.

Smoking is not permitted in any Village-owned vehicle.

F. ACCIDENTS

An accident is defined to be **any** event in which a vehicle either strikes or is struck by another vehicle, object or person. No visible damage is required to be classified as an accident.

If you are involved in an accident, your first duty, as a driver, is to take the necessary precautions to protect the scene so that further damage or injuries do not occur.

**WHEN INVOLVED IN AN ACCIDENT, THE FOLLOWING RULES SHALL BE ADHERED TO:**

- notify authorities and request a formal report be completed;
- record the names and addresses of witnesses;
- if a witness refuses to give their name, get their license number along with the make and model of the vehicle;
- draw a diagram of the scene of the accident; and

- complete a Village accident report form, which should be located in the vehicle's glove compartment.

**DO NOT:**

- give statements or sign anything other than those items absolutely necessary for the police report;
- re-position your vehicle until the police arrive unless it creates a further hazard;
- employees shall not issue a verbal statement to insurance agencies or adjusters for the other parties involved in an accident;
- admit responsibility or agree to pay for anything; and/or
- argue responsibility for the ticket.

*Post-Accident Reporting*

Post-accident substance testing is required for all drivers of Village vehicles involved in an accident. If an employee refuses these tests, it may result in disciplinary action pursuant to Section 6 of this Manual, up to and including termination of employment.

An accident report is to be completed within twenty-four (24) hours of the accident. The report will be distributed to the Mayor, Village Administrator, Supervisor and the Fiscal Officer.

Supervisors and department heads must ensure that all accidents are reported properly.

G. UNAUTHORIZED USE

Vehicles are to be used in connection with Village business activities. Under no circumstances shall a Village vehicle be used for towing, pushing, or pulling another vehicle or other object, unless it is specifically designed to do so. Only trained and authorized employees shall be allowed to operate such vehicles for these specific purposes.

Authorized drivers must never allow hitchhikers or unauthorized riders.

## SECTION 5.12 WORKPLACE SAFETY & HEALTH

Workplace safety and health is one of the Village's primary concerns. The safe and healthful performance of all work assignments is the responsibility of both supervisory and non-supervisory personnel. It is, therefore, the responsibility of all employees to ensure that all safety equipment is used and all safety procedures/practices are observed. A physical examination is required for each position of employment with the Village. Prior to commencing employment, prospective employees shall be required to have a physical examination by a medical doctor. The type of physical examination to be undergone by a prospective employee shall be determined by the Village and the Village will pay the expense of it. Prior to employment, the examining doctor shall certify that the prospective employee is physically able to perform the duties of the job for which the employee is to be hired. The physical examination records of an employee or prospective employee shall be privileged and confidential and shall be filed in the non-public records portion of an individual's personnel file.

Any employee found to be willfully negligent in equipment operation, resulting either in damage to the equipment or an accident, shall be disciplined accordingly pursuant to Section 6 of this Manual, up to and including termination.

Any employee found to be deliberately negligent in equipment operation, resulting in either damage to the equipment or an accident, shall be subject to discipline pursuant to Section 6 of this Manual, up to and including termination.

All employees, particularly supervisors, are charged with the responsibility of reporting the existence of any hazardous condition or practice in the workplace.

Supervisors found to be negligent in requiring the use of prescribed safety equipment may be subject to immediate termination.

Any accident occurring during working hours shall be reported to the immediate supervisor at once. The supervisor, in turn, shall notify the Village Administrator and Mayor. Upon notification, the supervisor or Village Administrator shall complete an accident form no later than twenty-four (24) hours after the accident, if practicable, in order that the employee may be covered under workers' compensation.

A. General safety rules. An accident is often a warning signal of a faulty condition and reveals the need for correction in design, procedure, training or equipment. Both as a safety goal and as an important obligation to the public in the form of greater efficiency, accident prevention needs the full cooperation of all Village employees. Therefore, all employees are required to be familiar with safety regulations that are issued and to help in promoting a safe work environment. Any employee found in violation of any of the following rules or department safety rules may be subject to disciplinary action pursuant to Section 6 of this Manual, up to and including termination:

1. Do not engage in practical jokes and horseplay.

2. Do not use chemical intoxicants or alcoholic beverages on the job or during working hours.
3. Do not jump from any height, such as a table, truck bed, bench or platform.
4. Do not mount or dismount from a moving vehicle.
5. Inspect all tools and equipment prior to use. Report defective items to the supervisors.
6. Mark all hazardous areas and/or equipment with appropriate signs or tags.
7. Obey all hazard warning signs and tags must be obeyed.
8. Do not operate Village equipment unless properly trained and authorized to do so.
9. Do not remove safety guards installed in accordance with manufacturer's recommendations except for servicing.
10. Wear appropriate clothing. Clothing must be suitable for the type of work performed. Loose clothing or personal equipment should not be worn near machinery or equipment with moving parts.
11. Remove jewelry such as rings, identification bracelets, etc. Such items must be removed when work involves climbing, materials handling, electrical work or operating mechanical equipment.
12. Wear protective equipment and/or clothing as required by department supervisors.
13. Properly maintain all first-aid and fire equipment and keep it accessible for emergency use.
14. Employees shall have in their possession a valid driver's or commercial driver's license when operating a Village vehicle.
15. All employees operating Village vehicles or road equipment shall strictly adhere to all traffic laws.
16. Employees shall not operate mechanical equipment or vehicles when taking medication that may affect their ability to function in a normal manner.
17. Employees are required to keep their work areas in good order.
18. Accidents, no matter how minor, must be reported immediately to the employee's supervisor and safety representative.
19. Any injury, no matter how minor, must be reported immediately to the employee's

supervisor and safety representative.

20. All Village employees shall use seat belts when on duty while riding in or operating a Village vehicle. Employees found guilty of a violation of the seat belt law (R.C. § 4513.263) while on duty in a Village vehicle are subject to disciplinary action pursuant to Section 6 of this Manual. Repeated violations may result in more severe disciplinary action, up to and including termination.
- B. Additional regulations. Since it is not possible to anticipate or cover in detail all hazardous situations that might arise on the job site, personnel are expected to use common sense and proper advance planning to eliminate hazardous situations.



## SECTION 5.13 EXTERNAL EMPLOYMENT

Under no circumstances shall an employee have other employment that conflicts with the policies, objectives and operations of the Village. Employment “conflicts,” as set forth in this policy, shall be defined as when the second job impairs the employee’s ability to perform the duties of his or her position with the Village. An employee must not become indebted to a second employer whose interests might be in conflict with those of the Village.

Employees shall be required to inform the Village in writing if they are employed elsewhere to determine whether there is a conflict with the time or duties required of them on their assigned job.

Full-Time employment by the Village shall be considered the employee’s **primary** occupation, taking precedence over all other occupations. Each employee shall notify his or her supervisor, in writing, of any “outside” employment which he or she may have.

If, in the opinion of the Village, outside employment is adversely affecting an employee’s job performance, he or she may be asked to refrain from such activities as a condition of continued employment with the Village. Refusal to conform to such request shall be cause for dismissal.

## **SECTION 5.14 PERSONNEL RECORDS**

Personnel records shall be kept current on all employee files maintained by the Village. These records may contain the following information:

1. Employee personal data;
2. Applications;
3. References;
4. Personnel action forms and other information pertaining to an employee's change in status;
5. Performance evaluations;
6. Commendations or disciplinary action reports; and
7. Records of tardiness, sick leave, vacation and/or other leaves.

Confirmation of employment and salary shall be released as requested for credit reference. Requests for references shall be appropriately completed.

All employees shall have the right to reasonably inspect their personnel files by contacting the Fiscal Officer.

## SECTION 5.15 DRUG FREE WORKPLACE

### A. STATEMENT OF POLICY

The Village believes it is important to provide a safe workplace for all employees. This includes dealing with drug and alcohol use that negatively affects every workplace. The Village is concerned with the health and well-being of all employees. Behaviors related to substance use can endanger all employees, not just substance users. The Village cannot condone and will not tolerate:

- possession of illegal drugs on Village property and/or in an employee's system on the job;
- possession of alcohol on Village property and/or in an employee's system on the job;
- sale, purchase, transfer, trafficking, use or possession of any illegal drugs on the job; or
- arrival or return to work with illegal drugs or alcohol in an employee's system.

The Village exempts physician prescribed medications to an employee who takes the medicine as prescribed and does not compromise workplace safety.

Management is committed to this drug-free policy. It establishes clear guidelines for acceptable and unacceptable employee behavior in the workplace. The Village will not tolerate substance use in violation of this policy.

The Village expects every employee to read and understand this policy. The policy applies to every employee. This includes management and contractors. Anyone who violates this policy will be subject to the consequences and/or discipline as provided for in Section 6 of this manual, up to and including termination.

The Village intends to hold all employees accountable in terms of substance use. However, the Village will support employees who voluntarily identify their substance problems prior to testing. The Village will subject employees who have substance problems, but who do not come forward, and who test positive for drug or alcohol use to the employment consequences stated in this policy.

This policy and program is in effect and will remain in effect unless further notice is given. The Village's program contains five (5) key parts:

- The written policy, which clearly spells out the program rules and how everyone benefits;
- May include annual substance awareness education for employees;

- May include annual training for supervisors regarding their responsibilities;
- Drug and alcohol testing, the most effective way to change harmful behaviors related to substance use; and
- An Employee Assistance Program (“EAP”).

The Fiscal Officer is the Village’s drug-free coordinator and any individual with a question about this policy is encouraged to contact the Fiscal Officer. The Fiscal Officer will arrange drug and alcohol testing. The Fiscal Officer also can share where employees can go to for help for themselves and their families if they have a substance problem.

#### 1. *Protections for Employees*

The Village’s program protects employees from dangerous and unproductive behaviors attributable to substance use. It also has built-in protections of employee rights.

The Village keeps employee records, such as testing results and referrals for help, confidential. The Village shares information on a need-to-know basis only. Violation of confidentiality rights is subject to disciplinary action pursuant to Section 6 of this Manual, up to and including termination of employment.

The Village is committed to helping employees who have a substance problem. The Village will review each situation. Employee assistance is available for employees and their families through a list of resources available through our drug-free coordinator. The Village wants all employees to come forward if they have a problem. Remember, if an employee tests positive, that employee risks losing his or her job, and the Village does not want that to happen.

The Village may train supervisors in their duties related to testing before this program begins and as the program goes along. Supervisors may also receive annual training to identify behaviors that may indicate a substance problem exists. Supervisors may learn how to refer employees for assistance and/or testing.

Everyone may attend annual education sessions. Sessions may include sharing assistance resources.

A local clinic will collect urine specimens and conduct breath testing. A laboratory certified by the federal government will analyze urine specimens for drugs. These labs ensure various substances present in an employee are of sufficient quantity to be a danger in the workplace. This system ensures the accuracy and fairness of every test. The Village also has a medical review officer (“MRO”), a physician trained in substance abuse, involved. When the MRO receives positive test results, he or she contacts the employee and any appropriate healthcare provider or

pharmacy. The MRO then can determine whether there is a valid reason for the presence of the drug in the person's system.

The Village's testing program starts with an initial screening test. If the initial results are positive, the laboratory then uses a second or confirmatory test. The Village established cut-off levels for each drug and for alcohol to determine what the Village will consider a positive test. These levels show the employee did not just have a little of the substance in his or her system but enough to affect workplace safety and the ability to do the job. These cut-off levels come from federal guidelines and are fair for all employees.

2. *Employee Education*

The Village will distribute written copies of this policy through the receipt of this Manual by all employees. The Village expects everyone to sign an acknowledgement or receipt of this Manual and/or policy, thus, confirming they received a copy. Later, the Village may have a qualified person explain why substance abuse is a workplace problem. He or she may also explain the effects of various substances, signs/symptoms of substance use, and effects of commonly used drugs in the workplace and how to get help. Education aimed at getting everyone to understand the dangers of substance use may occur each year.

3. *Supervisor Training*

The Village may train supervisors to recognize substance problems that may endanger the employee and others. Supervisors may also learn how to recognize policy violations. Once trained, they will recognize behaviors that may demonstrate an alcohol/drug problem, how to make referrals for help, and for testing.

4. *Drug and Alcohol Testing*

The Village will test for drugs and alcohol to detect and get employees not to use substances in a way that violates the Village's policy. Testing will also allow the Village to take appropriate action, to include disciplinary action pursuant to Section 6 of this Manual, to correct the situation. Testing will look for alcohol and the following drugs:

- Amphetamines (speed, uppers);
- Cocaine;
- Marijuana;
- Opiates (codeine, heroin, morphine); and
- Phencyclidine (PCP, "angel dust").

5. *Employee Assistance*

The Village believes in offering assistance to employees with a substance problem. The Village will offer the following help: the Village will make available to employees a list of local community resources to turn to for help. This list includes places to go for an assessment and for treatment.

B. WHEN TESTING MAY OCCUR

The Village will test employees for the presence of drugs in the urine and/or alcohol (through saliva, breath and/or blood) under any of the conditions outlined below.

1. *Post-Offer, Pre-Employment Drug Testing*

All applicants must undergo a drug test. A contractor whom the Village designates prior to employment will collect a urine specimen and a federally-certified laboratory will conduct the test. Any offer of employment depends upon satisfactory completion of this examination and/or screening. The Village and its examining physician will then determine if the applicant can perform the responsibilities of the position.

2. *Reasonable Suspicion Testing*

The Village will conduct reasonable suspicion testing when a supervisor suspects an employee may be in violation of this policy. Management will document the suspicion in writing prior to the release of the test findings. A reasonable suspicion test may occur based on:

- observed behavior, such as direct drug/alcohol use or possession and/or physical symptoms of drug and/or alcohol use;
- a pattern of abnormal conduct or erratic behavior;
- arrest or conviction for a drug-related offense or identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking (the employee must notify the Village within five (5) working days of any drug-related conviction);
- information provided either by reliable and credible sources or independently corroborated regarding an employee's substance use;
- newly-discovered evidence that the employee tampered with a previous drug or alcohol test; or

- any other time the Village has reasonable suspicion that an employee is using drugs and/or alcohol.

Reasonable suspicion testing does not require certainty. Mere hunches, however, do not justify testing. To prevent this, the Village may train all managers/supervisors to recognize drug and alcohol-related signs and symptoms. Testing may be for drugs or alcohol, or both.

### 3. *Post-Accident Testing*

Should there be additional reasonable suspicion following an accident, the Village will conduct post-accident testing whenever an accident occurs which includes workers compensation accidents/injuries. The Village considers an accident an unplanned, unexpected or unintended event that occurs on Village property during the conduct of Village business or during working hours, or which involves one of the Village's motor vehicles or a motor vehicle used in conducting Village business, or is within the scope of employment and which results in any of the following:

- a fatality of anyone involved in the accident;
- bodily injury to the employee and/or another person that requires off-site medical attention away from the Village's place of employment;
- vehicular damage in apparent excess of \$500.00 or if the driver is cited and
- non-vehicular damage in apparent excess of \$500.00.

When such an accident results in one of the situations above, the Village will test any employee who may have caused or contributed to the accident for drugs or alcohol use, or both, if there is any other reasonable suspicion of impairment.

Once the Village determines a need to test, urine specimen collection (for drugs) or breath/saliva or blood (for alcohol) must occur as soon as possible after the Village determines a need to test. The Village will consider any employee who seeks to delay providing a specimen as refusing to be tested.

Employees responsible for a work-related accident in which he or she was injured must grant the Village the right to request attending medical personnel obtain appropriate specimens. These include breath, saliva, and/or blood to conduct alcohol testing and urine to conduct drug testing.

Employees grant the Village access to any and all other medical information that may be relevant in conducting a complete and thorough investigation of the work-related accident. This includes a full medical report from the examining physician(s) or other healthcare providers. As a condition of employment, the Village requires a signed consent-to-test form. The Village reserves the right to

determine who may have caused or contributed to a work-related accident. The Village may also choose not to test after minor accidents if there is no violation of a safety or work rule, minor damage and/or injuries and no reasonable suspicion.

4. *Random Drug Testing*

Random drug testing will include all full time employees and is conducted on an unannounced basis. A non-Village testing organization uses computer software that ensures a truly random selection process in which all employees in the testing pool have an equal statistical likelihood of being selected for testing. When the next random draw is conducted, all employees are again included in the pool with an equal chance of selection, regardless of whether an employee was previously selected. Random testing is designed to detect drug use in violation of the policy and ensure that the Village maintains confidence in employees' abilities to perform their duties. The Village has contracted with an outside vendor to perform the periodic selection of employees for inclusion in the random testing pools. The contractor selects employees at random for drug testing at any time during each calendar year. The Village will provide employee identification numbers to be used in the random selection drawings. The contractor will, in turn, furnish the Village with a list of individuals to be tested at the beginning of each selection period. It shall be the responsibility of the Village to notify each employee who was selected with the date, time and location that random testing will be performed. When notified, it shall be the responsibility of the individual employee to provide a urine specimen for drug testing. An employee's failure to comply with the request for a specimen for random testing may result in termination of employment.

5. *Follow-Up Testing After Return to Duty from Assessment or Treatment*

The Village conducts this test of employees who previously tested positive but whose employment was not terminated. The Village requires a negative return-to-duty test before the Village will allow the employee to return to work. If the employee fails this test, this may result in disciplinary action, up to and including termination of employment. Once an employee tests negative and returns to duty, management will ensure additional tests occur. Any employee with a second positive test result will be disciplined, up to and including termination of employment. Follow-up tests will be unannounced and may occur at any time for a time period management considers reasonable. The intent is to deter any subsequent use that would violate the Village's policy and result in termination of employment.

C. SUBSTANCES TO BE TESTED FOR AND METHODS OF TESTING

Systems presence testing is the procedure used. This is how qualified testing professionals identify the presence of one or more of prohibited controlled substances or alcohol that may be present in the employee's system.



If the initial screening test proves negative, then a negative test is declared. The qualified testing professional does a second test, called a confirmatory test, only if the initial test is non-negative. This means the results came in at or higher than the cut-off level for one or more drugs. There is also a confirmatory test for alcohol when the preliminary test is at or above the specified cut-off level.

Experts and the courts consider the confirmatory test 100% accurate. Scientific experts identified standard cut-off levels for each of the tested drugs after years of research and employers have successfully used these for decades for both federal testing and non-regulated workplace testing. Professionals use these levels to interpret all drug screens/tests, including the drugs for which testing may occur under the Village's drug-free policy. The Village reserves the right to add or delete substances on the list contained in this policy, especially if mandated by changes in existing federal, state or local laws/regulations.

For alcohol testing, a medical clinic that uses only certified equipment and personnel will conduct testing. The Village will consider breath alcohol concentrations exceeding 0.02 Blood Alcohol Content ("BAC") a verified positive result. In the event of an accident where an employee has blood alcohol drawn at a medical treatment facility, the Village will consider a result equal to or greater than 0.04 BAC a verified positive result. The collection site will typically use an Evidentiary Breath Test ("EBT") to confirm any initial positive test result performed through saliva or breath testing.

The Village may terminate employees adulterating, attempting to adulterate, or substituting a specimen or otherwise manipulating the testing process. The Village will consider refusal to produce/provide a specimen a positive test unless there is a verifiable medical reason for not producing/providing a specimen when requested.

#### D. SPECIMEN COLLECTION PROCEDURE

Trained collection personnel who meet standards for urine collection and breath alcohol testing will conduct testing. The Village requires confidentiality from the Village's collection sites and labs.

The Village permits employees to provide urine specimens in private, but subject to strict scrutiny by collection personnel. This avoids any adulteration or substitution of the specimen.

Likewise, the collection site will conduct breath alcohol testing in an area that affords the individual privacy. In all cases, there will be one individual tested at a time.

The Village will consider failure to appear for testing when scheduled as a refusal to participate in testing. Such failure may subject an employee to the range of disciplinary action contained in Section 6 of this Manual, including dismissal, and for an applicant, cancellation of an offer of employment. An observed voiding or collection will only occur if there is grounds for suspecting manipulation of the testing process.

E. REVIEW OF TEST RESULTS

To ensure the Village treats every tested employee fairly, the collection site uses the services of an MRO. The MRO is a doctor with a specialized knowledge of substance abuse disorders. He or she can determine whether there are any valid reasons for the presence in the employee's system of the substance that was positive. The Village follows the federal requirement that the MRO may not be affiliated with the federally-certified lab that does the urine analysis.

F. EMPLOYEES' RIGHTS WHEN THERE IS A NON NEGATIVE TEST RESULT

Upon receipt of a confirmed positive finding, the MRO will attempt to contact the employee by telephone or in person. If the MRO makes contact, he or she will inform the employee of the positive finding. The MRO will give the employee an opportunity to rebut or explain the findings.

The MRO can request information on recent medical history. He or she can also ask for medications taken within the last thirty (30) days by the employee. If the MRO finds support in the employee's explanation, he or she may ask the employee to provide documentary evidence to support his or her position. Evidence can include treating physicians and pharmacies, which filled prescriptions, etc.

A failure on the part of the employee to provide documentary evidence will result in the MRO issuing a positive report with no attendant medical explanation. If the employee fails to contact the MRO as instructed, the MRO will issue a report of a positive test result.

G. REPORTING OF RESULTS

The collection facility will report all test results to the MRO prior to reporting the results to the Village. The MRO will receive a detailed report of the findings of the analysis from the testing laboratory. The collection facility will list each substance tested along with the results of the testing.

The Village will receive a summary report, which indicates the employee passed or failed the test. The Village intends these procedures to be consistent with guidelines for MROs, published by the Department of Health and Human Services.

H. STORAGE OF TEST RESULTS AND RIGHT TO REVIEW TEST

The Village will store all records of drug/alcohol testing separately from the employee's general personnel documents. The Village will maintain these records and limit access to designated Village officials only.

The Village will use the information to properly administer this policy and to provide to certifying agencies for review as required by law. The Village charges designated Village officials with access to records with the responsibility for maintaining their confidentiality.

Any breach of confidentiality may be an offense resulting in termination of employment pursuant to Section 6 of this Manual.

Any employees tested under this policy have the right to review and/or receive a copy of their own test results. An employee may request to receive his or her test results by giving written notice to the drug-free coordinator. The Village will use its best efforts to promptly comply with this request and will issue to the employee a copy of the results personally or by U.S. Certified Mail, Return Receipt Requested.

I. NON NEGATIVE TEST RESULTS

The Village will immediately take employees found to have a confirmed positive drug or alcohol test off safety-sensitive duties. The Village will subject these employees to discipline pursuant to Section 6 of this Manual, up to and including termination of employment.

J. TERMINATION NOTICES

In those cases where substance testing results in the termination of employment, termination notices will list misconduct as the reason and the Village will deem such terminations “for cause.”

K. GOVERNING LAW

This Drug Free Workplace policy and procedure shall be interpreted and implemented in accordance with applicable state and federal law.

L. MEDICAL MARIJUANA

1. The Village has a zero-tolerance policy for employees who are under the influence of illegal drugs or alcohol while at work. Employees who are using marijuana with a valid prescription or otherwise authorized by Ohio law **are not exempt** from this policy in any way. The use of marijuana, with or without a valid prescription or as otherwise authorized by law, will be treated the same as the use of all other illegal drugs or the abuse of legal drugs. Employees using illegal drugs, including marijuana, for any purpose, including medicinal, are still subject to all provisions of this policy and may be terminated for such use. Employees are advised of the following:

- a. The Village does not permit or accommodate an employee’s use, possession or distribution of medical marijuana.
- b. The Village may refuse to hire or may discharge, discipline or take other action against an individual because of that person’s use, possession or distribution of medical marijuana.

- c. An employee who tests positive for or refuses to submit to a drug test may be disqualified for compensation and benefits under the Ohio Workers' Compensation Act.
  - d. Because use, possession or distribution of marijuana is a violation of the Drug-Free Workplace policy, employees who are discharged for those reasons will be considered to have been discharged for just cause for purposes of unemployment compensation and other post-termination pay or benefits.
2. The Drug-Free Workplace policy continues to apply, regardless of whether the employee's use, possession or distribution of marijuana was obtained and/or conducted in Ohio or any other State.

## SECTION 5.16 HARASSMENT

### A. EQUAL EMPLOYMENT OPPORTUNITY

The Village provides equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, or status as a Vietnam-era or special disabled veteran in accordance with applicable federal laws. In addition, the Village complies with applicable state and local laws governing nondiscrimination in employment in every location in which the Village has facilities. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

To further the principle of equal employment opportunity for all, the Village has developed affirmative action plans for minorities and women, individuals with disabilities, and Vietnam-era and special disabled veterans. These plans, or relevant portions of them, are available for inspection upon request. Please ask a supervisor or the Fiscal Officer for information regarding these plans.

### B. ZERO-TOLERANCE FOR HARASSMENT

The Village has adopted a policy of “zero-tolerance” with respect to unlawful employee harassment. In this regard, the Village expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, age, disability, status as a Vietnam-era or special disabled veteran, or status in any group protected by federal, state or local law. Improper interference with the ability of any employee to perform their expected job duties is not tolerated.

The Village will not tolerate any form of sexual harassment or gender discrimination in the workplace, including acts of non-employees.

Facts about sexual harassment:

- The victim or the harasser may be a man or women, and the victim and harasser could be of the same sex.
- The harasser could be the victim’s supervisor, the employer’s agent, another supervisor in the workplace, a co-worker, or a non-employee.
- The victim is not always the one directly harassed; it could be anyone affected by the offensive conduct.
- Sexual harassment could occur in the absence of economic injury or discharge of the victim.
- The harasser’s conduct must be unwelcome.

There are two (2) kinds of sexual harassment:

1. “Quid Pro Quo” Sexual Harassment: unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes this form of sexual harassment when:
  - a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; or
  - b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
2. “Hostile Work Environment” Sexual Harassment: unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes this type of sexual harassment when such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

With respect to sexual harassment, the Village prohibits the following:

1. Unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual nature or otherwise offensive nature, especially where:
  - submission to such conduct is made either explicitly or implicitly a term or condition of employment;
  - submission to or rejection of such conduct is used as the basis for decisions affecting an individual’s employment; or
  - such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
2. Offensive comments, jokes, innuendos, and other sexually oriented statements.

Examples of the types of conduct expressly prohibited by this policy include, but are not limited to, the following:

- Touching, such as rubbing or massaging someone’s neck or shoulders, stroking someone’s hair, or brushing against another’s body
- Sexually suggestive touching
- Grabbing, groping, kissing, or fondling.
- Whistling.
- Lewd, off-color, sexually oriented comments or jokes.

- Foul or obscene language.
- Leering, staring, or stalking.
- Suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons.
- Unwanted or offensive letters or poems.
- Sitting or gesturing sexually.
- Offensive e-mail or voice-mail messages.
- Sexually oriented or explicit remarks, including written or oral references to sexual conduct, gossip regarding one's sex life, body, sexual activities, deficiencies, or prowess.
- Questions about one's sex life or experiences.
- Repeated requests for dates.
- Sexual favors in return for employment rewards, or threats if sexual favors are not provided.
- Sexual assault or rape.
- Any other conduct or behavior deemed inappropriate by the Village.

C. REPORTING PROCEDURE

If an employee experiences or believes that he or she has been subjected to any job-related harassment based on the employee's sex, race, national origin, disability, or another factor, or the employee believes that he or she has been treated in an unlawful, discriminatory manner, the employee is encouraged to promptly report the incident. The employee may report to either his or her direct supervisor, department, or division head, or the Fiscal Officer. This policy applies to all incidents of alleged harassment, including those which occur off-premises, or off-hours, where the alleged offender is a supervisor, co-worker, or even a non-employee with whom the employee is involved, directly or indirectly, in a business or potential business relationship.

The Village will not tolerate workplace discrimination or harassment and will review each reported incident. Accordingly, members of management are required to document all reported incidents and to review them, in confidence, with the Fiscal Officer. Members of management must not only document incidents that are reported by alleged victims of harassment or discrimination, but shall also document and report incidents that they witness or of which they acquire knowledge. Employees may, in consideration of the circumstances, bypass anyone in their direct chain of command and report or express any

issues of concern directly with the Fiscal Officer at any time. If the employee feels that reporting to the Fiscal Officer is also inappropriate for any reason, they may report the harassment to the Village Solicitor.

The Fiscal Officer is designated as the Equal Employment Coordinator and will review all reported incidents of harassment or discrimination (both direct reports to the Fiscal Officer and employee incident reports that are forwarded to the Fiscal Officer from management). The Equal Employment Coordinator shall meet privately with the reporting party and offer the employee the opportunity to file a formal written complaint. The Equal Employment Coordinator may discuss any report or formal written complaint with management and, if necessary, conduct interviews with witnesses and the accused party. In an effort to evaluate or remedy the complaint of discrimination or harassment, the Fiscal Officer may suggest and solicit behavioral or managerial adjustments. The Equal Employment Coordinator shall provide a review of all reports and findings of any complaint, together with a recommendation for action, to the appropriate appointing authority.

The Village reserves the right to determine whether any reported behavior justifies disciplinary action against an accused employee pursuant to Section 6 of this Manual, up to and including termination of employment.

D. RETALIATION PROHIBITED

The Village prohibits any form of retaliation against any employee for reporting or filing a complaint under this policy or for assisting in a complaint investigation. However, if, after investigating any complaint of harassment or unlawful discrimination, the Village determines that the report was false or the complaint was not made in good faith or that any employee has provided false information regarding the incident, disciplinary action may be taken against the individual who filed the report or complaint or who gave the false information pursuant to Section 6 of this Manual.



## SECTION 5.17 DISABILITY ACCOMMODATION

### A. STATEMENT OF COMMITMENT

1. The Village prohibits discriminating against individuals with a qualifying disability, on the basis of such disability, in all employment practices including job application procedures, hiring, firing, advancement, compensation, training and other terms, conditions and privileges of employment.
  - a. "Individuals with a qualifying disability" includes applicants for employment and employees. An individual is considered to have a "disability" if he/she has a physical or mental impairment that substantially limits one or more major life activities,<sup>6</sup> has a record of such an impairment,<sup>7</sup> or is regarded as having such an impairment.<sup>8</sup> Persons discriminated against because they have a known association or relationship with an individual with a disability are also protected.
  - b. "Qualifying disability" means a physical or mental impairment that substantially limits one or more "major life activities."
  - c. "Major life activities" include seeing, hearing, speaking, walking, breathing, performing manual tasks, learning, caring for oneself and working.
  - d. "Qualified individual with a disability" is a person who meets legitimate skill, experience, education or other requirements of an employment position that he/she holds or seeks, and who can perform the essential functions of the position with or without reasonable accommodation.
  - e. "Essential functions" are the basic job duties that form the core of the position – the duties that are central to performing the most basic function of the job.
2. The Village will make reasonable accommodations for an individual with a known qualifying disability to participate in the application process and for a qualified individual with a disability to perform essential job functions so long as the accommodation does not impose an undue hardship on Village operations.
  - a. "Reasonable accommodation" is any modification or adjustment to

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<sup>6</sup> Examples include epilepsy, paralysis, HIV infection, AIDS, a substantial hearing or visual impairment, mental retardation or a specific learning disability (versus minor, non-chronic conditions such as a sprain, broken limb, or the flu).

<sup>7</sup> Examples include a person who has recovered from cancer or mental illness.

<sup>8</sup> Examples include a person with a severe facial disfigurement being denied employment because an employer fears the 'negative reactions' of customers or co-workers.

a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions.<sup>9</sup> Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.

- b. "Known disability" means that unless readily observable by the Village, an individual's disability will only be known if the information is shared as part of a request for a reasonable accommodation.
- c. "Undue hardship" is defined as an action requiring significant difficulty or expense when considered in light of the nature and cost of the accommodation in relation to the size, resources, nature and structure of the employer's operation. Undue hardship is determined on a case-by-case basis.

**B. ACCOMMODATING INDIVIDUALS WITH DISABILITIES**

- 1. The Village will not make pre-employment inquiries of applicants regarding disabilities or the nature or severity of a disability. The Village will ask questions about applicants' ability to perform specific job functions and may, with certain limitations, ask an individual with a known disability to describe or demonstrate how he/she would perform these functions.
- 2. The Village will make reasonable accommodations to adjust the application and/or any pre-employment testing processes for an applicant with a known disability so long as the accommodations do not prevent the Village from being able to evaluate the applicant's abilities and the Village will not experience an undue hardship in doing so.
- 3. The Village will not require job applicants to take medical examinations before making a job offer. The Village may condition a job offer on the satisfactory result of a post-offer medical examination or medical inquiry if the Village requires it of all entering employees in the same job category.

If an individual is not hired because a post-offer medical examination or inquiry reveals a disability, the Village will demonstrate how:

- a. the disability negatively affects the individual's ability to perform the job and how no reasonable accommodation was available that would enable the individual to perform the essential job functions or that the accommodation would impose an undue hardship; or

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<sup>9</sup> Examples include restructuring a job; modifying work schedules; acquiring or modifying equipment; providing qualified readers or interpreters or appropriately modifying examinations, training or other programs.

- b. the individual would pose a direct threat in the workplace (e.g., a significant risk of substantial harm to the health or safety of the individual or others) that cannot be eliminated or reduced below the direct threat level through reasonable accommodation.
4. Post-hire, an employee who develops a disabling condition making him/her unable to perform the essential functions of a job without posing an undue threat to himself/herself or others may request:
  - a. that permanent or temporary alterations be made to the job and/or work environment which accommodate the employee, or
  - b. a transfer to a vacant position at the same or lower classification where he/she can perform the essential functions with or without reasonable accommodation, or
  - c. a leave of absence to recuperate if the employee is able to present medical certification that the disabling condition may be temporary or at least improve so as to allow the employee to return to work with or without reasonable accommodation.
5. Prior to granting any accommodation, the Village requires receipt of medical documentation (from a licensed practitioner) establishing such need. If the Village is not able to approve a request from the employee for any of options (4)(a)-(c), the employee may be terminated.
6. Information from all medical examinations and inquiries will be kept apart from general personnel files as a separate, confidential medical record, available only under limited conditions.

## SECTION 5.18 WORKPLACE VIOLENCE

### A. STATEMENT OF COMMITMENT

1. The Village is committed to the belief that every employee has the right to a place of employment that is safe and productive. The Village will not tolerate any form of workplace violence and will not hesitate to immediately terminate any employee found to be in violation of this policy if such action is deemed necessary. As such, the Village is committed to the prevention of workplace violence and will take reasonable precautions to protect the life, health, safety and welfare of its employees.
2. "Workplace violence" is defined as, but is not limited to, the following:
  - a. any act of physical or verbal aggression, including "horseplay" or other conduct that may be dangerous to others;
  - b. possessing a firearm or other deadly weapon while on Village property and/or performing work for the Village;
  - c. any act of physical aggression against Village property;
  - d. some forms of harassment;
  - e. attempts to commit acts of aggression or harassment; and/or
  - f. conduct that threatens, intimidates, or coerces another person.

### B. REPORTING VIOLENCE

Employees are encouraged to immediately report all threats of or actual violence, direct or indirect, as well as suspicious individuals or activities to their supervisor as soon as practicable.

Included are threats or violence by or toward employees, citizens, vendors, solicitors or other members of the public.

### C. INVESTIGATION

The Village will promptly and thoroughly investigate all reports of threats of or actual violence and suspicious individuals or activities. The identity of the individual filing the report will be kept confidential to the extent possible. The Village may suspend employees, either with or without pay, while conducting an investigation.

D. DISCIPLINE

1. Employees determined to be responsible for threats of or actual violence or other conduct that violates these guidelines will be subject to disciplinary action pursuant to Section 6 of this Manual, up to and including termination of employment.
2. The Village will not discipline or retaliate against employees for reporting, in good faith, incidents of workplace violence.

## **SECTION 5.19 WEAPONS IN THE WORKPLACE**

- A. All employees, except law enforcement officers engaging in official duties, are prohibited from the carrying or possession of firearms, explosives, or weapons on Village property at any time without proper authorization, except as otherwise provided by law.
- B. The term “weapon” means any instrument, device or thing capable of inflicting death or other serious injury, and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon, and includes, but is not limited to, firearms, handguns, ballistic knives (switchblades, butterfly knives, daggers, etc.) and explosive devices.
- C. The Village reserves the right to prohibit other items considered to be dangerous or inappropriate for the workplace. Legal, chemical dispensing devices, such as pepper sprays, that are sold commercially for personal protection are permissible under this policy.
- D. All employees are required to report the presence of a weapon on Village property or any other violation of this policy to his or her supervisor. This policy shall not be construed to create any duty or obligation on the part of the Village to take any action beyond those required of an employer by existing law.
- E. The Village reserves the right to contact the police department to request a search of any employee, person, vehicle, or object that enters onto Village property if there is reasonable suspicion of a violation of this policy. An appropriate management representative of the Village may request the police department to search any item in which a weapon may be hidden, including, but not limited to, desks, lockers, purses, briefcases, baggage, lunch sacks, clothing, or vehicles. The police department may search a Village-owned vehicle used by the employee or a vehicle owned by an employee that is being used to conduct business on behalf of the Village.
- F. Employees who violate this policy will be subject to disciplinary action pursuant to Section 6 of this Manual, up to and including termination of employment.

**SECTION 5.20 SMOKE-FREE ENVIRONMENT**

In accordance with Ohio law and Village policy, smoking is prohibited on all property and in all buildings and vehicles owned, leased, managed, or operated by the Village. This policy shall be construed to include the use of electronic cigarettes.

## SECTION 5.21 SOCIAL MEDIA POLICY

### A. INTRODUCTION

1. Professionalism, ethics, and integrity are of paramount importance in public sector employment. To achieve and maintain the public's highest level of respect, the Village must place reasonable restrictions on employees' conduct and appearance, and hold to these standards of conduct whether on or off duty. An employee's actions must never bring the Village into disrepute, nor should conduct be detrimental to its efficient operation.
2. The term "social media" refers to works of user-created video, audio, text or multimedia that are published and shared in an electronic environment, such as a blog, wiki, instant messaging, e-mail, or video hosting site(s). It includes, but is not limited to, Facebook, YouTube, Twitter, LinkedIn, Instagram, Vine, Pinterest, Google +, Tumblr, Flickr, Snapchat, and personal blogs.

### B. PURPOSE

1. The purpose of this policy is to establish guidelines concerning personal web pages, internet sites, social networking sites, and/or any other public or private internet forums.
2. As the subject of social media is constantly changing, with new opportunities emerging daily, this policy is meant to establish reasonable guidelines for the use of such resources.

### C. OFFICIAL VILLAGE SOCIAL MEDIA SITES

1. All official Village social media sites are owned and operated by the Village through the Mayor or his/her designee. Only the Mayor or his/her designee may create or edit any official Village social media sites.
2. Any content posted to official Village social media sites should be current and accurate. If an employee does make an error, he or she should take responsibility for it and quickly correct it. No employee shall post any information that is obscene, defamatory, libelous, threatening, harassing, or intimidating to another person or entity. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Village policies. Individuals may be held personally liable for such remarks and may be disciplined for violating this policy pursuant to Section 6 of this Manual.



3. Members of the public are welcome to access and post comments on any official Village social media sites. These pages are meant to present matters of public interest for the Village. Questions, comments, and concerns are welcome, but members of the public shall be advised that the social media pages are moderated online discussion sites and not public forums. Members of the public shall also be notified that the social media sites utilized by the Village do not reflect the opinions and/or position of the Village or its employees. Once posted, the Village reserves the right to delete submissions that contain the following:
  - a. vulgar language;
  - b. personal attacks of any kind;
  - c. offensive comments that target or disparage any ethnic, racial, or religious group;
  - d. spam or include links to other sites;
  - e. clearly off topic comments;
  - f. advocate illegal activity;
  - g. promote particular services, products, or political organizations; or
  - h. infringe on copyrights or trademarks.

These guidelines must be displayed to users or made available by hyperlink. Any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available.

The Village reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.

D. EMPLOYEES' PERSONAL SOCIAL MEDIA SITES

1. Employees may not use Village computers, smartphones, or other devices to access private mail or personal social media sites.
2. Employees may not access personal social media sites during work hours, except when on break.

3. Employees may not disseminate non-public confidential information gained through their employment with the Village through social media or by any other means.
4. Employees may not engage in any threatening, harassing, or unlawful behavior through any social media.
5. The Village reserves the right to restrict and monitor all employees' use of social media sites during work hours.
6. Employees may not comment or post on behalf of or as an employee of the Village. When posting, employees should use the following whenever possible to clearly indicate that the employee is not posting on behalf of or as an employee of the Village: "The views expressed here are my own and not those of the Village of Jefferson."
7. Employees may not disclose any public records except through the records policy procedures.
8. Employees may not post any negative or derogatory comments about co-workers, supervisors, managers, or the general public.
9. Employees may not use a Village-issued e-mail address as a credential for creating or editing a personal social media site.

E. PROCEDURES

1. Employees must report critical posts of other employees to the Mayor or his/her designee.
2. Employees are to utilize the harassment policy and procedures for reporting alleged misconduct of another employee on social media.
3. If any employee is contacted by a member of the accredited media about a posting or comment on a social media site, the employee must immediately contact the Mayor or his/her designee and refer the member of the media to contact the Mayor and/or the Village Administrator. The employee should provide no further comment.

F. APPROVAL PROCESS

1. Any employee who wishes to create an official Village social media site to conduct Village business must first notify and receive approval from the Mayor or his/her designee.

2. Departments have the option of allowing employees to participate in existing social media sites as part of their job duties. Department heads may allow or disallow employee participation in any social media activities in their departments at their discretion.

#### G. LIMITATIONS

1. Nothing in this Social Media Policy or any other policy of the Village will be construed to prohibit employees from discussing or communicating about wages, benefits, or other terms and conditions of employment, or from engaging in concerted activity for the purpose of addressing terms and conditions of employment or the employees' mutual aid and protection in the workplace. However, if an employee chooses to use social media to post complaints or criticisms about the Village, the Village asks that the employee avoid using statements, photographs, video or audio that could be reasonably viewed as malicious, obscene, threatening, intimidating, disparaging to other Village employees and clients, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Village policies.
2. The Village shall never do any of the following:
  - a. demand an employee's social media login credentials;
  - b. use an employee's social media login credentials;
  - c. demand to become an employee's "friend;"
  - d. confiscate an employee's personal electronic devices; or
  - e. shut down an employee's social media account.

#### H. COVERAGE AND POLICY VIOLATION

1. The rules, guidelines, policies and obligations described in this policy apply to all Village employees, independent contractors, agents and any other individuals (hereinafter "Users") granted access to the Village's computer network.
2. Violations of this Policy will be treated seriously and may result in disciplinary action pursuant to Section 6 of this Manual, up to and including termination, in addition to possible civil and criminal liability being imposed. It is each and every User's obligation and duty to use the computing and network resources responsibly,

professionally, ethically and lawfully. Use of the Computer Network is a privilege that can be revoked at any time.

3. This policy may be revised and/or amended at any time as needed due to changes in technology, business activities, and/or as mandated by law. Users will be provided with a copy of all amendments and/or revisions.
4. Employees with any questions or concerns about creating, editing, or posting on a social media site are encouraged to contact the Mayor or his/her designee.

I. OTHER APPLICABLE POLICIES

In addition to this policy, an employee's use of social media is also subject to all other applicable Village policies and provisions of the Ohio Revised Code, including, but not limited to:

1. Solicitation, Distribution and Selling;
2. Ethics of Public Employment;
3. Code of Ethics;
4. Political Activity;
5. Cell Phone Usage;
6. Computer & Email Usage;
7. Harassment;
8. Workplace Violence;
9. Public Records Policy;
10. Ohio Revised Code Chapter 102 (Ohio's Ethics Law);
11. Ohio Revised Code §124.57 (Prohibition Against Partisan Political Activity); and
12. Ohio Revised Code §2915.02 (Gambling).

## SECTION 5.22 FRAUD POLICY

### A. PURPOSE

Fraud is a drain on government resources and directly violates the trust of the public. It is not tolerated in any form by the Village. Any fraudulent activity is a serious offense against both the Village and the general public of the Village.

### B. REPORTING GUIDELINES

Village employees should report any suspicion of fraud to the Auditor of the State of Ohio. Ohio Revised Code Section 117.103 outlines the State of Ohio Fraud Reporting system in full detail and which is provided herein. Given the sensitivity associated with reporting fraud, employees should report the activity to the State of Ohio. It is at the employee's discretion to report this suspicion to Village management (including the employee's Department head, Village Administrator, Mayor, or other Administration personnel). The employee should not report the suspicion directly to the individual who may have committed the fraud.

### C. OHIO REVISED CODE SECTION 117.103 REQUIREMENTS

(A)(1) The auditor of state shall establish and maintain a system for the reporting of fraud, including misuse and misappropriation of public money, by any public office or public official. The system shall allow Ohio residents and the employees of any public office to make anonymous complaints through a toll-free telephone number, the auditor of state's web site, or the United States mail to the auditor of state's office. The auditor of state shall review all complaints in a timely manner.

(2)(a) Subject to division (A)(2)(b) of this section, the auditor of state shall keep a log of all complaints filed under this section, which is a public record under section 149.43 of the Revised Code. The log shall include the date the complaint was received, a general description of the nature of the complaint, the name of the public office or agency with regard to which the complaint is directed, and a general description of the status of the review by the auditor of state. If section 149.43 of the Revised Code or another statute provides for an applicable exemption from the definition of public record for the information recorded on the log, that information may be redacted.

(b) The auditor shall not log a complaint regarding an ongoing criminal investigation, but shall log the complaint not later than thirty days after the investigation is complete.

(c) If the auditor of state determines that a report made under division (A)(1) of this section involves probable fraud or theft, including misuse and misappropriation of public money by any public office or public official, the auditor of state shall promptly notify the prosecuting attorney, director of law, village solicitor, or similar chief legal officer of the municipal corporation in whose jurisdiction the probable fraud or theft occurred, unless the prosecuting attorney, director of law, village solicitor, or similar chief legal

officer of the municipal corporation is identified in the report as the alleged perpetrator of the fraud or theft.

(B) The auditor of state shall create training material detailing Ohio's fraud-reporting system and the means of reporting fraud, waste, and abuse. The department of administrative services shall provide the auditor of state's training material to each state employee, statewide elected official, and member of the general assembly. Such materials shall be as concise as practicable. The auditor of state shall provide the training material to employees and elected officials of a political subdivision. Current employees and elected officials as of the effective date of this amendment shall complete the training within ninety days of a date specified by the auditor of state unless good cause exists for noncompliance. Each new employee or elected official shall confirm receipt of this material within thirty days after taking office or beginning employment. The training shall be required every four years for each employee or elected official. The auditor of state shall provide a model form on the auditor of state's web site to be printed and used by public employees and elected officials to sign and verify their receipt of material as required by this section. The auditor of state shall confirm, when conducting an audit under section 117.11 of the Revised Code, that public employees and elected officials have been provided material as required by this division.

D. THE STATE OF OHIO FRAUD REPORTING SYSTEM

The Ohio Auditor of State's office maintains a system for reporting fraud, including the misuse of Village money by an employee or elected official. The system allows employees and citizens to file anonymous reports to the State Auditor. If an employee has a suspicion that there is fraudulent activity occurring in the Village, he or she should contact the fraud reporting hotline at 1-866-FRAUD OH (1-866-372-8364), online at [www.ohioauditor.gov](http://www.ohioauditor.gov), or via mail at the following address:

Ohio Auditor of State's Office  
Special Investigations Unit  
88 East Broad Street  
P.O. Box 1140  
Columbus, Ohio 43215

Reporting of fraud is protected under the Whistleblower protections under the Ohio Revised Code Section 124.341.

E. EXAMPLES OF FRAUD

If an employee is uncertain if the activity or behavior constitutes fraud, he or she should err on the side of caution and report the activity to the Ohio Auditor of State. While fraud is not easily defined and can vary, given the circumstances, the following list can provide an example of potential fraudulent behavior:

1. Theft or misappropriation of Village resources;
2. Falsification of official documents or reports;
3. Corruption or official misconduct, including the misuse of Village information, conflicts of interest, or offering or accepting bribes;
4. Improper use or spending of Village tax dollars;
5. Violations of Village procurement policy or contract fraud;
6. Tampering with government records;
7. Obstructing, retaliating against, or tampering with a public servant, witness, prospective witness, or informant.

F. WHISTLEBLOWER PROTECTION

Any employee who suspects and reports fraud violations in good faith are protected by Ohio Revised Code Section 124.341. The Village will not retaliate, nor will it tolerate retaliation, against persons who, in good faith, report suspected violations or who participate in the investigation of suspected violations. In the event that an act of retaliation occurs, it should be reported immediately to the Village Administrator who will investigate any such report.

G. REQUIRED TRAINING

All employees are required to complete mandatory fraud reporting training that is provided by the Auditor of State's office. The training can be accessed at the following web address: <https://ohioauditor.gov/trainings/fraud.html> with said training to be completed within thirty (30) days of hiring and as frequently as required by law. Upon completion of the training, the employee must print off and provide the certificate of completion to his/her Department head who will then provide same to the Village Fiscal Officer who shall place the certificate of completion in the employee's personnel file.

## SECTION 5.23 PUBLIC RECORDS POLICY

### A. INTRODUCTION

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

### B. PUBLIC RECORDS

1. The Village, in accordance with the Ohio Revised Code, defines records as including the following: any document – paper, electronic (including, but not limited to, electronic mail and text messages), 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 are public unless they are specifically exempt from disclosure under the Ohio Revised Code.
2. It is the policy of the Village that, as required under Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (see Section E for the electronic mail record policy). Record retention schedules are to be updated regularly and posted prominently.

### 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 requestor must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve and review the records. If it is not clear what records are being sought, the records custodian must contact the requestor for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.
2. The requestor 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(s). It is the Village's general policy that this information is not to be requested.
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. "Prompt" and "reasonable" take into account the volume



of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

4. Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than twenty (20) pages of copies are requested, or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows. If more copies are requested, an appointment should be made with the requestor on when the copies or computer files can be picked up.

All requests for public records must either be satisfied or be acknowledged in writing by the Village within three (3) business days following the Village's receipt of the request. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

- a. an estimated number of business days it will take to satisfy the request;
  - b. an estimated cost if copies are requested; and
  - c. any items within the request that may be exempt from disclosure.
5. Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

#### D. COSTS FOR PUBLIC RECORDS

1. Those seeking public records will be charged only the actual cost of making copies.
  - a. The charge for paper copies is \$0.05 per page;
  - b. The charge for downloaded computer files to a compact disc is \$1.00 per disc; and
  - c. There is no charge for documents e-mailed.
2. Requestors may ask that documents be mailed to them. Requestors will be charged the actual cost of postage and mailing supplies.

#### E. ELECTRONIC MAIL

1. Documents in electronic mail format are records, as defined by the Ohio Revised Code, when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.
2. Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the Village are instructed to retain their e-mails that relate to public business (See Section B) and to copy them to their business e-mail accounts and/or to the office's records custodian.
3. The records custodian is to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules, and making them available for inspection and copying in accordance with the Public Records Act.

F. FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST

The Village recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the Village's failure to comply with a request may result in a court ordering the Village to comply with the law and to pay the requestor's attorney's fees and damages.

**SECTION 6  
DISCIPLINE**

<b>Section 6.1</b>	<b>Corrective Action</b>
<b>Section 6.2</b>	<b>Pre-Suspension, Demotion or Termination Hearing</b>
<b>Section 6.3</b>	<b>Complaint Procedure</b>
<b>Section 6.4</b>	<b>Employment Separation Procedures</b>
<b>Section 6.5</b>	<b>Termination Benefits</b>

## SECTION 6.1 CORRECTIVE ACTION

### A. PROGRESSIVE DISCIPLINE

1. Department heads and the Village's management personnel shall follow this system of corrective discipline when correcting improper job behavior.
2. This policy is a guide for uniform administration of discipline. It neither delegates nor limits the powers and duties conferred upon the Village, its Departments, or the Appointing Authority by the Ohio Revised Code.
3. This policy provides standard penalties for specific offenses. The examples of specific offenses given in each grouping are illustrative, not inclusive.
4. The inclusion of standard penalties in this policy does not preclude the application of a more or less severe penalty for an infraction when circumstances warrant it. In any case where a non-standard penalty is imposed, the reason for deviation must be reduced to writing and sent by the supervisor to the Mayor or his/her designee.
5. Disciplinary records relating to an instruction and/or written reprimand will cease to have any force and effect twelve (12) months after the date of the oral and/or written reprimand if there has been no other discipline imposed during the intervening twelve (12) months.
6. Other disciplinary records beyond an instruction and/or written reprimand (i.e., suspension) shall cease to have any force and effect twenty-four (24) months after the date the discipline was imposed if there has been no other discipline imposed during the intervening twenty-four (24) months.
7. The retention periods above may be extended by a period equal to employee leaves of fourteen (14) consecutive days or longer, except for approved periods of vacation leave or FMLA.
8. As a result of their heightened responsibilities and positions of authority, all management personnel shall be held to the highest standard of professional conduct and the discipline imposed on management personnel may be more severe than the discipline imposed on an employee for the same or similar offense if warranted by the circumstances.

### B. TYPES OF CORRECTIVE ACTION

1. Instruction and Cautioning/Verbal Reprimand – Supervisors or Department heads shall address unsatisfactory behavior promptly by discussing the problem with the employee and counseling more suitable behavior. Such verbal counseling will be reduced to writing and maintained only at the departmental level.

2. Written Reprimand/Written Warning – If verbal counseling does not resolve the misbehavior or where more severe action is warranted, supervisors and Department heads may issue written reprimands/written warnings. Prior to issuing a written reprimand, the supervisor or Department head will discuss the action with the Mayor, Village Administrator and/or Fiscal Officer. The original shall be forwarded to the Fiscal Officer and placed in the employee’s personnel folder and a copy given to the employee.
3. Suspension – If verbal counseling or written reprimands/warnings fail or where more severe action is warranted, Department heads may recommend a suspension from work without pay. Prior to issuing a recommendation for a suspension, the supervisor or Department head will discuss the action with the Mayor, Village Administrator and/or Fiscal Officer. Such recommendation will be reduced to writing and the original shall be forwarded to the Fiscal Officer and placed in the employee’s personnel folder and a copy given to the employee.
4. Demotion – If reprimands and suspensions fail, Department heads may recommend a demotion. Demotion is an involuntary reduction of an employee in classification and job duties for just cause. A demotion may or may not result in an immediate reduction in pay. Prior to issuing a recommendation for a demotion, the supervisor or Department head will discuss the action with the Mayor, Village Administrator and/or Fiscal Officer. Such recommendation shall be reduced to writing and the original shall be forwarded to the Fiscal Officer and placed in the employee’s personnel folder and a copy given to the employee.
5. Termination – If lessor disciplinary actions fail or the offense is such that the most severe action is warranted, employees may be discharged by the Mayor contingent upon approval of Council. Employees being considered for discharge may be suspended with or without pay pending the termination decision. Prior to issuing a recommendation for termination, the supervisor or Department head will discuss the action with the Mayor, Village Administrator and/or Fiscal Officer. Such recommendation shall be reduced to writing and the original shall be forwarded to the Fiscal Officer and placed in the employee’s personnel folder and a copy given to the employee.

**Note:** Certain offenses may warrant immediate termination.

C. GROUPS FOR CORRECTIVE ACTION AND PENALTIES

1. The Group I, II, and III Offenses which follow illustrate the kinds of offenses which historically warrant the penalties established for the group.
2. In general, Group I Offenses are of a relatively minor nature. They cause only a minimal disruption to the organization in terms of a slight yet significant decrease in organizational productivity, efficiency and/or morale. If ignored, Group I

Offenses usually cause only temporary or minor impact on the organization unless they are compounded over time.

3. Group II Offenses are more serious than Group I Offenses. They cause a more serious and longer lasting disruption to the organization. If ignored, Group II Offenses can have a more serious and longer lasting impact on the organization than Group I Offenses.
4. Group III Offenses are very serious or possibly criminal. They cause a critical disruption to the organization. If ignored, Group III Offenses cause long lasting and serious impact on the organization.

D. GROUP I OFFENSES

1. Offenses in this category will usually be disciplined in the following order:
  - a. First Offense – instruction and cautioning
  - b. Second Offense – written reprimand/warning
  - c. Third Offense – up to ten (10) working days suspension without pay
  - d. Fourth Offense – demotion or termination
2. Offenses in this category include, but are not limited to, the following:
  - a. Failure to “report off” work or any absence.
  - b. Failure to commence duties at the beginning of the work period, or leaving work prior to the end of the work period.
  - c. Leaving the job or work area during working hours without authorization.
  - d. Making preparations to leave work without authorization before lunch, any scheduled break, or before quitting time.
  - e. Leaving a continuous operations position before being relieved by another employee.
  - f. Two or more time card violations in a ninety (90) day period. Time card violations include the following:
    - i. failure to complete time card or punch time clock;
    - ii. tardiness; or

- iii. early clocking out.
- g. Unauthorized absence from work.
- h. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping.
- i. Distracting the attention of others, or otherwise causing disruption on the job.
- j. Malicious mischief, horseplay, wrestling, or other undesirable conduct, including use of profane or abusive language.
- k. Failure to cooperate with other employees as required by job duties.
- l. Abuse of Village property or equipment.
- m. Unauthorized use or possession of another employee's equipment.
- n. Failure to observe departmental rules.
- o. Obligating the Village for any expense, service or performance without prior authorization.
- p. Disregarding job duties by neglect of work, conducting personal business or reading for pleasure during working hours.
- q. Unsatisfactory work or failure to maintain required standard of performance.
- r. Use of telephone or computer for other than Village business purposes without authorization.
- s. Violation of departmental uniform regulations.
- t. Improper operation of Village vehicles or equipment.
- u. Failure to fill out or turn in forms or reports as required by the Village or policies contained herein.
- v. Failure to perform the daily maintenance check on any piece of equipment assigned for the employee's use.
- w. Any accident, traffic or otherwise, caused by the employee's negligence.

- x. Improper use or misuse of two-way radios (i.e. use of foul language or using radio for other than legitimate Village business).
- y. Inefficiency, loitering or loafing while on duty.
- z. Discourteous treatment of the public.
- aa. Threatening, intimidating, coercing, or interfering with subordinates or other employees.

E. GROUP II OFFENSES

1. Offenses in this category will usually be disciplined in the following order:
  - a. First Offense – written reprimand/warning and up to three (3) days suspension without pay
  - b. Second Offense – up to a ten (10) days suspension without pay
  - c. Third Offense – demotion or termination
2. Offenses in this category include, but are not limited to, the following:
  - a. Willful discourteous treatment of the public.
  - b. Unauthorized sleeping during working hours.
  - c. Reporting for work or working while unfit for duty.
  - d. Conduct violating morality or common decency.
  - e. Unauthorized use of Village property or equipment.
  - f. Performing private work on Village time or with Village resources.
  - g. Willful failure to sign in or out, clock in or out, or signal in or out when required.
  - h. Unauthorized failure to report for overtime work after being scheduled to work according to overtime policy.
  - i. Willful failure to make required reports.
  - j. Unauthorized solicitation on Village premises.



- k. Making or publishing false statements concerning employees, supervisors, the Village or its operations.
- l. Refusing to testify in court or in any type of public hearing or refusing to give a statement during an accident investigation.
- m. Lying during a complaint investigation or hearing.
- n. Unauthorized posting or removal of notices or signs from bulletin boards.
- o. Unauthorized distributing or posting of written or printed matter of any description on Village premises.
- p. Willful disregard of departmental rules.
- q. Use of abusive or threatening language toward supervisors, subordinates or other employees.
- r. Unauthorized political activity.
- s. Gambling of any type on Village premises.
- t. Willful misuse of equipment resulting in damage to the equipment or an accident.
- u. Threatening, intimidating, coercing, or interfering with subordinates or other employees.
- v. Failure to follow safety rules or disregard of common safety practices for the position held.
- w. Failure to report accidents, injuries or equipment damage.

F. GROUP III OFFENSES

- 1. Offenses in this category will usually be disciplined in the following order:
  - a. First Offense – any type of discipline, up to and including termination.
- 2. Offenses in this category include, but are not limited to, the following:
  - a. Wanton or deliberate neglect of duty or in the care, use or custody of any Village property or equipment. Wanton or deliberate destruction, in any manner, of Village property, tools, equipment or the property of employees.

- b. Lying during accident investigations. Falsifying or assisting in falsification or destruction of any Village records. Lying or withholding information required on employment applications. Falsifying or altering any time card (the employee's own or another employee's).
- c. Making false claims or misrepresentations in an attempt to obtain any Village benefits.
- d. Gambling during working hours.
- e. Possession of and/or drinking alcoholic beverages on the job.
- f. Theft or concealment of any property of the Village or of another employee.
- g. Use of or the sale of controlled substances, anytime.
- h. Use of or the sale of alcoholic beverages on the job.
- i. Fighting or attempting to injure another employee, supervisor or person.
- j. Unauthorized carrying or possession of firearms on Village property.
- k. Concealing a communicable disease such as TB which may endanger other employees or people.
- l. Instigating, leading, or participating in any unauthorized walkout, strike, sit-down, stand-in, refusal to return to work at the scheduled time for the scheduled shift, or other curtailment, restriction or interference with work in or about the Village's work sites.
- m. Dishonesty or any dishonest action. Examples include, but are not limited to, theft; pilfering; opening desks assigned to other employees without authorization; theft or pilfering of lunch boxes, refrigerator, tool kits of other property of the Village or other employees without authorization; inserting slugs in vending machines; lying to secure an excused absence or to justify an absence or tardiness.
- n. Insubordination or disregard of a directive from a supervisor.
- o. Engaging in harassment of any kind.
- p. Violation of confidentiality resulting in disruption of any law enforcement action.

**SECTION 6.2 PRE-SUSPENSION, DEMOTION OR TERMINATION HEARING**

- A. All full-time employees are entitled to certain due process rights prior to suspension, demotion, or termination, including involuntary disability separation or denied reinstatement.

The employee has a right to be provided with a written notice outlining the nature of the disciplinary charges pending against him or her and the date and time of a meeting to discuss the charges. During the meeting, the employee has the right to an explanation of the Village's evidence which serves as the basis for the pending disciplinary action. In response to the evidence, the employee has the right to present information or evidence refuting the Village's position.

- B. In the event an employee's behavior or alleged misconduct warrants immediate removal from the premises, the employee may be suspended with pay for the remainder of the workday. Written notice of the disciplinary charge and the date and time of the meeting may be provided after the employee has been ordered to leave the premises.
- C. The Village is committed to considering information presented by the employee that may include information obtained from any post-meeting investigation, including additional witness interviews.
- D. The Village will provide the employee with a written disposition as soon as practicable following the meeting, taking into consideration the potential need for post-meeting investigation and witness interviews.
- E. A suspension without pay recommendation must be approved by the Mayor and does not require approval of Council.
- F. A demotion recommendation must be approved by the Mayor and is contingent upon the approval of Council.
- G. A termination recommendation must be approved by the Mayor and is contingent upon the approval of Council.

A. VOLUNTARY SEPARATION

1. Resignation

- a. Employees who plan to resign/retire should notify their immediate supervisor at least two (2) weeks in advance of the effective date of resignation/retirement.
- b. Any employee who resigns is encouraged to give his/her reasons for resigning and discuss with his/her supervisor any working conditions which he/she feels are unsatisfactory or satisfactory.
- c. A formal letter of resignation/retirement shall be required by the Village.
- d. Failure to give proper notification shall result in ineligibility for reinstatement.
- e. A person who resigns in good standing may be reinstated, at the discretion of the Mayor, to his or her formal classification within one (1) year following resignation, provided the person remains qualified to perform the duties of the position, and such reinstatement would be in the best interests of the Village.
- f. The employee shall return all Village property (i.e., equipment, tools, jackets, shirts, gloves, pants, etc.) to the Department head (or his/her designee) on or before the last day of work. Prior to the issuance of the employee's final paycheck, the employee shall be required to sign and date a document indicating that said employee has returned all Village property. Failure to comply with the above requested information may delay the issuance of the final paycheck and/or subject the employee to discipline and/or criminal prosecution.

2. Retirement

- a. The conditions and requirements for retirement as well as the computation and administration of pensions are managed by the Ohio Public Employees Retirement System ("OPERS") or the Ohio Police & Fire Pension ("OP&F). Employees interested in retiring should submit applications to OPERS or OP&F.
- b. To retire in good standing, employees shall file with the Mayor and/or the Village Administrator a notice of their intent to retire, one calendar year prior to the anticipated retirement date. Although this notice should

include a date certain regarding the retirement, it will not be the official date of retirement.

- c. Employees who intend to retire should file a formal retirement date with the Mayor and/or the Village Administrator at least two months prior to the actual effective date of the retirement. Employees who wish to continue their employment after the age of 70 shall submit an application for continued employment to the Mayor and/or the Village Administrator. The Mayor and/or Village Administrator will review the application and should he or she deem it necessary, order the employee to be examined by a physician. The decision of the Mayor and/or the Village Administrator shall be final.
- d. Retirement in good standing requires that all equipment and property of the Village, including keys and identification cards, are promptly returned and in good condition.

### 3. Voluntary Disability Separation

- a. An employee who is unable to perform the essential functions of his or her position due to a disabling illness, injury or condition may request a voluntary disability separation. A voluntary disability separation occurs when an employee does not dispute his or her ability to perform the essential functions of his or her position due to a disabling illness, injury or condition.
- b. A disability separation will remain in effect for up to three (3) years from the date of the original leave, which will allow the individual the ability to apply for reinstatement within three (3) years of the original date of disability leave. Reinstatement is at the discretion of the Village.
- c. Prior to the Village approving a voluntary disability separation, the employee will be required to provide medical certification of his/her inability to work and/or perform the essential functions of his/her job. The Village, at its own expense, may require the employee to secure a second medical opinion from a provider of the Village's choice.
- d. An employee on voluntary disability separation may request reinstatement when he/she has substantial and credible medical evidence of his/her ability to perform the essential functions of the job.
  - i. The cost of the medical examination to provide this evidence is the responsibility of the employee.
  - ii. The Village, at its own expense, may require the employee to secure a second medical opinion from a provider of the Village's choice.

- iii. A request for reinstatement may be made no more than once every three (3) months.
- e. The Mayor's and/or Village Administrator's approval is required to reinstate an employee on voluntary disability separation.
- f. If approved for reinstatement, an employee will be returned to a position in the classification held at the time of separation; or, if that classification no longer exists, to another similar classification. If no similar classification exists, the employee may be placed on layoff.
- g. An employee who, within three (3) years, fails to apply for or is unable to be reinstated from a disability separation, whether voluntary or involuntary, will be deemed permanently separated as of the date disability separation was originally granted.
- h. Abuse of disability separation may render an employee ineligible for reinstatement.

## B. INVOLUNTARY SEPARATION

### 1. Discharge

- a. Probationary employees may be discharged by the Village at any time, for any reason or no reason. All other employees may be discharged for incompetence, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of departmental policy, violation of the provisions contained in this Manual, any other failure of good behavior, or for any other act of misfeasance, malfeasance or nonfeasance in office, among other reasons, including those contained in this Manual.
- b. The process for discharging employees as a disciplinary action is described in Section 6 of this Manual.

### 2. Layoff

- a. An employee may be laid off because of a reorganization of a department, or for lack of work or lack of funds. Whenever possible, an employee laid off from one Village department shall be transferred to a suitable position elsewhere provided the employee agrees to the transfer. Whenever possible, at least two weeks' notice shall be given to an employee prior to the effective date of the layoff. Layoffs shall not be considered disciplinary actions.

- b. The approval of the Mayor is required prior to the notification of employees designated for layoff.
- c. Employees within a classification or department designated for layoff will be laid off in the following order, according to their status:
  - i. Intermittent (part-time, then full-time);
  - ii. Short-Term (part-time, then full-time);
  - iii. Probationary;
  - iv. Post-Probationary, Part-Time; and
  - v. Post-Probationary, Full-Time.
- d. When there are two or more employees of the same status occupying a position (in the same classification) designated for layoff, then the order of employee layoff will be established on the basis of date of hire with the employee being most recently hired to be laid off first.
- e. A list containing the names of all employees who have been placed on layoff will be established and remain in effect for one (1) year.
- f. An employee on the layoff list will be recalled to a vacancy within his/her current classification or any lower classification within the same classification series in reverse order of layoff (that is, the employee most recently placed on layoff will be recalled first).

### 3. Involuntary Disability Separation

- a. An employee who the Village believes is incapable of performing the essential functions of his/her position due to a disabling illness, injury or condition may be placed on involuntary disability separation after a Village-paid medical or psychological examination pursuant to the requirements under Village Ord. § 254.14. The examination may be waived if the employee is in the hospital at the time or has exhausted all leave options.
- b. If it is determined by the Village that the employee is not capable of performing his or her essential job duties, then the Village shall issue an involuntary disability separation order consistent with Village Ord. § 254.14.
  - i. The effective date of separation, for the purpose of possible reinstatement, shall be based on the date in which the employee was no longer in active work status due to the disabling illness, injury or condition.

- ii. An employee who has been involuntarily disability separated is not prohibited from applying for disability leave benefits. The Village will assist the employee in applying for disability retirement if the employee is eligible.
- c. An employee on involuntary disability separation may request reinstatement when he/she has substantial and credible medical evidence of his/her ability to perform the essential job duties.
  - i. The cost of the medical examination to provide this evidence is the responsibility of the employee.
  - ii. The Village, at its own expense, may require the employee to secure a second medical opinion from a provider of the Village's choice.
  - iii. A request for reinstatement may be made no more than once every three (3) months following an involuntary disability separation.
- d. The Mayor's approval is required to reinstate an employee on involuntary disability separation.
- e. If approved for reinstatement, an employee will be returned to a position in the classification held at the time of separation; or, if that classification no longer exists, to another similar classification for which the employee is qualified. If no similar classification exists, the employee may be placed on layoff.
- f. An employee who, within three (3) years, fails to apply for or is unable to be reinstated from a disability separation, whether voluntary or involuntary, will be deemed permanently separated as of the date disability separation was originally granted.



## SECTION 6.4 TERMINATION BENEFITS

### A. HEALTHCARE BENEFITS CONTINUATION (COBRA)

In certain instances, employees and their families have the right to temporarily extend their healthcare benefits at group rates.

1. An employee covered by the Village's healthcare plan has a right to choose this continuation coverage if he/she would lose group coverage because of:
  - a. a reduction in hours of work below the minimum required for eligibility under the plan; or
  - b. termination of employment for any reason other than gross misconduct.
2. An employee's spouse and dependent children covered by the Village's healthcare plan have the right to continuation of coverage if group healthcare coverage under the Village's plan would be lost due to a "qualifying event," such as:
  - a. death of the employee;
  - b. termination of the employee's employment for any reason other than gross misconduct;
  - c. reduction in the employee's hours of work below the minimum required for eligibility under the plan;
  - d. divorce or legal separation;
  - e. employee's spouse or dependent becoming entitled to Medicare; or
  - f. dependent child ceasing to be a "dependent child" under the terms of the Village's healthcare plan.
3. Any person who is covered under the employee's plan on the day before a qualifying event and who will lose coverage, will be considered a "qualified beneficiary."
4. If the qualified beneficiary does not choose continuation coverage, group healthcare coverage will end for the qualified beneficiary.
5. Qualified beneficiaries need not show they are insurable in order to qualify for continuation coverage.

6. Qualified beneficiaries must pay the Village the full premium at applicable rates as determined by the plan actuary, plus a service fee. Late payments may result in loss of coverage.
7. The following procedures will be used for notifying employees of COBRA rights:
  - a. Each employee will be notified by the Village of his/her COBRA rights at the time he/she begins coverage under the Village's healthcare plan.
  - b. Spouses of all covered employees will be notified of this policy and its provisions at the time family or spousal coverage begins under the Village's healthcare plan.
  - c. Notification of an employee's spouse will be deemed to serve notice on all dependent children.
  - d. Within thirty (30) days of the event, the Village will notify the Finance Department/Fiscal Officer of any of the following "qualifying events:"
    - i. employee's death;
    - ii. employee's termination;
    - iii. employee's reduction in hours of work, making him/her ineligible for coverage under the Village's plan; or
    - iv. employee's spouse or dependent becoming entitled to Medicare.
  - e. Within sixty (60) days of the event, the employee is responsible for notifying the Finance Department/Fiscal Officer of any of the following "qualifying events:"
    - i. divorce;
    - ii. legal separation; or
    - iii. loss of dependent eligibility under the plan requirements (age or student status).
  - f. The employee/dependent must notify the Finance Department/Fiscal Officer of his/her decision to extend benefits within sixty (60) days of the qualifying event or the date of eligibility notice, whichever is longer.

**B. OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM (OPERS) – DISABILITY AND SURVIVOR BENEFITS**

All employees of the Village, except police officers and fire fighters, are members of the Ohio Public Employees Retirement System (OPERS) and, as such, are subject to the terms and conditions of OPERS. The full-time employee must be eligible for and execute a retirement option offered by OPERS. Employees with further questions regarding this benefit should contact OPERS.

C. OHIO POLICE & FIRE PENSION (OP&F) – DISABILITY AND SURVIVOR BENEFITS

All police officers of the Village, are members of the Ohio Police and Fire Pension Fund (OP&F) and, as such, are subject to the terms and conditions of OP&F. The full-time employee must be eligible for and execute a retirement option offered by OP&F. Employees with further questions regarding this benefit should contact OP&F.

D. VACATION AND SICK LEAVE CASH-OUT

Upon separation from employment with the Village, all employees shall be entitled to compensation at the employee's then-current rate of pay for all accrued, but unused, vacation leave.

Payment of accrued, but unused sick leave, shall be made in accordance with Section 4.2, SICK LEAVE.

**Acknowledgement of receipt of the Auditor of State's  
Fraud Reporting System Information**

Pursuant to Ohio Revised Code Section 117.103(B), the auditor of state shall create training material detailing Ohio's fraud-reporting system and the means of reporting fraud, waste, and abuse. The auditor of state shall provide the training material to employees and elected officials of a political subdivision.

Current employees and elected officials shall complete the training within ninety days of the date specified by the auditor of state as noted in Bulletin 2024-005. No exceptions will be allowed unless good cause exists for noncompliance. Each new employee or elected official shall confirm receipt of this material within thirty days after taking office or beginning employment. The training shall be required every four years for each employee or elected official.

By signing below, you are acknowledging both that the Auditor of State provided you information about the fraud-reporting system as described by Section 117.103(B) of the Revised Code and that you have completed review of the training material.

I, \_\_\_\_\_, have been provided and reviewed materials regarding the fraud-reporting system operated by the Ohio Auditor of State's office. I further state that the undersigned signature acknowledges receipt and review of this information.

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
DEPARTMENT

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

# Jefferson Village

**Chris Mackensen**  
Village Administrator



27 East Jefferson St.  
Jefferson, Ohio 44047  
Telephone (440) 576-3946  
Fax (440) 576-5548  
Email: [Administrator@jeffersonohio.us](mailto:Administrator@jeffersonohio.us)

To: Mayor Jim Chiacchiero  
From: Chris Mackensen  
Ref: Jamie Dean, Completion of 1 year

November 27, 2024

On December 4, 2024, Jamie Dean will have completed her 1 year with the Jefferson Rec Department.

I am recommending that she receive her 1 year step increase as recreation director, and receive the pay increase as stipulated by the ordinance.

If you have any questions or concerns, please feel free to contact me.

Very Respectfully,

Christopher Mackensen  
Chief Administrator  
Jefferson Village

# *Village Of Jefferson*

**Jim Chiacchiero**  
Mayor



27 East Jefferson St.  
Jefferson, Ohio 44047  
Telephone (440) 576-3941  
Fax (440) 576-5548  
Email: [mayor@jeffersonohio.us](mailto:mayor@jeffersonohio.us)

To: Council  
From: Jim Chiacchiero  
Ref: Joe Schor, Completion of 1 year

November 27, 2024

On November 6, 2024, Joe Schor completed a 1-year period with the Jefferson Police Department.

I am recommending that he receive his 1-year step increase as Deputy Chief and receive the pay increase as stipulated by the ordinance.

If you have any questions or concerns, please feel free to contact me.

Very Respectfully,

A handwritten signature in black ink, appearing to read "Jim Chiacchiero". The signature is fluid and cursive, written in a dark ink.

Jim Chiacchiero  
Village Of Jefferson-Mayor

**ORDINANCE NO. 2024-O-\_\_ 3350 \_\_**

**AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND VILLAGE CLERK/TREASURER TO ENTER INTO A FIRE SERVICE CONTRACT WITH THE BOARD OF TOWNSHIP TRUSTEES OF LENOX TOWNSHIP, OHIO TO PROVIDE FIRE PROTECTION TO SAID TOWNSHIP FROM JANUARY 1, 2025, THROUGH DECEMBER 31, 2027.**

**WHEREAS**, the Council of the Village of Jefferson, Ohio has determined that it is necessary and is in the best interests of the residents of the Village of Jefferson, Ohio that the Village provide general fire protection to Lenox Township, Ohio, for the period commencing January 1, 2025, and ending December 31, 2027, for a sum equivalent to 2.0 mills of total property tax valuation for said Township, as certified by the Ashtabula County Auditor, to be paid by the Township to the Village upon terms more fully set forth in the Fire Service Agreement.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF JEFFERSON, OHIO, THAT:**

**SECTION 1.** The Administrator and Clerk/Treasurer of the Village of Jefferson, Ohio is hereby authorized to enter into a Fire Service Contract with the Board of Township Trustees of Lenox Township, Ohio to provide fire protection by the Village to the Township for the period commencing January 1, 2025, and ending December 31, 2027, for a sum equivalent to 2.0 mills of total property tax valuation for said Township, as certified by the Ashtabula County Auditor, and reimbursement for such other costs, as specified in the Fire Service Agreement, to be paid by the Township to the Village upon terms more fully set forth in the Fire Service Agreement, a blank copy of which is attached hereto as Exhibit A.

**SECTION 2.** This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

**Passed by Council on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.**

\_\_\_\_\_ Yeas \_\_\_\_\_ Nays

Effective Date: \_\_\_\_\_

**AUTHENTICATION:**

\_\_\_\_\_  
Patricia A. Fisher  
Clerk/Treasurer of Council

\_\_\_\_\_  
James Chiacchiero  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**APPROVED AS TO LEGAL FORM:**

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Jason L. Fairchild, Esq.  
Village Solicitor



**VILLAGE OF JEFFERSON - LENOX TOWNSHIP FIRE SERVICE AGREEMENT**

**THIS AGREEMENT**, is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between THE VILLAGE OF JEFFERSON, ASHTABULA COUNTY, OHIO (hereinafter referred to as “Village”), a political subdivision of the State of Ohio, and THE BOARD OF TOWNSHIP TRUSTEES OF LENOX TOWNSHIP, ASHTABULA COUNTY, OHIO (hereinafter referred to as “Township”), a political subdivision of the State of Ohio.

**WHEREAS**, the Village and Township desire to enter into an Agreement, pursuant to Ohio Revised Code Section 9.60, whereby the Jefferson Volunteer Fire Department will provide general fire protection to Township for the period commencing January 1, 2025 and ending December 31, 2027 for a sum equivalent to 2.0 mills of total property tax valuation. The Trustees agree to pay the amount collected from this levy as certified by the Ashtabula County Auditor. Payment by the Township to the Village will be upon terms more fully set forth hereinafter.

**NOW, THEREFORE**, in consideration of the foregoing and in further consideration of the mutual covenants and agreements hereinafter set forth, the Village and Township agree as follows:

1. The Village, by and through the Jefferson Volunteer Fire Department, shall provide fire protection on a regular basis in said Township for the period commencing January 1, 2025 and ending December 31, 2027, unless at the time of such call, the Jefferson Volunteer Fire Department is engaged in firefighting or attending to an emergency that precludes its ability to provide such service.
  
2. In consideration for providing fire protection in said Township, the Township shall pay to the Village a sum equivalent to 1.5 mills of total property tax valuation, less County Auditor and Treasurer fees, as certified by the Ashtabula County Auditor, and an additional .5 mills of the total property tax valuation, exclusively for the purchase of fire equipment, less County Auditor and Treasurer fees, as certified by the Ashtabula County Auditor, plus any additional cost incurred by the Village for the use of nonconventional firefighting equipment, such as bulldozers, backhoes, front-end loaders, or any other equipment or materials that may be needed to control fires or other hazards such as, but not limited to, spills of hazardous materials, payable by the Township, as follows:
  - A. A sum equivalent to what is collected from 1.0 mills of total property tax valuation, less County Auditor and Treasurer fees, as certified by the Ashtabula County Auditor, and paid to the Lenox Township Trustees, payable to the Village of Jefferson, Ashtabula County Ohio, on or before the later of the following: 1. April 30<sup>th</sup> of each year or 2. Within two weeks after funds are paid to the Lenox Township Trustees.
  
  - B. A sum equivalent to what is collected from 1.0 mills of total property tax valuation, less county Auditor and Treasurer fees, as certified by the Ashtabula County Auditor and paid to the Lenox Township Trustees, payable to the Village of Jefferson, Ashtabula County, Ohio, on or before the later of the following: 1.

October 1st of each year or 2. Within two weeks after funds are paid to the Lenox Township Trustees.

- C. An additional sum equal to any additional costs incurred by the Village for the use of nonconventional firefighting equipment, such as bulldozers, backhoes, front-end loaders, or any other equipment or materials that may be needed to control fires or other hazards such as, but not limited to, spills of hazardous materials, payable by the Township to the Village of Jefferson, Ashtabula County, Ohio, on or before the first of either of the following events occur:
  - i. The recovery of such cost by the Township from the responsible party;
  - ii. Two years from the date of the Village's invoice for such additional cost.
- 3. The Village further agrees to keep and maintain the equipment and fire apparatus of the Jefferson Volunteer Fire Department in such condition that said Jefferson Volunteer Fire Department can answer and respond to any and all fire calls for fire protection, on a reasonable basis, in said Township.
- 4. It is further agreed by Village and Township that either of them may terminate this Agreement upon tendering to the other party, in writing, notice of such termination ninety (90) days in advance of December 31, 2027. In the event of the termination of this Agreement prior to December 31, 2027, the Village and Township agree that the aforementioned annual contract sum shall be prorated through the date of termination.

**IN WITNESS WHEREOF**, the Village and Township, by and through the undersigned officials, represent that they are executing this Agreement with the full and proper authority and approval of their respective governing boards.

**VILLAGE OF JEFFERSON:**

\_\_\_\_\_  
Chris Mackensen, Village Administrator

ATTEST:

\_\_\_\_\_  
Patricia A. Fisher, Clerk-Treasurer

**LENOX TOWNSHIP:**

\_\_\_\_\_  
John Maylish, III Trustee

\_\_\_\_\_  
Barry Weaver, Trustee

\_\_\_\_\_  
Dave Eastlake, Trustee

ATTEST:

\_\_\_\_\_  
Olivia Springer, Fiscal Officer

**RESOLUTION NO. 2024-R-\_\_\_ 3351 \_\_\_\_\_**

**A RESOLUTION DECLARING THE 2015 GRASSHOPPER Z TURN LAWN MOWER MODEL NO. 329B, SERIAL NO. 6517634 OWNED BY THE VILLAGE OF JEFFERSON TO BE NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE TO THE HIGHEST AND BEST BIDDER AS IS**

**WHEREAS,** The Council of the Village of Jefferson has decided that the 2015 Grasshopper Z Turn Lawn Mower Model No. 329B, Serial No. 6517634 that has 1750 hours on it and is owned by the Village of Jefferson is worth more than \$1,000.00, is no longer needed for public purposes, and that it should be sold AS IS.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF JEFFERSON, COUNTY OF ASHTABULA, AND STATE OF OHIO, THAT:**

**SECTION 1.** The 2015 Grasshopper Z Turn Lawn Mower Road Model No. 329B, Serial No. 6517634 that currently has 1750 hours on it that is owned by the Village of Jefferson is worth more than \$1,000.00 and is no longer needed for municipal purposes.

**SECTION 2.** The Village Administrator is directed to sell the above-mentioned item of equipment AS IS to the highest and best bidder, after advertising the sale for not less than two, nor more than four, consecutive weeks.

**SECTION 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in compliance with all legal requirements, including Ohio Revised Code §121.22.

**SECTION 4.** This Ordinance shall take effect and be in full force at the earliest period allowed by law.

**Passed by Council on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.**

\_\_\_\_\_ Yeas      \_\_\_\_\_ Nays

Effective Date: \_\_\_\_\_

**AUTHENTICATION:**

\_\_\_\_\_  
Patricia A. Fisher  
Clerk/Treasurer of Council

\_\_\_\_\_  
James Chiacchiero  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**APPROVED AS TO LEGAL FORM:**

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Jason L. Fairchild, Esq.  
Village Solicitor

**Village of Jefferson**

**Town Hall**

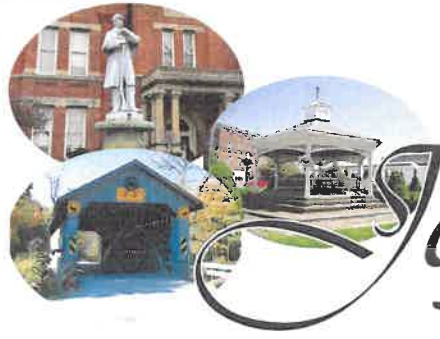
**576-3941**

**Village of Jefferson  
27 E. Jefferson Street  
Jefferson, OH 44047**

**EMPLOYEE HANDBOOK MEETING**

**December 2, 2024  
6:00 p.m.  
Town Hall**

**Topic: Updating the Personnel Rules and Regulations**



# Jefferson

Area Chamber  
of Commerce

## 32<sup>nd</sup> Annual Day-Long A Hollywood Christmas

**Celebration**  
Sat., Dec. 7, 2024

This year's Character is  
**JACK SKELLINGTON!**

- All Day**     **Photo Opp Stops**  
*at Jefferson Courthouse Lawn*
- 9-11a**       **Breakfast with Santa**  
*at Giddings Hall*  
Hosted by: Jefferson Rec. Center \$3 per Adult • Kids Eat Free
- 9a-3p**       **A Hollywood Christmas Craft Show**  
*at Jefferson Recreation Center*
- 10a-3p**      **Jefferson Historical Society Christmas Train Display**
- 11a-2p**      **Life-size Candyland Game**  
*at Jefferson Nazarene*
- 11a-4p**      **Decorated Tree Contest**  
*Throughout Town*
- 11a-4p**      **Christmas Church Walk**  
*Ticketed Event -*  
*Suggested \$5 donation to benefit Manna Food Pantry*  
Hosted by: Jefferson Rotary Club
- Noon-4p**     **Santa Workshop & Kids' Crafts**  
*at Village Hall*  
*Sponsored by Assured Real Estate*
- Noon-4p**     **Facepainting**  
*by Starr Artistry*
- 1-5p**         **Horse-Drawn Wagon Rides**
- 3-5p**         **Christmas Time at the Depot**  
*at Jefferson Depot Village*
- 5-5:30p**     **Jefferson Area High School Choir Performance**
- 6p**            **Jefferson Christmas Parade**  
*Sponsored by Painesville Dental*
- Pictures and Dinner with Santa**  
*following the Parade at AC Fairgrounds Expo Building*  
*Hosted by: Ashtabula County Fairboard & Auxiliary*

