

Licking County
Health Department

Personnel
Manual

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1.01 Introduction

OUR CORE VALUES

Our values guide the way we approach our work, make decisions, and interact with each other, our clients and our partners.

It is the responsibility of all Licking County Health Department (LCHD) Employees to reflect these core values in our daily work activities.

Credible - Trusted in what we do

Through a commitment to excellence, we are a trusted source of expert knowledge and high quality service.

Innovative - Leader in public health

We continually seek ways to improve our service delivery through data analysis, planning, continuous improvement, and creative thinking.

Responsive - Action oriented

We are proactive, anticipating change and taking actions that make a difference and achieve positive results. We plan so that we are prepared to respond to public health challenges as they occur.

Collaborative - Building strength through partnerships

We engage our public health system partners to better respond to shared challenges and goals. We strive to break down barriers, eliminate silos, and reduce duplication to enhance the public health system as a whole.

Integrity - Acting honestly and ethically

We consistently act in the best interests of our citizens, with impartiality and transparency. We live by the highest standards of integrity in our professional and interpersonal relationships. We act honestly and ethically, delivering on our commitments.

Respectful - Valuing others

We welcome and respect a broad range of ideas and perspectives. We build trust through our commitment to open communications, valuing everyone’s unique background and contributions, and celebrating and sharing successes. We achieve greater impact by leveraging the diversity of our team, clients and partners.



Scope of Coverage:

This Manual supersedes all previous written and unwritten personnel policies that conflict with this Manual. It is intended to be construed in such a manner as to comply with all applicable federal, state, and civil service laws and regulations. The policies within apply to all LCHD Employees, Supervisors, and Administrators of the Board of Health who have adopted the Manual.

If any section of this Manual is held to be invalid by operation of law, the remainder of this Manual and amendments thereto shall remain in force and effect.

- Should a conflict arise between the Ohio Revised Code (O.R.C.) or applicable federal law and this Manual, the law shall prevail.
- Should a direct conflict exist between this Manual and a Collective Bargaining Agreement, the Collective Bargaining Agreement shall prevail.
- Some policies may reference more specific documents (such as the Licking County Health Plan) in which case the more specific documents shall prevail.
- If there is a question regarding a particular policy or clarification is needed, contact your Supervisor, the Director of Administrative Services, or the Health Commissioner.

Purpose of Manual:

To provide a systematic and organized approach to establishment, implementation and administration of the personnel policies and practices relevant to all affected LCHD Employees. This Manual is not a contract of employment or a guarantee of any rights or benefits, but is merely intended to be used to assist and guide Employees in the day to day directions and performance of their duties. Any questions relating to the purpose, goals, and/or interpretation of these policies should be directed to the Administrative Services Director.

The policies and procedures set forth in this Manual are designed to:

1. Encourage courteous and dependable service to the public.
2. Promote high morale and foster good working relationships among Employees of the LCHD.
3. Enhance the attractiveness of a career with the LCHD and encourage each of its Employees to give their best effort to the LCHD and the public.
4. Provide fair and equal opportunity for qualified persons to enter and progress in the LCHD service based on merit and fitness as determined through objective, practical, fair, and effective personnel management methods.
5. Ensure all LCHD operations are conducted in an ethical and legal manner to promote the department's reputation as an efficient, progressive body in the community and the State.

Manual Changes:

As conditions warrant, these policies may be amended, revised or deleted by act of the Board of Health. LCHD may revise these policies with or without advance notice. Notice of revisions shall be provided to all Employees as soon as practicable and prior to their enforcement.

Distribution/Where to View Manual:

All Employees must be thoroughly knowledgeable of this Manual's contents, and must sign an acknowledgement that they have reviewed the Manual.

A copy of the Manual is available in Public Folders under the Human Resources link under the LCHD's computer system.

A hardcopy of the Manual can be found in the Administrative Services Director's office.

1.02 Management Rights

The Licking County Health Department and the Board of Health retain the full right and responsibility to direct the operations, make policy, rules and regulations and otherwise exercise the prerogatives of management. Management rights include, but are not limited to:

- Manage and direct employees including the right to select, hire, promote, transfer, assign, evaluate, reduce force or to reprimand, suspend, discharge, or otherwise discipline according to law or department policy.
- Make and enforce work rules and regulations.
- Manage and determine the location, equipment, programs, and the work to be performed.
- Determine the goals, objectives, programs, services, budget and utilization of personnel in a manner designed to effectively meet these purposes.
- Determine work methods, the size and composition and duties of the work force and the organizational structure.
- Determine hours of work and work schedule.
- Reduce the work force due to lack of work, lack of funds, reorganization or job abolishment.
- Determine when a job vacancy exists, the duties of classifications and the standards of quality and performance to be maintained.
- Determine staffing patterns, including assignment of employees, qualifications required and area of work.
- Determine the necessity of overtime and assign overtime.
- Maintain and improve the efficiency and effectiveness of operations.
- Maintain security of personnel and financial records and other important data.
- Determine and implement action in emergency situations.
- Set compensation and benefits of personnel.
- Exercise all rights, powers, authority, duty or responsibilities within the applicable law.

Adopted: 06/20/00

1.03 Definitions

Pay period - means the 14-day period of time in which payroll is accumulated. Beginning at 12:01 AM Saturday morning, and ending at 12:00 midnight the second following Friday.

Active Pay Status - Means conditions under which an employee is eligible to receive pay, and includes, but is not limited to, vacation leave, sick leave, bereavement leave, administrative leave, compensatory time, holidays, and personal leave.

Agency, Department, Health Dept., LCHD – shall all mean the Licking County Health Department which is governed by the Board of Health of the Licking County Combined General Health District.

Appointing authority - Means the Health Commissioner or the Board of Health having the power of appointment to, or removal from, positions.

Appointment categories - Means the appointment designation of a position such as part-time temporary, full-time temporary, intermittent, part-time seasonal, full-time seasonal, part-time permanent, and full-time permanent.

County - means Licking County, Ohio, and the political subdivisions thereof.

Employee - means any person in the employ of this organization, in any status

Employer - means the Board of Health of the Licking County Combined General Health District.

No pay status - means the conditions under which an employee is ineligible to receive pay, and includes, but is not limited to, leave without pay, leave of absence, suspension, and disability leave.

Non-Work Time - means any time during an employee's work day where the employee is totally relieved of work duties, such as break time and lunch time. Whether an employee is in paid or unpaid status during these times is immaterial to the designation of non-work time.

Solicitation - means the act of requesting an individual to purchase goods, materials or services, or a plea for financial contribution.

Vendor - means any individual or group engaged in or desiring to engage in the supply of goods, materials or services to the employer, which goods, materials or services are utilized in the conduct of their business.

Work Area - means any office, building or physical location where official Department business is transacted and/or operations of the Department are conducted. This includes any public or private area where employees are engaged in work activities.

Work Time - means all the time when an employee's duties require that he or she be engaged in work tasks, but does not include an employee's own time, such as meal periods, scheduled breaks, and time before or after a work shift.

Work Week – Time period beginning at 12:01AM on Saturday and ending at midnight on the following Friday.

Working suspension - Means a disciplinary action in which an employee is required to report to work and receive compensation, but such period shall be recorded as a suspension.

Revised 01-01-17

Section 2 – Employment and Related

2.01 Classification and Compensation

Hiring and Compensation – In addition to the policies and procedures included in this manual, the **LCHD Classification and Compensation Plan** documents the plans and policies related to job classification and compensation used to attract and retain personnel who consistently apply the knowledge, competencies and capabilities required to perform their positions as expected.

Classified:

All Employees of the LCHD are presumed to be classified unless the position an Employee occupies has been exempted from the classified service by the Employer, or by operation of law. Following completion of the probationary period, no classified Employees shall be reduced in pay or position, fined, suspended or terminated, or have their longevity reduced or eliminated, except and for those reasons set forth in the civil service laws of the State of Ohio.

Unclassified:

Unclassified Employees serve at the pleasure of the Board of Health and may be terminated or otherwise separated from employment for any reason not inconsistent with law. An unclassified Employee may not be rendered classified due to the provisions of this Manual. *Unclassified positions include, but are not limited to Temporary, Intermittent, and those who act in the place of the Health Commissioner.*

Adopted: 01/10/17

2.02 EEO/Equal Opportunity

The LCHD is an equal opportunity Employer and no person employed by LCHD shall discriminate against any other LCHD employee or candidate for employment on the basis of race, color, religion, sex, pregnancy, national origin (ancestry), military status (past, present or future), disability, age (40 years of age or older), genetic information, or sexual orientation, as those terms are defined in Ohio or federal law, in making any employment-related decisions including, but not limited to, hiring, layoff, termination, transfer promotion, demotion, rate of compensation, or eligibility for in-service training programs.

The LCHD condemns and will not tolerate any conduct that intimidates, harasses, or otherwise discriminates against any Employee or applicant for employment on the grounds listed above. Anyone who feels their rights have been violated under this policy should submit a written complaint of discrimination to their immediate Supervisor, Department Head or to the Health Commissioner.

Revised: 1/1/17

2.03 Americans with Disabilities Act Policy

The LCHD prohibits discrimination in hiring, promotions, transfers, or any other benefit or privilege of employment, of any qualified individual with a permanent disability. To be considered a qualified individual, the Employee must satisfy the requisite skills, experience, education and other job related requirements of the position they hold or desire and must be able to perform the essential functions of the position, with or without a reasonable accommodation.

The LCHD will provide reasonable accommodation to a qualified applicant or Employee with a disability unless the accommodation would pose an undue hardship on or direct threat to the facility. Decisions as to whether an accommodation is necessary and/or reasonable shall be made on a case by case basis. An Employee who wishes to request an accommodation shall direct such request to their immediate Supervisor, Department Head or to the Health Commissioner. Requests for accommodation should be in writing to avoid confusion; however, verbal requests will be considered. The Employer and Employee will meet and discuss whether an accommodation is appropriate, and if applicable, the type of accommodation to be given.

Any Employee who feels their rights have been violated under this policy should submit a written complaint as set forth in the Unlawful Discrimination and Harassment Policy.

Adopted: 1/1/14

2.04 Prohibited Discrimination/Harassment/Inappropriate Conduct

LCHD is committed to providing a facility that is safe and free from unlawful discrimination and harassment. Unlawful discrimination or harassment is behavior directed toward an Employee because of their membership in a protected class such as: race, color, religion, sex, age, national origin, ancestry, disability, genetic information, or military status. Unlawful discrimination and harassment is inappropriate and illegal and will not be tolerated. All forms of unlawful discrimination and harassment are governed by this policy and must be reported and addressed in accordance with this policy.

Definitions:

Unlawful discrimination occurs when individuals are treated less favorably in their employment because of their membership in a protected classification. An Employer may not discriminate against an individual with respect to the terms and conditions of employment such as promotions, raises, and other job opportunities, based upon the individual's membership in that protected class.

Harassment is a form of discrimination. Harassment may be generally defined as unwelcome conduct based upon a protected classification. However, harassment becomes unlawful where:

1. Enduring the offensive conduct becomes a condition of continued employment.
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Examples:

By way of example, sexual harassment is one type of unlawful harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to the conduct is made either explicitly or implicitly as a term or 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.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Harassment on the basis of an Employee's membership in any protected classification (as set forth above) is unlawful, will not be tolerated, and must be reported.
4. Unlawful discrimination and harassment does not generally encompass conduct of a socially acceptable nature. However, some conduct that is appropriate in a social setting may be inappropriate in the work place. A victim's perceived acquiescence in the behavior does not negate the existence of unlawful discrimination or harassment. Inappropriate conduct an Employee perceives as being "welcome" by another Employee may form the basis of a legitimate complaint.

Off Duty Conduct:

Unlawful discrimination or harassment that affects an individual's employment may extend beyond the confines of the workplace. Conduct that occurs off duty and off premises may also be subject to this policy.

Workplace Romances:

To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, Employees are required to inform their immediate Supervisor, Department Head or the Director of Administrative Services if they currently are, or if they intend to become, romantically involved with a co-worker. Such relationships are not necessarily prohibited, but must be appropriately addressed.

Should the agency determine a conflict exists between an Employee's employment and a personal relationship with a co-worker, LCHD will attempt to work with the Employees to resolve the conflict. Should operational needs prevent resolution, the relationship must cease or one or both of the parties must separate from employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any Employee they directly, or indirectly supervise.

Complaint Procedure:

Employees who feel they have been subject to unlawful discrimination or harassment by a fellow Employee, Supervisor, or other individual otherwise affiliated with LCHD shall immediately report the conduct, in writing, to their immediate Supervisor, Department Head or to the Director of Administrative Services, each of whom shall have the authority to investigate and take appropriate action concerning the complaint. Similarly, Employees who feel they have knowledge of discrimination or harassment, or who have questions or concerns regarding discrimination or harassment, shall immediately contact their immediate Supervisor, Department Head or the Director of Administrative Services. Late reporting of complaints and verbal reporting of complaints will not preclude the department from taking action. However, so that a thorough and accurate investigation may be conducted, Employees are encouraged to submit complaints in writing and in an expedient manner following the harassing or offensive incident. All Supervisors are required to follow up on all claims or concerns, whether written or verbal, regarding unlawful discrimination and harassment.

Although Employees may confront the alleged harasser at their discretion, they are also required to submit a written report of any incidents as set forth above. When LCHD is notified of the alleged harassment, it will timely investigate the complaint. The investigation may include private interviews of the Employee allegedly harassed, the Employee committing the alleged harassment and any and all witnesses. Information will be kept as confidential as practicable, although confidentiality is not guaranteed. All Employees are required to cooperate in any investigation. Determinations of harassment shall be made on a case by case basis. If the investigation reveals the complaint is valid, prompt attention and disciplinary action designed to stop the harassment and prevent its recurrence will be taken.

Retaliation:

Anti-discrimination laws prohibit retaliatory conduct against individuals who file a discrimination charge, testify, or participate in any way in an investigation, proceeding, or lawsuit under these laws, or who oppose employment practices that they reasonably believe discriminate against protected individuals, in violation of these laws. The law also prevents retaliatory conduct against individuals who are close personal friends or family members with an individual who engaged in protected conduct. LCHD and its Supervisors and Employees shall not in any way retaliate against an individual for filing a complaint, reporting harassment, participating in an investigation, or engaging in any other protected activity. Any Employee who feels they have been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of his relationship with someone who took action under this policy, shall report the conduct to their immediate Supervisor, Department Head or to the Director of Administrative Services immediately. Disciplinary action for filing a false complaint is not a retaliatory act.

False Complaints:

Legitimate complaints made in good faith are strongly encouraged; however, false complaints or complaints made in bad faith will not be tolerated. Failure to prove unlawful discrimination or harassment will not constitute a false complaint without further evidence of bad faith. False complaints are considered to be a violation of this policy.

Corrective Action:

If LCHD determines unlawful discrimination, harassment, or retaliation has taken place, appropriate corrective action will be taken, up to and including termination. The corrective action will be designed to stop the unlawful conduct and prevent its reoccurrence. If appropriate, law enforcement agencies or other licensing bodies will be notified. Any individual exhibiting retaliatory or harassing behavior

towards an Employee who exercised a right under this policy, or who is a close personal friend or family member of someone who exercised a right under this policy, will be subject to discipline, as will any Employee who has knowledge of unlawful conduct and allows that conduct to go unaddressed.

Coverage:

This policy covers all Employees, Supervisors, and Department Heads. Additionally, this policy covers all suppliers, subcontractors, residents, visitors, clients, volunteers and any other individual who enters LCHD property, conducts business on LCHD property, or who is served by LCHD personnel.

Adopted: 01/01/14

2.05 Vacancies

Identification, Announcement, and Application

- A. The Licking County Health Dept. shall post internally vacancies which occur or are imminent within the organization. Positions are filled by promotion whenever practicable. If no current agency employee is deemed qualified or acceptable for the available position by the Health Commissioner, the job will be filled by hiring from outside applicants, in accordance with ORC Chapter 124.
- B. The Health Dept. shall publicly announce by appropriate means, all vacancies to be filled by other than transfer, promotion, or reinstatement, and shall maintain a list of announced vacancies for public inspection.
- C. Each announcement, as a minimum, shall include the title of the position, required qualifications, a general description of the duties and responsibilities, the salary range, how, where and when to apply and the notice that this agency is an Equal Opportunity Employer.
- D. An application must be properly completed and submitted before an applicant will be considered for employment/promotion.
- E. The LCHD will make reasonable accommodations to assist qualified persons with disabilities to apply for vacancies.
- F. In order to expedite the hiring or selection process, the LCHD may advertise vacancies externally while the position is posted internally.
- G. In emergency situations, the Health Commissioner may make an appointment, not to exceed thirty (30) days, without regard to these posting procedures, and without regard to the civil service rules and laws, so long as R.C. 124.30 or another provision permits. Such emergency appointments under R.C. 124.30 may not be successive.
- H. The Health Commissioner may make an interim appointment under R.C. 124.30 to fill a vacancy that results from an employee's temporary absence, but shall not make such an interim appointment to fill a vacancy caused by another interim appointment. Such interim appointments may exceed thirty (30) days, but otherwise are limited by the duration of the employee's absence.

Adopted: 01/01/14

2.06 Evaluation of Applicants

- A. The Health Commissioner or designee may interview all job applicants. Applicants must submit to reference checks, interviews, medical examinations, drug screenings, background checks, performance tests and/or other job related screening procedures.
- B. An applicant shall be required to provide any information and undergo any examinations necessary to demonstrate qualification for the position sought, insofar as such information and examination is job related.

- C. Appointments to vacant positions shall be made solely on the applicant's knowledge, skills and abilities, and other job-related qualifications, as ascertained through fair and practical selection methods.
- D. The Board of Health is the ultimate hiring authority and must authorize the filling, or creation, of all positions with the exception of emergency and interim appointments.

Adopted: 01/01/14

2.07 Nepotism

Hiring:

LCHD will receive employment applications from relatives of current Employees. However, the following four (4) situations shall prevent LCHD from hiring a relative of a current Employee:

- 1. If one relative would have Supervisory or disciplinary authority over another.
- 2. If one relative would audit the work of another.
- 3. If a conflict of interest exists between the relative and the Employee or the relative and LCHD.
- 4. If the hiring of relatives could result in a conflict of interest.

Employment:

An Employee is not permitted to work in a position where their Supervisor or anyone within their chain of command is a relative. If such a situation is created through promotion, transfer or marriage, one of the affected Employees must be transferred or an accommodation acceptable to LCHD must be established. Termination of employment will be a last resort. If two Employees marry, they will be subject to the same rules listed above as other relatives.

The provisions of O.R.C. 102.03 and 2921.42 render it unlawful for a public official to use their influence to obtain a benefit, including a job for their relative. Any violation of these statutes may result in criminal prosecution and/or disciplinary action.

For purposes of the policy, the term "relative" shall include: spouse, children, grandchildren, parents, grandparents, siblings, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father-in-law, mother-in-law, step-parents, step-children, step-siblings, and a legal guardian or other person who stands in the place of a parent to the Employee.

Adopted: 01/01/14

2.08 Disqualification

An applicant shall be eliminated from consideration if he/she:

- A. Does not possess the knowledge, skills and abilities to effectively perform the duties of the vacant position.
- B. Has made a false statement of material fact on the application form or supplements thereto.
- C. Has committed or attempted to commit a fraudulent act at any stage of the selection process.
- D. Is an alien not legally permitted to work.
- E. An applicant may be eliminated from consideration upon other reasonable grounds relating to job requirements.
- F. Has items of concern discovered during a background check, driving record check, or other screening that would put the department and/or our client's safety or property at undue risk.

If an applicant is hired and it is subsequently discovered that any of the above disqualifying criteria apply, the employee will be terminated for dishonesty, incompetence, nonfeasance, or malfeasance.

Employees who test positive for illegal drugs during the required pre-employment drug screening, will be excluded from hiring and any conditional employment offers will be rescinded.

Adopted: 1/01/2017

2.09 Salary Scale / Pay Raises

- A. The Board of Health shall establish and maintain a salary scale which shall be used to set compensation for employees.
- B. The salary scale shall be based upon current competitive salaries required to attract and retain qualified employees.
- C. New employees may be placed in the pay scale at a level appropriate to their education, experience, and skills.
- D. The Board of Health, based on budget constraints, economic trends, and performance, will determine raises. Annual pay raises are not guaranteed and may not apply to all employees equally.

Revised: 01/01/14

2.10 Employee Status

All Employees of LCHD shall be categorized as full time, part time, seasonal, temporary, intermittent, or college intern.

Full time Employee: An Employee whose regular hours of work total thirty-seven and one half (37.5) hours per week on a regularly scheduled basis.

Part time Employee: An Employee whose regular hours of work are less than thirty-seven and one half (37.5) hours per week.

Seasonal Employee: An Employee who works on a recurring, but temporary basis during a certain regular season, academic program year or other period of each year performing some work or activity limited to that season.

Temporary Employee: An Employee who works in a position, which is of a non-permanent nature (full time or part time), which position has a specified duration of time, not to exceed six (6) months.

Intermittent Employee: An Employee who works on an irregular schedule, which is determined by the fluctuating demands of the work and is generally not predictable. Employee's hours are not to exceed one thousand (1000) hours within one (1) year.

College Intern: A person temporarily employed who works in a professional capacity and/or position that is directly related to their college course of study. College Interns may be at various degree levels.

Persons who receive temporary or intermittent appointments are in the unclassified civil service and serve at the pleasure of the Health Commissioner and the Board of Health.

These categories may not apply to certain benefit programs, such as eligibility for health care coverage. Part time, temporary, seasonal, interns, and intermittent employees shall be entitled to only those benefits which are specified in this manual.

Adopted: 01/01/17

2.11 Job Assignments

Employees shall be expected to fully, dutifully, and conscientiously perform those tasks as assigned to them. Employees may be expected, from time to time, to complete job assignments which are typically not performed by them or contained in their job description.

No Employee can refuse a job assignment unless it would violate law or place them in an imminently harmful or life threatening situation.

If an Employee objects to an assignment, they should complete the assignment first and then file a complaint under this Manual.

Adopted: 01/01/14

2.12 Personnel Files

The LCDH shall maintain personnel files for all LCHD Employees. Such files may include individual employment data, payroll information, schedules, records of additions or deductions, application forms, and records pertaining to hiring, promotion, demotion, transfer, layoff and termination.

Personnel files shall be available to members of the public in accordance with the Public Records Law.

The LCHD will make reasonable efforts to redact personal information, and other non- public information, from the files before release. No personnel records shall be removed from the official records unless in accordance with state or federal law or in accordance with the LCHD's retention of records policy.

Employees must inform the LCHD of any change in name, address, marital status, telephone number, number of tax exemptions, citizenship or association with any government military service organization.

Review of File:

Each Employee shall have the right, with reasonable notice, to examine their personnel file. Such examination shall be made on non-work time or at some other mutually agreeable time. If an Employee disputes the accuracy, timeliness, relevance, or completeness of documents in their file, they may submit a written request that the Appointing Authority investigate the current status of the information. The Appointing Authority will make a reasonable investigation to determine the accuracy, timeliness, relevance, and completeness of the file, and will notify the Employee of the results of the investigation and any plans the Appointing Authority has to take action with respect to the disputed information.

Employees are not permitted to alter, add or remove documents or other information contained in their personnel files without express authorization from the appropriate Appointing Authority. An Employee who alters, adds or removes documents or information from their personnel file without prior approval, may be subject to discipline. Employees may submit a statement to be attached to any disputed document.

Employee Information:

The Employee is responsible for providing the Employer with the following information: the Employee's legal name, address, telephone number, social security number, tax exemptions, affiliation with any branch of the armed services, the name and phone number of a person to contact in case of an emergency, loss of licensure or insurability, if applicable, and, any other requested information. In

addition to providing this information, the Employee is also responsible for promptly reporting any change in the information.

In the event the Employer must send correspondence or other documentation to an Employee who is on leave, the Employer will mail the document to the last known address listed in the Employee's personnel file. An Employee will be considered to have constructive notice of any correspondence or documentation mailed to his last known address.

Release of Records:

With the exception of certain law enforcement entities, the LCHD, as well as its Employees, is subject to the mandates of O.R.C. Chapter 1347 regarding personal information systems. The LCHD maintains records that are manually stored and records that are stored using electronic data processing equipment. Records maintained by the LCHD include personal information (i.e., Employee information required above).

The Appointing Authority or the Director of Administrative Services is responsible for the LCHD's personal information systems. The LCHD understands it creates, receives, and maintains sensitive and private information, and will ensure it collects, maintains, and uses only personal information that is necessary and relevant to the functions of the LCHD. Personal information maintained by the LCHD shall not be modified, destroyed, or disclosed without the approval of the Health Commissioner.

The LCHD will continually monitor the personal information system, and make necessary adjustments to ensure the system's accuracy. Employees will be trained on the use of personal information, including review of this policy. Employees who use personal information in an unauthorized manner shall be subject to the LCHD's disciplinary policy.

Pursuant to applicable law, medical records are not public records and are maintained in a separate file. Records maintained by the LCHD that are defined as public records shall be released in accordance with law. The LCHD will attempt to give Employees twenty four (24) hours notice before releasing their personnel records.

MEDICAL INFORMATION

LCHD will maintain Employees' medical information in a separate medical file and will treat the information in a confidential manner. Employees who are concerned their medical information is not being treated in a confidential manner should report such concerns to the Health Commissioner or Director of Administrative Services.

Adopted: 01/01/14

2.13 Performance Evaluation

Written performance evaluation provides supervisors with an effective mechanism to measure and communicate levels of job performance to their employees. It provides the employee with documented, constructive feedback concerning current job performance. The work performance of each permanent employee shall be evaluated in accordance with established procedures. The Performance Management Plan details how managers and supervisors use tools and processes to enable staff to do their best work.

Documented performance evaluation serves as a basis for important management decisions regarding training needs, job assignments, promotion and retention of employees. Performance evaluations are used as the basis for merit raises, when approved by the Board of Health.

The evaluation is prepared by the supervisor, and reviewed by the Health Commissioner, prior to an evaluation conference with the employee.

Each Agency employee should be evaluated annually (30 days prior to or after the anniversary date of employment). Special evaluations may be performed if authorized by the Health Commissioner.

Probationary Employees may be evaluated twice during the probationary period. The first evaluation may be made at the end of the first half of the probationary period, and the second immediately prior to the completion of the probationary period. Should the Employee be terminated before the end of the probationary period, the final evaluation may be made at the time of the termination.

Each employee shall be provided a copy of his or her performance evaluation. The supervisor shall discuss the report with the employee and shall counsel the employee regarding any improvement in performance which appears desirable or necessary.

Adopted: 01/01/14

2.14 Probationary Period

Newly hired or newly promoted Employees shall be required to successfully complete a probationary period of one hundred eighty (180) days. The probationary period allows the LCHD to closely observe and evaluate the Employee's fitness and suitability for the position. Only those Employees who demonstrate an acceptable standard of conduct and performance shall be retained in their position.

If, at any time during the probationary period, a newly hired Employee's service is determined to be such that it does not merit further employment, they may be terminated without appeal rights. Time spent on inactive pay status or non-paid leave of absence shall not be counted toward the completion of the probationary period.

Employees working irregular schedules and intermittent Employees shall have their one hundred eighty day (180) probationary period based upon the completion of nine hundred and seventy-five (975) hours in active pay status.

The failure of a promoted Employee to complete a probationary period due to unsatisfactory performance shall result in the Employee being returned to the same or similar position held at the time of promotion.

The LCHD does not intend to waive the ability to remove an unclassified, temporary, interim, or intermittent employee, at the Appointing Authority's pleasure, by adopting this policy or by designating an initial instruction period as a "probationary" period.

Adopted: 01/01/14

2.15 Overtime

Overtime is mandatory at times during employment with the Licking County Health Department. Refusal to work overtime may result in disciplinary action. The immediate supervisor must approve overtime in advance, except in emergency situations.

The following Fair Labor Standards (FLSA) exempt employees are expected to work overtime without compensation. Compensatory time on an hour for hour basis may be earned when hours worked exceed 40 hours per week. Examples of FLSA exempt positions include following:

Health Commissioner, Deputy Health Commissioner, Community Health Development Director, WIC Director, Health Promotion Director, Director of Nursing, Environmental Health Director, Director of Community and Personal Health and Director of Administrative Services

Non-exempt employees who are governed by the Fair Labor Standard Act (FSLA) may not work in excess of eight (8) hours per day without the approval of their immediate supervisor. Any non-exempt employee of this Agency shall be entitled to compensatory time for all hours worked in excess of forty (40) hours in a week at one and one half (1 1/2) hours for each excess hour actually worked.

Any non-exempt employee required to work on one of the recognized holidays is entitled to receive compensatory time of one and one half (1 1/2) hours for each hour actually worked over 40 hours in a work week, in addition to receiving regular holiday pay.

Overtime means actually working over 40 hours per week. A week is defined as seven (7) consecutive days, beginning at 12:01AM Saturday, and ending at Midnight the following Friday. For purposes of overtime calculations, time on leave (paid or unpaid), and holidays is not considered time worked.

Scheduled overtime, which is subsequently cancelled for any reason, shall not entitle the employee to overtime compensation.

Required overtime may not be equalized among employees. Those who are required to work overtime are those whose efforts are needed to satisfy the demands of the job. Volunteering for overtime is considered appropriate, but will not necessarily mean that the employee will be the one who will work overtime.

Compensatory time must be taken within thirty (30) days of it being credited, at a time that is convenient to the employee and employer. If the compensatory time is not taken within the thirty (30) days, the employee shall make written application to their supervisor to extend the carry over period, but in no case shall compensatory time be carried beyond one hundred and eighty days from the date credited.

Any employee required to work on Saturday or Sunday is entitled to receive compensatory time of one and one half (1 1/2) hours for each hour worked. **If the employee is not required, but requests to work on a Saturday or Sunday, the supervisor, at their discretion, may approve that schedule request at the normal straight time.**

Due to fiscal limitations and to assure budget stability, LCHD does not pay overtime wages and requires that overtime be credited as compensatory time. In an emergency, or other extraordinary event, the Health Commissioner may authorize overtime pay for a time-limited event or condition.

Revised: 01/01/17

2.16 Flex Time

- A. In order that both the department and the employee may benefit, flexible time is encouraged. Flexible time is generally time that is "flexed" within the week.
- B. Flexible time means that an employee may be asked to work at times other than regular working hours, that employee may then take that amount of time off on another work day, during that

day or week. Example: Employee is asked to work an evening clinic for two hours. The employee takes two hours off on a Friday afternoon, or comes in 2 hours late on the day of the clinic to flex this time.

- C. Flexible time is not meant to allow an employee to come in late to work, unless the employee's supervisor agrees to a time different from the normal start-time. Flextime may be approved by the employee's supervisor, and the Health Commissioner, for special circumstances. Example: Every Thursday a sanitarian inspects pizza parlors after 4:00 PM. The employee requests to flex their starting time on Thursdays to 10:30 and to work until 6:30PM. Or an employee is taking college classes that have a laboratory session on Wed. afternoons. The employee may request to work longer hours on the other days to offset the hours off on Wed. afternoon. In all flex requests the impact on the Health Dept.'s ability to deliver services will be considered.

Adopted: 06/20/00

2.17 Seniority

It is the policy of the Licking County Health Dept. that:

- A. Seniority is defined as the uninterrupted length of continuous service with this agency. An authorized leave of absence does not constitute a break in service and seniority time continues to accumulate during the term of the leave, provided that the employee complies with rules and regulations governing that leave of absence, and that the employee is reinstated from the leave.
- B. For the purpose of layoff, seniority is defined as continuous public service. Service may be transferred from one agency to another without loss of seniority as long as no break in service of more than thirty (30) days occurs. A break in service occurs if an employee is terminated for any reason other than layoff, and is not reinstated within one year of the termination date. If an employee is reinstated within one year of the termination date, continuous service will not be broken and prior service will be credited to the employee for purposes of determining seniority. Employees who are reinstated or re-employed from layoff within one year of the layoff date will retain all previously accumulated seniority, but will not be credited with seniority for time spent on layoff.
- C. Seniority for purposes of vacation is calculated according to the number of years of service credit. (as defined in the section of this manual titled "Vacation Leave")
- D. Seniority, for the purposes of determining retirement benefits, is defined by the provisions of the retirement system in which the employee participates.
- E. For all other purposes, other than those specified above, seniority shall be defined as set forth in the provisions of the Ohio Revised Code.

Adopted: 06/20/00

2.18 Classification Plan

- A. The Health Department has established a position classification plan based on an analysis of the duties and responsibilities of positions within the organization. Class specifications include a class title, nature of work, examples of duties, minimum qualifications, and content related worker characteristics.
- B. The Health Commissioner, on an annual basis, or as needed, may review the duties and responsibilities of positions and makes necessary adjustments or revisions to the classification plan.
- C. An employee may request that their position be audited for proper classification by requesting a review. Unless duties are substantially altered on a permanent basis, the employee may not request such a review for a year from the date of the results of the last review.

Adopted: 06/20/00

2.19 Layoff

If it becomes necessary to reduce staffing levels, the LCHD shall lay off Employees in accordance with law. The LCHD shall determine the number of positions and the classifications in which layoffs will occur.

Layoffs and job abolishment may occur for:

1. Lack of work
2. Lack of funds
3. Reorganization

Adopted: 01/01/14

2.20 Fitness for Duty and Disability Separations

1. The Employer may require an employee to be examined by a licensed medical practitioner to determine the employee's physical or mental capacity to perform the essential functions of the employee's classification with or without reasonable accommodation. (Note that a reasonable accommodation is only available to those employees who meet the definition of disabled under the American's with Disabilities Act.) For purposes of this Article, "licensed medical practitioner" is defined as a licensed psychologist or psychiatrist to conduct a mental examination and an M.D. or D.O. to conduct a physical examination. If the employee disagrees with a determination that the employee is unable to perform the essential functions of her classification with or without reasonable accommodation, the employee may present evidence and testimony, including a report from her own physician regarding her ability to perform the essential functions of the job.
2. If an employee, after examination, is found to be unable to perform the essential functions of her position, the employee may request use of accumulated sick and vacation leave and other benefits. If a classified employee remains unable to perform the essential functions of her position after exhausting available leave, the employee may request a voluntary disability separation. A classified employee granted a voluntary disability separation shall retain the right to be reinstated to his or her position for two (2) years from the date that the employee is no longer in active work status. Reinstatement is available only upon the presentation of appropriate medical documentation that the employee can perform the essential functions of the position with or without reasonable accommodation.
3. If a classified employee who is found to be unable to perform the essential functions of their position refuses to utilize their leave benefits or to agree to a voluntary disability separation, the appointing authority may place the employee on an involuntary disability separation. Prior to placing an employee on involuntary disability separation, the Employer may have the employee examined by a physician at the Employer's expense. If the physician reports that the employee cannot perform the essential functions of the position, the employee is entitled to a pre-separation conference. If, after the conference the appointing authority determines that the employee is unable to perform the essential functions of their position with or without reasonable accommodation, the appointing authority shall issue an involuntary disability separation order to be given to the employee. The employee may appeal the appointing authority's order concerning her involuntary disability separation to the SPBR.
4. A classified employee on voluntary or involuntary disability separation has a two (2) year right to reinstatement to their former position or a similar position. The employee must make a written request for reinstatement from a disability separation or to a similar position. The request shall be accompanied by substantial credible evidence that the employee is once again capable of

performing the material and substantial functions of their classification with or without reasonable accommodation (note that reasonable accommodation is only available to individuals who meet the definition of disabled under the A.D.A.). The Employer shall have the right to have the employee examined, at the Employer's expense, prior to their return.

5. An employee's refusal to submit to an examination, to release the findings of an examination, or to otherwise cooperate in the examination process will be considered insubordination and will be grounds for discipline up to and including termination or grounds for denial of reinstatement.

Revised: 1/1/10

2.21 Resignations

In order to be considered "in good standing", Employees who plan to voluntarily resign shall notify their immediate Supervisor, in writing, at least two (2) weeks in advance of the effective date of termination. Management Employees are requested to give a four (4) week notice.

Upon receipt of an employee's resignation, scheduled vacations may be canceled and no new vacation or personal leave requests for dates within the final two weeks of employment will be approved. Personal days may not be added to the end of your notice period in order to be paid for these days.

Any Employee who resigns is encouraged to give their reason(s) for resigning and to discuss with their Supervisor any working conditions, which they feel are unsatisfactory.

Resignations, whether verbal or written, may not be revoked without permission.

Failure to give proper notification shall result in ineligibility for reinstatement.

Adopted: 01/01/17

2.22 Separation from Service

- A. Upon separation from employment for any reason, an eligible employee shall receive payment for any unused compensatory time and may receive payment for accumulated but unused vacation at their current rate of pay, providing they have six months of LCHD service and have successfully completed their probationary period..
- B. Eligible employees who retire shall be paid for one-fourth (1/4) of their sick leave to a maximum of thirty (30) days (see Sick Leave, Conversion policy).
- C. Such payment will be made within thirty (30) days of the separation.

Adopted: 01/01/17

Section 3 – Employee Conduct

3.00 Open Door Policy

The LCHD has an open door policy and takes employee concerns and problems seriously. The LCHD values each employee and strives to provide a positive work experience. Employees are encouraged to bring any workplace concerns or problems they might have or know about to their supervisor or some other member of management

Adopted: 01/01/14

3.01 Ethics of Government Employment

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

- A. No employee shall use his official position for personal gain, engage in any business, or have a financial or other interest, direct or indirect, which is in conflict with the proper discharge of his official duties.
- B. No employee shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the employer, or any of its clients nor shall she use such information to advance the financial or other private interest of herself or others.
- C. No employee shall accept any valuable gift, whether in the form of service, loan, item, or promise from any person, firm, or corporation which is interested, directly or indirectly, in any manner whatsoever in business dealings with the Employer; nor shall an employee accept any gift, favor, or item of value that may tend to influence the employee in the discharge of his duties or grant in the discharge of the employee's duties any improper favor, service, or item of value.
- D. No employee shall represent private interests in any action or proceeding against the interest of the employer in any matter in which the employer is a party.
- E. No employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of her official duties or would tend to impair her independent judgment or action in the performance of her official duties. Neither shall other employment, private or public, interfere in any way with the employee's regular, punctual attendance and faithful performance of her assigned job duties. Any employee having doubt as to the applicability of these provisions should consult her supervisor or appointing authority.
- F. Any employee offered a gift or favor who is not sure if its acceptance is a violation of the Code of Ethics should inform his supervisor of the gift offer. The supervisor will make a decision or will refer the individual to the employer's legal representative. No employee will accept from any contractor or supplier doing business with the employer any material or service for the employee's private use.
- G. State law prohibits public employees and officials from having a financial interest in companies which do business with public agencies, with minor exceptions. Employees who have any doubt concerning a possible violation of these statutes are advised to consult an attorney.
- H. Use of an employee's position or influence to obtain employment with the agency for a family member is also a violation of Ohio Ethics laws.

Revised 1/1/10

3.02 Drugs and Alcohol

Drug Free Workplace:

Alcoholism and drug addiction are treatable diseases. Therefore, Employees who believe they may have an alcohol or drug addiction problem are encouraged to seek professional treatment and assistance. No Employee who seeks such treatment or assistance prior to detection will have his job security, promotional opportunities, or other job conditions jeopardized by a request for treatment. The individual's right to confidentiality and privacy will be recognized in such cases. LCHD will reasonably

accommodate a recovering Employee's alcohol or drug addiction in accordance with federal and state law.

Treatment pursuant to this accommodation policy will not result in any special regulations, privileges, or exemptions from standard administrative procedures, practices, or policies including disciplinary action. LCHD may take disciplinary action for any violations of work rules, regardless of the effect of alcohol or drug abuse. Nothing in this policy shall be construed to condone or exonerate Employees from their misconduct or poor performance resulting from a drug or alcohol problem.

LCHD maintains a drug and alcohol free workplace in order to eliminate the inherent risks and liability to LCHD, the affected Employee, co-workers and the public. Employees are hereby notified that the manufacture, distribution, dispensing, possession, use or being under the influence of alcohol, drugs or other controlled substance is strictly prohibited during working hours at any location where Employees are conducting County business. Also prohibited is the illegal use of legal substances.

In order to further LCHD's objective of maintaining a safe, healthful, and drug free workplace, LCHD may require an Employee to submit to a urine and/or blood test if there is reasonable suspicion to believe an Employee is under the influence of a controlled substance or alcohol. Refusal to submit to a drug or alcohol test and/or to release the results of the same shall be considered insubordination and will be construed as a positive test result.

Employees are put on notice that an Employee who is under the influence of drugs or alcohol may forfeit their right to obtain workers compensation benefits. The law establishes a rebuttable presumption that if an injured worker tests positive for the use of drugs or alcohol, the worker will have to prove the use of drugs or alcohol did not cause the accident. A refusal to test for the use of drugs or alcohol will also establish the presumption. Employees who are involved with a workplace accident may be required to undergo drug and/or alcohol testing in accordance with this policy. 31

Employees are responsible for reporting any incident or conduct they believe is inappropriate and/or in violation of County policies and procedures. This duty includes incidents actually observed, reported by residents, reported by staff, or suspected due to other facts.

Notice upon Hiring:

1. As a condition prior to hiring, all prospective Employees will be made aware of Licking County's Drug Free Workplace Policy and upon hire will receive a copy of the Licking County Drug Free Workplace Statement and Policy, and Drug Testing Policy and be required to sign a receipt which will become a permanent part of the Employee's personnel file.

2. In addition, as a further condition to hiring, all prospective Employees will be required to sign a written statement to the effect that:

- a. They understand and support the Licking County Drug Free Workplace Policy.
- b. They agree to refrain from violating this policy while employed by LCHD.
- c. They understand they must report to their Employer, in writing, any conviction of any federal, state or municipal criminal drug statute within five (5) calendar days after such conviction.
- d. They acknowledge, in advance, they understand the penalty for breach, can be terminated, and agree the penalty is appropriate when supported by evidence.

Drug Policy:

1. **Controlled Substance:** Means any controlled substance contained in Schedules 1 through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812; or as defined in O.R.C. 3719.01).
2. **Conviction:** Means any finding of guilt, including a plea of *nolo contendere* (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
3. **Criminal Drug Statute:** Means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance. For purposes of this policy all definitions will be consistent with O.R.C. Chapters 3719 and 2925.
4. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any Employee which takes place in whole or in part in the Employer's work place is strictly prohibited and will result in criminal prosecution and Employee discipline.
5. Any Employee arrested or convicted of any federal or state criminal drug statute must notify the Employer of that fact immediately, but in no event longer than within five (5) calendar days, of the arrest or conviction.
6. Any Employee who reports for duty in an altered or impaired condition which is the result of the illegal use of controlled substances and/or alcohol will be subject to disciplinary action up to and including termination. Any decision to take disciplinary action may be held in abeyance pending the completion by the Employee of a drug rehabilitation program.
7. Any Employee arrested or convicted of a drug or alcohol offense, who fails to timely report the arrest or conviction, may be terminated from employment and/or held civilly liable for any damage caused, including a loss of state or federal funds, resulting from the misconduct.

The Drug/Alcohol Testing:

1. In order to maintain a safe and healthful work environment, LCHD reserves the right to set standards for employment and to require Employees to submit to physical examinations including blood and/or urine tests for alcohol, illegal drugs, or the misuse of legal drugs where there is reasonable suspicion that an Employee's work performance is, or could be, affected by their condition.
2. Where LCHD has a reasonable suspicion to believe the Employee is in violation of this policy, it may require the Employee to go to a medical clinic, at LCHD's expense, to provide blood and/or urine specimens. Reasonable suspicion shall generally mean suspicion based on personal observation by a County representative, including descriptions of appearance, behavior, speech, breath, or inexplicable behavior.
3. If requested, the Employee shall sign a consent form authorizing the clinic to withdraw a specimen of blood and/or urine and release the test results to LCHD. Refusal to sign a consent form or to provide a specimen will constitute insubordination and a presumption of impairment and may result in termination.
4. Any Employee who tests positive may request retesting of the original specimen at their own expense.
5. Employees who test positive for illegal substances or misuse of legal drugs and/or alcohol may be offered rehabilitation through the County Employee Assistance Program. Any costs related to the rehabilitation shall be paid by the Employee. Employees must take any available, accumulated, paid or unpaid leave during their absence. Failure to fully participate in or successfully complete such a rehabilitation program may result in disciplinary action.

6. Employees who return to work after the successful rehabilitation will be subject to random drug tests for a period of two (2) years from the date of their return.

7. Employees subject to random drug tests who refuse to participate in the drug/alcohol testing and/or rehabilitation program or who continue to test positive for substance abuse will face additional disciplinary actions, up to and including termination.

8. Any Employee involved in an accident may be subject to post accident alcohol and drug testing.

9. Employees who are required to hold a commercial driver's license (CDL) will be required to participate in LCHD's drug and alcohol testing program as required by federal law which includes pre-employment testing, post-accident testing, random testing, reasonable suspicion testing, and return to work testing. Policies and procedures for these programs will be consistent with federal law and will be made available to Employees required to hold CDL's and their Supervisors.

Discipline:

LCHD may discipline an Employee for any violation of this policy. Nothing herein shall be construed as a guarantee that LCHD will offer an opportunity for rehabilitation. Failure to successfully complete or participate in a prescribed rehabilitation program, if offered, shall result in the Employee's termination (including a refusal to test or a positive test result on a return to duty or follow up test).

No Employee shall be provided more than one (1) opportunity at rehabilitation. LCHD's decision whether to terminate an Employee shall be made on the basis of the circumstances surrounding the Employee's positive drug or alcohol test and considerations such as any other misconduct resulting from the Employee's substance abuse (e.g. injury, property damage, etc.) the Employee's work record, and other factors traditionally considered when determining whether to retain an Employee.

Refusal to Test:

Employees who refuse to submit to the required testing shall be subject to disciplinary action up to and including termination. A refusal to test for purposes of this policy shall include:

1. Failure to provide a sufficient sample provided there does not exist a valid medical explanation as to why the Employee was unable to do so.

2. Any conduct that attempts to obstruct the testing process such as unavailability, leaving the scene of an accident without proper authorization, delay in providing a sample, adulterating, substituting or attempting to adulterate or substitute a specimen during the testing process, regardless of whether such attempt results in a negative or positive diluted sample.

3. Failure to execute or release forms required as part of the testing process.

Prescription/OTC Medications:

Employees must inform their Supervisor if they are taking any medication that may impair their ability to perform their job. Employees on such medications must provide a written release from their treating licensed medical practitioner indicating that they are capable of performing their essential job functions, with or without reasonable accommodation. Employees are prohibited from performing any County function or duty while taking legal drugs that adversely affect their ability to safely perform any such function or duty.

Employee use of prescription or over the counter drugs must be utilized for medical reasons, taken at the dosage and frequency of use prescribed on the label, and in the case of prescription drugs, prescribed to Employees for medical reasons by a licensed medical practitioner. An Employee's use of the prescription or over the counter drugs shall not affect the Employee's job performance, threaten the safety, productivity, public image or property of LCHD or its Employees, or result in criminal behavior.

Adopted: 01/01/14

3.03 LCHD Tobacco and Nicotine Free Workplace Policy

Policy Statement

With a mission to lead and innovate by working with the community to achieve the goals of public health: prevention, promotion and protection; it is incumbent upon the LCHD to address the community's leading cause of preventable disease and premature death.

Therefore, the purpose of this policy is to control the use of nicotine and tobacco products by LCHD employees. The policy's primary objectives include: facilitation of a healthier workforce, reduction of personnel costs resulting in taxpayer savings, and demonstration of community leadership.

The Licking County Health Department is a nicotine and tobacco-free organization. Use of nicotine and tobacco products is prohibited at all LCHD sites, including buildings, grounds, LCHD owned vehicles, parking lots (including in personal vehicles) at any LCHD owned, leased or sub-leased locations. Furthermore, effective January 1, 2014, LCHD will hire only non-nicotine users.

This policy applies to all employees, clients, visitors, students, contractors, subcontractors, volunteers, and other guests in buildings, grounds or properties.

Definitions

Nicotine products include, but are not limited to, cigarettes, e-cigarettes, cigars, chewing tobacco, pipe smoking, nicotine patches or nicotine gum.

Policy Enforcement

All LCHD staff are responsible for general monitoring of policy compliance with regards to all employees and visitors at all LCHD sites. Employees observing an individual violating the Nicotine and Tobacco-Free Policy are encouraged to courteously remind the individual of this Policy and suggest that smoking materials be extinguished. If the individual refuses to comply, employee should notify a supervisor. Violations of policy provisions by employees will be addressed through appropriate disciplinary action which may include termination without prior progressive discipline.

Employees

New Hires:

1. Applicants for employment at the LCHD will be asked about their use of nicotine and tobacco as part of the pre-employment application process.
2. Applicants who declare use of nicotine or tobacco use will not be considered for employment. Applicants may reapply for a position after they have been nicotine or tobacco-free for 90 days.
3. Employees hired after January 1, 2014 shall not use nicotine or tobacco products at any time. Upon reasonable suspicion that such employee is using a nicotine or tobacco product, they shall

be subject to mandatory testing. A positive test for nicotine shall be sufficient cause for termination.

4. Current employees hired before January 1, 2014 and unaffected by other requirements will not be impacted by this new applicant hiring provision unless they leave the organization and later apply for re-employment.

Current Employees as of January 1, 2014:

1. Employees are encouraged to assist each other with policy compliance.
2. Nicotine & Tobacco-free policy violations will be handled like any other policy violation. It is the responsibility of the employee's respective department head to make sure that each employee abides by the policy.
3. Employees are not allowed to use nicotine during paid breaks. Employees, who have an unpaid meal break may leave the campus.
4. Employees are permitted to use nicotine patches or gum if it is part of a quit plan.
5. Tobacco use cessation assistance is available through the county health insurance plan, the Ohio Quit Line, or through contacting our Tobacco Prevention program health educator.

Visitors:

1. LCHD grounds are tobacco-free. Visitors are prohibited from smoking or using tobacco products (including the use of e-cigarettes) at all LCHD sites including the buildings, grounds, parking lots and any offsite locations. Any visitor found to be using tobacco on the property will be asked to stop. If they fail to comply, a supervisor should be notified. The supervisor will advise the visitor that failure to follow the tobacco-free campus policy may result in removal from the property by law enforcement and denial of LCHD services.

Adopted: 01/01/14

3.04 Attendance

- A. The Health Commissioner or designee shall establish daily work schedules and maintain daily employee attendance records.
- B. Employees may take two 15-minute break periods each full work day, if authorized by the immediate supervisor. Break periods shall be considered a privilege and not a right and shall never interfere with the proper performance of the assigned work. Such breaks shall be considered as part of the employee's work time. Breaks shall not abut the start or end of the work shift or the start or end of lunch.
- C. Regular and predictable attendance is essential to the success of this agency, and to the satisfactory fulfillment of an employee's responsibilities. When 6 or more unscheduled absences by an employee occur within a 6 month time period, the employee's supervisor shall meet with the employee to discuss the importance of regular and predictable attendance. The supervisor may initiate disciplinary action.
- D. When reporting off work (sick leave, other unscheduled absence) employees must contact their supervisor for approval no later than one-half hour after the employee's normal reporting time. If their supervisor is not available, the employee must report to another supervisor or the Health Commissioner.

Adopted: 01/01/14

3.05 Tardiness

- A. Tardiness on a regular basis is inexcusable and shall not be tolerated. Tardiness is any situation where an employee reports to work after their scheduled starting time. While the Board of Health recognizes that occasionally circumstances, which are out of the control of the employee, (traffic accident, road closure, severe weather), make it impossible to arrive to work on time, the Board wishes to make it clear that a pattern of, or excessive, tardiness interferes with the delivery of quality and efficient services to the public and subjects the employee to appropriate progressive discipline, up to and including termination.
- B. Whenever a non-exempt employee is tardy, that employee shall be subject to a loss of pay corresponding to the amount of time absent, unless a reason deemed acceptable by the supervisor is provided. In which case the lost time may be made up or leave used.

Adopted: 06/20/00

3.06 Dress

It is the policy of the LCHD to insure that employees portray themselves in a professional manner by dressing to reflect a professional image as they represent the Health Department within the department and community. The personal appearance of health department employees is constantly on display for clients and visitors. The general appearance of employees should be neat, clean and reflective of a professional image. Dress for the entire staff should be in accordance with the guidelines of this policy and additional requirements are also outlined for programs that require particular uniforms.

Department Heads are responsible for establishing reasonable dress standards appropriate to the jobs performed by their department. If a Supervisor believes an Employee's attire or appearance is below an acceptable level, the Supervisor will meet with the Employee and advise the Employee that their appearance is inappropriate, and may ask the Employee to leave the workplace until properly dressed or groomed. An Employee will not be compensated for such time away from work (Usage of vacation, personal, or compensatory leave is discretionary).

Dress code elements:

Casual and dress pants may be worn. Pants should be neat and clean in appearance, without holes, and not tight fitting. Leggings, spandex, etc. may be worn under an appropriate length skirt or dress.

Dress shorts/walking shorts are reserved for staff working in settings without air-conditioning. They must adhere to the guidelines for hemlines. No light-weight knit, denim, or gauze/see-through fabrics are allowed.

Shirts/blouses/dresses

Shirts can be button down, polo type, or dress knit. T-shirts provided by health department programs may be worn when for events when approved by the supervisor and must be neat and clean.

Tank tops, halters and backless shirts or dresses are not permitted. Sheer or see-through blouses and shirts should not be worn without proper undergarments. Necklines should not be revealing. Midriffs must be covered and must not be revealed when reaching.

Shirts and blouses should be worn in a neat fashion and not sloppy in appearance.

Sweat suits and jogging suits are not permitted. If program activities dictate the wearing of such apparel, permission is required by the supervisor. During special occasions, sweaters and sweatshirts with special motifs are permitted.

Hemlines for dresses, skirts and shorts should be no more than three inches above the top of the knee when standing. Hemlines should not meet or exceed mid-thigh when sitting.

Shoes must be worn at all times. Footwear should be neat, clean, and polished. Shoes must provide safe, secure footing, and offer protection against hazards.

Identification badges or name tags should be visible and worn above the waist at all times. Name badges must be worn at all times when working off-site.

Dress-Down Events and Casual Days – On dress-down or casual days, as pre-approved by the Health Commissioner or designee, employees may be permitted to wear jeans (neat and without holes); plain, sports team, or health department T-shirts; dressy or khaki shorts, and sweatshirts. Except as specified in this section, all other allowances and prohibitions named in this policy shall apply.

Clinical Setting – Subject to supervisory approval in clinic areas or medical home visiting situations, clinic attire, such as scrubs and athletic/tennis shoes are allowable. Except as specified in this section, all other allowances and prohibitions shall apply.

Field Setting - Employees who work in the field on a regular or occasional basis should also keep a professional appearance, especially when dealing with the public. Due to the nature of the work, however, subject to supervisory approval, employees may wear clothing appropriate for the activities in which they are engaged, including jeans, shorts, T-shirts, tennis shoes, boots, etc. While working in the field employees shall wear all appropriate personal protection equipment (PPE) and use all appropriate safety equipment as deemed necessary by policy and/or safety personnel. Except as specified in this section, all other allowances and prohibitions shall apply.

Medical Necessity - Medical conditions which require clothing items/footwear that otherwise might be considered inappropriate by this policy should be documented with a physician's statement and reported to the department/division Administrative Services office in advance of wearing such items.

Hygiene - All employees must ensure their personal hygiene habits result in a clean, non-offensive appearance and presence, and that their use or non-use of hygiene or scented products is not unpleasant, distracting, or presents a health risk for others they encounter.

Jewelry should not be functionally restrictive, dangerous to job performance or excessive. Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, is not professionally appropriate and must not be worn during business hours.

Visible tattoos must be in good taste. Inappropriate, or excessive tattoos must be covered.

Exercise common sense and good judgment about your appearance. If you are not sure about the appropriateness of an item of clothing or accessory, then don't wear it. Choose another item.

Employees who refuse to change to appropriate dress will be disciplined according to procedures in this manual.

Adopted: 01/01/14

3.07 Outside Employment

- A. Under no circumstances shall an employee have other employment which conflicts with the policies, objectives and operations of the employer. In addition, an employee shall not become indebted to a second employer whose interests might be in conflict with those of this agency.
- B. Employment conflicts, as set forth in this policy, are when a second job impairs the employee's ability to perform the duties of their position.
- C. Full time employment, with this agency, shall be considered the employee's primary occupation, taking precedence over all other occupations.
- D. Improper use of primary time to support a secondary job commitment will not be tolerated and will result in discipline up to and including dismissal.
- E. Outside employment, or "moonlighting" shall be a concern of the employer only if it adversely affects the job performance of the employee. Conflicts which may arise are:
 - 1. Time Conflict - when the working hours required of a secondary job directly conflicts with the scheduled working hours of their employment with the Health Dept. **Example:** Refusal to work overtime when required, or use of sick time when no illness is present, so that the employee may work their other job.
 - 2. Lack of rest - The hours of an employee's secondary job prohibit adequate rest, thereby adversely affecting the quality of the employee's job performance.
 - 3. Interest Conflict - Defined as when an employee engages in outside employment which tends to compromise their judgment, and performance with this agency.
- F. Should the employer feel that an employee's outside employment is adversely affecting the employee's job performance, they may recommend, but not demand, that the employee refrain from such activity. However, any conflict, policy infraction, or other specific offense which is the direct result of an employee's participation in outside employment shall be disciplined in such a manner that is consistent with these policies.
- G. Non-Compete: No employee may provide services that compete with services provided by the Licking County Health Department. **Example:** Providing nursing or sanitation service/consultation for payment when that service is available through the Health Department as a fee for service program.
- H. Employees who are found to be competing with the health department while in the employ of the department will be disciplined up to and including dismissal.

Adopted: 06/20/00

3.08 Political Activity

Although the LCHD encourages all Employees to exercise their constitutional rights to vote, certain political activities are legally prohibited for classified Employees of the County whether in active pay status or on leave of absence.

The following activities are examples of conduct permitted by classified Employees:

- 1. Registration and voting.
- 2. Expressing opinions, either orally or in writing.
- 3. Voluntary financial contributions to political candidates or organizations.
- 4. Circulating non-partisan petitions or petitions stating views on legislation.
- 5. Attendance at political rallies.
- 6. Signing nominating petitions in support of individuals.
- 7. Displaying political materials in the Employee's home or on the Employee's property.

8. Wearing political badges or buttons, or the display of political stickers on private vehicles.
9. Serving as a precinct official under O.R.C. 3501.22.

The following activities are examples of conduct prohibited by classified Employees:

1. Candidacy for public office in a partisan election.
2. Candidacy for public office in a non-partisan general election if the nomination to candidacy was obtained in a primary partisan election or through the circulation of a nominating petition identified with a political party.
3. Filing of petitions meeting statutory requirements for partisan candidacy to elective office.
4. Circulating official nominating petitions for any partisan candidate.
5. Holding an elected or appointed office in any partisan political organization.
6. Accepting appointment to any office normally filled by partisan election.
7. Campaigning by writing in publications, distributing political material, or writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success.
8. Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in kind, for any political party or political candidate.
9. Solicitation for the sale, or actual sale, of political party tickets.
10. Partisan activities at the election polls, such as solicitation of votes for other than non-partisan candidates and non-partisan issues.
11. Service as a witness or challenger for any party or partisan committee.
12. Participation in political caucuses of a partisan nature.
13. Participation in a political action committee that supports partisan activity.

Unclassified Employees whose jobs are funded in whole or in part by the federal government may also be subject to prohibitions against partisan political activity. Any Employee having a question pertaining to whether specific conduct of a political nature is permissible should contact their immediate Supervisor prior to engaging in such conduct.

Adopted: 01/01/14

3.09 Safety and Health

Work safety and health is one of the Agency's primary concerns. The safe and healthful performance of all work assignments is the responsibility of both supervisory and non-supervisory personnel. It is the responsibility of each employee to ensure that all safety equipment is used and all safety procedures/practices are observed.

- A. Any employee found to be negligent in equipment operation, resulting either in damage to the equipment or staff, shall be disciplined according to these policies.
- B. Any employee found to be recklessly or intentionally negligent in equipment operation, resulting in either damage to the equipment or an injury, shall be subject to immediate termination. All employees who drive agency vehicles will not exceed the appropriate speed limits. Violators are subject to disciplinary action, including termination.
- C. All employees, including supervisors, are charged with the responsibility of reporting the existence of any hazardous condition or practice in the work place.
- D. Employees are responsible for wearing prescribed safety equipment during appropriate times and locations.
- E. Supervisors found to be negligent in requiring and/or controlling the use of prescribed safety equipment are subject to disciplinary action, up to and including termination.

- F. Any accident, whether or not it appears that injuries were incurred, occurring during working hours shall be reported to the immediate supervisor at once. The supervisor shall, in turn, notify the Health Commissioner. Upon notification, the supervisor shall complete necessary documentation no later than 48 hours after the accident, to assist in processing any Workers Compensation claim.

Adopted: 06/20/00

3.10 Influenza Vaccination

Unvaccinated Health Care Personnel have been implicated as sources of influenza infections in outbreaks among adults and children. Immunization is the most effective way to protect our clients and personnel from influenza infections. Local health departments, with their emphasis on prevention of disease, are obligated to use a safe and effective measure to protect their staff and its clients, many of whom access public health resources specifically to avoid getting diseases such as influenza.

All LCHD staff are encouraged to obtain an annual influenza vaccination. LCDH will provide flu vaccination with no out of pocket cost to the employee. Those employees who are health care personnel, including nurses, dietitians, dental hygienists, dental assistants, clinic assistants, and health educators who provide school based classroom instruction, are strongly encouraged to maintain current flu vaccinations and are required to inform the Nursing Director of their flu vaccination status annually.

Adopted: 01/01/14

3.11 Supplies, Equipment, Telephones

- A. When tools, supplies, vehicles or equipment needed to perform job duties are provided by the employer, it is the responsibility of both supervisors and users to see that they are properly used and maintained.
- B. Misuse, neglect, loss, theft and abuse of tools, supplies, vehicles, keys, equipment or telephones is prohibited. Accidents involving misuse or abuse of tools, vehicles or equipment will be the cause for disciplinary action. Loss of tools, damage to vehicles or equipment, may require payment by the employee for those items lost or damaged at the discretion of the Health Commissioner. Excessive use of telephones and/or long distance telephone calls for other than business purposes without prior supervisory approval shall result in disciplinary action.
- C. All tools, supplies, vehicles and equipment utilized by the employee on the job is subject to the prior approval of the employer.
- D. Employees have an obligation to use public property for public purposes and to avoid wasting public resources. An employee may dispose of an item which is damaged or broken, however, the employee must have permission to dispose of an item with a value of fifty dollars (\$50.00) or more. Under no circumstances may an employee take the item for personal use, for use by another person, or for gain by reselling.
- E. Employees shall report lost, damaged, or stolen equipment or vehicles to their supervisor, who shall report to the Director of Administrative Services, for claim under any applicable insurance policies or to remove from inventory.
- F. Supplies, Equipment, Telephones, and Computers are the property of the department; therefore employees should have no expectation of privacy in the use of such.

Adopted: 1/1/10

3.12 Use of LCHD Communications Services – Cellular Phones

Employees that spend an average of at least 50% of their working hours in the field, director level staff, and employees who are on call for after-hours and emergency response, may, at the Health Commissioner's discretion, be required to carry cell phones to provide communication with the office and emergency contact.

LCHD may provide cellular phone service to the staff when appropriate and properly authorized under any of the programs outlined below:

1. LCHD may provide salary supplements of \$40.00 per month to staff to offset the cost of personally owned cellular phones required to conduct agency business. Part-time employees will be eligible for a reduced stipend proportional to full time employees.
2. Employees can be reimbursed at a rate of \$0.20/minute for occasional use of a personal cell phone when they do not meet the criteria that require carrying of a cell phone. An expense form with a copy of their detailed cellular bill indicating which calls were work-related must be completed to qualify for reimbursement.

There are situations where cellular phone service can be directly paid from department funds:

3. The employee may opt to use a LCHD phone, if available, for business purposes only. (Personal use will be allowed for emergencies, to communicate schedule changes to family members, and for medical or unforeseen circumstances)
4. LCHD may use departmental funds to purchase and operate cellular phones that are shared among department staff, as with a floating phone, or one affixed to LCHD property, such as cars and buildings.
5. Under certain circumstances, grant and contract funds can be used to pay for cellular service.

To be eligible for salary supplements the employee must certify that they permit the use of their personal cell phone for business related calls. Cellular supplements, LCHD paid cellular phones and reimbursements are all subject to department head approval. Quarterly office/field reports may be used to verify eligibility.

All employees working in the field as part of their job duties may be required to carry a cell phone and provide LCHD with their cell phone number. LCHD reserves the right to contact employees working in the field on their cell phones for business purposes regardless of their participation in the cell phone reimbursement program.

Departmental cell-phones are the property of the department; therefore employees should have no expectation of privacy in the use of such.

Adopted: 1/1/10

3.13 Computer Use

LCHD computers and information systems are LCHD property. They may be used only for explicitly authorized purposes. LCHD reserves the right to examine all data stored in or transmitted by their computers and systems. Without notice, LCHD may enter, search, monitor, track, copy, and retrieve any type of electronic file of any Employee or contractor. These actions may be taken for business purpose inquiries including but not limited to: theft investigation, unauthorized disclosure of confidential business or proprietary information, excessive personal use of the system, or monitoring work flow and Employee productivity.

Employees have no right to privacy with regard to the Internet and email on LCHD systems. Authorized LCHD designees may access any files stored on, accessed via, or deleted from computers and information systems. When necessary, internet, email, and Instant Messenger (IM) usage patterns may be examined for work related purposes, including situations where there is a need to investigate possible misconduct and to assure that these resources are devoted to maintaining the highest levels of productivity. All software installed on any LCHD computer must be licensed to LCHD. No Employee may install, uninstall, or reconfigure any software or hardware owned by LCHD without prior authorization. The use of privately owned or contractor owned devices (i.e., PDAs, smart phones, and laptops) for official business must be authorized in advance.

Allowable Uses of Computer and Information Systems for Business Purposes:

1. Facilitating job function performance.
2. Facilitating and communicating business information within the LCHD network.
3. Coordinating meeting locations and resources for LCHD.
4. Communicating with outside organizations as required in the performance of Employee job functions.

Prohibited Uses of Computers and Information Systems, Including But Not Limited To E-mail, Instant Messaging, and the Internet:

1. Violating local, state, and/or federal law.
2. Harassing or disparaging others based on age, race, color, national origin, sex, sexual orientation, disability, religion, military status or political beliefs. Harassment and disparagement include but are not limited to: slurs, obscene messages, or sexually explicit images, cartoons, or messages.
3. Threatening others.
4. Soliciting or recruiting others for commercial ventures, religious or political causes, outside organizations, or other matters which are not job related.
5. Using computers or information systems in association with the operation of any for-profit business activities or for personal gain.
6. Sabotage (i.e., intentionally disrupting network traffic or crashing the network and connecting systems or intentionally introducing a computer virus).
7. Vandalizing the data of another user.
8. Forging electronic mail and instant messenger messages.
9. Sending chain letters.
10. Sending rude or obscene messages (Anything that would embarrass or discredit LCHD).
11. Disseminating unauthorized confidential or proprietary LCHD documents or information or data restricted by government laws or regulations.
12. Browsing or inquiring upon confidential records maintained by LCHD without substantial business purpose.
13. Disseminating (including printing) copyrighted materials, articles, or software in violation of copyright laws.
14. Accessing the internet in any manner that may be disruptive, offensive to others, or harmful to morale.
15. Transmitting materials (i.e., visual, textual, or auditory) containing ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on age, race, color, national origin, gender, sexual orientation, disability, religious or political beliefs.
16. Sending or soliciting sexually oriented messages or images.
17. Making reference to using illegal substances. (Employee may be subjected to reasonable suspicion drug testing.).
18. Using the internet or Instant Messenger for political activity.
19. Using the internet to sell goods or services not job related.

20. Intentionally using internet facilities to disable, impair, or overload performance of any computer system or network or to circumvent any system intended to protect the privacy or security of another user.
21. Speaking to the media or to the public within any news group or chat room on behalf of LCHD if not expressly authorized to represent LCHD.
22. Uploading or downloading games, viruses, copyrighted material, inappropriate graphics or picture files, illegal software, and unauthorized access attempts into any system.

NOTE: Whether on working time or not, these prohibitions apply at all times to LCHD owned computers and information systems. Employees cannot expect that the information they convey, create, file, or store in LCHD computers and information systems will be confidential or private regardless of the Employee's intent.

Please remember that there is no expectation of privacy for anything sent by email or Instant Messaging (IM), and that others can view this information at any time.

Guidelines for Incidental/Occasional Personal Internet Usage:

Generally, the internet is to be used for work related purposes. LCHD will permit personal use of the internet with reasonable restrictions as to the amount of time devoted to personal usage and sites visited provided such use does not adversely affect business or productivity. Incidental/occasional use is comparable to time authorized for meals and reasonable breaks during the workday and those times only should be used to attend to personal matters. Employees are not permitted to utilize the internet for personal use equal to meal and break times and also take their scheduled meal and breaks. Agency internet resources must be devoted to maintaining the highest degree of productivity. Personal internet usage is a privilege, not a right. As such, the privilege may be revoked at any time and for any reason or for no reason. Employees are prohibited from engaging in personal use while in an active pay status or otherwise on LCHD time.

Securing Computer Equipment and Electronic Data:

Employees who are responsible for or are assigned portable computer equipment and electronic media (i.e., laptops, flash memory devices, external hard drives, DVDs, CDs, etc.) shall secure those items when not in the office as these items may contain confidential and/or HIPAA information, which could be compromised if lost or stolen. If an Employee loses a piece of equipment or it is stolen, they are required to immediately notify their Supervisor. Failure to properly secure portable computer equipment and electronic data is subject to disciplinary action.

Adopted: 01/01/14

3.14 Social Media

Social Media Limitations:

LCHD supports the free exchange of information and camaraderie among Employees on the internet. However, when internet blogging, chat room discussions, email, text messages or other forms of electronic communication extend to Employees revealing confidential information about LCHD, its clients, or its Employees, or engaging in posting inappropriate material about LCHD or its Employees, the Employee who posts such information or assists in posting such material may be subject to disciplinary action.

Employees are reminded to be careful of the information they disclose on the internet, including social media sites. The following uses of social media are strictly prohibited, whether on or off duty:

1. Comments or displays about coworker, Supervisor or LCHD that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the LCHD's workplace policies against discrimination, harassment or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, military status or other protected class, status, or characteristic.
2. Statements or uses of LCHD's logo which are slanderous or detrimental, including evidence of the misuse of LCHD's authority, information, insignia or equipment.
3. Unprofessional communication which, if left unaddressed, could potentially result in a civil or criminal cause of action against the LCHD. Unprofessional communication also includes that which LCHD could demonstrate has a substantial risk of negatively affecting the agency's reputation, mission or operations, such as slander, defamation or other legal cause of action.
4. Disclosure of confidential and/or proprietary information acquired in the course of employment. Confidential information includes not only information that would not be available pursuant to a public records request, but also includes any information which does not relate to an issue of public concern.
5. Comments or displays which impact Employees' abilities to perform their job duties or LCHD's ability to maintain an efficient workplace.

Social media sites may be inspected by LCHD for cause to determine potential policy violations. If an Employee believes an online communication violates a LCHD policy, the Employee should immediately report the communication to their Supervisor. LCHD may investigate the matter, determine whether such communication violates policy, and take appropriate action.

Adopted: 01/01/14

3.15 Discipline and Investigations

The LCHD has the right to investigate all alleged disciplinary violations. Employees are required to cooperate fully during investigations. Employees who are the subject of a formal investigation have the right to be accompanied, represented, and advised by an attorney. For all Employees, the failure to respond, to respond truthfully, or to otherwise cooperate in an investigation, shall be considered insubordination and may result in termination. Employees involved in an investigation shall not discuss the facts of the investigation during the pendency of the investigation.

Classified Employees may be placed on a paid administrative leave of absence pending an investigation. A classified employee who has been charged with a violation of law that is punishable as a felony may be placed on unpaid administrative leave, for a period not to exceed two months, pending an investigation. However, a classified employee who is placed on unpaid leave and is later exonerated of a felony must be reimbursed for lost pay, plus interest, and lost benefits. Unclassified employees may be placed on paid or unpaid leave pending an investigation.

Classified Employees who are within their probationary period may be placed on unpaid leave. Employees who have completed their probationary period and who are in the classified civil services may only be disciplined for just cause. Disciplinary action will be commensurate with the offense. Discipline for minor infractions will normally be imposed in a progressive manner with consideration given to the nature of the offense, prior disciplinary action, length of service, the Employee's position, the Employee's record of performance and conduct along with all other relevant considerations.

Progressive discipline may result in one of the following forms of corrective action:

1. Verbal Instruction and Cautioning
2. Written Warning
3. Suspension, Loss of Status or Loss of Pay or Benefits
4. Termination

Nothing in the policy shall be construed to limit the LCHD's discretion to impose a higher level of discipline under appropriate circumstances.

The following forms of misconduct constitute grounds for disciplinary action: incompetency, inefficiency, dishonesty, drunkenness, sale or use of a controlled substance, immoral conduct, sexual misconduct, insubordination, discourteous treatment of the public, neglect of duty, conducting personal business on the job, sleeping on the job, policy or work rule violations, conviction of a crime, failure of good behavior including a violation of ethics of public employment, failure to maintain licensing requirements, unauthorized departure from work, harassment, excessive or patterned absenteeism, negligence in observing safety rules and procedures, conduct unbecoming a public employee, theft, sabotage, falsification of documents and any other acts of misfeasance, malfeasance, nonfeasance or any other reason set forth in O.R.C. 124.34.

The property and image of the LCHD is to be respected at all times; as such, an Employee's off duty conduct that could reasonably negatively impact the LCHD may form the basis for discipline. Any comments or questions concerning the standard of conduct expected should be directed toward the Employee's immediate Supervisor.

Employees have an obligation to immediately inform the Director of Administrative Services of any on-duty or off-duty arrests or convictions. An arrest or conviction may, or may not, result in discipline depending on the nature of the incident, the job performed, and other relevant considerations. Employees will not be granted vacation leave in order to serve jail time.

The filing or prosecution of criminal charges or other civil administrative investigations against an employee for alleged misconduct or criminal activity shall not be determinative as to appropriate disciplinary action, if any, under this policy. The County may investigate the employee's alleged misconduct or activities and determine the appropriate discipline, if any, without regard to pending administrative or criminal charges. The disposition of such administrative or criminal charges is independent of a disciplinary investigation. Although the LCHD may utilize information obtained during other investigations, the agency's decision to take appropriate disciplinary action may or may not correspond with the filing, or non-filing, of criminal charges or civil actions. A felony conviction while employed with the LCHD is just cause for termination.

Employees are responsible for reporting any incident or conduct they believe is inappropriate and/or in violation of LCHD policies and procedures. This duty includes incidents actually observed, reported by residents, reported by staff, or suspected due to other facts.

When the LCHD believes that discipline of a classified Employee in the form of a paid or unpaid suspension, reduction or elimination of longevity pay, demotion or termination is possible, a pre-disciplinary conference shall be scheduled. Prior to the pre-disciplinary meeting, the Employee will be provided with written notice of the charges against them. At the pre-disciplinary conference, the Employee may respond to the charges or have his chosen representative respond. Failure to attend the pre-disciplinary conference shall be deemed a waiver of the conference.

Adopted: 01/01/17

3.16 Complaint Procedure

Employees may have questions or concerns caused by misunderstandings in the application of policies, procedures and work rules. The LCHD believes these questions and concerns should be heard promptly, and action taken to resolve or clarify a particular situation. Complaints regarding unlawful discrimination or harassment should be brought according to the unlawful discrimination and harassment policy contained in this manual.

All Employees shall have the right to file a complaint without fear of retaliation. No Employee shall be disciplined, harassed or treated unfairly in any manner as a result of filing a complaint. A complaint is defined as a disagreement between an Employee and the LCHD as to the interpretation or application of official policies, departmental rules and regulations, or other disagreements perceived to be unfair or inequitable relating to treatment or other conditions of employment. The following is the chain of command to be followed when an Employee has a complaint as defined above, all complaints should be submitted in writing to:

1. Immediate Supervisor
2. Department Head
3. Director of Administrative Services
4. Health Commissioner

Adopted: 01/01/14

3.17 Driving

This policy is applicable to all full or part time Employees, intermittent, seasonal, summer workers, student interns, temporary, and volunteers of LCHD who operate a LCHD or personal vehicle as an essential function of their position or within the scope of their employment. This policy applies to vehicles titled to, purchased or leased by, insured by or through the LCHD and also applies to privately owned vehicles operated by LCHD Employees in the scope of their employment or activities on behalf of the LCHD and vehicles rented by Employees for travel in and out of Licking County for authorized reasons.

Employees are responsible to ensure safe vehicle operation. It is the responsibility of every LCHD Employee who drives a vehicle to comply with the following:

1. All drivers must be at least eighteen (18) years of age.
2. All drivers must maintain a valid Driver's License that applies to the type of vehicle to be operated (e.g., Commercial Driver's License).
3. All drivers must operate the vehicle in a safe, courteous and economical manner.
4. All drivers and all passengers in vehicle so equipped shall wear a safety belt. Infant/child car seats are required to be used in accordance with the laws of the State of Ohio and manufacturers' product manuals.
5. All drivers and passengers shall comply with the motor vehicle laws of the State of Ohio.
6. The use of tobacco products is prohibited in all LCHD owned or leased vehicles.
7. Personal use of LCHD vehicles shall be prohibited unless approved by the Health Commissioner.
8. Parking tickets, moving violations, and other fines received while operating a vehicle are the responsibility of the driver.
9. Report theft of or from a vehicle to the law enforcement agency with jurisdiction for investigation.

Pre-Employment Selection of Employees:

The LCHD will practice careful selection of any Employee who will be driving a vehicle during the course of their employment by the LCHD. If driving is, in the opinion of the Health Commissioner, an essential function of an Employee's job, an applicant may be denied employment on the basis of an unsafe driving record, or at the discretion of the Health Commissioner, denial may be made without regard to the number of points or violations, whether they occurred within the past thirty six (36) months or not, or whether they occurred within the State of Ohio, or if they occurred outside the State of Ohio.

Drivers of LCHD vehicles or personal vehicles on LCHD business may be considered qualified to drive when the following are met:

1. A review of the Employee's Motor Vehicle Record (MVR) indicates a safe driving record.
2. Possession of a valid driver's license, and operation of the vehicle within the terms of any restrictions that may be upon that license.
3. Proof of insurance or compliance with the State of Ohio's Financial Responsibility Laws.
4. CDL holders will continue to follow the policy specific to their position.

Employee Policy: Each driver's privilege to operate a LCHD or personal vehicle on official business is within the discretion of the Health Commissioner and extends only as long as the driver meets the minimum driver guidelines and best practice guidelines as defined in this policy.

The Administrative Services Director shall maintain an Eligible Drivers List containing the names of all Employees eligible under this policy and authorized to drive a vehicle. Motor vehicles records of drivers will be obtained annually for review.

In a case where the Health Commissioner has suspended the Employee's driving privileges and driving is an essential function of the Employee's position, the Health Commissioner may take appropriate disciplinary action, up to and including termination, as permitted by this personnel policy and the laws and regulations of the State of Ohio. During suspension, accommodations may be considered based upon the operational needs of the department/office.

Violation Reporting: It will be the duty of any Employee performing work that involves the operation of a LCHD vehicle or personal vehicle on agency business (whether as an essential function of employment or not) to notify their Supervisor – no later than the next business day after the occurrence – of any of the following:

1. If their license is expired, suspended or revoked.
2. If they have been cited for a traffic violation that, upon conviction, may result in the assessment of four (4) or more points to their license regardless of whose vehicle was being used.
3. Employee must report any and all accidents, arrests, violations and citations issued to them. Failure to do so may result in disciplinary action.

The obligation to pay all costs, fines, or similar consequences of any such citation(s) shall be that of the Employee.

Alcoholic Beverages or Controlled Substances:

1. No alcoholic beverages, illegal drugs or controlled substances are permitted in or on a vehicle except as a function of law enforcement or medical emergency vehicles.

2. No alcoholic beverages or illegal drugs are permitted to be transported in or on a vehicle except as a function of law enforcement.
3. No Employee shall operate a vehicle under the influence of alcohol or illegal drugs or illegal use of prescription drugs.

Firearms: Employees are prohibited from carrying firearms in any LCHD vehicle or in their own personal vehicle while on LCHD business.

Accidents and Traffic Citations: In the event of a traffic accident or traffic stop for a violation while in the course of employment, Employees shall:

1. Stop, no matter how minor the accident. Report all collisions involving vehicles to the law enforcement agency having jurisdiction.
2. Take precautions to avoid further damage or injury to persons or property.
3. Make no statements admitting responsibility.
4. Do not advise other parties involved on any matter, especially that the LCHD will pay for the damage resulting from said accident.
5. If collision is with an unattended vehicle or other object, try to locate the owner. Call the law enforcement agency within jurisdiction. If this cannot be done, leave a written notice with your name, department name, work address, and telephone number.
6. The driver of a vehicle is responsible for the vehicle until it has been returned to the LCHD, service garage, or collected by the towing service. Unsafe vehicles should not be driven from the scene of an accident. Contact the Administrative Services Director regarding damage and towing if necessary.

Report all accidents and known damage to vehicles as follows:

1. Report to Supervisor, who shall notify the Administrative Services Director immediately.
2. Employee's Supervisor shall record and secure all appropriate information on initial accident report and forward to the Administrative Services Director within twenty four (24) hours.

In the event of a collision, Supervisor shall forward the following information to the Administrative Services Director:

1. A copy of all law enforcement reports, citations including all statements made at the scene or afterward to law enforcement.
2. In all investigations of the accident by the LCHD, the emphasis will be on fact finding, however, discipline may result.
3. The Administrative Services Director shall file all accident damage reports with insurer.

The Health Commissioner may take such disciplinary action as permitted by department policy and the laws and regulations of the State of Ohio.

Use of Personal Vehicles on Official County Business:

1. Use of personal vehicles by Employees on LCHD business is discouraged unless a LCHD vehicle is not available, the use of a LCHD vehicle would cause serious inconvenience, extreme hardship or the use of personal vehicles is otherwise authorized by the Department Supervisor or their designee.
2. Employees who use personal vehicles while on LCHD business shall abide by all LCHD rules.
3. Insurance coverage for personal vehicles used on LCHD business shall be the responsibility of the owner of the vehicle.

4. Employee's Supervisor must approve use of personal vehicles on LCHD business in advance of any such use.
5. Employees who are authorized and required to use their personal vehicles on LCHD business will be reimbursed per mile at the rate authorized by the Board of Health.

Non-Employees in LCHD Vehicles: Employees shall not allow Non-Employees, or Employees who are prohibited by this policy, to operate LCHD vehicles, nor shall Employees carry Non-Employee passengers in LCHD vehicles except in the reasonably necessary scope of employment. (e.g., transporting volunteers, interns, or another public employee to a meeting or to a site visit or event.)

Adopted: 01/01/14

3.18 Workplace Violence

Zero Tolerance:

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

Employees are responsible for reporting any incident or conduct they believe is inappropriate and/or in violation of LCHD policies and procedures. This duty includes incidents actually observed, reported by residents, reported by staff, or suspected due to other facts.

Prohibited Acts of Violence:

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

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

Adopted: 01/01/14

3.19 Concealed Carry

No Employee, contractor, client or other individual may carry, possess, convey or attempt to convey a firearm, deadly weapon, or any other dangerous ordinance onto the property of the LCHD. A valid

concealed carry license does not authorize an individual to carry such a weapon onto these premises. Law enforcement officers specifically authorized to carry a firearm are exempt from this provision and may be permitted to carry a concealed weapon.

LCHD Employees are prohibited from carrying firearms, deadly weapons or any other dangerous ordinance any time they are working for the LCHD or acting within the course and scope of employment. These situations include, but are not limited to attending training sessions or seminars, wearing a LCHD identification badge, uniform, or other LCHD issued paraphernalia that an Employee is required to wear relative to their employment and working in resident's homes or other sites off LCHD premises. Except for law enforcement officers, no Employee or member of the public may carry a weapon in a LCHD owned vehicle.

The only exception to the above provisions involve Employees who possess a valid license to carry a concealed weapon. These Employees are discouraged from storing a weapon in their personal vehicle while at work. Employees possessing a valid license to carry a concealed weapon may bring their weapon with them onto a LCHD parking lot. However, the Employee must leave the weapon in their vehicle. Employees are neither permitted to remove their weapon from their vehicles while in a LCHD parking lot nor are they permitted to bring a concealed weapon into a LCHD building. The Employee's weapon must be stored in the vehicle in accordance with the storage provisions of the Ohio law. The weapon must be in a locked vehicle either in the glove compartment, a lock box or the trunk.

Employees shall immediately contact a Supervisor if they suspect an Employee or member of the public is carrying a concealed weapon on LCHD premises. Employees are required to immediately contact a Supervisor if they suspect an Employee is carrying a concealed weapon at any time while they are working for the LCHD, acting within the course and scope of employment, or acting as a representative of the LCHD.

Adopted: 01/01/14

3.20 Auditor of State Fraud Reporting System

The Ohio Auditor of State's Office maintains a system for reporting fraud, including the misuse and misappropriation of public money by any official or office (ORC 117.103(B)(1)). The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through the United States mail, a toll free number, or the Auditor of State's website. Contact information is as follows:

1. By U.S. Mail: The Ohio Auditor of State's Office Special Investigations Unit, 88 East Broad Street Columbus, Ohio 43215
2. By phone: The SIU Fraud Hotline 1-866-FRAUD OH (1-866-372-8364)
3. Online: www.Ohioauditor.gov (Report Fraud Link)

Employees are responsible for reporting any incident or conduct they believe is inappropriate and/or in violation of County policies and procedures. This duty includes incidents actually observed, reported by residents, reported by staff, or suspected due to other facts.

Adopted: 01/01/14

3.21 Media Contact

- A. Inquiries from the media are to be directed to the Public Information officer when available, or to Health Commissioner or to one of the program managers, such as EH Director, Director of Nursing, WIC Director, Director of Administrative Services, or Health Education Supervisor.
- B. Employees are not to release information to the media unless directed to do so. Press releases are to be reviewed by the supervisor and Health Commissioner prior to release.
- C. If an employee is directed to submit an article to the media, the employee who wrote the article can answer media questions and clarify items in the article.
- D. Legal inquiries are to be handled by the Health Commissioner or the Board of Health.

Adopted: 01/01/17

3.22 Succession of Authority

- A. When the commissioner is on vacation or otherwise unavailable, the following succession is to be followed:
 - 1. Deputy Health Commissioner
 - 2. Director of Environmental Health
 - 3. Director of Nursing
 - 4. WIC Director
 - 5. Director of Administrative Services
- B. Being in charge means being available for contact by the staff and the public. The person who assumes charge must keep the secretarial staff informed as to their whereabouts and how to contact them.
- C. It also means that decision-making authority within the agency falls to that person if the Health Commissioner would have made the decision. The employee in charge may consult with other staff but is ultimately responsible for addressing the problem or concern.
- D. When the Health Commissioner is not in the department working, it is permissible for the charge person to call the Commissioner at home.

Revised: 1/1/2014

3.23 Use of Health Commissioner Stamp

The Health Commissioner name stamp or electronic signature image may be used for the following purposes:

- 1. Food service and other Environmental health permits that may need an official signature.
- 2. Letters or other correspondence with prior approval of the Health Commissioner.

The name stamp is **NOT** to be used for the following:

- 1. Contracts.
- 2. Requisitions.
- 3. Time sheets.

Other uses may be permitted but will be dealt with on a case-by-case basis.

Adopted: 01/01/14

3.24 Use of Health Dept. Services

- A. Employees and their families who use Health Department services will pay the same fees as other clients. Employees will be placed on a sliding fee scale if a scale is normally used for other clients.
- B. When the department is supplying free service, such as at blood pressure clinics, etc., the employee is also entitled to the free service.
- C. Immunizations that are required for employment at the health department will be furnished free of charge if not covered by the employee's health insurance plan. **Examples:** TB Test, Hepatitis B vaccine

Adopted: 01/01/14

3.25 Personal Property

- A. Employees may bring personal property into the department to augment furniture and fixtures provided by the department, such as lamps, small shelves, tables, fans, etc., as long as said property does not interfere with Health Dept. operations or create a workplace hazard (see "Personal Electrical Appliances and Equipment Policy"). All personal property should be labeled as belonging to the employee, and must comply with all safety and health regulations. Failure to label personal property may cause the Department to include the item or items in its inventory roster.
- B. Employees bringing personal property into the department must assume the risk of its theft or destruction.

Adopted: 01/01/17

3.26 Solicitation/Distribution

PURPOSE: This policy is designed to protect the interests of the employer by ensuring that only official business is transacted in the various work areas during employee work time.

- A. Non-Employee Solicitation and Distribution - There shall be no solicitation or distribution by non-employees at any time on the Employer's premises or in any work area. This section does not apply to vendors as defined in the Definitions section of this policy.
- B. Employee No-Solicitation Rule - There shall be no solicitation or distribution for profit by employees of any other employee or non-employee in working areas.
- C. Employees may solicit other employees during non-working time in work areas, and during non-working time in non-working areas.
- D. An area is available for posting employee advertisements, and sign-up sheets for sales, on the bulletin board in the kitchen.
- E. Employee No-Distribution Rule - There shall be no distribution during working or non-working time in work areas.
- F. Employees may distribute goods and written materials during non-working time and in non-working areas.

ADOPTED: 6/20/2000

Section 4: Leave and Benefits

4.01 Holidays

- A. All employees shall be entitled to the following holidays:
- | | |
|---------------------------------|---------------------------------------|
| • New Year's Day | 1 st day of January |
| • Martin Luther King Jr. | 3 rd Monday in January |
| • President's Day | 3 rd Monday in February |
| • Memorial Day | 4 th Monday in May |
| • Independence Day | 4 th day of July |
| • Labor Day | 1 st Monday in September |
| • Veterans Day | 11 th day of November |
| • Thanksgiving Day | 4 th Thursday in November |
| • Friday following Thanksgiving | In lieu of observance of Columbus Day |
| • Christmas Eve Day | 24 th of December |
| • Christmas Day | 25 th day of December |
- B. If the holiday falls on Sunday, it will be observed on the following Monday; if it falls on Saturday, it will be observed on the preceding Friday.
- C. In observance of each authorized holiday, both full-time and part-time employees will normally be granted the day off from work. Full-time employees shall receive straight time holiday pay for each authorized holiday. Part-time, seasonal, and intermittent employees, however, shall not be granted holiday pay.
- D. If a holiday occurs while an employee is on vacation, such vacation day will not be charged against his or her vacation leave.
- E. Time worked on any of the above listed holidays shall be compensated for in accordance with Overtime policies.
- F. In order to receive holiday pay, employees must work the business day before and after the holiday or be on an approved, paid leave of absence the business day before and after the holiday.

Revised: 1/1/2010

4.02 Vacation

The purpose of vacation is to provide relaxation and a break from work for the employee. To that end, employees are encouraged to use their vacation on a regular basis.

- A. Full time employees will earn vacation while on active pay status according to their length of public service. Any service with the State of Ohio or its political subdivisions counts toward the number of years of service in determining the vacation accrual rate to which an employee is entitled. Time spent on previous authorized leaves of absence (including military leave) also counts. However, no vacation is earned while an employee is on leave without pay. Any person removed from public employment due to the conviction of a felony, who is subsequently re-employed in the public sector, shall not be credited with prior public service for the purpose of receiving vacation leave. A year is defined as twelve (12) months of service.

Completed Years of Service	Credit Earned Per Seventy-five (75) Hours Worked	Credit Earned Per Eighty (80) Hours Worked	Equivalent Work Days
Less than 6 years	2.886	3.078	10
6 through less than 13 years	4.328	4.616	15
13 through less than 20 years	5.775	6.160	20
20 plus years	7.212	7.693	25

- B. No employee will be entitled to vacation leave under any circumstances until he or she has completed six (6) months of employment with the Licking County Department.
- C. Part time employees working at least 37.5 (35.0 if employed prior to 1/1/14) hours per pay period will earn vacation proportional to full time employees.
- D. Intermittent, seasonal and temporary employees do not earn vacation.
- E. Vacation is earned while on vacation, sick leave, personal leave, or compensatory time; however additional vacation is not earned through the accumulation of overtime. Vacation is not earned while on unpaid leave. Vacation cannot be used during the same pay period that it is accrued.
- F. Vacation time cannot be used until after successful completion of the probationary period. Also, vacation time must be planned, scheduled and approved by the employee's immediate supervisor prior to use. Please remember that not every employee can take vacation at the same time. Plan to use vacation throughout the year and request vacation time as early as possible to improve the likely-hood you will get the time off when wanted. Department heads have the authority to deny or approve vacation requests based on staffing needs.
- G. Vacation leave is granted in minimum units of one-quarter (1/4) hour.
- H. Vacation time may be carried over from year to year, however, employees will only be allowed to accumulate vacation time equivalent to the total they earn in three (3) years. Vacation accrual in excess of allowable carry-over will be lost.
- I. It is the employee's responsibility to monitor their vacation balance.
- J. Upon resignation or retirement, the employee is entitled to full compensation for unused vacation leave. If resignation or retirement occurs within thirty (30) days of a pay raise, the pay-off will be at the lower rate.
- K. In the case of an employee's death, earned but unused vacation leave shall be paid to the employee's spouse, children, parents, or estate, in that order, at the rates described in the preceding paragraph.

Revised: Revised: 1/1/18

4.03 Personal Leave

- A. Personal leave is time earned that can be used for any purpose that the employee determines, including but not limited to, emergencies and religious holidays.
- B. Personal leave may be used any time after it is earned, including while the employee is on probation.
- C. Full time employees earn personal leave while on active pay status at the rate of one (1) hour per pay period. Active pay status includes time on approved compensatory, personal, sick or vacation time.

- D. Part time employees, working at least 37.5 hours per pay period, will earn personal leave proportional to full time employees.
- E. Intermittent, seasonal and temporary employees do not earn personal leave.
- F. Request for use of personal leave must be approved in advance of use by the employee's supervisor. Unscheduled personal leave use (running late due to road conditions, school delays, emergencies, etc.) is limited to 6 occurrences per calendar year. Exceeding 6 unscheduled occurrences may result in the denial of the leave request and/or in disciplinary action. The employee must request the use of unscheduled personal leave by contacting their supervisor within 30 minutes of their normal reporting time, or prior to leaving due to an emergency.
- G. Personal leave is charged in 1/4 hour increments.
- H. Personal Leave may accumulate up to a maximum of 10 days. Unused personal days in excess of 10 days are lost. Accumulated Personal Leave is lost, and not paid out, upon separation from service. (See Personal Leave restrictions in section 2.21 Resignations)

Revised: 01/01/14

4.04 Sick Leave

Sick leave is a benefit provided to employees to aid them in offsetting the financial burden of an illness. Employees are expected to be in attendance daily, and sick leave is only to be used in cases of illnesses, medical appointments or funeral purposes. Sick leave is a form of insurance, and is not intended to be "extra days off". Just as an employee would only claim health insurance benefits when actually ill and needing treatment, an employee may only use sick leave when incapacitated by illness or as otherwise provided in this policy. An employee may request sick leave for absence resulting from illness as described below, provided he or she completes the "Request for Leave" form. Sick leave may be requested only for the following reasons:

- A. Uses of Sick Leave:
 - 1) Illness or injury of the employee or a member of his or her immediate family *requiring the employee's presence*.
 - 2) Exposure of the employee or a member of his or her immediate family to a contagious disease, which would have the potential of *seriously* jeopardizing the health of the employee or the health of others.
 - 3) Death of a member of the employee's immediate family. (See Section 4.07 Funeral Leave.)
 - 4) Medical, dental, or optical examinations or treatment of the employee or a member of his or her immediate family requiring the employee's presence. Employees shall make reasonable efforts to schedule appointments outside regular work hours or at the beginning or end of the work day to minimize disruption to the operations of LCHD.
 - 5) Pregnancy, childbirth and/or related medical conditions. Accrued sick leave may be used during the period of the employee's medical disability, as certified by a physician and in accordance with the Family and Medical Leave Act. Sick leave is limited to the period of the pregnant employee's disability from pregnancy, childbirth, and recovery from childbirth, and may not be used for childcare purposes or for bonding with the child. LCHD will presume that six weeks of paid sick leave is a reasonable period of recovery for a normal childbirth without medical complications, though a longer paid sick leave may be appropriate when there are medical complications either for the mother or the baby. The employee may also use any accrued vacation leave or compensatory time. In the case of male employees, paid sick leave is limited to the period of care of the employee's spouse and/or the newborn child for the period immediately after the birth, not to exceed three (3) consecutive work days, again unless there are medical complications. An employee who wishes to use additional leave for purposes of

childcare or bonding with the child must request this as provided in the Family and Medical Leave section of this document.

- 6) Sick leave cannot be used to cover tardiness or for the purpose other than those set forth in this Section.
- B. ***Immediate Family*** is defined as spouse or significant other (“significant other” is defined to mean one who stands in place of a spouse and who resides with the employee), biological, adopted or foster child, legal ward, step-child, grandchild, parent, step-parent, grandparent, great-grandparent, brother, sister, step-sibling, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent-in-law, grandchild-in-law, or corresponding relatives of the employee's partner, or legal guardian or other persons for whom the employee is legally responsible, and anyone who stood in loco parentis to the employee as a child.
- C. ***Documentation***, in the form of a physician’s certification, is required for any sick leave absence in excess of three (3) consecutive workdays. *The physician’s certificate must verify that the employee was unable to perform work during the time period and indicate a return to work date.* This requirement may be waived at the discretion of the Health Commissioner. The management maintains the right to investigate any employee's absence.
- D. Full-time and Part-time employees, working at least 37.5 hours per pay period, accrue sick leave on a proportionate basis of .0575 per hour of active pay status.
- E. Active pay status is defined as hours during which an employee is eligible to receive pay, such as hours worked, hours on vacation, hours on holiday leave, hours used as compensatory time off, and hours used as paid sick leave. Sick leave is proportionately earned on any hours worked in excess of eighty hours per pay period.
- F. Part-time employees working less than 37.5 hours per pay period, intermittent, seasonal, and temporary employees do not accrue sick leave.
- G. Sick leave shall be charged in minimum amounts of fifteen (15) minute increments and require that the leave be available at the beginning of the pay period in which it will be utilized.
- H. The amount of sick leave time any one employee may accrue, or request to be transferred from another public agency, is limited to-960 hours. Employees who accrue sick leave in excess of 960 hours may request to covert the excess hours (see Annual Sick Leave Conversion) or the **excess hours will be lost at the end of the year**. Any LCHD employee who has over 960 hours of sick leave accumulated as of 1/1/14 must use, or convert, the excess hours by 1/1/18, or the excess hours will be lost.
- I. Employees utilizing sick leave shall be paid at the same basic hourly, daily or bi-weekly rate as when they are working.
- J. Other available paid leaves will be used for sick leave purposes after sick leave is exhausted. Employees who have exhausted all *available paid* leave credits may be granted a personal leave of absence without pay for a period not to exceed six (6) months. Granting of Family and Medical Leave to qualifying employees is covered in the Family and Medical Leave section, and Disability Leave is covered in the Disability Leave section of this manual.
- K. Employees who transfer between Employer departments or agencies, from another public agency, or who are reappointed or reinstated will be credited with the unused balance of accumulated sick leave, not to exceed 960 hours, provided the time between separation, reappointment, or transfer does not exceed 10 years. The words “public agency” as used above include the State, counties, municipalities, all boards of education, libraries, townships, and other public appointing authorities within the State of Ohio.
- L. **Reporting Illnesses:** An employee requesting sick leave shall inform his or her supervisor of the fact and the reason within one-half (1/2) hour after his or her scheduled starting time, unless emergency conditions prevent such notification. Failure to do so may result in denial of sick leave for the period of absence. The employee should notify their supervisor of scheduled appointments in advance to facilitate planning.
- M. **Sick Leave Abuse:** Employees on sick leave are expected to be recovering from their illness. Employees shall not conduct their personal or social affairs while on sick leave (during work time).

An employee who falsifies a sick leave request, documentation, or records; who misrepresents the grounds for a sick leave request; or who uses sick leave for improper purposes shall be subject to disciplinary action up to and including removal. Further, an employee may be disciplined for excessive or patterned sick leave use in appropriate cases, whether or not the employee has exhausted all available paid sick leave, based on indications of inappropriate use of the leave or the inability of the employee to perform the essential functions of his or her positions. Employees are expressly prohibited from engaging in either of the following during sick leave, including leave under the Family Medical Leave Act, unless expressly authorized in writing by the Health Commissioner:

- 1.) Any paid employment of any kind, or
- 2.) Other activities, whether or not paid, that is inconsistent with the claimed inability to work or to care for a seriously ill member of the immediate family.

Sick leave is a benefit to be used solely for illness, medical appointments and funeral purposes, and intentional misuse will be considered theft of public funds.

It is not to be considered or used as personal days or vacation time. A regularly scheduled course of medical treatment or appointments for the employee pre-approved by the Employer, which is verified by a physician, and which cannot be scheduled outside of regular working hours shall not be deemed a "patterned use".

Employees failing to comply with sick leave rules and regulations will not be paid and may be subject to discipline. Requests for sick leave with intent to defraud, including by means of falsification or dishonesty, may result in discipline up to and including removal and refund to LCHD of salary paid during such sick leave.

Sick leave abuse may be indicated by any or all of the following:

- a. Excessive use of sick leave within a twelve (12) month period, which has not been substantiated, by a physician's or other licensed health care provider's statement;
- b. Use of sick leave as soon as it has been credited to an employee's sick leave balance;
- c. Consistent use of sick leave on the same day of the week;
- d. Consistent use of sick leave on the day(s) before and/or after regularly scheduled days off, holidays or vacations;
- e. Falsification or misrepresentation of the reason(s) for an employee's absence;
- f. Low sick leave balances in relation to an employee's length of service;
- g. Being in unpaid status for whole or part of a day which absence is not covered by the FMLA; and
- h. The utilization of vacation time as a result of unavailable sick leave.

In cases of suspected abuse, as determined by the Health Commissioner or designee, the Health Commissioner or designee may require evidence as to the reason(s) for the employee's absences during the time for which sick leave is requested. Any such leave protected by the Family and Medical Leave Act (FMLA) shall not be considered as sick leave abuse.

Revised: 1/1/2014

4.05 Sick Leave Conversion at Retirement

- A. An employee, at the time of retirement from active service with LCHD under the PERS system, shall be paid one-fourth (1/4) of the value of his or her earned but unused sick leave credit. The maximum of such payment, however, shall be for thirty (30) days.
- B. To qualify for such payment, the employee shall have had, prior to the date of retirement, ten (10) or more years of service with LCHD, the state, or any of its political subdivisions, and be eligible to receive PERS benefits.
- C. Such payment shall be based on the employee's hourly rate of pay at the time of retirement and eliminates all sick leave credit accrued but unused by the employee at the time payment is made.
- D. Eligible LCHD employees, retiring from active service, shall request such payment in writing, in order to initiate the payment process.
- E. Employees who die are eligible for sick leave conversion as if they would have been qualified for retirement on the date of their death. Such payment shall be made in accordance with O.R.C. 2113.04, or paid to the employee's estate.

Revised: 1/1/2010

4.06 Annual Sick Leave Conversion

- A. Employees that have a balance of 240 hours of accumulated sick leave on the last full pay period of each year may convert up to 56 hours of accumulated, unused sick leave to 28 hours of vacation leave or paid compensation. Requests for annual conversion must be made no later than the end of the first full pay period in January by completing the Annual Sick Leave Conversion Request Form. Such leave shall be at two (2) to one (1) conversion ratio and will be paid at the employee's rate of pay when used.
- B. Employees that have a balance of 480 hours of accumulated sick leave on the last full pay period of each year may convert up to 120 hours of accumulated, unused sick leave to 60 hours of vacation leave or paid compensation. Requests for annual conversion must be made no later than the end of the first full pay period in January by completing the Annual Sick Leave Conversion Request Form. Such leave shall be at two (2) to one (1) conversion ratio and will be paid at the employee's rate of pay when used.
- C. Employees that have a balance of 960 hours of accumulated sick leave on the last full pay period of each year, may request to convert all accumulated, unused sick leave in excess of 960 hours to vacation or compensation at the same two (2) to one (1) ratio. Requests for annual conversion to cash must also be made no later than the end of the first full pay period in January by completing the Annual Sick Leave Conversion Request Form and will be paid at the rate of pay as of the last day of the year in which it was accumulated. The amount of sick leave time any one employee may accrue, or request to be transferred from another public agency, is limited to 960 hours. Employees who accrue sick leave in excess of 960 hours may request to convert the excess hours per this policy, or the excess hours will be lost at the end of the year. Any employee with more than 960 hours of sick leave on 1/1/14 shall reduce their leave balance to 960 hrs or less by 1/1/18.

Revised: 1/1/2017

4.07 Bereavement Leave Policy

Bereavement leave grants full and part time permanent employees, working at least .5 FTE, paid time to attend the funeral and for travel and bereavement time, upon the death of an employee's immediate

family or certain other relatives. Upon request, eligible employees are granted bereavement leave when informing their supervisor of the need.

1. An employee will be granted a maximum of three (3) days, (twenty-four (24) hours), leave without loss of pay or vacation during the period starting on the date of death and ending on the seventh calendar day after the funeral or memorial service or a member of their immediate family as defined in this policy. The three (3) days need not be taken consecutively. Such time should be provided on a prorata basis for an employee who works 99 percent to 50 percent FTE. Compensation shall not exceed scheduled work hours and may be used only on days an employee is scheduled to work.
2. Immediate family is defined as spouse or significant other ("significant other" is defined to mean one who stands in place of a spouse and who resides with the employee), biological, adopted or foster child, the loss of a fetus during or following the 20th week of pregnancy, legal ward, step-child, grandchild, parent, step-parent, grandparent, great-grandparent, brother, sister, step-sibling, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent-in-law, grandchild-in-law, or corresponding relatives of the employee's partner, or legal guardian or other persons for whom the employee is legally responsible, and anyone who stood in loco parentis to the employee as a child.
Relationships existing due to marriage or domestic partnership will terminate upon the death or divorce or other termination of the relationship with person through whom the marriage or domestic partnership relationship exists.
3. Employees will be granted a maximum of one day of paid leave for a relative other than the above who is not a member of the employee's household - aunt, uncle, niece, nephew, or cousin of the employee. (Such relatives are regarded as members of the immediate family only if in residence in the employee's household.)
4. Employees may be granted vacation, personal leave or sick leave to extend the bereavement leave.

Adopted: 1/1/20174.08 Military Leave

Reserve Training: O.R.C. 5923.05 requires that Ohio National Guard, Defense Corps, Naval Militia, and all U.S. Armed Forces reserve component members be authorized up to thirty-one (31) calendar days (meaning twenty-two (22) working days (or 176 hours for forty (40) hours per week employees)) leave with pay per calendar year for training purposes.

Any employee called to military duty for a period in excess of the twenty-two (22) working days because of an executive order issued by the President of the United States or an act of Congress may receive the difference between his or her pay and military pay, up to five hundred dollars (\$500.00), or a higher amount established by the Board of Health. Along with requests for such leave, employees are required to submit the published order authorizing the military duty or a written statement from the appropriate military commander authorizing such duty. Employees requesting such leave will also be required to complete the necessary leave papers.

Active Duty: A permanent employee who is drafted or is called for active duty in the Armed Forces of the United States, the Coast Guard, Public Health Service, or Civil Defense, or is drafted in the Merchant Marine Service, shall (in accordance with existing law) be entitled to re-employment after honorable discharge or discharge under honorable conditions from such services, provided the employee is physically and mentally able to do the work required and reports for work within ninety (90) days of such discharge, or within ninety (90) days after he or she is released from hospitalization continuing after discharge for a period of not more than one (1) year. He or she shall be employed in the position or a similar position to the one held at the time of entry into the Armed Forces. All salary adjustments or position upgrades shall be granted the employee upon reinstatement. In the event his or her former

job no longer exists, he or she shall be employed in such capacity for which he or she is qualified at a salary comparable with that he or she formerly received.

Military leave is governed by both O.R.C. Chapter 5903 and O.R.C. 124.29. This paragraph is somewhat redundant of B, but is separately authorized. In general, any employee with more than ninety (90) days tenure who voluntarily or involuntarily enters any of the Armed Services of the United States shall be granted a military leave of absence without pay. If not accepted for active duty, the employee shall be reinstated to his or her former position without loss of seniority or status or reduction in pay. Employees who complete their active duty obligation (without voluntarily reenlisting or extending that obligation) are entitled to their previous County position within thirty (30) days of their written request, provided such request is submitted within ninety (90) days of discharge or release from active duty. If temporary physical disability precludes the employee's performing on the job, he or she shall be allowed up to one (1) year from the date of application to overcome such disability and return to work. Employees returning to previously held positions under these provisions shall receive credit for military service in areas affecting status, rank, rating, increments, qualifications, etc., as though they had continued their County employment. This does not require that employees be credited with sick leave and vacation accrual while on unpaid military leave.

Adopted: 06/20/00

4.09 Court Pay

- A. If an employee is called for court jury duty or subpoenaed to testify in a court of law, during any portion of the employee's regular scheduled working day, that employee may choose to be compensated for such time in one of the manners set forth below.
 - 1. The employee may choose to receive his or her regular salary or wage in full for such time from the Health Dept. In such case, all monies received as compensation for court service shall be turned over to the Director of Administrative Services in full.
 - 2. The employee may choose to retain all monies received as compensation for court service and waive his or her regular salary or wage in full for such time from the Health Dept.
- B. The employee will be expected to report for work following jury duty, if a reasonable amount of time remains during his or her scheduled workday.
- C. If any employee is called for court jury duty or subpoenaed to testify in a court of law, outside of his or her regularly scheduled working hours, all monies received as the employee shall retain compensation for such court service.
- D. Employers will not reimburse employees when appearing in court for criminal or civil cases, when the case is being heard in connection with the employee's personal matters, such as traffic court, divorce proceedings, custody, appearing as directed with juvenile, etc. These absences would be leave without pay, vacation, personal, or compensatory leave.

Adopted: 06/20/00

4.10 Leave without Pay

- A. The Health Commissioner may grant a leave of absence to any employee for a maximum duration of six (6) months for any personal reasons of the employee. Such a leave may not be renewed or extended beyond six (6) months.
- B. Unpaid Pregnancy Leave of up to 12 weeks shall be approved for female employees. See Section 4.11.

- C. The authorization of a leave of absence without pay, other than mandated Family and Medical Leave, is a matter of administrative discretion. The Health Commissioner will decide in each individual case if a leave of absence is to be granted.
- D. The granting of any leave of absence in excess of 4 weeks is subject to approval of the Board of Health. Except for emergencies or Family and Medical Leave, employees will advise the Health Commissioner sixty (60) days prior to commencement of the desired leave so that the various functions may proceed properly. Foreseeable Family and Medical Leave requires at least thirty (30) days' advance notice.
- E. Upon completion of a leave of absence, the employee is to be returned to the position formerly occupied, or to a similar position if the employee's former position no longer exists. Any replacement in the position while an employee is on leave will be terminated upon the reinstatement of the employee from leave. The terminated employee will be considered for other vacancies.
- F. An employee may return to work before the scheduled expiration of leave if requested by the employee and agreed to by his or her supervisor. If an employee fails to return to work at the expiration of an approved leave of absence, a report of "Failed to Return From Leave" is made — and disciplinary action or removal will proceed unless disability leave is appropriate.
- G. Leaves of absence will be coordinated with Vacation Leave, Sick Leave, and Family and Medical Leave.

Revised: 1/1/10

4.11 Family and Medical Leave Act (FMLA) of 1993

The FMLA requires the LCHD to grant eligible employees unpaid time off from work for certain medical and family purposes as defined by the FMLA.

An eligible employee is one who has been employed by the LCHD at least 12 months and worked a minimum of 1,250 hours of service during the 12 months prior to the leave of absence.

An FMLA absence of up to 12 weeks within a 12 month period may be taken for the following reasons:

- An employee's own serious health condition that renders the employee unable to perform his or her job.
- To care for a parent, spouse or child with a serious health condition.
- A newborn child or newly-placed adopted or foster child.
- Because of any "qualifying exigency" arising out of the fact that the spouse, parent or adult child of the employee is on "covered active duty" or has been notified of an impending call or order to covered active duty in the Armed Forces.

An FMLA military caregiver leave of up to 26 weeks within a "single 12-month period" may be taken by an eligible employee whose spouse, parent, adult child, or next of kin is a covered service member with a "serious injury or illness" sustained or aggravated while in the line of duty on active duty. The "single 12-month period" for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established for other types of FMLA leave. No further leave for the covered injury or illness will be granted. An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the "single 12-month period" and only 12 of the total 26 weeks may be for other FMLA-covered reasons.

Definitions

A “serious health condition” is one which requires inpatient care at a hospital or a residential medical care facility or is a condition which requires continuing care by a licensed health care provider.

“Child” includes a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability. However, an employee may take a 12-week qualifying exigency or 26-week military caregiver leave for an adult child (18 years of age or older) who otherwise qualifies under those provisions of FMLA leave.

“Next of kin,” for purposes of the 26-week military caregiver leave, means the nearest blood relative of the covered service member.

The term “covered service member” for purposes of the 26-week military caregiver leave means either:

A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness; OR

A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness” for purposes of the 26-week military caregiver leave means either:

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

In the case of a veteran who was a member of the Armed Forces, including as a member of the National Guard or Reserves, at any time during a period described in 4 (d)(2) of these definitions, a qualifying injury or illness that was incurred in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the service member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

The term “covered active duty” for purposes of the 12-week qualifying exigency leave is defined as either:

In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; OR

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

A “call to active duty” for purposes of the 12-week qualifying exigency leave refers to a Federal call to active duty. State calls to active duty are not covered unless under order of the President of the United States in support of a contingency operation.

The term “qualifying exigency” for purposes of the 12-week qualifying exigency leave includes any of the following: (1) Up to seven days of leave to deal with issues arising from a covered military member’s short notice deployment, which is a deployment on seven or fewer days of notice; (2) Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member; (3) Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member; (4) Making or updating financial and legal arrangements to address a covered military member’s absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust; (5) Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member; (6) Rest and recuperation leave of up to five days to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment; (7) Attending certain post-deployment activities within 90 days of the termination of the covered military member’s duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member; and (8) Any other additional activities that the employer and employee agree is a qualifying exigency which arose out of the covered military member’s active duty or call to active duty status.

Spouses who are both employed by the LCHD are jointly entitled to a combined leave total of twelve (12) weeks (rather than twelve (12) weeks each) for the birth of a child or upon the placement of a child with the employees for adoption or foster car.

The LCHD may require an application for leave be accompanied by a medical certification statement completed by a health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition. The certification must specify if the leave is to care for a family member, along with an estimate of the amount of time the employee will need. If the employee has a serious health condition, the certification must state whether or not the employee can perform the essential functions of their job. The certification must be timely returned to the LCHD within 15 days after notice that the certification is required.

In order to determine the amount of FMLA leave an employee is entitled, the LCHD uses a rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the LCHD will compute the amount of leave the employee has taken under this policy and subtract it from the twelve (12) weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

Any absence of three or more days for a reason covered under FMLA will normally be designated as FMLA Time, retroactive to the first day of the absence.

Where the need for FMLA leave is foreseeable, as for planned medical treatments, the LCHD should be notified thirty days in advance or as soon as the employee knows that he or she will miss work. Where the need for FMLA is unforeseeable, the LCHD should be notified as soon as practicable. Failure to comply with any of the notice or medical certification requirements of this policy may result in delay or forfeiture of FMLA rights.

FMLA time off is unpaid.

Employees will be required to exhaust all applicable time-off benefits available while on FMLA leave.

The use of paid time-off benefits while on FMLA leave does not extend the FMLA entitlement, but merely provides a way for the employee to receive pay while on FMLA covered leave when the employee has paid-time off benefits available.

An employee who is eligible for FMLA leave because of his/her own serious health condition may also be eligible for workers' compensation. Regardless, the LCHD may designate the absence as FMLA leave and count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA.

If a serious medical condition requires an employee to take FMLA Time intermittently or to work on a reduced schedule in order to care for him/herself, a family member or applicable next of kin, such leave may be requested. A Medical Certification form is required stating the necessity for this type of absence.

Should an intermittent leave or reduced work schedule become necessary, the LCHD may require you to transfer temporarily to another job (with equivalent pay and benefits) or to a part-time position for the duration of the leave, which better accommodates this type of scheduling and the LCHD's operational needs.

The LCHD, at its discretion, may require other medical opinions, as well as medical certifications prior to or during any absence. The LCHD may also require an employee undergo a fitness-for-duty examination prior to an employee's return from leave.

Any employee covered by the LCHD insurance plans who is currently paying for any portion of insurance coverage must continue to make such insurance payments during any period of unpaid leave of absence; failure to make such payments may result in termination of the employee's insurance coverage.

In the event that the employee elects not to return to work upon completion of an approved FMLA leave, in some instances, the LCHD may recover from the employee the cost of any payments made by the LCHD to maintain the employee's health coverage.

Pregnancy Leave

An unpaid maternity leave of up to 12 weeks within a 12 month period may be taken by any female employee who is temporarily disabled due to the effects of pregnancy, childbirth, or related medical conditions. In order to request a maternity leave, please contact the Director of Administrative Services

For a maternity leave that also qualifies as FMLA leave, the employee's FMLA and maternity leave will run concurrently. Employees are also required to exhaust all applicable paid leave benefits concurrently with their taking of maternity leave. The LCHD may require an application for maternity leave to be accompanied by a medical certification statement completed by a health care provider.

Any employee covered by the LCHD insurance plan who is currently paying for any portion of insurance coverage must continue to make such insurance payments during any period of maternity leave; failure to make such payments may result in termination of the employee's insurance coverage.

Female employees who are temporarily disabled due to the effects of pregnancy, childbirth, or related medical conditions will also be treated the same as other workers who have temporary work restrictions and will be considered for any applicable and available light duty work assignments.

Return to Work After FMLA and Pregnancy Leave

An employee taking covered leave under the FMLA or Pregnancy Leave policy, will be returned to the same or equivalent position he or she held when the leave began with the equivalent employee benefits, pay, and conditions of employment. An employee who took leave based upon their own serious health condition or medical condition must provide certification from their health care provider that the employee is able to resume work. The LCHD may also ask an employee to undergo a fitness for duty examination prior to returning from a leave.

Revised: 1/1/10

4.12 Education Leave

Education leave, with or without pay, may be granted at the employee's request, and with the approval of the Board. To be considered for approval, the coursework must further the goals of the Licking County Health Department. No Educational Leave will exceed one year.

Adopted: 06/20/00

4.13 Disability Leave

This section outlines the conditions under which Disability Separation may be granted, and procedures for administering its use. The Director of the Ohio Department of Administrative Services has promulgated Administrative Rules governing this area. The Health Department will follow those rules except to the extent the Director excuses the Department from compliance upon request, or to the extent the Prosecuting Attorney determines that the Department is not required to comply.

- A. Voluntary Reduction: When an employee becomes physically unable to perform the duties of his or her position, even with a reasonable accommodation, but is still able to perform the duties of a vacant, lower level position, he or she may voluntarily request reduction to the lower level position. Such request shall be in writing, shall state the reason for the request, and if approved by the Health Commissioner, will be attached to the implementing Personnel Action.
- B. Disability Leave: A physically incapacitated employee, who has exhausted his or her accumulated sick leave, authorized vacation leave, compensatory time, and Family & Medical Leave, and for whom voluntary reduction is not practicable, may request up to six (6) months of disability leave without pay only if he or she can present evidence as to the probable date on which the employee will be able to return to the same or similar position within a six (6) month period. Such request should be submitted in writing to the Health Commissioner with a copy of a physician's statement attached.
- C. Involuntary Disability Separation or Termination for Failure to Report for Work: According to the rules of the Director of the Ohio Department of Administrative Services (123:1-33-02), involuntary disability separation is effective in the following cases:
 - 1. If an employee becomes unable to perform the essential job duties of the employee's position, subject to the Americans with Disabilities Act, and if the employee has exhausted Family & Medical Leave, the Health Commissioner may involuntarily disability separate the employee.
 - 2. If an employee on disability leave is unable to return to work when the employee's disability leave is exhausted, then the Health Commissioner shall involuntarily disability separate the employee if the employee cooperates under this procedure, or remove the employee for not-reporting-without-leave if the employee does not cooperate. (Please note that disability leave is only granted after Family Medical Leave is exhausted. See B. above.) The Appointing

Authority shall do so by completing an R.C. 124.34 order indicating the reasons as "incompetence, neglect of duty, and non-feasance" with an adequate explanation to make clear that the underlying reasons are the employee's failure to report for work able to perform his or her essential functions. However, if the employee refuses to submit to examination or to provide proof of disability, grounds for terminating employment shall be neglect of duty, non-feasance, and failure of good behavior for failure to report for work without approved leave.

3. If an employee is placed on leave of absence without pay and is subsequently disability separated due to the same disabling illness, injury, or condition, then the total combined time of absence due to the disability shall not exceed three (3) years for purposes of reinstatement rights under this chapter.

- D. Medical Examination: Ohio Administrative Code Section 123:1-33-02 specifies when medical examinations are either required or permitted in relation to Involuntary Disability Separation. The Health Commissioner may require an Employee to take an examination conducted by a licensed medical practitioner to determine the Employee's physical or mental capacity to perform the essential functions of their job, with or without reasonable accommodation. This examination shall be at the department's expense. If the Employee disagrees with the department's licensed medical practitioner's determination, they may request to be examined by a second licensed medical practitioner of their choice at their own expense. If the reports of the two practitioners conflict, a third opinion shall be rendered by a neutral party chosen by the Health Commissioner and paid for by the department. The third opinion shall be controlling. If an Employee, after examination, is found to be unable to perform the essential functions of their position with or without reasonable accommodation, they may request use of accumulated, unused, paid and unpaid leave benefits, if applicable. If a classified Employee remains unable to perform the essential functions of their position after exhausting available leaves, they may request a voluntary disability separation. If, after exhausting available leave, an Employee refuses to request a voluntary disability separation, an Appointing Authority may place the Employee on an involuntary disability separation if the Appointing Authority has substantial credible medical evidence to indicate that the Employee remains disabled and incapable of performing the essential job duties. Such involuntary disability separation must be done in accordance with Ohio Administrative Code (O.A.C.) Chapter 123:1-30.

An Employee's refusal to submit to an examination, to release the findings of an examination, or to otherwise cooperate in the examination process will be considered insubordination.

- E. Right to Pre-Separation Conference: Rights of Appeal

1. The Health Commissioner shall institute pre-separation proceedings when it has received the results of a medical or psychological examination conducted as provided by Subsection D and initially determines that an employee is incapable of performing the essential job duties of the employee's assigned position with or without a reasonable accommodation, and initially determines that the employee is not eligible to receive benefits under a program provided by the Health Commissioner or is not eligible for a leave of absence without pay due to a disabling injury, illness, or condition. Under those proceedings, a conference shall be scheduled and advanced written notice shall be provided to the employee. If the employee does not waive the right to that conference, then at that conference the employee has a right to examine the Health Commissioner's evidence of disability, to rebut that evidence, and to present testimony and evidence on the employee's own behalf. The conference shall be informed, and shall not be conducted as a public hearing.
2. If the Health Commissioner determines, after weighing the evidence admitted at the pre-separation conference, that the employee is capable of performing his or her essential job

duties, then the pre-separation proceedings shall cease and the employee shall be considered to be fit to perform his or her essential job duties. If the Health Commissioner determines, after weighing the testimony presented and the evidence admitted at the pre-separation conference, that the employee is unable to perform his or her essential job duties, then the Health Commissioner shall issue to the employee an O.R.C. 124.34 order of involuntary disability separation, as described in above.

3. An employee so separated shall have the right to appeal in writing to the Personnel Board of Review within ten (10) days following the filing of the order with the Personnel Board of Review.
4. The Health Commissioner shall notify the employee, at the time of the involuntary disability separation, of the required procedures to apply for reinstatement.

Adopted: 1/1/2017

4.14 Inclement Weather / Emergency Closings

The Health Department recognizes that on certain days it may be difficult or impossible for a scheduled employee to come into work, due to excessive snow, ice, or other inclement weather. Employees are encouraged to come into work on such occasions, only if in the employee's judgment they are able to do so in a safe manner. This policy addresses situations that are deemed as weather emergencies and is put into place to the benefit of the Licking County Health Dept. and its employees during a weather emergency.

Definitions

Snow Emergency Level 1 - Indicates that roads are hazardous with blowing and drifting snow or ice covered. Drive very cautiously.

Snow Emergency Level 2 - Indicates that roads are hazardous with blowing and drifting snow or ice covered. Only those who feel it is necessary to drive should be out on the roads.

Snow Emergency Level 3 – All roads are closed to non-emergency personnel. No one should be out during these conditions unless it is absolutely necessary to travel. Those traveling on the roads may subject themselves to arrest.

Policy

In the event a Level 3 Weather Emergency is declared by the Licking County Sheriff, the Board of Health will compensate Health Dept. employees for the number of hours for which they were scheduled to work during the emergency period. Employees not scheduled to work because of scheduled vacation or continuing sick leave will be charged for the leave regardless of the declared emergency. If vacation or sick leave ends prior to the end of the declared emergency, no leave time will be charged for the remainder of the emergency.

In the event a Level 2 Weather Emergency is declared by the Licking County Sheriff, the Board of Health will communicate appropriate procedure and updated information through department heads. Should the County Commissioners close their buildings during a Level 2 Weather Emergency, all provisions of a Level 3 Emergency noted above will apply.

For those employees of the Licking County Health Dept. who reside in a county other than Licking: if a Level 3 Weather Emergency is declared in the county where an employee resides before the employee is scheduled to report for work, all provisions of Article, Paragraph A (above) apply. Should a Level 3

Weather Emergency be declared in the employee's home county while the employee is on duty with the Licking County Health Dept., choices outlined below apply.

In general, an employee who is absent, arrives late to work, or who leaves work early on days when weather conditions interfere with travel can, upon approval, account for the time by utilizing the following options:

- Working such time in addition to his regular schedule at the regular pay rate, within the same work week, if approved by his supervisor,
- Changing the time to vacation leave or previously accrued compensatory time, or
- Receiving the time off without pay.

Inclement weather is not a valid reason for the use of sick leave.

If due to conditions detrimental to the health and safety of the employees (e.g., fire, smoke, excessive water, etc.) as determined by the Health Commissioner, the employees are released from the performance of their duties, they will be paid for the time away from their jobs.

Adopted: 06/20/00

4.15 Blood Donation

Employees are encouraged to support the local Red Cross efforts to keep the blood supply available for Licking County residents. Often times the blood mobile is available only during working hours and therefore, employees have to take time off to give blood. Employees who donate blood during working hours will be allowed paid time, as actually needed, not to exceed 2 hours, to donate blood.

If you have questions about who is eligible to donate blood, please contact the local Red Cross chapter.

Adopted: 01/01/14

4.16 Lunch Period

When operations permit, Employees shall receive a lunch period with the length designated by the Appointing Authority. Lunch scheduling is subject to approval by the Employee's immediate Supervisor.

Non-exempt employees may not work more than 6 hours without a lunch break. Example: An employee who reports to work at 8:30 AM must begin lunch no later than 2:30 PM.

Adopted: 01/01/14

4.17 Lactation Breaks

Employees who have recently given birth will be allowed a reasonable break time in order to nurse or express breast milk, for up to one (1) year after the child's birth. The Employee will be provided appropriate space, other than a bathroom, that is shielded from view and free from intrusion from Employees and members of the public. Employee shall give Supervisor or Department Head advance notice of this request to make arrangements of such space.

Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the Employee.

Adopted: 01/01/14

4.18 Retirement Plan

- A. All employees of this agency are required by law to participate in the Ohio Public Employees Retirement System. (Membership in the PERS system is compulsory upon being employed, except those employees specifically exempted under the provisions of Section 145.03 of the Ohio Revised Code)
- B. This program is entirely independent of the federal Social Security System.
- C. Employees are required to contribute a portion of their gross pay into the OPERS, which is deducted each pay period.
- D. If employees have any questions regarding this program, they should call or write to the address below, and include their Social Security number. The address is:

Public Employees Retirement System 277 East Town Street, Columbus, OH 43215 (614)
466-2085

Revised: 2/21/12

4.19 Expense Reimbursement

Pursuant to Ohio Revised Code employees may be reimbursed for reasonable travel expenses incurred in the administration of LCHD programs to include transportation costs, mileage, meals, lodging, and incidentals. The following policy will be used as a guideline in determining whether a travel expense is allowable and reimbursable and the procedure to follow in receiving reimbursement of those expenses

Travel & Mileage Reimbursement Policy

Eligibility

Any employee, who is required as a part of his or her duties to drive a motor vehicle, shall comply with the Driving policy included in this manual.

Local Travel

1. "Headquarters" is a term to describe the primary place of employment of a staff member. Typically, a staff member's headquarters will be 675 Price Rd., Newark, but this does not preclude satellite offices or other locations being designated as a headquarters. A staff member's headquarters may be designated as any location determined by their supervisor, with final approval made by the Health Commissioner.
2. Employees should utilize a County vehicle, if one is available and its use is reasonable and efficient, whenever driving on County business on Training or Conference Travel. Travel by privately owned automobile is authorized only if a LCHD vehicle is not available, or determined by the supervisor to be inefficient or unreasonable. Mileage reimbursement is payable to only one of two or more employees traveling on the same trip, in the same automobile. The employee shall keep an accurate record of mileage driven and for what purpose.
3. Reimbursement requests will be considered for travel between the staff member's headquarters and client homes, job sites, meetings, and other work assignment locations.
4. No expense reimbursements are paid for travel between the employee's home and the headquarters, jobsite, meeting, or other location inside of Licking County which has been designated as their first reporting location of the day; except for travel to meetings, or other appointments, that occur two hours or more after the end of the employee's normal shift.

Mileage to these after hours, or weekend assignments, shall not exceed the mileage to reach the county line if the employee resides outside of Licking County.

Out of County Travel (In-State)

1. All out of county travel for meetings, training, conferences, lab deliveries, etc. must be pre-approved by the employee's supervisor and the health commissioner.

Amount

1. Mileage - Employees shall be reimbursed for actual miles, while on official business, at the rate determined by the Board, when using their personal vehicle. Such payment is considered to be total reimbursement for all vehicle related expenses (e.g., gas, oil, insurance, depreciation, etc.).
2. Meals - Expenses incurred for meals while on official business will be reimbursed at breakfast \$6.00, lunch \$12.00, and dinner \$20.00. No expenses for alcoholic beverages are eligible for reimbursement. An employee is eligible for meal reimbursement only when, out of district travel has been authorized in writing by the Health Commissioner, and when travel extends through a normal meal period. In-county meals may be reimbursed with prior approval of the Health Commissioner if it is a "working meal" as part of a meeting.
3. Charges incurred for parking at the destination, and any highway tolls are reimbursable at the actual amount. Receipts for parking costs and highway tolls are required.
4. Overnight Expenses - Expenses covering the actual cost of a motel room will be reimbursed in full when an employee travels on official business and such travel requires an overnight stay. Overnight stay will only be considered for approval if the conference site is at least 45 miles from both the Health Department and the employee's home, or if the overnight stay is grant paid or required by a grant. Motel expenses will be reimbursed only with the prior written authorization of the Health Commissioner and shall be substantiated with receipt of expenditures.
5. Acceptable forms of receipts – An original receipt with the name and address of the establishment is required, no photocopies will be accepted. Meal receipts must include a listing of the items included.

Submission of Reports

All travel reports must be submitted for supervisor approval by the end of the month of the date of travel. Forms submitted after the 15th of the month following the date of travel will be denied reimbursement. Supervisors may require more frequent reporting.

Emergency Expenses:

In the case of accidents, mechanical failures, and/or other uncontrollable incidents involving a County vehicle or other transportation other than personal vehicles (e.g. flat tires, departure delays, etc.), the employee will be reimbursed for the actual expenses incurred to accommodate the emergency upon submission of proper documentation.

Exceptions

Exceptions to this policy are at the discretion of the Health Commissioner. The travel & mileage reimbursement policy does not intend to address every issue, exception, or contingency that may arise.

Revised: 1/1/2014

4.20 Out of State Travel

- A. Generally, except in unusual situations, employees are not permitted to travel out of state on Agency time or money. Exceptions will be made on an individual basis for travel to grant funded or grant required conferences. The Health Commissioner may be permitted, at the discretion of the Board, to travel to out of state conferences. All out of state travel requires pre-approval by the Board of Health.
- B. Travel: If personal autos are used, see Expense Reimbursement policy for reimbursement. Travel, by means other than private auto, may be funded by the Board at the usual and customary rate. It is expected that the best airline fares be searched for and obtained.
- C. Lodging: Out of state lodging will be paid at the reasonable and customary rate for the area where the person is traveling. Conference headquarter hotels may be used and the cost will be reimbursed at the conference rate.
- D. Meals: The maximum allowable cost is \$40.00 per day, plus any applicable tax. Tips may be included up to 15% but the total shall not exceed the allowance of \$40.00 per day.
ALCOHOL IS NOT A REIMBURSABLE EXPENSE.
- E. Other Expenses: Expenses such as rental cars, taxis, tips for bellmen, etc. may be paid if pre-approved by the board. If the employee is staying away from home for an extended period (over one week) laundry expense may be approved if requested.
- F. Travel Time: Out of state travel will be paid at the daily rate, i.e., the employee will receive a day's pay for each day at an out of state conference. No overtime will be paid for evening meetings. Travel time to and from the conference will be paid at the hourly rate for the usual time it takes to travel to and from that destination.

Adopted: 06/20/00

4.21 Hospitalization/Life Ins. Coverage

LCHD offers paid hospitalization coverage to all eligible Employees according to the following guidelines:

- Any full or part time County Employee whose regular hours of work total at least twenty (20) hours or more per week may receive hospitalization insurance provided by the County. The cost of the insurance is shared by the County and the Employee.
- Any full time LCHD Employee hired shall receive life insurance coverage fully paid by LCHD.

LCHD also offers its Employees a cafeteria plan that allows Employees some input into their coverage. Employees may direct questions on healthcare coverage to the Licking County Human Resources Department.

Any employee may waive the insurance coverage, however, it is the desire that all employees be covered by a health insurance plan to promote health maintenance and defray high out-of-pocket health care costs. Full-Time Employees who are covered by another health insurance plan (spouse, etc.) may elect to waive health insurance from the Department. If Medical, Dental, and Vision are all waived, the employee will be eligible for \$1000 in flex spending, and an additional \$1000 in payroll compensation.

Adopted: 01/01/14

4.22 Health Coverage/Terminated Employees

An Employee who is covered under the County's group healthcare insurance or certain related group insurance, and who loses coverage due to a reduction in hours or a termination of employment (for

other than gross misconduct), is entitled to purchase continuing group health plan coverage at their own expense. The Employee's spouse and dependents have the right to purchase continuation of coverage as well.

This continuation of coverage is a provision of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). The County Human Resources Department can provide additional information regarding continuation of coverage and also regarding coverage during Family and Medical Leave.

Adopted: 01/01/14

4.23 Tuition Reimbursement

The Licking County Health Department recognizes that the skills and knowledge of its employees are critical to the success of the organization and the delivery of quality public services. The tuition reimbursement program encourages individual development through formal education so employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within the department. The tuition reimbursement program is for full-time employees who have successfully completed their probationary period with the LCHD, and is contingent upon budgetary constraints. Enrollment in the tuition reimbursement program is limited, and applications will be accepted on the basis of one or more of the following criteria: availability of funds, the needs of the individual and the LCHD, employee's satisfactory performance and attendance.

- A. Training and/or educational courses related to an employee's individual career development needs may be considered for reimbursement by LCHD upon successful completion of such courses in accordance with the following conditions:
 - 1) Employee is employed in a full-time status and has completed their probationary period and has not had a disciplinary action applied beyond a written reprimand within the past 12 months of employment with the LCHD.
 - 2) Education or training must be obtained at an accredited college, university, secondary school, technical institute, business institute, related educational institute or school.
 - 3) Requests for Tuition Reimbursement must obtain approval prior to the first day of class. The Request must be approved by the supervisor and the health commissioner. The relevance of the course content to the employee's job duties or those of a position within the LCHD that the employee may reasonably hope to attain will be a determining factor. Tuition reimbursement for core courses in a basic education requirement for a degree program will meet this relevance standard.
- B. Upon completion of the course of study, the employee must submit within thirty (30) days, unless extenuating circumstances exist, documentation indicating payment amount and the final grade, along with the pre-approved Request for Tuition Reimbursement for to the Director of Administrative Services for processing.
 - 1) The department will reimburse the employee, for tuition, enrollment and laboratory fees, 75% of out of pocket expenses (expenses less any money received as a scholarship, grant or other subsidy, not including student loans that must be repaid), providing the employee receives a satisfactory passing grade of "C" for undergraduate work; "B" for graduate work; or "Pass" for classes taken on a pass/fail basis. Maximum reimbursement will be \$2,000 per employee, per year.
 - 2) Reimbursement will not be paid for courses in which lower grades are received.
 - 3) Reimbursement will not be made for books or other materials, costs of transportation, or parking.
 - 4) Courses where certificates rather than grades are awarded will be reimbursed based upon evidence of satisfactory completion.

Any request for the use of flexible work schedules shall be considered in the sole discretion of the employee's supervisor and department head and the approval or denial of a request for such a schedule is not subject to the grievance procedure outlined in Section 8 of this manual.

Adopted: 1/1/2017

4.24 Professional Organization Dues

In support of employee professional development, the LCHD will fund professional association and organization dues for employees in the subject areas that are related to the employee's specific job responsibilities subject to provisions contained herein. The employee and his or her supervisor will annually identify the appropriate associations and organizations for potential membership. The employee and supervisor should make suitable selections in consideration of their annual departmental budget allocation.

Professional Licensure or Certification

Employees whose job description and specific job responsibilities require professional licensures or certifications will bear sole responsibility for the cost of the initial and renewal license fees and certification fees. For such employees, continuing education courses required to maintain an employee's licensure or certification may be paid from the employee's departmental budget if such course content is directly related to the employee's specific job responsibilities and approved as indicated below.

If a licensure or certification is initiated after employment to fill an organizational or programmatic need, and no increase in pay occurs as a result of said licensure, the department may pay the costs associated with licensure and renewal since it is to the department's benefit.

Approval Procedure

Payment of association and organization dues in the department's name and payment for professional continuing education courses for licensed or certified employees must be approved by the employee's supervisor prior to the employee's participation in an association or organization event, accessing association or organization resources and prior to attending a continuing education course.

All requests under this policy are subject to final approval of the Health Commissioner and budget availability.

Adopted 1/1/17

ACKNOWLEDGEMENT

Please sign the attached, and present the acknowledgement slip below to the Director of Administrative Services for inclusion in your personnel file.

I have received a copy of the Licking County Personnel Policy and Procedure Manual, which outlines my privileges and obligations as an employee of the Health Department. I will familiarize myself with the information in these directives and understand that I am governed by them.

Since the information in these directives is subject to change by Board of Health it is understood that I will be notified of changes through the usual channels of dissemination.

Signature of Employee _____ Date _____