

Sugarcreek Township – Greene County, Ohio
Personnel Policies and Procedures Manual
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ARTICLE I – PURPOSE, AMENDMENT OF RULES, AND OBJECTIVES

1.1 Purpose

The purpose of this Personnel Policies and Procedures Manual is to implement the provisions of the Ohio Revised Code and Township Personnel Resolutions by establishing fair and reasonable standards and procedures. These regulations are also intended to be a guideline when a situation is not specifically considered in the Ohio Revised Code, Personnel Resolutions, or specifically modified by an applicable labor contract. The Sugarcreek Township Board of Trustees reserves all rights authorized to them by the Ohio Revised Code for personnel administration.

Section 511.10 of the Ohio Revised Code reads, in part, “the Board of Township Trustees may appoint such superintendents, architects, clerks, laborers and other employees as are necessary and fix their compensation. Any person so appointed may be removed by a majority of the members of such board at any time.”

1.2 How to use this document

This official Township document contains personnel policies and practices, benefits, responsibilities, and opportunities available to you as an employee of Sugarcreek Township, which governs the administration of all employees. It also contains references to the Ohio Revised Code as well as other related administrative orders and Resolutions.

Each Department will be issued a copy of this document and will have it readily available to any employee within their department. A copy of the document will also be available on the M: drive in the Administration folder/Human Resource Folder/Personnel Manual. It is required that all employees take the time to read this document to ensure they are fully aware of its contents, and how it applies. This document will be updated from time to time. When changes to this document occur, they will be made to the departmental copies and an e-mail will be sent to employees notifying them of the changes. Employees will be required to acknowledge receipt of the e-mail notification.

If there is a question regarding a written policy, it should be directed to your immediate supervisor or Department Head and then on to the Administration office if further clarification is needed. In some cases, an employee may want details or information which, for the sake of brevity, is not included in this document. A complete set of all source documents can be made available to all employees. If there should be, at any time, any conflict between the summary in this document and the source material, the reference or applicable federal and state employment regulations, which are current at the time, shall be considered the official statement. Additional references to specific job responsibilities and operating procedures may be contained in separate departmental “Standard Operating Procedures” or “General Orders”.

1.3 Mission Statement

Sugarcreek Township, by and through the Board of Trustees, will provide for and promote the general health, safety, and welfare of all residents of the Township. The Board will do so under the requirement of law and in a fair and impartial manner taking into consideration that individual needs will be recognized and balanced against the collective needs of all Township residents.

1.4 Authority and Scope

By approval of the Sugarcreek Township Board of Trustees, this Sugarcreek Township Personnel Policies and Procedures Manual is hereby established (Resolution No. 2014.12.15.05). The policies and procedures contained herein supersede all previous personnel policies.

These personnel policies and procedures apply to all Township employees except where the policies and procedures are not consistent with state or federal statutes. Sugarcreek Township, by and through these policies, has attempted to adhere to all applicable laws.

Nothing contained within this document shall be construed as a contract between Sugarcreek Township and its employees.

1.4.1 Disclaimer

This manual, along with any employee policies, handbooks, and procedures published by Sugarcreek Township, is neither intended to, nor does it bestow any additional employment rights or benefits to Township employees. The Township reserves the right, in its sole discretion, to change, modify, suspend, or cancel (in whole or in part) its personnel benefits, practices, forms, policies, and procedures without advance notice, and without need to give cause or justification for the changes made.

1.4.2 Directives

The Board of Trustees may from time to time issue "Directives" through the office of the Township Administrator which will have the same force as if included in these policies and procedures.

1.4.3 Department General Orders and Standard Operating Procedures

Upon the adoption of General Orders and Standard Operating Procedures for specific Township departments, such shall be considered as an integral part of this personnel policies and procedures manual, but they shall not replace this manual. If conflict arises, always contact the department head and/or the administration offices for clarification. In regard to collective bargaining agreements, to the extent that contractual obligations exist, these personnel policies and procedures shall provide details where said documents are silent, but shall not supersede negotiated contractual obligations or legal requirements relating to personnel rules and practices. Contractual obligations will apply to the appropriate bargaining unit(s) only.

1.4.4 Township Logo and Forms

The approved township logo will be incorporated into all documents, forms and letterhead department-wide. The Administration Office shall create and maintain all forms that are used township-wide. An example of these forms would be time sheets, leave request, education reimbursement, travel/training request, performance evaluation, approval to pay, etc. Depending on the nature of the form, they can be found on the M: drive/Administration folder under either administration, fiscal, or human resource. Any changes to these forms will be made on the M: drive. In order to expedite approval of a request, it is important to use the correct form. Use of the township logo must be approved in advance by the Administration Office. Unauthorized use of the township logo and/or department logos may be subject to disciplinary action.

1.5 Objective

Sound personnel policies and procedures are essential to Sugarcreek Township for the retention and recruitment of a qualified and motivated workforce. The Sugarcreek Township Board of Trustees recognizes that providing top quality services to its residents can best come from employees who are treated in a fair and equitable manner.

1.6 Exceptions to Coverage

The following Township officials are expressly exempt from coverage within this personnel manual:

1. All elected officials;
2. All appointed members (who are not employees of Sugarcreek Township) of boards and/or commissions of Sugarcreek Township;
3. Township attorney(s);
4. Consultants, advisors, and counsel hired for temporary services;
5. Independent contractors.

1.7 Severability Clause and Amendments

If any provision(s) of this Personnel Policies and Procedures Manual or any provision of its subsequent application is held invalid, it will not affect the remainder of the policies and procedures or their applications.

The Department Heads and Township Administrator may initiate recommendations to the Board of Trustees to amend this document. Amendments to this Personnel Policies and Procedures Manual shall be approved by official action of resolution by the Sugarcreek Township Board of Trustees.

1.8 Open Door Policy

All employees are encouraged to voice their opinion(s), make suggestions, discuss employment and/or personnel problems, etc., with their immediate supervisor first, and then with the Department Head and then the Township Administrator.

1.9 Equal Employment Opportunity

Sugarcreek Township is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, age, national origin, disability, military status, genetic testing, or other unlawful bias except when such a factor constitutes a Bona Fide Occupational Qualification (BFOQ). All personnel decisions and practices including, but not limited to, hiring, suspensions, terminations, layoffs, demotions, promotions, transfers, and evaluations, shall be made without regard to the above listed categories. The Township intends for all of its policies to comply with federal and state equal employment opportunity principles and other related laws.

The Township 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 that their rights have been violated under this policy should submit a written complaint of discrimination to their Department Head, Township Administrator, or Appointing Authority.

1.10 Americans with Disabilities

Sugarcreek Township prohibits discrimination in hiring, promotions, transfers, or any other benefits or privileges 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 he holds or desires and must be able to perform the essential functions of his position, with or without a reasonable accommodation.

Sugarcreek Township 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 submit a written request for accommodation to their Department Head, Township Administrator, or Appointing Authority. 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 that his/her rights have been violated under this policy should submit a written complaint as set for the in the Unlawful Discrimination and Harassment Policy

1.11 General Definitions

Active Pay Status - Includes time on duty, compensatory time, paid vacation leave, paid sick leave, paid holidays, paid administrative leave, and paid maternity leave.

Appeal - The written response by an employee to a disciplinary decision.

Appointing Authority - The Sugarcreek Township Board of Trustees.

At-Will Employment - The right of employers to hire, demote, promote, or terminate the employment of employees for any reason, or for no reason at all when it does not discriminate or violate public policy. It also gives employees the legal right to resign from their position at any time for any reason or no reason.

Discipline - An action taken against an employee by a supervisor or management as the result of an employee's lack of adherence to rules and procedures of the organization or deficiency of performance in work-related tasks.

Employee - Any person holding a position subject to appointment, removal, promotion, or reduction by an appointing authority.

Employer - The Sugarcreek Township Board of Trustees, or the designee of the Board of Trustees, specifically authorized to make policy decisions on their behalf.

Exempt Employee - An employee not covered by the Fair Labor Standards Act (FLSA) overtime provisions and does not receive either pay or compensatory time in lieu of overtime pay.

Full-Time Employee - An employee who is scheduled to work forty (40) hours per week or more. Certain designated positions work ten (10) hour shifts or 24-hour shifts.

Grievance - A formal written action initiated by an employee concerning work rules, policies, procedures, or against other personnel.

Immediate Family - Includes the employee's spouse, child, parent, brother or sister, mother-in-law, father-in-law, son-in-law, or daughter-in-law, as well as stepson, stepdaughter, stepmother, stepfather, stepbrother, and stepsister.

New Employees - A new employee is an individual who has never worked for Sugarcreek Township or previously worked for Sugarcreek Township and has returned after a break in service with the township.

Non-Exempt Employee - An employee who is covered by the Fair Labor Standards Act overtime provisions and can receive pay or compensatory time in lieu of overtime pay.

Part-Time Employee – An employee who is scheduled to work no more than twenty-four (24) hours per week and permitted to work no more than twenty-eight (28) hours per week.

Personnel Policies and Procedures - The rules and regulations governing the day-to-day relationships between employer and employee. They explain the responsibilities, privileges, benefits, and rights of the employee as well as the responsibilities of the employer.

Probationary Period - The period of time at the beginning of employment or following a promotion. This constitutes a trial period for the employee in order to ascertain the employee's suitability for handling the responsibilities of the position.

Seniority – Is the amount of time an individual has continuously worked for the township in comparison with other employees.

Supervisor - An individual who has been authorized by the Township Trustees to oversee and direct the work of employees on a regular basis.

Temporary Employee - An employee working for a brief period of time or on a specified project that has a termination date.

Volunteer Personnel - Any person who serves the Township with no expectation of monetary award.

ARTICLE II – EMPLOYMENT

2.1 Position Application Process

New Employee Process: An application form will be available at each department and can also be found on-line at www.sugarcreektownship.com. The completed application and attachments shall be returned to the Administration Office at the administration building with all notarizations and copies included as indicated. Upon receipt, the screening process and background check will be completed for selected eligible applicants. This information will then be forwarded to the appropriate department head. Next, qualifying applicants will be called on to complete the department evaluation and testing. Qualifying applicants will then interview with the Department Head, Township Administrator, and the Board of Trustees as appropriate. Finally, a conditional offer of employment will be made to the candidate; contingent upon the completion of a satisfactory physical and other required testing. Upon positive completion of the physical and required testing, a formal resolution will be accepted by the Sugarcreek Township Board of Trustees. However, if the applicant is not accepted, the Administration Office will keep the application on file for a period of two (2) years from the date of application.

Current Employee Process: A memo or letter indicating the current employee's desire to be considered for the position shall be sent to the Administration Office at the administration building. Additional paperwork may be requested from the current employee. The request will then be forwarded to the appropriate Department Head. The screening process and background check will be completed for selected eligible applicants. Next, qualifying applicants will be called on to complete the department evaluation and testing. Qualifying applicants will then interview with the Department Head, Township Administrator, and the Board of Trustees as appropriate. Finally, a tentative offer of employment will be made to the candidate; contingent upon the completion of a satisfactory physical and other required testing. If the candidate accepts the offer of employment, it will be formally accepted by Resolution made by the Sugarcreek Township Board of Trustees. However, if the applicant is not accepted, the Administration Office will keep the application for later consideration for a period of two (2) years from the date of application. Bargaining Unit employees should consult their Collective Bargaining Agreement for this process.

2.1.1 Reclassification of Position

Over time, an employee's job duties may substantially change. This can happen due to new technology, reduction in workforce, or the position has gradually evolved where the duties and responsibilities are different or more difficult. Employees have a right to have their positions classified on the basis of current duties and responsibilities. Employees or department heads who believe that a position is misclassified can request the human resource office conduct an audit of the position which will be presented to the department head once complete. The Board of Trustees will review the recommendation with the department head and Township Administrator to determine if a reclassification is warranted. Position reclassifications do not guarantee an increase in wages. All salaries/wages will be based on the Township's ability to pay.

2.1.2 Residency Requirement

Sugarcreek Township shall require all of its employees, who they deem may be necessary to respond during an emergency, to reside within the driving distance and time relative to the limits and boundaries of the adjoining counties of the Township. This applies to all employees hired after the original effective date (November 9, 1998) of this personnel policy. Each employee shall notify the Administrative Offices of an address change prior to the change taking place. If it is not possible for the employee to inform prior to the change, then they must do so within seven (7) days of the change.

2.1.3 Probationary Period

For all original and promotional appointments, a probationary period must be served in order to provide proper evaluation procedures. Probationary periods are configured in accordance with the Ohio Revised Code. These probationary periods apply to the following positions (unless specified differently in a current collective bargaining agreement):

Full-Time Employee – Three hundred sixty-five days (365) from date of hire

Part-time Employee – Three hundred sixty-five days (365) from date of hire

Temporary Part-time Employee – Three hundred sixty-five days (365) from date of hire

Volunteer Personnel – Three hundred sixty-five days (365) from date of hire

If an employee is promoted, the above listed probationary period applies and will be effective beginning on the day of the promotion.

If a promoted employee who is on probationary status is returned to the previously held position, then the remainder of the probationary period shall be reinstated.

2.1.3a Probationary Period – Disclaimer

All employees, shall conform to the rules and regulations of Sugarcreek Township and understand that they are an employee at will and can be terminated at any time with or without cause, and with or without notice, by the Board of Trustees. Without the express authorization of the Board of Trustees, no one person has the right to make verbal statements of any kind that are legally binding by Sugarcreek Township. If any such authorization shall be extended, it shall be in writing and signed by the Board of Trustees.

2.1.4 False Credentials

If either during the probationary period or any time thereafter it is discovered that an employee was hired on the basis of false credentials, or any other intentional deception, said employee will be subject to disciplinary procedures, up to and including termination.

2.1.5 Identification Cards and/or Key Fobs

All Township employees shall be issued a HID identification card and access key fob prior to their first scheduled shift. Employees are required to use the HID identification card and/or access key fob to gain access into secured Township facilities and/or secured areas.

All identification cards will have a picture of the employee and the signature of the appropriate Department Head as well as Township Administrator. The identification card for police personnel will also show the employees signature. Identification cards are used as proof of identity as a Township employee or volunteer as well as for security access

into a Township facility. Identification cards shall be in the personal custody of the individual to whom it was issued at all times. Identification cards and access key fobs shall only be used by the individual it was assigned to. All employees should follow the guidelines of each department concerning the display of identification cards. Employees shall immediately report any lost or broken identification cards and/or key fobs to the administration office as well as to their immediate supervisor. Any access issues with HID identification cards and/or key fobs shall be reported to the Administration Office or IT Department.

Identification cards shall not be amended, modified, or overprinted by any means. No stickers or other adhesive materials are to be placed on either side of the identification card. All identification cards and key fobs are the property of Sugarcreek Township and shall be returned upon separation, resignation, firing, or termination of affiliation with Sugarcreek Township, or upon any other event in which the individual no longer requires the use of such identification card and/or key fob. The Township will replace one (1) lost identification card and/or key fob; thereafter, the employee is responsible for the replacement cost of any additional cards/fobs, which will be done via payroll deduction in the amount of \$5.00 each.

2.1.6 Appointment of Relatives and Significant Others

Sugarcreek Township discourages the employment of relatives because of the possible diminishment of the objectivity of supervising related employees, and the potential conflicts of interest and favoritism that might arise. Relatives and/or Significant Others of current employees of Sugarcreek Township will not be given any advantages in the hiring process of the Township. Likewise, caution will be taken to avoid any discriminatory practice. (See Appointment of Relatives and Significant Others – Exceptions, Article II, Section 2.1.6a). In the event relatives and/or significant others are appointed, the current employee and new employee will be required to sign and follow the Standard of Conduct Agreement. In the event employees become related and/or significant others, both employees will be required to sign and follow the Standard of Conduct Agreement.

2.1.6a Appointment of Relatives and Significant Others – Exceptions

1. Existing appointments;
2. Appointments where neither individual involved is employed in a supervisory or management position, nor perform work that may be directly influenced by the other individual. The determination of such influence shall be at the discretion of the Sugarcreek Township Board of Trustees. To be eligible for this second exception, employees must show valid reasons for justification to the Board of Trustees prior to any event that would require an exception to allow continued employment. Failure to notify the Board of Trustees may result in the loss of employment for both employees.

2.1.6b Romantic Involvement

To avoid concerns of sexual harassment and other inappropriate behavior, employees are required to inform their Department Head, Township Administrator, or Appointing Authority if they currently are, or if they become, romantically involved with a co-worker. Such relationships are not necessarily prohibited, but must be appropriately addressed. If

Sugarcreek Township determines that a conflict exists between an employee's employment with the Township and a personal relationship with a co-worker, the Township 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.

2.2 Promotions

When an employee is promoted to a new position, the employee's salary shall reflect the most recently adopted compensation plan for the job classification. In the case of overlapping pay ranges, or when the employee being promoted is already at or above the minimum step of the class to which they are being promoted, the promoted employee may be moved to the next upward step on the classification scale. If an employee is promoted from another department, or from part-time status to full-time status, the effective date for seniority shall be the date of the promotion. All salaries/wages will be based on the Township's ability to pay.

2.3 Demotions or Change in Classification

An employee who is affected by a demotion or change in classification shall be paid at a rate which is within the approved range of the lower classification. The rate of pay shall be set by the Sugarcreek Township Board of Trustees taking into consideration the circumstances and reasons for the demotion, as well as any other relevant factors.

2.4 Seniority

An employee's seniority within their department may give them priority or precedence ahead of others employees for purposes of using their accumulated leave bank. If an employee is promoted from another department, the effective date for seniority shall be the date of the promotion. When more than one (1) employee is hired on the same date, the most senior employee will be determined by who has the highest last four (4) digits of their social security number. Any specialized function (special training) by an employee that is deemed "mission sensitive" to the department may be exempt from the seniority policy.

2.5 Memberships and Organizations

Affiliations or activities with political or religious organizations shall not be a factor for employment or promotion in Sugarcreek Township. Township employees will not be required to be members of any organization, unless it is a professional organization and directly related to employment duties. The Township may pay membership fees required by professional organizations and/or licenses related to the position or office held by the employee.

2.6 Bonds

Fees will be paid by Sugarcreek Township for officers and employees who are required to be bonded. The Board of Trustees may increase the bond amount to match the amount of cash handled during one year if that employee is handling more cash than the amounts approved by the bonds. The Township will also abide by all applicable laws that relate to having employees bonded.

2.7 **Fraud Reporting**

The Auditor of State has established and maintains a system for the reporting of fraud, including misuse and misappropriation of public money, by any public office or public official. The system allows Ohio residents and the employees of any public office to make anonymous complaints through a toll-free telephone number, the Auditor of State's web site, or the United States mail to the Auditor of State's office. The Auditor of State shall review all complaints in a timely manner. The Auditor of State also keeps a log of all complaints filed under this section, which is a public record under section 149.43 of the Revised Code. The log shall include the date the complaint was received, a general description of the nature of the complaint, the name of the public office or agency with regard to which the complaint is directed, and a general description of the status of the review by the auditor of state. If section 149.43 of the Revised Code or another statute provides for an applicable exemption from the definition of public record for the information recorded on the log, that information may be redacted.

Please see below the methods for filing a complaint.

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

ARTICLE III – EMPLOYEE EVALUATION

3.1 Merit System

Employees and applicants shall be evaluated solely on merit without regard to race, color, religion, sex, age, national origin, ancestry, disability, veteran status, political affiliation, citizenship, or any factor precluded by applicable law. These policies and procedures provide for the recruitment, selection, training, evaluation, and retention of employees with high job performance and quality related to each position in Sugarcreek Township. They provide for the orderly establishment of procedures for personnel administration consistent with these merit principles:

1. Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open competition of qualified applicants for initial appointment, where appropriate;
2. Establishing pay rates consistent with the principle of providing comparable pay for comparable work;
3. Training employees, as needed, to assure high quality performance;
4. Retaining employees on the basis of their satisfactory performance;
5. Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, handicap, race, color, age, national origin, citizenship, sex, religion or any other factor precluded by applicable law;
6. Assuring that employees are protected against coercion from partisan political purposes, and are prohibited from using their official authority for the purpose of interfering with or affecting the results of an election or a nomination for office.

3.2 Employee Evaluation System

Sugarcreek Township has adopted, by formal resolution, a process of evaluating employees. This is a system designed to measure job performance. This process acts as a means to identify marginal, average, and superior performance among employees.

Evaluations shall be conducted by the immediate supervisor, Department Head, Township Administrator and/or Board of Trustees. The evaluations of the Township Administrator and all Department Heads shall be signed, after completion, by a majority of the Board of Trustees. If an evaluation rating is felt to be an inaccurate reflection of job performance, the employee may request, in writing, a review of the evaluation by the person conducting the evaluation rating within five (5) days. Evaluations shall usually be conducted on the following schedule:

1. Probationary employee: halfway through probationary period and at twenty (20) days prior to the end of the probationary period.
2. Non-contractual full-time and part-time employees: annually to coincide with the anniversary of the hire date in the current position.
3. Any time the Township Administrator, Department Head or supervisor deems necessary.

ARTICLE IV – POSITION DESCRIPTION

4.1 Position Description

The position description is the officially approved description that may include, but is not limited to, the following information:

1. Job title
2. Exempt status
3. Identification of essential functions
4. Outline of all required and preferred job related knowledge, skills, and abilities
5. Required education, experience, and certifications

4.2 Responsibility of Administration

The Sugarcreek Township Board of Trustees and the Township Administrator shall ensure that the position descriptions are maintained and updated as necessary. The Board of Trustees and/or their designee(s) shall allocate all authorized positions to the appropriate position description.

4.3 Allocation Appeals

If an employee provides facts which indicate that their position is improperly allocated, one may, with the knowledge of the immediate supervisor, request that the Township Administrator evaluate the appeal and make a recommendation to the Board of Trustees for a review of the allocation of the position. Such a request shall be submitted in writing and include full justification.

4.4 Maintenance of Position Descriptions

It is the responsibility of the Sugarcreek Township Board of Trustees, Administration and/or their designee(s) to:

1. Maintain the position description by reviewing the allocation of all positions and complete a new position description, if necessary, each time a vacancy occurs;
2. Complete new position descriptions for all affected positions each time a department or division is reorganized;
3. Complete new position descriptions on a periodic basis, or any time there is reason to believe a change in the duties and responsibilities of one or more positions has occurred;
4. Periodically and at least once per year after the adoption of the plan, conduct a general review of the position descriptions.

4.5 Interpretation of Position Specifications

The position specifications are descriptive and not intended to be restrictive. The use of a particular description as to duties, qualifications, or other factors shall not be held to exclude others of a similar kind or quality. They are intended to indicate the kinds of positions which shall be allocated to the established positions.

4.6 Official Copy of the Position Descriptions

The Administrative Offices, with the approval of the Sugarcreek Township Board of Trustees, shall maintain the official copy of the position descriptions. It shall include a list of position titles and specifications, plus all amendments thereto. A copy of the official position descriptions shall be available for inspection within each department during business hours.

ARTICLE V – PAYROLL AND COMPENSATION

5.1 Pay Schedule

Salaries and compensation will be determined by Resolution passed by the Sugarcreek Township Board of Trustees. Employees will be paid bi-weekly, twenty-six (26) pay periods annually. A chart of adopted pay scales may be viewed in each department or can be found on the m: drive/administration/fiscal office. Payroll will be prepared by the Township Fiscal Office. The pay period starts every other Monday and runs for fourteen (14) calendar days.

The Administration Office shall work with the Department Heads and Fiscal Office to determine the best format of a time sheet to ensure proper documentation of hours worked. Time sheets should not be filled out in advance (unless employee will be gone at the end of the pay cycle) and must be filled out by hand. Appropriate leave requests should be attached to the employee's time sheet. Time sheets must be signed by the Employee, the Department Head and the Township Administrator, before submission to the Township Fiscal Office for processing.

All payroll checks will be processed using direct deposit. Each employee shall be required to participate by providing an eligible bank account. The direct deposit amount will be available in the accounts by 12:00 p.m. (noon) on Friday. The payroll voucher will show the Friday date of the payroll week, and will be available for Department Heads to pick up at the administration building by 3:00 p.m. the day before payday (Thursday). Each Department Head may distribute the payroll vouchers beginning on Thursday afternoon, but the payroll vouchers must be provided or made available to the employees no later than 12:00 p.m. (noon) on Friday.

5.1.1 Payroll Errors/Improper Deductions

Every effort is made to assure that employees are being paid accurately. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must review each of your paystubs promptly after they are issued. Employees are responsible for bringing mistakes in their pay and improper deductions to the attention of the Township Fiscal Office in a timely manner. Employees must specify in writing the manner in which the employee's pay is inaccurate, so that the Township can fully investigate the matter. The Fiscal Officer will request that any action necessary to correct the employee's pay, including reimbursement for any improper deduction, be made promptly.

In addition, the Township will not allow any form of retaliation against employees who report alleged improper pay practices or that their pay was inaccurate, or who cooperate in an investigation of such reports.

5.1.2 Overtime

Overtime will be paid to the appropriate employees, classified as non-exempt, according to the Fair Labor Standards Act (FLSA). Overtime will be compensated at a rate of one and one-half times (1.5) their calculated hourly rate for time worked beyond forty (40) hours per standard workweek. Shift workers, police, and fire employees will adhere to Section 7(k) of the FLSA. All hours in the work shift replaced with sick leave, vacation leave, and holidays will be considered as hours worked when calculating the forty (40)

hour workweek, and for calculating overtime for each one-week period. When it is possible the overtime shall be approved in advance and in writing, by the Department Head or Township Administrator. Employees who work overtime without prior approval will be paid, but may be subject to disciplinary action up to and including termination.

5.1.3 Compensatory Time

Any non-exempt full-time employee, working in excess of their normal regular hours on their assigned shift, will be compensated at the rate of one and one-half (1.5) times their base rate for all such excess time. Employees who work during their normal scheduled day off shall be compensated at the rate of one and one-half (1.5) times their straight time rate for all such time worked except where the parties agree that the employee will work such day in exchange for another day off provided that day off comes before the end of the pay period.

An employee may waive overtime pay and receive compensation in the form of compensatory time, which shall be calculated the same as overtime pay. Full-time employees may accrue a maximum of forty eight (48) hours of compensatory time. Bargaining unit employees engaged in police and fire protection work should reference their Collective Bargaining Agreement for the maximum number of hours they may accrue. Such time may be taken in a minimum of two (2) hours. Once an employee accumulates the maximum number of hours of compensatory time, any future overtime hours worked shall be compensated with overtime pay. For determining when the employee can use their compensatory time the following is considered:

1. Schedule of work;
2. Anticipated peak work loads based on past experience;
3. Emergency requirements for staff and services;
4. Availability of qualified substitute staff.

The Employer cannot require that an employee take compensatory time off rather than overtime pay for hours worked. However, the employer may require that an employee utilize accumulated compensatory time within a specified time frame. Unused compensatory time will be paid out prior to promotions and/or any increases in pay. To be considered, requests for compensatory time off must be submitted to their department head not less than forty-eight (48) hours in advance of the requested time off. Employees will be notified by 4:00 pm the next business day whether they are approved for compensatory time off. Compensatory time will be paid out at the rate at which it was earned.

In the case of retirement or death of an employee, unpaid overtime and unused compensatory time (cash payment) shall be paid to the employee, their legal survivor or their estate.

5.1.4 Longevity Pay

Full-time Employee: Continuous full-time employees shall be eligible to earn longevity payments for their service time with Sugarcreek Township payable the first full pay period in December of each year. The amounts of longevity pay shall increase when the employee reaches the completed new years of service indicated, according to the schedule shown below.

Eight – Eleven (8-11) years of service	\$ 350
Twelve - Fifteen (12-15) years of service	\$ 500
Sixteen – Twenty (16-20) years of service	\$ 750
Twenty-One and More (21 +) years of service	\$1000

Longevity shall be paid to those employees who have the completed years of service by December 1st of each year. Employees who separate from service before December 1st shall not be entitled to any portion of the longevity payment. The amount of the adjustment will be calculated into the employee's base rate of pay each November. The gaining of longevity adjustments shall not be affected by promotion, demotion, or other changes in classification held by the employee. Longevity pay will be based on the Township's ability to pay.

5.1.5 Call-in Pay for Hourly Employees

Full-time, non-exempt employees called in to work at a time not connected to their regularly scheduled hours of work shall be compensated at one and one-half (1.5) times the regular hourly rate of pay with a minimum of two (2) hours to be paid for each call-in occurrence. A second call-in within the two-hour period shall be considered a continuation of the first call-in.

5.2 Standard Work Week

The standard workweek for full-time employees shall be forty (40) hours per week, totaling eighty (80) hours per pay period. Public safety personnel are covered under Section 7(k) of the Fair Labor Standards Act. The workweek for salaried employees will be based on the standard five (5) day, forty (40) hour workweek.

The standard workweek for part-time employees shall be no more than twenty-four (24) hours per week scheduled and no more than twenty-eight (28) hours worked per week.

5.3 Computation of Pay

An hourly employee's pay shall be computed by multiplying the hourly rate by the total number of hours worked in the standard workweek. A salaried employee's pay shall be computed on the basis of twenty-six (26) pay periods for each year. Pay will be disbursed to employees at intervals not to exceed every two (2) weeks.

5.4 Pay In Advance Policy

It is the policy of Sugarcreek Township that no advance in an employee's pay will be made, regardless of need. This policy is necessary for the protection of public funds with which the Township is entrusted.

5.5 Garnishment/Support Orders

A claim may be made against an employee's salary for unpaid debts. This claim is called a garnishment and is a court order which requires the Township Fiscal Officer to deduct the payment from the employee's paycheck. A claim may also include court ordered child support payments. It is the responsibility of the Township Fiscal Officer to follow all judgments issued by the courts.

ARTICLE VI – ATTENDANCE AND LEAVE POLICIES

6.1 Attendance Policy

An absence is defined as failure to report for and remain at work as scheduled. This includes late arrival and leaving early. Absence includes all time lost from the job whether excused or unexcused, avoidable or unavoidable. The only exceptions to this definition of absence are: holidays, vacations, death in the immediate family, Workers' Compensation cases, approved leaves of absence, and days for which no work is scheduled.

6.2 Authorized Leave

Employees are required to be at work during the prescribed hours unless on authorized leave as determined by the following sections. Employees unable to report for work at the prescribed time must report that inability prior to commencement of the work shift with at least a two (2) hour notice when possible. Employees shall notify their supervisor as to the reason and when they will return to work. Employees who are absent from work without approval will be subject to discipline up to and including termination.

6.3 Combining Paid Time Off / Leaves

Employees who are currently on authorized leave may extend this leave by combining two (2) forms of leave. In any instance, after a type of leave has expired, other applicable paid leave will be used for any remaining time away from work.

6.4 Denial of Leave Requests

Supervisors may deny leave requests of any kind during periods such as in emergency situations or to support department needs.

6.5 Holiday Leave

The following days shall be observed as holidays for full-time, non-bargaining unit employees of Sugarcreek Township: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, the day after Thanksgiving and Christmas Day for a total of ten (10) paid holidays.

When a holiday falls on a Saturday, the preceding Friday is observed. When a holiday falls on a Sunday, the following Monday is observed. Township offices are closed on legal holidays as designated annually by the Sugarcreek Township Board of Trustees.

To be eligible for a paid holiday, the employee must work the regularly scheduled shift the day before and the day after the holiday or present just cause to justify the absence and obtain department approval.

6.5.1 Holiday During Leave

Employees will not be paid for holidays which occur during an unpaid leave of absence or disciplinary action. If a holiday occurs during a period of sick leave, the employee will be regarded as having taken the holiday and will not be charged for sick leave. If a holiday occurs during a period of vacation or sick leave, the employee will be regarded as having taken the holiday and will not be charged for vacation or sick leave.

6.5.2 Held Holiday

With prior approval from the department head or Township Administrator, non-bargaining unit members who work a holiday may hold the holiday or, if an hourly employee, may receive the equivalent of his regular shift of holiday pay. Held holidays must be used within the calendar year in which it falls. No more than three (3) holidays can be held within the same calendar year. Unused held holidays will be removed from the leave bank at the end of the year or, if an hourly employee, paid out at the equivalent of his regular shift of pay on the last pay period in December of that year.

6.6 Religious Holiday

Special holidays of a religious nature may be allowed without pay when requested in advance by the employee. Requests submitted to the Department Head at least one month in advance will be, as much as possible, authorized. Reasonable efforts shall be made by the Department Head to accommodate all requests submitted after that period. The employee will have the option of using compensatory time, vacation leave, held holiday, or time off without pay.

6.7 Vacation Leave Entitlement

Full-time employees are entitled to vacation leave with pay after one year of continuous service with the Township. The amount of vacation leave to which an employee is entitled is based upon length of service as determined by the last full-time hire date:

1. Less than one year of service - no vacation
2. One year of service completed, but less than eight years service - 80 hours
3. Eight years of service completed, but less than fifteen years service – 120 hours
4. Fifteen years of service completed, but less than twenty-five years service - 160 hours
5. Twenty-five or more years of service completed – 200 hours

6.7.1 Vacation Leave Accrual Rates

Vacation leave is accrued during each bi-weekly pay period while on active paid status at the following rates:

1. 80 hours annual vacation leave - 3.1 hours per pay period (1-7 yrs of service)
2. 120 hours annual vacation leave - 4.6 hours per pay period (8-14 yrs of service)
3. 160 hours annual vacation leave - 6.2 hours per pay period (15-24 yrs of service)
4. 200 hours annual vacation leave – 7.7 hours per pay (25 or more yrs of service)

The Township Fiscal Officer will round the hours on the employee's anniversary date.

6.7.2 Minimum Allowable

There is a minimum of two (2) hours that must be taken when using Vacation Leave

6.7.3 First Year Exclusion

No employee will be entitled to payment or use of accumulated vacation leave under any circumstances until one year of employment has been completed.

6.7.4 Accumulation

Vacation leave should be taken annually after one year of employment; however, at the time of the employees' anniversary date, the employee may carry-over up to one full year of vacation time. For purposes of calculation, vacation hours will be calculated through

the last pay period up to the anniversary of full-time employment with the Township. Once the maximum allowable amount of vacation is reached the employee will be paid for the accrued vacation time that was previously carried over. (e.g. if in 2013 an employee accumulates 120 hours of vacation leave and elects to carryover 80 hours of vacation leave, this will be carried over until the 2014 anniversary date. If, at the time of the anniversary date, the 80 hours previously carried over was not used, those hours will be paid out.)

6.7.5 Unique Shift Conversion of Vacation Leave

Any employee working a unique shift (ten (10) hour shifts or 24/ 48 hour shifts) shall have vacation leave converted to the traditional forty (40) hour week.

6.7.6 Scheduling

Vacations will be scheduled in accordance with the work requirements of each department. Vacation requests must be approved by the Department Head and Township Administrator. Annual vacation leave requests must be submitted two (2) weeks prior to commencement of requested leave. Requested vacations will be scheduled by seniority.

Vacation leave requests submitted at least twenty-four (24) hours in advance shall be granted subject to work requirements. They shall not take precedence over pre-scheduled vacations.

6.8 Military Leave

The Township shall not refuse to employ nor shall it discharge any person because of membership with the Ohio National Guard, the Ohio Defense Corps, the Ohio Naval Militia, the Armed Services of the United States or their auxiliaries, or prevent them from performing any military service properly called upon to perform.

An employee of the Township shall be granted a leave of absence to be inducted into or otherwise enter military duty. If not accepted for such duty, the employee must immediately notify their department head in order to be reinstated to his or her position without loss of seniority or reduction in his or her pay rate.

In accordance with the Ohio Revised Code (ORC) 5923.05, any full-time Township employee, who is a member of the Ohio National Guard or any military reserve unit of the United States, shall be entitled, if his/her salary as a Township employee is greater, or be paid the lesser of the difference between his/her regular straight time Township salary and the compensation he/she receives while on active duty with the military unit or five hundred dollars (\$500). This period is not to exceed twenty-two (22) eight-hour work days or one hundred and seventy-six (176) hours, or for a public safety employee, seventeen (17) twenty-four hours days or four hundred eight (408) hours, within one calendar year. The Fiscal Office shall require reasonable proof of both the dates of active duty and the compensation received before making payment under this section. This does not apply if he/she decides to use vacation or compensatory time instead of military leave. (See ORC 5923.05)

6.9 Jury Duty Leave

A full-time employee shall be given necessary time off without loss of pay when:

1. Performing jury duty during employees normally scheduled shift;

2. Appearing in court as a witness in answer to a subpoena in an official capacity in connection with the Township;
3. Being an expert witness either because of professional or observed knowledge;
4. Performing emergency civilian duty in connection with national defense;
5. Voting when the polls do not open at least two (2) hours before or after the employee's scheduled hours of work.

An employee must notify his or her supervisor five (5) days prior to jury duty or service date. Any compensation received while on Township paid jury duty leave will be payable by the employee to Sugarcreek Township. If jury pay is higher than that paid by the Township, the employee may keep the difference. An employee on vacation or personal leave is allowed to keep the compensation.

If the employee is involved in court on a personal case, either as plaintiff or as defendant, or in a suit not resulting from his duties with the Township, leave may be considered without pay unless the employee elects to utilize available vacation or compensatory time.

6.10 Notification of Injury

Whether medical attention is sought or not, the immediate supervisor must be notified at once when an employee is injured. In each case of injury on the job, it is the responsibility of the supervisor or the Department Head, or their designee, to determine that the injury was actually sustained in the performance of the employee's duties. Should it be found that the injury did not occur on the job, the facts of the case shall be reported in writing to the Department Head, who in turn will forward the results to the Administration office.

When an employee is injured on the job, a written explanation or "injury investigation report" shall be prepared by the employee and the immediate supervisor. All required information must be supplied and submitted within three (3) days following the injury. Failure to report an injury may preclude approval by the Ohio Bureau of Workers' Compensation and may result in disciplinary action against the employee for failure to comply. It is the responsibility of the Department Head to report all job related injuries, no matter the size, to the Administration Office.

6.10.1 Workers' Compensation

All Township employees are protected at Township expense under the Ohio Workers' Compensation System. From this fund, medical expenses are covered for workers who suffer injury or certain kinds of illness in the course of their employment. In addition, if workers are temporarily unable to work as a result of such injury or illness, weekly disability payments may be made to them under the state program after they complete an initial waiting period. The township may review the likelihood of participating in salary continuation with the injured employee. Approval of salary continuation will be done on a case-by-case basis.

6.11 Funeral and Bereavement Leave

Full-time employees are authorized funeral and bereavement leave due to the death of the employee's immediate family member. Such usage shall be limited to a reasonably necessary time, not to exceed fifty-three (53) hours for employees working a 53-hour

workweek and forty (40) hours for employees working a 40-hour work week. One of the days must be the date of the funeral. An employee may use one (1) day of sick leave to attend the funeral of a relative not included in the definition of immediate family. Other accumulated leave, including unpaid, can be used once sick leave is depleted. Such usage shall be used consecutively. A leave of absence through the use of vacation leave, compensatory leave, held holiday or without pay is allowed for other funerals when approved by the Department Head and/or the Township Administrator.

An employee seeking to use sick leave is required to call their supervisor at least two (2) days prior to their regular starting time. Failure to do so may result in the employee being counted as absent, thus no sick leave benefit will be paid, and the employee is subject to further disciplinary action. In order for the leave to be paid, the employee will be required to provide documentation to the Department Head. This information may consist of a program from the funeral home or a newspaper obituary. Said information should be attached to the employee's leave request.

Sick leave that is authorized and used for bereavement purposes shall not constitute a disruption of the employee's ability to earn a wellness day.

6.12 Sick Leave

Full-time employees shall earn 4.6 hours of sick leave for each pay period in active pay status. Any employee working a unique shift (ten (10) hour shifts and 24/48 hour shifts) shall have sick leave converted to the traditional forty (40) hour week. The employee shall be allowed to accrue an indefinite amount of hours; however, the maximum amount allowable to be paid out upon separation is sixteen hundred (1,600) hours of sick leave. For purposes of calculation, sixteen hundred (1,600) hours shall equate to two hundred (200) eight (8) hour days.

6.12.1 Reasons

Sick leave may be used for absence due to temporary disability caused by illness, injury, pregnancy, or for exposure to contagious or communicable disease which may be transmitted to fellow employees. Any such absence shall begin when the temporary disability or exposure is so severe as to prohibit an employee from attendance at work and shall cease when an employee is able to return to work.

Sick leave may also be used for a family emergency resulting from death, illness, or injury to an employee's immediate family member where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member.

If the Administration Office has determined the requested sick leave to be elective or cosmetic in nature, sick leave shall not be used. However, if the attending physician believes it to be medically necessary sick leave may be authorized with proper documentation being provided in advance with the request for leave.

Medical appointments are not encouraged during normal business hours.

6.12.2 Documentation

An employee absent on sick leave shall submit a claim form for sick leave. Failure to submit an approved sick leave claim form will result in the employee being determined to

be on leave without pay which will result in a deduction in the subsequent payroll period. When an employee is absent for three (3) consecutive work shifts or more, the employee will be required to furnish a certificate from his/her treating medical practitioner stating the nature and disposition of the illness or injury.

6.12.3 Notice

When an employee is unable to report to work due to reasons specified in Section 6.12.1, he/she shall notify their immediate supervisor or other designated person at least two (2) hours prior to the time he/she is scheduled to report to work, unless extenuating circumstances prohibit, on each day of absence, unless other arrangements are made with the employee's supervisor. Failure to do so may result in the employee being considered absent. If an employee is determined to be absent, no sick leave benefit will be paid and the employee will be subject to disciplinary action, up to and including termination.

If the Employer has reasonable cause to believe potential sick leave abuse is occurring, it may, with advance notice, require an employee to submit a physician's statement following any use of sick leave. Falsification of an application for sick leave or a practitioner's statement, or failure to submit appropriate proof of illness or injury, may result in the disapproval of leave, disciplinary action, or both.

While an employee is on sick leave, he/she is expected to engage in those activities that are consistent with the reason for the sick leave and with the medical practitioner's direction(s). The Employer may investigate sick leave abuse. Any abuse or patterned use of sick leave may result in denial of leave, disciplinary action, or both.

6.12.4 Carrying Forward

An employee may be eligible to carry forward accumulated sick leave to or from Sugarcreek Township and to or from another public employer in Ohio. Written documentation from the previous employer must be provided.

6.12.5 Catastrophic Sick Leave Policy

A full-time employee will be eligible to receive sick leave donations from other Township employees if the following conditions are met:

- After being placed on an approved, unpaid medical-related leave of absence by Sugarcreek Township, the employee must submit a written request for donated sick leave; and
- The unpaid medical-related leave of absence is expected to last at least thirty (30) working days; and,
- Donations from other employees are received on the applicant's behalf.

The Sugarcreek Township Board of Trustees will be the exclusive determining body for the eligibility of an employee. Each employee will be eligible to donate a minimum of one (1) work day or a maximum of one work week of sick leave annually to a specific recipient if:

1. When the Employer approves a request for donated sick leave, a notice will be posted by the Administration Office informing employees of a particular employee's need for assistance.
2. Any donations made pursuant to this policy must be voluntary.
3. Employees desiring to donate sick leave may do so if:

- a. The employee is actively at work and has an accumulated sick leave balance of at least forty (40) hours on the date of the donation;
 - b. The employee has completed and submitted a letter to the Administration office stating their wish to donate.
4. The recipient may use donated sick leave only after all other accrued paid leave has been exhausted.
 5. Donated sick leave will be used in place of the employee's regularly scheduled hours of work.
 6. No sick leave, vacation leave or other applicable benefit shall accrue to the employee for any hours paid through donated sick leave.
 7. Any withholdings Donated sick leave pay shall not affect the effective date of a qualifying event for the purposes of offering continuation of the Township's health insurance program (COBRA).
 8. The attendance and payroll records of the employee shall denote a "D.S.L." for time paid through Donated Sick Leave. Also, the attendance and payroll record of the employee donating sick leave shall reflect the designation of the donation.
 9. If a recipient does not use all donated sick leave during the leave of absence, unused donations will be returned to all donors on a prorated basis.

6.13 Wellness Policy

The calendar year (January 1 through December 31) shall be divided into two (2) equal one hundred eighty (180) day periods. Employees who do not use sick leave during the one hundred eighty (180) consecutive day period shall be granted one (1) wellness day with pay. A maximum of two (2) wellness days can be earned during any calendar year. Employees must schedule and use the earned wellness day in the next one hundred eighty (180) day period or the wellness day will be eliminated. If the requested day is denied, the day can be carried for an additional thirty (30) days from the date of denial.

Sick leave that is authorized and used for bereavement purposes shall not constitute a disruption of the employee's ability to earn a wellness day.

6.14 Family and Medical Leave

An employee is eligible for up to twelve (12) workweeks of unpaid leave during a twelve (12) month period under this policy if the employee has been employed by the township for at least twelve (12) months and has worked at least 1,250 hours during the previous twelve (12) month period. The twelve (12) month period for an employee is measured backward from the date the employee requests any leave.

Also, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of twenty-six (26) work weeks of leave during a twelve (12) month period to care for the service member due to any qualifying event arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

6.14.1 Qualifying Reasons for Taking Family and Medical Leave

FMLA leave may be requested for any of the following reasons:

1. Upon the birth of an employee's child and/or in order to bond with the child within

- twelve (12) months of the child's birth;
2. Upon the placement of a child with an employee for adoption or foster care;
3. When an employee is needed to care for a family member who has a serious health condition; or,
4. When an employee is unable to perform the functions of his position because of the employee's own serious health condition;
5. In order to care for a "next of kin" who is a military service member suffering from a "serious illness" received in the line of duty;
6. For a "qualifying exigency" related to an immediate family member's call to active duty in the military.

6.14.2 FMLA Limitations

Leave must be completed within the twelve (12) month period beginning on the date of birth or placement. Employees will not be granted FMLA leave to gain employment or work elsewhere, including self-employment. Employees who misrepresent facts in order to be granted FMLA leave are subject to immediate termination.

Family medical leave is generally unpaid leave. However, when an employee is approved for FMLA, any accrued paid sick leave, vacation leave, compensatory time, wellness or personal leave, or other paid leave must be substituted and used prior to being placed on unpaid FMLA. According to the FMLA when paid leave is substituted for unpaid FMLA leave, it may be counted against the twelve (12) week FMLA leave entitlement if the employee is properly notified of the designation when the leave begins.

In addition, the organization's short-term and/ or long-term disability may apply as part of the twelve (12) week leave period when the leave is requested due to a serious health condition or the birth of a child. The substitution of paid leave time for unpaid leave time does not extend the twelve (12) week leave period.

If an employee has outside employment, while they are on FMLA, they will not be permitted to report to work at their other place of employment. There are times when special consideration might be given, but the employee must first receive written authorization from their Department Head and/or the Township Administrator. If an employee does not receive this written authorization and reports to work at another establishment, they will be subject to disciplinary action up to termination.

6.14.3 Notice of Family Medical Leave

When the need for family medical leave is foreseeable, an employee must give the administration office at least thirty (30) days prior written notice. Failure to provide such notice may be grounds for delay of leave. Where the need for leave is not foreseeable, the employee is expected to notify the administration office as soon as practicable, generally within one or two business days of learning of the need for leave.

The organization has request for family medical leave forms available in the Administrative Office as well as on the m: drive/administration/human resource folder/FMLA. Employees should use these forms when requesting leave.

6.14.4 Medical Certification for Family Medical Leave

When employees are requesting leave because of a personal or covered family member's

serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. The medical certification must be received within fifteen (15) days after it is requested. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided.

In its discretion and at its own expense, Sugarcreek Township may require a second medical opinion, and if the first and second opinions differ, a third medical opinion. The third opinion will be provided by a health care provider approved jointly by the employee and Sugarcreek Township and will be binding. The Township may also require recertification periodically during a leave, and the employee is required to present a fitness-for-duty certificate upon return to work following a leave for personal illness.

6.14.5 Medical and Other Benefits

During the leave, Sugarcreek Township will maintain employee health benefits the same as if the individual had continued working. When paid leave is substituted for unpaid family/medical leave, we will deduct the employee portion of the plan premiums as a regular payroll deduction. When the leave is unpaid, the employee must make arrangements with the Fiscal Office to pay their portion of the monthly premium.

Insurance coverage may be terminated if premium payments are more than thirty (30) days late. Additionally, if employees fail to return from leave, the organization may require repayment of any premium that was paid for maintaining coverage, unless the employee does not return because of a continuing or recurring serious health condition, or because of circumstances beyond the employee's control. Employees are not entitled to other benefits or seniority accrual during the leave.

6.14.6 Returning From Family Medical Leave

Any employee taking leave under this policy is generally entitled to return to the same position or to an equivalent position with equal benefits, pay and/or other terms and conditions of employment.

6.14.7 Reporting While on Leave

The employee may be required to report on their status and intent to return to work periodically during FMLA leave.

6.14.8 Intermittent and Reduced-Schedule Leave

Leave because of a serious health condition may be taken intermittently or on a reduced leave schedule if medically necessary. If leave is unpaid, the Township will reduce the employee's salary based on the amount of time actually worked. In addition, while the employee is on an intermittent or reduced-schedule leave, the Township may temporarily transfer the employee to an available alternate position that better accommodates an employee's recurring leave and which has equivalent pay and benefits.

The application of this policy, and the procedures and definitions set forth herein, will be determined and may be modified in accordance with changes in applicable Department of Labor regulations and legal precedent.

6.15 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 year after the child's birth each time

the employee has need to express the milk. The employee will be provided appropriate space, other than a bathroom, that is shielded from view and free from intrusion from workers and members of the public. Lactation breaks must be taken in the room provided. Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the employee.

6.16 Unauthorized Leave

Any absence from work which is not detailed in this section of this Personnel Policies and Procedures Manual shall be considered an unauthorized absence from duty. Unauthorized absences shall constitute just cause for disciplinary action including possible dismissal.

6.17 Leave of Absence Without Pay

All leaves of absence are subject to approval by the Board of Trustees. A leave of absence may be approved by Resolution of the Board of Trustees under the following conditions:

1. Employees shall exhaust all paid leave prior to requesting a leave of absence, which is always without pay. Exemptions to this would be military personnel being deployed.
2. A leave of absence may only be granted to employees who have successfully completed their probationary period.
3. The request for a leave of absence to the Board of Trustees must be made in writing by the employee outlining the reasons for the leave.
4. On any approved leave of absence without pay, in excess of one month, the employee shall pay the total premium cost for all insurance for the entire duration of the leave. The cost is to be paid in advance for the first month of the leave and prior to each month thereafter, or the coverage will be terminated.
5. Failure to return from a leave of absence on the specified date shall serve as a notice of resignation by the employee from their position.
6. All approved leaves of absence shall be confirmed in writing to the employee by the Township Administrator or designee with a copy to the employee's personnel file.
7. Vacation and sick leave do not accrue during a leave of absence without pay.
8. Re-employment, if applicable, should be part or the condition of the leave of absence. If not, the employee is subject to the availability of employment at the time of his or her requested return. Employees returning from military service are subject to The Uniformed Services Employment and Re-employment Rights Act (USERRA).
9. There are several types of leaves of absence. They include:
 - a. Medical: Time away from the job because of accident or illness not covered by sick leave.
 - b. Self-Improvement: Formal educational pursuits.
 - c. Personal: Time needed to handle personal problems.

6.18 Inclement or Emergency Weather

Due to the nature of the Township's service to its citizens, Township offices will continue to operate during inclement weather or emergency weather periods. Any cancellation of services or programs due to inclement or emergency weather shall be approved in

advance by the Township Administrator. The Township Administrator or his/her designee shall determine any modification to the regular work schedule in response to extreme weather conditions.

When the Township Administrator or his/her designee has declared the weather situation extreme and has modified the regular work schedule, affected employees shall be paid their regular straight-time pay for the duration for the declared period. In an extreme weather situation, the Township Administrator or his/her designee may determine it is in the best interest and safety of non-emergency Township personnel not to report to work due to unsafe travel conditions.

ARTICLE VII – BENEFITS

7.1 Insurance – Full-Time Employees

All full-time employees are able to participate in the insurance programs offered by Sugarcreek Township and are covered by a specified term life insurance policy paid in full by Sugarcreek Township, depending on the Township's ability to pay. This includes:

1. Group hospitalization and major medical insurance for the employee and their dependents:
2. Life Insurance
3. Dental Insurance
4. Vision Insurance

Employee participation in the premium and other related costs may vary. Employees declining participation must do so in writing for any of the stated coverage.

7.2 Insurance – Part-Time Employees

All part-time employees will be covered by a specified term life insurance policy paid in full by Sugarcreek Township, depending on the Township's ability to pay.

7.3 Uniform Policy

Sugarcreek Township may furnish uniforms to employees as designated in their department's General Orders or Standard Operating Procedures. These uniforms and all other items issued by the Township remain Township property and must be returned when the employee leaves the Township's employment. The employee's final paycheck shall be held until all Township property has been returned.

7.4 Travel / Training Expenses

Travel / Training expenses shall be reimbursed according to these guidelines for employees. These guidelines may also be used for reimbursement of travel expenses for prospective employees (at the discretion of the appointing authority), consultants, experts and/or witnesses conducting business for the Township, and of employees receiving training for career development purposes (under Ohio Revised Code Section 325.191):

1. Employees holding positions that are designated as requiring extensive travel will be expected to travel as a condition of employment. For all other jobs, travel may be required at the option of the employer.
2. A Travel / Training Request Form must be completed and approved in advance for all travel associated with authorized Township business, even if no expenditure of Township funds is involved. Once completed, the form must be approved by the employee's supervisor, the Department Head and then forwarded to the Administrator for appropriate approval:
 - a.) A Travel / Training Request Form must be completed for expenses expected to be incurred. The form should indicate the period of time and dollar amount for which the approval is requested. If the time period lapses or the dollar amount is exceeded, a revised form will need to be completed.
 - b.) A Travel / Training Request Form shall be completed for events such as conventions, conferences, seminars, classes, etc. The form shall include the employee's full name, time period, location and costs of the event.
 - c.) All Travel / Training Requests of less than five hundred dollars (\$500) may be

authorized by the Department Head. The Chairperson of the Board of Trustees and the Township Administrator may authorize requested travel and/or training of five hundred dollars (\$500) or more to take place before a Resolution is passed. At the next Trustee meeting, any pre-authorized travel and / or training of one thousand dollars (\$1,000) or more shall be submitted to the Board of Trustees for approval.

3. Employees should provide their supervisor with a copy of their full itinerary including phone numbers before leaving on business travel.
4. Employees are expected to use the most expedient and economical mode of transportation and overnight accommodations available.
5. Employee expenses for prior approved travel shall be reimbursed when properly documented by the employee and approved by the Department Head and the Township Administrator. All original receipts shall have itemized detailed information and must be attached to the approval to process for payment sheet. The expense voucher shall be examined and recommended for payment by the Department Head, and subsequently approved by the Township Administrator prior to payment. Any travel expenses deemed unreasonable will not be reimbursed and will be the responsibility of the employee.
6. Airline Travel:
 - a.) All tickets shall be issued in the name of the employee.
 - b.) If the airline has a ticketless system, it will be the employee's responsibility to obtain a validation of flight from the airline.
 - c.) Guidelines for arranging economical air travel should be flexible so that necessary changes may be made with minimum difficulty and expense. Employees should control costs by scheduling trips to take full advantage of discounts when possible.
 - d.) In the event a ticket is not used, the airline may charge a re-issuance fee with a remaining balance returned to the employee. The employee shall return this amount to Sugarcreek Township. Advance booking is encouraged, as much as practical, in order to receive optimum airline fares. In adopting this policy, the Board of Trustees believe that the savings from advance booking over time shall be greater than any losses from re-issuance fees.
 - e.) All departments shall adopt a sign-out policy setting forth that either a Department Head or an elected official shall sign out all airline tickets. The employee shall return the canceled airline ticket or the proceeds from any voucher for unused tickets as set forth in Section, 7.4, Part 6d above. All canceled tickets or vouchers shall be submitted to the Township Fiscal Officer upon receipt.
 - f.) In the event a canceled ticket is not returned to the Township Fiscal Officer within fifteen (15) days after it is returned to the employee, the employee shall become responsible for the cost of the ticket. If the ticket is found or replaced and submitted within sixty (60) days, then the employee shall be reimbursed.
7. Ground Transportation:
 - a.) All personnel are encouraged to cab share or to utilize less expensive public transportation. Public transportation shall include subways, shuttles, buses, and trains. Taxi fares will be fully reimbursed with appropriate receipts for the full

amount of the expense. Tips, not to exceed fifteen percent (15%), may be included as part of the fare.

- b.) If it is necessary to rent a vehicle, the employee shall pursue the best possible rates and choose the vehicle size which fits their needs. When applicable, Township personnel will be required to share rental vehicles. Use of rental vehicles, Township-owned vehicles, or personal vehicles for Township travel is subject to Township Driver Eligibility Standards. Rental vehicles are covered under the Township insurance policy while employees are conducting Township business. Sugarcreek Township shall be listed on the rental agreement. If using your personal vehicle the Township shall reimburse you at the current rate per mile.
 - c.) Highway toll costs, parking charges, and other related expenses are reimbursable with the appropriate receipts and/or affidavits.
8. Overnight Stays: The necessity for lodging should be determined based on these following criteria:
 - a.) The destination is in excess of a one and one half (1½) hour drive; or
 - b.) The initial meeting time commences prior to or at 7:45 a.m., or extends past 6:00 p.m.
 9. Hotels/Motels: When making lodging reservations, special government, conference, or other association membership rates shall be requested to ensure receiving the best price.
 10. Meals: Travelers in furtherance of Township business who find it necessary to buy meals away from home shall be reimbursed up to forty dollars (\$40) per day. Reimbursement shall be for food, tips not to exceed fifteen percent (15%), and non-alcoholic beverages and must be documented by the appropriate and detailed receipts. On certain occasions it may be necessary to exceed the above guidelines in high-cost localities. In such cases, full itemization shall be submitted and reimbursement will be made only with Department Head approval. No employee will be reimbursed for alcoholic beverages or meals included in the event registration fee.
 11. Laundry: Laundry expenses will not be reimbursed unless the trip exceeds seven days.
 12. Personal Expenses: Expenses such as entertainment and personal telephone calls shall not be reimbursed.

7.5 Credit Card Policy

Township credit cards are only to be used for Township business. Personal usage is not permitted even when the individual reimburses the Township. Itemized receipts shall be turned in to the payment processor every month in correspondence with the statement due date. Authorized users will be listed for every card in every department. When the employee list is modified the authorized user list will be immediately modified as well. Township credit cards will be stored in a secure location within the department. The Department Heads and Township Administrator will only carry the credit cards on an as needed basis.

7.6 Credit Union / Payroll Deduction 125 Plan

The Wright-Patterson Credit Union is available to all employees and furnishes a

convenient way to save and borrow money through automatic payroll deduction. If you wish to participate, contact the Township Fiscal Officer.

7.7 Educational Benefit Program

State-mandated training and courses recommended by the Department Head and approved by the Township Administrator will be reimbursed at a rate of one hundred percent (100%).

Employees are encouraged to discuss career plans and educational goals with their Department Head.

Courses related to college degree programs that are received in advance of the program and recommended by the Department Head to the Township Administrator, with final approval by the Board of Trustees, will be considered for reimbursement upon achievement of a "2.5" grade point average or its equivalent. Reimbursement percentages will be as follows: (1) grade of "A"–70%; (2) grade of "B"–60%; and (3) grade of "C"–50%. Any reimbursement will be made after grades for the course are received. College degree programs must be related to the job. Reimbursement only includes the cost of the course. Fees separate from the course such as administrative fees, course materials, books, etc. are not included in the reimbursement.

The length of work time required to compensate for the cost of educational courses will be determined in each department by the Department Head prior to an employee beginning a college degree program.

Township volunteers, part-time and full-time employees who have received training at the Township's expense in excess of \$100 must reimburse this expense to the Township upon their resignation or dismissal. This reimbursement will be in accordance with the following increments beginning with successful completion of education: (1) within 6 months – 100%; (2) from 7-12 months – 50%; (3) from 13-18 months – 25%; (4) from 19-24 months – 10%; (5) after 24 months – 0%.

In addition, if an individual fails to successfully complete the training, course, or college degree program to the appropriate certification level or within the time frame allotted, the individual will be responsible for reimbursing the Township 100% of the costs incurred by the Township.

All educational reimbursements shall be based on the Township's ability to pay.

ARTICLE VIII – DISCIPLINE

8.1 Character and Workplace Behavior

All employees shall be held accountable for their personal appearance; displaying a friendly, courteous, and helpful attitude toward the public; loyalty to the Township; and a willingness to cooperate with their superiors and fellow employees. Improper language is in extremely poor taste and displays an unsatisfactory attitude.

Employees should be especially careful that they do not engage in gossip, half-truths, or the release of confidential information pertaining to the Township or its operations, employees, customers, and residents. The close association of the business and home lives of people in the community makes it necessary that employees use the utmost consideration and good judgment when speaking to others about their work and daily contacts.

8.2 Tobacco-free, Nicotine-free and Vapor-free Workplace

The use of tobacco, nicotine and vapor products is not permitted within Township facilities and vehicles at any time. This includes, but is not limited to, the use of cigarettes, cigars, hookahs, electronic cigarettes, spit tobacco, snuff, chew tobacco, other “smokeless” products, etc.

8.3 Rules of Conduct and Performance

Every employee in the service of Sugarcreek Township shall be expected to exhibit acceptable professional behavior and perform efficiently and effectively. Written policies outlining standards of conduct and performance cannot be all-encompassing. The Township reserves and will exercise the right to take appropriate action, including discharge, for certain conduct whether or not specifically delineated in any particular policy when the conduct is of so serious a nature that any reasonable person would expect it to be punishable.

The disciplinary action program assures fair and uniform treatment of all employees who violate the Township policies or procedures.

The rules of conduct and performance include, but are not limited to the following, for which violations will result in disciplinary action up to and including termination:

1. Inefficiency, lack of adequate job performance;
2. Loitering while on duty;
3. Disregard of appearance, uniforms, dress, or personal hygiene;
4. Conducting personal business during working hours;
5. The unauthorized personal use of a Township telephone or other Township equipment.
6. Unauthorized use of property protected by copyright laws and licensed for Township use;
7. Conduct that may cause injury or embarrassment to individuals;
8. Violation of the Township policy on solicitation or distribution of literature on Township premises;
9. Soliciting or accepting bribes or gratuities from the general public, business contacts or employees;
10. Repeated failure to report ready for work; excessive absences or tardiness;

11. Being absent from work for three consecutive days without notifying the Department Head;
12. Leaving work without being properly relieved;
13. Making false statements or claims of injury or illness;
14. Failure to support or carry out Township policies, rules, or regulations;
15. Coercing, inciting, bribing, or otherwise inducing employees to engage in any practice that violates Township policy or in any other conduct contrary to the Township's well being;
16. Falsifying relevant portions of employment applications, Township reports, or records;
17. Dishonesty;
18. Failing to report an accident or incident;
19. Theft of Township property or equipment;
20. Involvement with alcoholic beverages while on duty, as determined by the Department Head, in any of the following ways:
 - a. Actual use;
 - b. Impairment or under the influence; or
 - c. Noticeable odor of alcohol on breath or person.

Employees will be required to submit to appropriate tests if suspected of being involved with alcohol. By accepting employment, the employee has waived the right to refuse alcohol testing.

21. Use or possession of habit-forming drugs or narcotics, hypnotic or hallucinating drugs, or being under the influence of them while on duty or on Township property.

Employees will be required to submit to appropriate tests if suspected of being involved with illegal drugs. By accepting employment, the employee has waived the right to refuse drug testing.

22. Insubordination; including, but not limited to, refusal or failure to perform work assignments and the use of profane or abusive language to supervisors, employees or officers of the Township, and absence from duty without notice or permission of the supervisors and willfully disobeying orders;
23. Use of intemperate or abusive language, or acting in a disrespectful manner to any employee, supervisor, elected official, and the general public;
24. Using abusive language, particularly as it applies to a person's sex, age, race, nationality or religion;
25. Engaging in unsolicited and unwelcome sexual overtures or sexual harassment;
26. Engaging in criminal behavior such as stealing, disorderly conduct, illegal gambling, fighting, and carrying a concealed weapon;
27. False recording of working hours;
28. Sleeping while on duty. An exception is 24/48 shift workers as determined by department standard operating procedures or general orders;
29. Threatening, intimidating, or coercing another employee, supervisor, or the general public;
30. Willfully hindering the legitimate efforts of others;
31. Making false, vicious, or malicious statements about the Township, a fellow

- employee, or elected officials.
32. Disclosure of confidential information;
 33. Conviction of any criminal offense including but not limited to, involving immoral conduct, moral turpitude, possession and/or sale of any drugs, weapons, or criminal tools;
 34. Smoking in prohibited areas;
 35. Incurring costs or obligations in the name of Sugarcreek Township without authority or prior authorization;
 36. Unethical conduct during working hours or any time on Township property;
 37. Discourteous and/or unprofessional treatment of the public;
 38. Any violation of Sugarcreek Township Drug and Alcohol Free Workplace or Alcohol and Drug Testing Policy;
 39. Violating safety rules and any violations of Sections 124.10 and 505.491 of the Ohio Revised Code, Township Work Rules, Regulations, or any individual department's (SOP) or (GOGL);
 40. Failure to comply with the provisions of this document.

Note: this listing provides examples only and is not exhaustive.

8.4 Types of Discipline

Disciplinary action shall consist of one or more of the following in no particular order:

1. Verbal warning not officially documented;
2. Verbal warning annotated in file;
3. Verbal warning documented in writing;
4. Written warnings;
5. Written reprimand;
6. Suspension from duty without pay;
7. Demotion in rank and/or salary;
8. Dismissal.

8.5 Disciplinary Authority and Responsibility

Department Heads and other supervisory staff when appropriate may issue verbal and written warnings and reprimands. Recommendation for suspension, demotion, or dismissal of employees shall be submitted by the supervisor to the Department Head, who shall submit the documentation to the Township Administrator and the Sugarcreek Township Board of Trustees for action.

If a Department Head believes that the integrity or best interest of the department requires an immediate suspension of a member due to the seriousness, particular circumstances, or possible criminal involvement of an offense, the Department Head may do so. The Department Head or his/her designee will present the facts of the case to the Township Administrator and Chairperson of the Board of Trustees on the next business day at which time the appropriate action may be taken. If the emergency suspension is deemed unjustified, the member shall be compensated for lost time.

8.6 Disciplinary Procedure

The Department Head shall be ultimately responsible for discipline within the department. Discipline may be progressive in nature and shall be applied based upon a

combination of factors including the severity of the offense, past performance of the employee, and past disciplinary actions against the employee.

8.6.1 Employee Notification

For disciplinary measures that are more than a written reprimand, the disciplined employee will be informed in writing of the right to appeal the disciplinary action to the Board of Trustees. The written notice will be provided to the employee prior to the effective time of the order for all disciplinary actions. All disciplinary actions and notifications must be properly documented by the disciplined employee's supervisor and/or Department Head.

8.6.2 Appeal Procedure (Employee's Responsibility)

An employee, with the exception of Department Heads, who feels aggrieved by either a suspension or a change of status (e.g. dismissal or demotion), may appeal the disciplinary action in writing to the Sugarcreek Township Board of Trustees.

1. The appeal must be filed in writing with the Department Head and Board of Trustees within ten (10) days of the employee's receipt date of the written notification of the disciplinary action from the Board of Trustees. If the ten (10) day period is exceeded, the Board of Trustees will not be required to take action. This appeal:
 - a. Must be signed by the individual who is appealing and identify both their department and position; and
 - b. Must have a copy of the disciplinary order attached.
2. The employee will present the written request for an appeal hearing in dispassionate language and shall not vilify the character or motivation of the Department Head or the Board of Trustees. The written request should specify either or both of the following grounds for appeal:
 - a. There was a failure on the part of a Township official to observe or correctly apply the provisions of the Personnel Policies and Procedures or the terms of the subject's appointment; and/or
 - b. There was not a complete consideration of the facts regarding the disciplinary action taken.
3. The appeal hearing request should contain all written material truly relevant to the case.
4. The Board of Trustees will be provided a copy of all material presented in the request for an appeal hearing when it is filed.
5. Hearings will normally be closed to the public. However, the appellant may request that it be open at the time they submit the written appeal. The Board of Trustees reserves the right to deny the request.

8.6.2a Police and Fire Ohio Revised Code Provisions

All police and fire personnel shall have all rights afforded to them under Ohio Revised Code Section 505.49 (A) and Section 505.38.

8.6.2b Board of Trustees Authority

The Sugarcreek Township Board of Trustees shall set the time for an appeal hearing. If possible the hearing date should be no later than ten (10) business days after receiving the request for an appeals hearing.

The Board will review all evidence which may be pertinent and relevant. If present, the Board shall hear the employee and/or their counsel. If present, the Board shall hear the Department Head and/or their counsel. If appropriate, the Board may hear input from other individuals or organizations.

The decision of the Board shall be final and binding. It may affirm, disaffirm, or modify the disciplinary measure taken against the employee. This action terminates the internal due process of disciplinary actions.

8.6.2c Deferment of Discipline

Disciplinary actions need not be deferred pending the possible submission of an appeal.

8.7 Specific Policies and Rules

The following policies and rules are intended to cover most personnel problems and actions which arise. Those policies not specifically covered shall be interpreted by the Sugarcreek Township Board of Trustees.

8.7.1 Drug and Alcohol Free Workplace

Sugarcreek Township is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. Sugarcreek Township prohibits the manufacturing, distribution, possession, intoxication from and use of alcohol, drugs, controlled substances, drug paraphernalia or any combination thereof on any Township premises or work site which includes Sugarcreek Township vehicles or private vehicles parked on Sugarcreek Township's property or work sites. A work site is defined as the place where work is performed in connection with employment by Sugarcreek Township.

Employees taking prescribed or over-the-counter medications, which may alter their work behavior or ability to perform their duties, must report the use of these substances to their supervisors. Any employee taking prescribed medication which may hinder satisfactory job performance shall request a leave of absence.

The Township has an existing Employee Assistance Plan (EAP) to assist employees to find suitable treatment for drug and alcohol abuse. The EAP provides that (1) it does not excuse participating employees from meeting performance standards while on the job, (2) the employer will not immunize a successful employee enrolled from future discipline if their problems recur, and (3) the program itself may be a "reasonable accommodation" and unsuccessful employees may be discharged.

The Board of Trustees encourages employees to voluntarily seek help with drug and alcohol problems. An employee who feels that he or she may have an alcohol and/or drug problem is encouraged to seek advice and help through the Employee Assistance Program (EAP). This type of referral will be done in a confidential manner.

Treatment may also be obtained through mandatory referral. Management may refer any employee to EAP because of deteriorating job performance or excessive absenteeism associated with the use of alcohol or drugs.

Any employee who is convicted of a drug or alcohol related offense, must report their conviction to the Board of Trustees within five (5) days of that conviction. The convicted employee will be required to take part in a rehabilitation program that has been approved by the Board of Trustees, such as a program offered through the EAP.

Failure to follow prescribed medical or psychological treatment and/or to improve work performance to an acceptable level will be justification for termination of employment on the same basis as any other employee whose work performance is unsatisfactory. A violation of this policy is viewed as a serious offense that will be investigated. The employee is expected to fully cooperate with that investigation. Violating this policy or refusing to cooperate in an investigation may result in discipline up to and including termination.

8.7.1a Incident Based Drug and Alcohol Testing

Sugarcreek Township has an incident-based drug and alcohol testing program in place, which is invoked after an incident at work that the Township suspects may have resulted from substance abuse. Any employee may be tested when reasonable suspicion or cause is noted by a supervisor trained in alcohol and/or drug detection. All employees holding a CDL are required to undergo a post-incident test if they are involved in an accident that results in a citation or fatality. The Supervisor, Department Head, or Township Administrator will notify the employee of their need to be tested immediately after such incidents.

An employee's refusal to submit to drug testing will result in disciplinary action. Sugarcreek Township will not allow the employee to perform safety-sensitive functions, including driving a commercial motor vehicle.

Furthermore, Township employees who hold a Commercial Driver's License (CDL) are subject to random drug and alcohol testing as required by the Omnibus Transportation Employee Testing Act of 1991 administered by the U.S. Department of Transportation, Federal Highway Administration. An employee who has tested positive for drugs or alcohol in a previous test must undergo a return to duty test. Additionally, an employee who has failed a previous drug or alcohol test is subject to a minimum of six (6) follow-up tests within the first twelve (12) months of returning to duty.

Supervisors will have at least one (1) hour of training in alcohol use and detecting alcohol use and at least one (1) hour of training in drug use and detecting drug use. CDL holders will be provided with educational materials explaining the policy and testing process.

When hiring an employee with a CDL, the Township will request information about the employee's drug and alcohol testing history from past employers for the past two (2) years. Also, the Township requires that the employee provide employment history information for the past ten (10) years for all employment that required operation of a commercial motor vehicle. A breath analysis for alcohol in concentration of .02 or greater is required and a confirmation test (second testing) for alcohol testing is required following an initial screening test with a result of .02 or greater. Drug testing specifically for marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP) is required. Testing for these drugs is done through laboratory analysis of a driver's urine sample.

This policy shall not supersede negotiated contractual obligations on the matter.

For more information, refer to 49 Code of Federal Regulations, particularly Part 382 and Part 383 or contact the Federal Motor Carrier Safety Administration.

8.7.2 Unlawful Discrimination and Harassment

The Township 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 his membership in any one of the following protected categories: race, color, religion, sex, national origin, age, ancestry, disability, genetic information, or military status. Unlawful discrimination and harassment is inappropriate and illegal and will not be tolerated. In the commitment to eliminating this inappropriate behavior, Sugarcreek Township has established the following policy. 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 race, color, religion, sex, national origin, age, ancestry, disability, genetic information, or military status. 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 that individual's membership in one of the above-listed protected classifications.

Unlawful harassment is a form of employment discrimination. Harassment is unwelcome conduct that is based on race, color, religion, sex, national origin, age, ancestry, disability, genetic information, and/or military status. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

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 constitute sexual harassment when: (1) submission to the conduct is made either explicitly or implicitly 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; or, (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 that is based on one of the other protected categories listed above is similarly unlawful and must be reported.

Examples: Unlawful discrimination occurs when an employee is denied a benefit, such as a pay raise or a promotion, based upon his/her membership in a protected classification. Unlawful harassment occurs when harassing comments and actions are directed at an employee based upon that employee's membership in a protected classification and when those comments and actions are as severe and pervasive as to alter the terms and conditions of the employee's employment. An example of sexual harassment occurs when behavior of a sexual nature is directed toward an employee who finds the behavior unwelcome and offensive. An example of unlawful racial or other prohibited harassment occurs when comments of a racial or other unlawful nature fail to

respect rights of others, are demeaning or lower morale.

Unlawful 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. Acquiescence in the behavior does not negate the existence of unlawful harassment. Inappropriate conduct that an employee perceives as being “welcome” by another employee may, nevertheless, form the basis of a legitimate complaint.

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 Sugarcreek Township shall immediately report the conduct, in writing, to their Department Head, Township Administrator, or Appointing Authority. Similarly, employees who feel they have witnessed discrimination or harassment, or who have questions or concerns regarding discrimination or harassment, shall immediately contact their Department Head, Township Administrator, or Appointing Authority. Late reporting of complaints will not, in and of itself, preclude Sugarcreek Township from taking remedial action. However, so that a thorough and accurate investigation may be conducted, employees are encouraged to report complaints in an expedient manner following the harassing or offensive incident.

Although employees are encouraged to confront the alleged harasser at their discretion, they are also required to submit a written report of any incidents through their Department Head, Township Administrator, or Appointing Authority. When the Township 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 of a harassment complaint. 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 also 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. Sugarcreek Township 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 that he has been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of his relationship with an individual who took action under this policy, shall report such conduct to the Department Head, Township Administrator, or Appointing Authority immediately. Any person found to have retaliated against an individual for engaging in activity protected by this policy will be subject to discipline. 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 and an employee who makes a false complaint may be subject to discipline.

Corrective Action: If it is determined 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, department heads and elected officials. Additionally, this policy covers all suppliers, subcontractors, residents, visitors, clients, volunteers and any other individual who enters Sugarcreek Township property, conducts business on Sugarcreek Township property or on the Department's behalf, or who is served by Sugarcreek Township personnel.

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.

8.7.3 Workplace Violence

Sugarcreek Township is committed to our employees' safety and health. Employees are expected to refrain from fighting, "horseplay" or other conduct that may be dangerous to others. Conduct that threatens, intimidates, or coerces another employee, vendor or resident will not be tolerated. Sugarcreek Township resources may not be used to threaten, stalk or harass anyone at the workplace or outside of the workplace. Sugarcreek Township treats threats coming from an abusive personal relationship as it does other forms of violence. All managers and supervisors are responsible for maintaining a safe workplace. Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, Department Head, or the administration office. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should inform their supervisor of any protective or restraining order that they have obtained that lists the workplace as a protected area. The supervisor will then report this to the Department Head.

Sugarcreek Township will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Sugarcreek Township will not retaliate against employees making good-faith reports of

violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, Sugarcreek Township may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

The workplace is defined as any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and surrounding perimeters including parking lots, field locations, and traveling to and from work assignments.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination.

8.7.3a Concealed Carry Policy

Pursuant to the Ohio Revised Code, no person, including Sugarcreek Township employees, shall carry, possess, or convey into Township facilities or in Township vehicles any firearm or dangerous ordinance. Violation of this policy shall result in immediate disciplinary action up to and including dismissal. This policy does not apply to a law enforcement officer certified to carry a firearm and acting within the scope of their authority.

8.7.4 Ohio Ethics Law Requirements

The Ohio Ethics Law applies to all Township employees. The Township will provide a current copy of the Ohio Ethics Law to all employees within fifteen (15) days after they begin service to the Township. No Township employee may take any action to purchase or acquire services or property for the Township where they, their family or their business associates have a financial interest in the service or property. No Township employee may take any action to employ their spouses, parents, grandparents, children, grandchildren, brothers or sisters and any relatives who live with the employee(s). No Township employees may take any official action on matters that will result in a benefit to themselves, their family members, or their business associates. For additional information and assistance with the Ohio Ethics Law, Township employees should contact the Ohio Ethics Commission on the Internet at <http://ethics.ohio.gov> or via telephone at (614) 466-7090.

8.7.5 Acceptance of Gifts and Gratuities

An employee may not accept gifts, gratuities, or loans from organizations, business concerns, or individuals which have an official business relationship with the Township. The limitations are neither intended to prohibit employees from accepting articles of negligible value, which are widely distributed to the general public, nor from accepting social courtesies which promote good public relations. It is particularly important that Township employees guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage, or collusion. The securing of a loan by an employee from a financial institution doing business with the Township does not constitute a conflict of interest, but may be subject to Ohio Ethics Law.

8.7.6 Political Activity - During work hour's employees may not:

1. Use official authority or influence for the purpose of interfering with an election or

- nomination to office, or affecting the results thereof;
2. Directly or indirectly coerce or attempt to coerce, command, or advise any other employee to pay, lend, or contribute any part of his or her salary or compensation or anything of value to any party or committee, organization, agency, or person for political purposes;
 3. Take any action, including an active part or the appearance of an active part in a political campaign which will place the Township in a partisan position, and interfere with the employee's ability to perform the duties of their position;
 4. Circulate official nominating petitions for any candidate;
 5. Campaign by writing for publications, by distributing political material, or by making speeches on behalf of (or against) a candidate for elective office;
 6. Soliciting the sale of or selling political party tickets (e.g. raffles or special functions).

8.7.7 Public Relations

Employees receiving an inquiry from the press should direct the press to the appropriate Department Head or the Township Administrator. Employees shall conduct their activities and actions, both on and off the job, so as to enhance relations between the Township, the public, and other government and commercial entities. In every contact, the employee represents the Township whether it is in the nature of trouble, a service complaint, or a request for information. Employee manners and attitudes towards residents, non-residents and businesses, as well as their competence in handling matters, are the basis for good public relations.

The Township will satisfy all public records requirements as directed by the Township's Public Records Release Policies and the Ohio Sunshine Law(s).

8.7.8 Outside Employment

Full-time employees may not participate in, concurrently with their Township employment, any private business or undertaking which affects their working hours or the quality of their job performance. Full-time employees shall report off duty work to the Department Head or Board of Trustees for prior approval to ensure no conflict of interest may arise.

When an employee is seeking part-time employment, written notification must be submitted prior to beginning work. Part-time employees shall identify their other employment responsibilities to ensure there is no conflict of interest. The employee will receive a written notice from the Department Head either approving or not approving the request.

8.7.9 Use of Township Equipment

The use of Township equipment, uniforms, or supplies for personal business or private use is prohibited without prior permission of the Department Head, Township Administrator, and/or a majority of Board of Trustees. Violators are subject to disciplinary action. Such equipment includes, but is not limited to automobiles, trucks, cruisers, tools, uniforms, computers, and supplies. The facsimile (fax) machine is for the convenience of Township employees while conducting Township business. Its use is restricted to those occurrences benefiting the Township.

8.7.10 Use of Video, Recording Devices, Cellular Telephones, and/or Still Cameras by Township Employees in the Workplace

Township Owned Video, Recording Devices, Cellular Telephones, and/or Cameras at Work: Cellular telephones have become a valuable tool for Sugarcreek Township employees to enhance their productivity while working away from their offices. The purpose of this policy is to set guidelines for Township cell phone users in accordance with current IRS regulations. Township cell phone users must comply with this policy, any applicable user manuals, applicable department/division policies and any other directives or policies involving Township cell phones. Upon receipt of a Township-issued cell phone, an employee will receive a copy of this policy and acknowledge, in writing, receipt of said policy. Any infraction of this policy, including any action that has brought or may bring public embarrassment or discredit to the Township may subject the violator to disciplinary action up to and including termination and possible criminal prosecution. There will be no tolerance of any behavior such as the sending or attempted sending of any communication or message that is harassing, obscene, and/or threatening to the recipient.

To effectively administer the Township Emergency Operations Center (EOC) when activated, the Township requires the following employees to be accessible by their cellular communication devices:

Group 1

- Township Administrator (EOC)
- Fire Chief (EOC)
- Chief of Police (EOC)
- Director of Roads and Services (EOC)
- Director of Information and Technology (EOC)

Group 2

- Assistant Fire Chief (EOC)
- Police Lieutenant (EOC)

Group 3

- Roads and Services Supervisor (EOC)
- Service Workers 1, II and III
- Director of Planning and Zoning
- Police Sergeants (EOC)
- Fire Marshal (EOC)
- Police Detectives

The Township shall offer the employees in the above-mentioned positions a Township-owned or leased cellular phone (at no cost to the employee). Should the employee(s) in the above-mentioned positions prefer not to use a Township-owned or leased cellular phone, the employee(s) may choose to purchase, at their own expense, a cellular phone and plan. Employees choosing to use their own personal cellular phone will be offered a monthly reimbursement from the Township. Reimbursements for each group will be made according to the following schedule:

Group 1 \$50 per month

Group 2	\$40 per month
Group 3	\$20 per month

Employees choosing to use their personal cellular phone will be required to provide the cellular phone number to their Department Head for distribution on the department rosters. These employees are encouraged to obtain service from the Township's preferred provider to ensure adequate coverage. Employees using their personal cellular phone will not be reimbursed beyond the above-mentioned reimbursement. The Township will not be responsible for any damages to personal cellular phones or to plan overages.

Employees who use Township-owned or leased cellular phones will not receive a monthly reimbursement from the Township. The cellular phones for all EOC-designated positions must have phone and text functionality. The township will provide technical specification information and assistance to give employees in Groups 1 and 2 access to the Township e-mail.

All employees in Groups 1, 2, and 3 must promptly notify their supervisor if their cellular phone is not working properly. Based on the Township or Department's needs, Department Heads may request that the Township Administrator include other employees in their departments in Groups 1, 2, or 3.

Unless authorized in advance by the appropriate Department Head, cellular phones, personal or Township-owned/leased, may not be used in place of Township provided radios.

Personal Video, Recording Devices, Cellular Telephones, and/or Cameras at Work: It is a violation of township policy to record conversations with a tape recorder or other recording device (including cellular telephone or any electronic device) unless prior approval is received from the employee's Department Head or Township Administrator. The purpose of this policy is to eliminate a chilling effect to the expression of views that may exist when one person is concerned that his or her conversation with another is being secretly recorded. This concern can inhibit spontaneous and honest dialogue especially when sensitive or confidential matters are being discussed. Violation of this policy will result in corrective action up to and including discharge.

8.7.10a Responsibility and Authority

The Township Administrator and/or his/ her designee, as well as Department Heads are responsible for determining employee need for wireless phone service within their respective departments and for periodically evaluating member eligibility. Departments should analyze the true business need for wireless communication while considering all other forms of communication available to Township employees (pagers, landline phones, e-mail, radio, etc.) Department Heads are also responsible for:

1. Informing employees of the purpose for cellular communication in conducting Township business;
2. Ensuring employees understand the requirements of usage;
3. Communicating to employees the consequences of noncompliance;
4. Ensuring compliance with this directive;

5. Acting as a resource for employees regarding cell phone issues. Informing employees of the terms of their plan and changes to it as well as assisting them in troubleshooting any cell phone service or equipment problems.

Employees and their respective Department Heads are jointly responsible for understanding the terms of this directive as well as terms specific to the particular option of wireless communication chosen for the employee. Departments and employees should monitor the continued applicability of these services, equipment, and terms to the assigned duties and responsibilities of the user. Individuals abusing this privilege may be subject to loss of cell phone privileges and/ or disciplinary action.

8.7.10b Usage

Township employees' daily work activities may require the use of cell phones. Examples of those who may require the issuance of a Township cell phone include the Township Trustees, Township Administrator, Department Heads, Supervisors, those who perform field work, those working in remote locations, those responsible for facility maintenance and services, those who are subject to call outs or emergency calls, and other functions as deemed appropriate by the Township Administrator and/or Department Head.

Township-issued cellular equipment shall be used for appropriate business purposes in the most cost effective manner possible (i.e., using free cellular calls whenever possible). Cellular equipment should be used when other means of communication are not available. Such use is defined to be appropriate when an employee must make a call related to furthering Township operations, but does not have access to a regular Township telephone, and the contact cannot or should not wait until returning to the office.

The Township encourages employees to be good citizens and use cellular equipment to report emergency situations to appropriate authorities. The Township discourages the disclosure of cellular equipment numbers to the general public.

Each Department Head will periodically review the need for all cell phones used in their department and request the equipment as appropriate. Any department requesting the use of a new or replacement cell phone equipment or service must receive written approval for such use from the Township Administrator. Written justification may be required.

Employees issued cell phones are responsible for any loss or damage to the phones and equipment assigned to them. Lost or stolen cell phones must be reported to the employee's supervisor immediately.

Departments having employees who have infrequent need for cell phone communications may establish a "pool" phone provided to employees as needed. In such circumstances, the Department must establish stringent controls to account for possession of the cell phone and authorization guidelines such as during travel or other special work-related events. Department Heads will be responsible for assuring accountability under this section.

Township-issued cell phones are to be used for work-related activities. Employees should only use Township cellular phones for Township business. Employees finding themselves needing to use the Township cellular phone for personal use should only do so when absolutely necessary and should limit the personal use to a minimum. Township

cellular phones should not be used for any communication that can be handled effectively using Township land lines. Township cellular phones may not be used for directory assistance unless it is absolutely necessary for Township business purposes. Any usage of Township-owned/leased cellular phones that results in additional costs must be approved in advance by the appropriate Department Head or Township Administrator. Additional costs that are not pre-approved are the responsibility of the employee.

An employee issued a Township cell phone or using their personal cell phone for Township business must exercise the utmost in caution and common sense when utilizing the phone while in a Township vehicle. Whenever possible, drivers must use hands-free devices and pull to the side of the road in a safe manner when use of the cell phone is absolutely necessary, and particularly when dialing, accepting a call or checking messages. In no case should the phone be used during such maneuvers as backing, merging onto an interstate, while driving in heavy traffic in unfamiliar locales and the like. Necessary cell phone conversations while driving should be kept to a minimum and common sense should rule every instance of cell phone use inside a moving vehicle. Caution must also be taken to ensure that cell phone usage by passengers does not distract the driver.

8.7.11 Internet, Email, and Computer Usage Policy

The use of Sugarcreek Township's automation systems, including computers, fax machines, wireless devices and all forms of Internet access, is for Township business and for authorized purposes only. Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in expense to the Township.

Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Electronic communication should not be used to solicit or sell products or services that are unrelated to the Township's business, distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.

Use of Township computers, networks, and Internet access is a privilege granted by management and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:

- Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam") that is unrelated to legitimate Township purposes;
- Engaging in private or personal business activities, including excessive use of instant messaging and chat rooms (see below);
- Misrepresenting oneself or the Township;
- Violating the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way;
- Engaging in unlawful or malicious activities;
- Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the Township's networks or systems or those of any other individual or entity;

- Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
- Sending, receiving, or accessing pornographic materials;
- Becoming involved in partisan politics;
- Causing congestion, disruption, disablement, alteration, or impairment of Township networks or systems;
- Maintaining, organizing, or participating in non-work-related Web logs ("blogs"), Web journals, "chat rooms", or private/personal/instant messaging;
- Failing to log off any secure, controlled-access computer or other form of electronic data system to which you are assigned, if you leave such computer or system unattended; and/or
- Defeating or attempting to defeat security restrictions on Township systems and applications.

Using Township automation systems to access, create, view, transmit, or receive racist, sexist, threatening, or otherwise objectionable or illegal material is strictly prohibited. "Material" is defined as any visual, textual, or auditory entity. Such material violates the Township anti-harassment policies and is subject to disciplinary action. Use of Township resources for illegal activity can lead to disciplinary action, up to and including termination and criminal prosecution. The Township will comply with reasonable requests from law enforcement, the public and regulatory agencies for logs, diaries, archives, or files on individual Internet activities, e-mail use, and/or computer use. Unless specifically granted in this policy, any non-business use of the Township's automation systems is expressly forbidden. If you violate these policies, you could be subject to disciplinary action, up to and including termination.

Sugarcreek Township owns the rights to all data and files in any computer, network, or other information system used in the Township. Sugarcreek Township also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using Township equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by Township officials at all times. The Township has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or an appropriate Township official.

The Township has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use, or distribute copies of such software that are not in compliance with the license agreements for the software. Violation of this policy can lead to disciplinary action, up to and including termination and/ or criminal prosecution.

As noted above, electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable state and federal laws and Township rules, policies, and procedures on confidentiality. Existing rules, policies, and procedures

governing the sharing of confidential information also apply to the sharing of information via commercial software. Since there is the possibility that any message could be shared with or without your permission or knowledge, the best rule to follow in the use of electronic mail for non-work-related information is to decide if you would post the information on the office bulletin board with your signature.

It is a violation of Township policy for any employee, including system administrators and supervisors, to access electronic mail and computer systems files to satisfy curiosity about the affairs of others. Employees found to have engaged in such activities will be subject to disciplinary action.

Electronic mail messages received should not be altered without the sender's permission; nor should electronic mail be altered and forwarded to another user and/or unauthorized attachments be placed on another's electronic mail message.

The Internet is to be used to further the Township's mission, to provide effective service of the highest quality to the Township's residents and employees, and to support other direct job-related purposes. Supervisors should work with employees to determine the appropriateness of using the Internet for professional activities and career development. The various modes of Internet access are Township resources and are provided as business tools to employees who may use them for research, professional development, and work-related communications. Limited personal use of Internet resources is a special exception to the general prohibition against the personal use of computer equipment and software.

Employees are individually liable for any and all damages incurred as a result of violating Township security policy, copyright, and licensing agreements.

All Township policies and procedures apply to employees' conduct on the Internet, especially, but not exclusively, relating to: intellectual property, confidentiality, Township information dissemination, standards of conduct, misuse of Township resources, anti-harassment, and information and data security.

Sugarcreek Township prohibits the personal use or possession in the workplace of any type of camera phone, cell phone camera, digital camera, video camera, or other form of image-recording device without the express permission of the Township and of each person whose image is recorded. Employees with such devices should leave them at home unless expressly permitted by the Township to do otherwise. This provision does not apply to designated Township personnel who must use such devices in connection with their positions of employment.

Employees should not bring personal computers to the workplace or connect them to Township electronic systems unless expressly permitted to do so by the Township. Any employee bringing a personal computing device or image recording device onto Township premises thereby gives permission to the Township to inspect the personal computer or image recording device at any time with personnel of the Township's choosing and to analyze any files, other data, or data storage media that may be within or connectable to the personal computer or image recording device in question. Employees

who do not wish such inspections to be done on their personal computers or imaging devices should not bring such items to work at all.

Violation of this policy, or failure to permit an inspection of any device covered by this policy, shall result in disciplinary action, up to and including immediate termination of employment. In addition, the employee may face both civil and criminal liability from the Township or from individuals whose rights are harmed by the violation.

8.7.12 Safety

The Township intends to provide a safe work environment in all aspects. Employees are required to report hazardous conditions at once to their immediate supervisor, Department Head, or Township Administrator. The following is a list of general safety rules and regulations. Additional safe operating procedures for specific work may be issued by individual departments.

1. Learn the right way to do the job. Never hesitate to ask questions about things you do not understand, especially on new jobs.
2. Use and maintain in correct condition all equipment and work tools.
3. Observe the recommended work procedures developed for your job.
4. Keep work areas in good order. Cluttered floors, aisles, storage, and work areas all make your job performance less efficient as well as more dangerous.
5. Always work at a safe speed. Never hurry foolishly, such as running in aisles or down stairs, taking short-cuts through dangerous areas, or trying to speed up by removing machine guards.
6. Avoid horseplay and practical jokes.
7. The supervisor must be immediately advised of unsafe conditions. Employees are strongly encouraged to offer suggestions which will improve safety or performance.
8. If injured, report promptly for first aid treatment. Even minor cuts and scratches can become infected unless proper care is taken.
9. All employees should learn how to administer first aid.
10. Respect moving machinery and equipment, electricity, ice on walks, and excavated areas. Never operate equipment with guards removed.
11. Wear protective equipment where appropriate and according to department policy.

8.7.12a Motor Vehicle Operations / Driver Eligibility Standards

Safe and courteous driving practices shall be adhered to by all employees operating Township motor vehicles. Township personnel operating motor vehicles shall have a valid Ohio Driver's License and must obey all traffic laws at all times except in emergency situations in which specified driving regulations shall prevail. As employer legal liabilities escalate on many fronts, the careful screening of employee-drivers must be given special consideration to ensure the Township can retain sufficient and affordable insurance coverage. No employee shall be permitted to operate a motor vehicle with auxiliary equipment, or self-propelled equipment or trailers owned or operated by the Township without prior authorization or reasonable cause. It is the policy of the Township to comply with all applicable federal, state and local health safety regulations and to provide a work environment as free as feasible from recognized hazards. Motor vehicle operators are required to adhere to the following:

1. Employees are expected to comply with all safety and health requirements whether established by management or federal, state or local law.
2. Maintain a valid Ohio Driver's License and insurability under the Township's policy (see Section 8.7.14b).
3. All vehicles shall be operated without abuse to assure full life expectancy.
4. Township vehicles with equipment in tow shall be restricted to a safe speed.
5. Operators shall observe extra caution when operating Township equipment in the vicinity of parks and schools.
6. Seat belts shall be worn at all times when the vehicle is in motion unless emergency situations prohibit their use.

8.7.12b Driver's License Verification Procedure

1. Applicants: The administrative office shall verify the validity of an applicant's driver's license and insurability before an offer of employment is made by the Township officials for employment in positions that require, as a condition of employment, the possession of a valid Ohio Driver's License.
2. Current Employees: The administrative office shall verify the validity of an employee's driver's license, if they are required to drive in the course of employment, on at least an annual basis by reviewing the State of Ohio's Motor Vehicle Registration Records.
3. Supervisor's Verification Requirements: Employees may not drive Township vehicles without the prior approval of their supervisor. Before approving a driver, each supervisor must verify the existence of a valid Ohio Driver's License and ensure the employee is eligible for coverage under the Township's auto insurance policy.
4. Employee's Notification Requirements: Employees approved to drive on Township business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability under the Township's policy.
5. Insurability Rule: An employee who has three (3) or more moving violations or a DUI within the last three (3) years is prohibited from driving a Township vehicle because they are un-insurable.
6. Reporting Requirements: Employee-drivers must report any accident (regardless of fault), all traffic violations, and DUI convictions involving a Township vehicle or a personal vehicle to their supervisor, department head and/or Township Administrator as soon as possible but not later than the end of the employee's next scheduled working day. This requirement applies to both on and off-the-job occurrences.
7. Corrective / Disciplinary Action: Multiple traffic violations, on-the-job accidents or moving violations, failure to comply with any provision of this policy, or misuse or abuse of Township vehicles may result in any of the following actions in no particular order:
 - a. Verbal reprimand / counseling.
 - b. Written reprimand and assignment to driver's training.
 - c. Loss of driving privileges.
 - d. Job reassignment (if available).
 - e. Termination of employment.

8.7.12c Accident Reporting

All accidents involving Township-owned equipment must be reported immediately to the supervisor and/or Department Head. Proper procedures for reporting incidents shall include completion of an Accident Report Form and, if applicable, an Employee Injury Report Form. Any employee may be tested when reasonable suspicion or cause is noted by a supervisor trained in alcohol and/or drug detection (see Section 8.7.1).

8.7.13 Reporting Significant Events

The Township Administrator and Board of Trustees must be quickly informed of any event or situation which has a significant impact on Township operations. Department Heads are responsible for reporting such information on a timely basis.

It is not possible to list each and every event that should be reported to management. Some general guidelines include the following:

1. Employee injury, illness, and/or hospitalization for an extended period of time.
2. Injury or death of an immediate family member.
3. Recognition for exceptional services to the community or similar matter.
4. Citizen satisfaction or dissatisfaction with Township service.
5. Major changes in internal operations of a department, such as, the start or ending of a tactical team, the redistribution of fire equipment between stations, etc.
6. Major structure fire, loss or damage of Township property, a serious hazard on the roadway, or an arrest for a major crime.

This is not intended to be a comprehensive list. Department Heads are urged to recognize the importance of keeping the Board of Trustees and the Township Administrator informed of all significant matters affecting the Township.

ARTICLE IX – GRIEVANCES

9.1 Grievance Policy

The Board of Trustees recognize that in the interest of effective personnel management, a procedure is necessary whereby employees can be assured of a prompt, impartial and fair processing of their grievances. No reprisals shall be taken against any employee initiating or participating in the grievance procedure. The Board of Trustees recognize and agree that informal resolution of perceived grievances should first be attempted, where reasonably possible, prior to the submission of a formal, written grievance.

9.2 Grievance Defined

A grievance is an allegation by an employee that there has been a breach, misinterpretation, or improper application regarding terms or conditions of employment. This manual is intended to protect both employer and employee rights.

9.3 Disciplinary Action Defined

Disciplinary action is any reduction in pay and/or position, removal or suspension.

9.4 Contents of Grievance

Grievances must be completed and filed using the Grievance Form and should contain the following information to ensure complaints receive full consideration. A grievance that is not signed by the grievant(s), or that is otherwise substantially lacking in the following information, may be denied on that basis:

1. Aggrieved employee's name and signature;
2. Date grievance was first discussed;
3. Description of incident giving rise to grievance;
4. Name of supervisor with whom grievance was first discussed;
5. Date of grievance was filed in writing;
6. Date and time events giving rise to grievance occurred;
7. Provisions of the policy manual allegedly violated; and,
8. Desired remedy to resolve grievance.

9.5 Grievance Procedure Steps

The following steps shall be followed in the formal process of a grievance:

Step One: A complaint or problem should first be discussed with the employee's supervisor. In cases in which the problem involves the supervisor, employees should bring the problem to the attention of their Department Head or the Township Administrator.

Step Two: In the event the employee feels a problem remains unresolved following discussions with their supervisor, Department Head or the Township Administrator, the employee may submit the complaint in writing for reconsideration. A Grievance Report is to be submitted to the supervisor, Department Head, Township Administrator, and Chairperson of the Board of Trustees. Upon reviewing the complaint, the Department or Township Administrator will arrange a meeting with the employee within five (5) working days after receipt of the written complaint and return a decision within seven (7) days of the meeting. Normally complaints are expected to be resolved at this step in the grievance procedure.

Step Three: An employee who feels the complaint who feels the complaint has not received adequate attention may direct the complaint to the Township Administrator and the Board of Trustees. Such complaints are to be made in writing within three (3) days of receiving the supervisor's response. The Township Administrator (or the Board of Trustees) will review the complaint with the Department Head and arrange a meeting with the employee within five (5) days of receiving the complaint. All other means should be exhausted prior to appealing a complaint to the Board of Trustees. The Board of Trustees shall have final authority in all such grievances and appeals.

9.6 Right to Counsel

Any employee shall have the right to have legal counsel present during any of the steps of the grievance procedure, with the exception of the preliminary step. In the interest of resolving the grievance at the earliest possible step of the grievance procedure, it may be beneficial that other representatives not specifically designated be in attendance. Either party may bring in additional representatives to any meeting in the grievance procedure, but only upon advance initial agreement among the parties specifically designated to attend.

9.7 Citizen Complaint Procedure

A citizen's complaint concerning service or employee conduct may be in verbal or written form.

The Department Head or designee shall be notified when a verbal or written complaint is received. The Department Head or designee will contact the citizen in an attempt to better understand and correct the situation.

A report will be made by the Department Head or designee and directed to the Township Administrator. If the supervisor is unable to correct the problem, the complaint shall be placed in writing and forwarded to the Department Head.

Complaints requiring action such as, internal affairs or advising an investigation by a supervisor shall be made in writing by the Complainant.

When a citizen feels the action taken by the Department Head is not satisfactory, the complaint and documentation of action taken will be forwarded to the Township Administrator for evaluation. Such complaints may be referred to the County Prosecutor's Office for an opinion.

The Township Administrator and the Sugarcreek Board of Trustees shall be kept informed of all complaints.

ARTICLE X – LAYOFF

10.1 Reasons for Layoffs

The Board of Trustees shall determine whether a layoff shall occur, the timing of the layoffs, the number of employees to be laid off, and in which classification layoffs will occur. A reduction in the number of hours scheduled in a workweek for some or all employees shall not constitute a layoff. Employees may be laid off as a result of lack of work, lack of funds, reorganization, or job abolishment. If a layoff becomes necessary, employees will be laid off on the basis of seniority, with the employee(s) with the least amount of seniority being laid off first.

10.2 Recall

An employee laid off shall be placed on a recall list for a period of twelve (12) months. If a recall occurs in the classification the employee held at the time of layoff, employees who are still on the recall list shall be recalled in inverse order of their layoff. Employees must meet the minimum qualification of the available position to be eligible for recall. An employee who fails to maintain his/her required certifications shall not be eligible for recall. After the twelve (12) month period has elapsed, the list will be declared invalid.

10.3 Notice of Recall to Work

When the written notification of call to return to work from layoff status is issued, the recalled employee shall have five (5) days to return to work. This time may be extended by approval of the Department Head if the person is employed elsewhere. Failure to return to work or respond by the end of the designated period will be accepted as a resignation without appeal rights.

ARTICLE XI – RETIREMENT

11.1 Retirement

Any employee of Sugarcreek Township who is eligible to retire under the applicable rules, regulations, and statutes of the State of Ohio shall be permitted to do so in accordance with the rules of the Social Security Administration, Public Employees Retirement System (PERS) or the Ohio Police & Fire Pension Fund (OP&F).

11.2 Notification

Employees shall file their intent to retire with the Board of Trustees at the same time they file with their retirement group.

11.3 Disability Retirement

Any employee who desires to apply for disability retirement through the Public Employees Retirement System (PERS) or the Ohio Police & Fire Pension Fund (OP&F) may be required to submit to an examination by a physician.

11.4 Cashing of Sick Leave at Retirement

An employee who retires from active service with Sugarcreek Township and meets the age and length of service requirements of the Public Employees Retirement (PERS) or the Ohio Police & Fire Pension Fund (OP&F) may receive a percentage of his/her accumulated sick leave as follows:

Less than 10 years Township service – not eligible

10 years of Township service – 25% accumulated Sick Leave

15 years of Township service – 30% accumulated Sick Leave

20 or more years of Township service – 35% accumulated Sick Leave

Payment shall be based upon the employee's rate of pay at the time of retirement and shall not exceed a maximum payout of sixteen hundred (1600) hours. If a death occurs, this benefit shall be disbursed to the employee's designated beneficiary, or where no beneficiary is designated, to the employee's estate, upon application by the executor of the estate.

11.5 Disclaimer

The Public Employees Retirement System (PERS) and/or the Ohio Police & Fire Pension Fund (OP&F) shall be the sole governing bodies of the benefits referred to in all matters relative to retirement. The employee is responsible for contacting PERS or OP&F for determination of benefits.

ARTICLE XII – RESIGNATION or TERMINATION

12.1 Notice

Employees who resign their employment shall do so in writing and provide at least two (2) weeks' notice to their Department Head.

12.2 Payout Procedure

When an employee resigns, or is terminated, the following steps must be taken prior to receipt of final pay:

1. Employee is to notify the Township Fiscal Officer of the correct forwarding address for W-2 forms and any other pertinent information needed to file tax forms.
2. Employee must submit the proper form to notify the Township Fiscal Officer of the employee's decision concerning their retirement plan.
3. Employee is to turn in all uniforms, tools, or keys and/or other Township property to the immediate supervisor.
4. The administration office will fill out the Accumulated Leave Payout form and submit it to the Fiscal Office with supporting documentation.

ARTICLE XIII – RECORDS

13.1 General Information

The Administration Office shall create, or cause to be created, a personnel file for all employees. The file shall include the original application and the notice of appointment in addition to other information that may be pertinent. All files will be maintained in the Administration Office. Medical Records will be kept in a separate locked file to assure confidentiality.

13.2 Updating Personnel Files

It is the responsibility of the employee to initiate any needed changes to their personnel file. An employee's education, training, experience, and background information are important factors in the promotion procedure. The files should be reviewed by the employee periodically to be sure they are up-to-date. The employee should notify the Department Head, who will then forward any changes in marital status, dependents, and address changes to the Administration Office.

13.3 Accessing Personnel Files

Access to personnel files shall be in accordance with the Ohio laws regarding public records and maintaining personal information systems. Personnel files are to be maintained by the Township Administrator's designee(s) and shall only be accessed with the designee(s) present. The purpose of this is to assure their integrity, accuracy and fairness in accordance with Ohio Revised Code Section 1347.05.

Certain personal employee information is protected from public records requests in accordance with Ohio Revised Code Section 149.43, incorporated herein by reference, and records determined by the court to be exempt.

Employees who wish to view their personnel file must submit a request in writing to the Administration Office and schedule a time to do so during regular business hours. An employee may also request a copy of their personnel file through the same process; however, they may be required to pay a fee for the copies. A request for such copies will be treated as if it were a public records request.

In the event that an employee's information is modified, destroyed, used or disclosed by an employee without authorization the violator of this policy will be subject to disciplinary measures, up to and including termination. Disciplinary measures will also be taken when an employee who initiates or otherwise contributes to any disciplinary or other punitive action against any individual who brings to the attention of appropriate authorities, the press, or any member of the public, evidence of unauthorized use of information contained in the personnel file. (See Ohio Revised Code Section 1347.05)

ARTICLE XIV – REVIEW

14.1 Annual Review of Policies

This Policies and Procedures Manual shall be reviewed at least annually by the Department Heads, Township Administrator and the Township Fiscal Officer who will provide recommendations to the Sugarcreek Township Board of Trustees.

14.2 Annual Review of Table of Organization

The Table of Organization shall be reviewed at least annually by the Sugarcreek Township Board of Trustees, the Township Administrator and the Department Heads.

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