



***ANDERSON TOWNSHIP***  
***EMPLOYEE HANDBOOK***

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## **INTRODUCTION**

### **Overview**

This handbook has been developed to acquaint or reacquaint you with the personnel policies and benefits for Anderson Township (“Township”) employees and to answer many of your questions. Changes to this handbook will be made when necessary. You will be informed when this occurs. The Township is governed by the elected Board of Township Trustees (“Board”) and fiscal duties are carried out by an elected Fiscal Officer. The Township’s mission statement is, “To provide services which protect and enhance the quality of life in our community”.

### **About This Handbook**

The information in this handbook should be regarded as general guidance which may require interpretation and change from time to time. The Township thus reserves the right to make such decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the citizens of the Township.

In some cases, this handbook defines a specific policy or benefit. In others, it only summarizes the current benefit programs maintained by the Township. If any questions arise regarding the interpretation of benefits, the answers will be determined by actual program documents rather than by the summaries contained in this handbook.

The policies in this handbook are not intended as a contract of employment and may be added to or changed as needed by the Board. The Township is not a civil service township, and therefore employees, according to Ohio law, serve “at the pleasure of the Board.” For the employees who are subject to collective bargaining agreements, the bargaining agreement will prevail if there is a direct conflict between the agreement and this handbook. Unless an issue is specifically addressed in a contract or bargaining agreement, the guidelines within this employee handbook will be followed. For those employees who are not covered by a bargaining agreement, this handbook will serve as the primary guideline for policies and procedures.

## **LEGAL ISSUES**

### **A. Equal Employment Opportunity**

The Township is committed to the full utilization of all human resources and to a policy of equal opportunity. The Township will not discriminate against employees or applicants for employment on the basis of, race, age, color, religion, gender, national origin, pregnancy, non-job-related disability/handicap, or military status.

You may discuss equal employment opportunities-related questions with your supervisor, department head, township administrator, (or, if necessary, the Board) upon request.

### **B. Non-Harassment Policy**

It is the Township's policy to prohibit harassment of any employee by another employee or supervisor on any basis including but not limited to age, race, color, disability/handicap, national origin, pregnancy, religion, military status, and/or sex.

Harassment includes but is not limited to slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, sexual advances, request for sexual favors, and other similar verbal or physical contact.

Harassment also includes the creation of an intimidating, hostile or offensive work environment caused or facilitated by such conduct.

### **C. Substance Abuse/Possession**

The Township prohibits the manufacturing, distribution, possession, or being under the influence of alcohol, drugs, controlled substances, drug paraphernalia, or any combination thereof, on any Township premises or work site, including Township vehicles or private vehicles parked on Township property or work sites. Work site is defined to mean the site for the performance of work done in connection with employment by the Township.

Employees taking prescribed or over-the-counter medications that may alter their work behavior or ability to perform their duties must report the use of these substances to their supervisors. Any employees taking prescribed medication that leaves them unable to perform their job responsibilities satisfactorily must request a leave of absence.

The Township has, through its health insurance, an existing Employee Assistance Plan (EAP) to assist employees in finding suitable treatment for drug and alcohol abuse. The EAP provides that (1) participating employees are not excused from meeting performance standards while on the job; and (2) the Board will not exempt employees, successfully enrolled, from

future discipline if their problems recur.

Treatment of drug and alcohol use may be sought by voluntary referral. 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 EAP. Referrals to EAP will be done in a confidential manner.

Treatment may also be required through mandatory referral. Management may refer any employee to the EAP or other appropriate treatment program because of job performance and/or conduct concerns.

Any employee of the Township who is convicted of a drug or alcohol-related offense must report their conviction to the Board within five (5) days of that conviction. ***Failure to comply with this requirement will result in disciplinary action that may include discharge.*** The convicted employee may be required to take part in a rehabilitation program that has been approved by the Trustees, such as a program offered through the EAP.

The Township views a violation of this policy as a serious offense that will be investigated. The employee is expected to cooperate with that investigation. Violating this policy or refusing to cooperate in an investigation may result in discipline up to and including termination.

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.

#### **D. Firearms and Weapons on Township Property**

In concern for the welfare and safety of Township employees and the public, and to ensure a safe and productive work environment, firearms and weapons of any type are not allowed in any buildings or vehicles owned or operated by the Board without the prior written approval of the Township Administrator, or in his/her absence, the Township Fiscal Officer. Only authorized commissioned fire investigators and law enforcement personnel are permitted to have a firearm in their possession while performing their assigned duties in any Township-owned or leased facility or vehicle.

## **SUGGESTIONS, COMMUNICATION & CONFLICT RESOLUTION**

### **A. Suggestions**

We are always interested in employees' constructive ideas and suggestions for improving operations. Suggestions may be submitted to your immediate supervisor in writing via e-mail or hard copy or through direct discussions with them.. After your suggestion has been explored, you will be notified whether or not it is something that the Board or Administrator will consider for implementation.

Suggestions indicate initiative on the part of an employee. With your approval, we will place the written suggestion, or a notation of it, in your personnel file and take the fact that you took the effort to participate into consideration at the time of your performance review.

### **B. Communication & Conflict Resolution**

The communication and conflict resolution policy is designed to encourage open communications and timely resolution of conflicts. The steps in this process are listed below. This process is encouraged for use in a variety of ways: a) supervisors who are experiencing problems with employees who report to them; b) employees who are experiencing problems with their supervisor; or c) employees who experience problems with each other.

#### **Step 1 Open Discussion**

Using a “one-on-one” approach, open communication about the problem/conflict is expected at this step. The individual who initiates this step should clearly define the problem and what is expected, and should be open to listening to the other person and finding creative ways to resolve this issue. Many conflicts can be resolved here.

#### **Step 2 Following the chain of command and asking for assistance**

If the problem or issue is not resolved either employee may seek assistance following the normal chain of command and reporting relationship. If you need help, you may ask the Assistant Administrator for Human Resources (or other person designated by the Township Administrator) to become involved in the process. The Assistant Administrator for Human Resources shall seek to identify and clarify the problem and improve communications so that a mutually acceptable resolution can be reached. At this point both individuals will realize improved communications.

#### **Step 3 Written Communication**

If the conflict is not resolved as the result of Steps 1 or 2, the person initiating this process should prepare a written communication (with help from the Assistant

Administrator for Human Resources if necessary) that clearly indicates the facts and relevant issues. The purpose of this step is to ensure that serious attention is being given to the issue and that the problem has been clearly communicated. At this time, both employees are expected to give the time and effort necessary to seriously attempt to resolve the problem. Again, the issues will be addressed following the regular chain of command or reporting relationship. Individuals will continue learning the communication process. If an employee who has the management responsibility to facilitate a change of behavior or performance of another employee initiates this step, he/she is expected to clearly state the nature of the problem, what is expected and the consequences of not complying with the expectations.

Step 4 Review with the Township Administrator

If the employee is unable to arrive at a satisfactory solution or continues to disagree with the decision, the Township Administrator shall conduct a review, including a review of all written information and arrive at a decision.

Step 5 Referral to the Township Trustees

If a resolution still cannot be attained, you may request a review with the Township Trustees. The Trustees shall have the final authority to resolve the issue.

There are several important notes about this process that must be addressed:

A. Anderson Township is committed to this process because it results in resolving problems that erode the effectiveness of our workplace. Employees will not be criticized or penalized for carrying their concerns through this process.

B. When a Township employee's performance or work-related behaviors are not acceptable, Anderson Township's goal is to use this process to assist the employee in understanding the problem and having a chance to correct it. Management does, however, reserve the right to take any steps or actions necessary, including terminating and employee's employment, if a situation presents serious problems for the Township.

C. Confidentiality is to be maintained by everyone involved during this process. If any Township employee, including any elected official, is asked to become involved with an issue outside the normal work channels, they are to direct the employee to follow the above process.

## **PERSONNEL TOPICS**

### **A. Personnel Files**

Employee files will be maintained for all personnel. Each file will contain the employee's job application and related information, as well as Township job history, workplace suggestions, performance evaluation/assessment forms with attachments, and official commendation and disciplinary letters. Payroll, attendance, W-4s, I-9s, physical exam records, medical records and insurance beneficiary information will be maintained in separate confidential files and/or in private computer files. With few exceptions, everything contained in an employee's personnel file is considered a public record and is subject to the Ohio Public Records Act.

Employees have the right to review their files upon request. Requests for access must be made to Township Administration.

### **B. Job Descriptions**

All employment positions have job descriptions. These descriptions identify the essential functions and general responsibilities of each position. The purpose of each job description is to provide a base from which an employee's performance can be evaluated.

All job descriptions are reviewed periodically by department supervisors. Job descriptions may be modified by Department Supervisors in consultation with the Township Administrator. Employees may be asked to provide input to the review process. However, the Department Supervisors, Township Administrator, and the Board have full authority regarding the approved copy.

### **C.**

#### **Performance Evaluations**

Twice a year, usually in May and November, all Township employees will have their performance reviewed by their immediate supervisors (and other supervising officials familiar with their work if deemed administratively appropriate). This review will include the attainment status of any previous annual goals as well as accomplishments and goal-setting for the coming year. Through this review, each employee should be provided with a clear assessment of his/her strengths and weaknesses and be able to reach an understanding of what changes, if any, are expected during the coming year. The supervisor should identify types of support which enable the employee to enhance his/her performance.

Performance evaluations will be completed using the Anderson Township Employee Performance Evaluation Form. Department Supervisors of employees covered by collective bargaining may develop their own review formats consistent with the process described here, using factors which are most appropriate to the types of activity and responsibilities of employees under their supervision. Completed review forms will be forwarded to Township Administration. The performance evaluation process is described in detail in the “Annual Performance Review Process” section of the evaluation form.

**D. Evaluation of New Employees**

All new employees serve a one (1) year probation period during which time they are evaluated, unless otherwise determined by the Township Administrator. The Board reserves the right to extend the probationary period. This is considered to be a training and evaluation period. Upon successful completion of the probation period, the employee will be changed to "regular employee" status.

New employees will have an initial performance evaluation after ninety (90) days of employment with the Township. Subsequent reviews will be according to the normal review schedule, in May and November. New employee evaluations may be shared with the Board.

**E. Privacy Expectations**

As public sector employees, Anderson Township staff members must be aware that except for HIPPA protected information, everything in their work environment is considered public property and therefore they should have no expectation of privacy in their work setting. This includes, but is not limited to, electronic files and correspondence, hard copies of any and all documents, text messages, e-mail messages and voicemail messages. Furthermore, it is the right of the employer to decide what is and isn't appropriate to be displayed and/or stored in Township-owned buildings, offices, property and vehicles.

**F. Dress Code**

Employees are expected to present themselves at work in a neat and professional manner. This includes personal hygiene, grooming, appropriate clothing and hairstyles. Department supervisors are responsible for monitoring these issues within their individual departments.

**G. Emergency Call-in**

There may be times when employees are called in to work, outside of their normal working hours, to assist with emergency operation. This could include, but is not limited to, natural disasters, public health crises and severe weather. Hourly employees will be compensated for their time at either their regular hourly rate or at their overtime rate, whichever is appropriate considering their overall work hours. Employees may be notified of a call-in through various mechanisms, including but not limited to; cell/land line telephone contact, text messaging or e-mail notification.

**H. Severe Weather Conditions**

Severe weather is expected during the winter months. Although driving may be difficult at times, the roads are normally passable when caution is exercised. Except in very rare situations, all employees are expected to work their normal hours. If an employee chooses to not come to work due to weather conditions, they may use time from their residual vacation or paid time off bank for this absence.

Occasionally, severe weather may cause early closing of Township offices. Employees will be notified on these occasions. If an employee chooses to not come to work because of weather conditions and the Township offices are closed early that same day, that employee will not be charged for time off after the official office closing.

**I. Re-hiring of Former Employees**

A former Anderson Township employee who is rehired will be subject to the following outline of benefits, including the accumulation and usage of paid time off, the application of a probationary period and the ninety day review normally given to newly hired employees. This process does NOT apply to any employee who retires from Anderson Township and then is rehired after official retiring. Such situations will be evaluated by the Board of Trustees on a case-by-case basis.

	<b>Rehired within 6 mos of discharge</b>	<b>Rehired within 6 to 12 mos of discharge</b>	<b>Rehired after 12 mos of discharge</b>
<b>Probation</b>	No probationary period	6 mos probation	1 yr probation
<b>Performance Review</b>	Receives 90 day review	Receives 90 day review	Receives 90 day review
<b>PTO</b>	Accrues time at same rate as when they resigned No waiting period to take time off.	Accrues time at same rate as when they resigned. 3 mos waiting period to take time off.	Begins accruing time at rate of 2 wks/yr. 6 mos waiting period to take time off.

**J. Compensation Adjustments**

After performance assessments have been completed in November compensation adjustments may be made. All compensation adjustments must be approved by the Board of Township Trustees.

**BUSINESS HOURS AND WORK SCHEDULES**

Normal Township business hours are 8:00 A.M. to 4:30 P.M., Monday through Friday. Lunchtime is of thirty (30) minutes' duration unless otherwise arranged. Inasmuch as it is compatible with productive service delivery, public expectations, and approved by the Department Supervisor or Township Administrator, a flexible schedule may be permitted. Whatever their schedules, employees are expected to be punctual. Attendance and punctuality will be considered in employee performance reviews.

Township government involves diverse activities that occur at times other than the normal business hours of the Township office. The employer retains the authority to define the hours of work and to change them, and employees may be required to work at times other than regular business hours. Courteous service to the public must always be the goal of Township employees and, if extra hours or different hours are necessary to serve the public, schedules may be adjusted. The objective of flexible scheduling is to maintain a 40 hour work week for non-exempt (hourly) personnel. An employee's work hours may be scheduled outside of normal business hours when the employee's presence is required at evening or weekend events. Schedule adjustment requests by employees must be made to the Department Supervisor or Township Administrator. They may be granted, in the sole discretion of the Township, where there is no hardship to the Township or inconvenience to the public. Weekly time sheets shall be

kept by each employee and processed as stated in the “Compensation/Pay Procedures” section.

## **COMPENSATION/PAY PROCEDURES**

### **A. Pay Periods**

All employees of the Board will be paid every two (2) weeks. The current payday is Friday, with checks/warrants delivered or directly deposited by 4:30 P.M Pay periods are from Sunday, 12:01 A.M., through Saturday at midnight.

### **B. Time Sheets**

All employees must complete a time sheet at the end of each two week pay period, that is, time sheets must be delivered to the Fiscal Office by Monday at noon following the end of each pay period. Each department will develop its own procedures for ensuring the timely submission of time sheets.

Time sheets will follow “exception reporting”, indicating any residual sick/vacation time, holidays, and/or Paid Time Off days used. Time sheets should be signed by the employee and approved by the Department Supervisor.

### **C. Overtime**

Overtime is time worked in addition to an employee’s regularly scheduled hours during a one week work cycle. Employees must request approval for any overtime from their supervisor before any overtime is actually worked.

#### **1. Eligibility for Overtime**

- a. In accordance with the Federal Labor Standards Act (FLSA), covered, nonexempt (hourly) employees are eligible to receive overtime pay at a rate of one and one-half times their regular pay for time worked in excess of 40 hours per workweek.
- b. Exempt (salaried) employees are not eligible for overtime; they are expected to work as many hours as required to perform the duties of the position.

## **2. Time Worked**

Approved paid time off will not be counted as time worked for the purpose of calculating overtime. This includes leave that qualifies as family medical leave. During the transition to a paid time off system, this will also include the use of any residual sick and vacation time. The exceptions to this include holidays, military leave, jury /witness duty, and bereavement leave which will all count as time worked. For example; an hourly employee works their regular eight (8) hour work days Monday through Thursday and then takes eight (8) hours of residual sick/vacation leave or PTO on Friday. The following day, Saturday, this same employee spends six (6) hours at work. This employee will be considered to have worked thirty-eight (38) hours that week. The six (6) hours worked on Saturday wouldn't be counted as overtime since that employee used eight (8) hours of leave on Friday. If this employee had taken Friday off because: it was a holiday, they were called in for military duty obligations, they were required to serve jury/witness duty or if they attended the funeral of an immediate family, then that time **WOULD** count as time worked.

## **3. Compensatory Time**

The FLSA allows public employees to take compensatory time in lieu of a cash payment, at a rate of 1.5 hours of compensatory time for every hour of overtime worked. Non public safety employees are permitted to accrue up to a maximum of two hundred forty (240) hours of compensatory time. This means 160 hours of actual overtime worked. Compensatory time must be taken at a time mutually convenient to the employee and their supervisor within one hundred eighty (180) days after the overtime is worked. An employee shall be paid at the employee's regular rate of pay for any hours of compensatory time accrued in excess of this maximum amount if the employee has not used the compensatory time within the 180 day time limit.

### **D. Shift Differential**

The Shift Differential policy allows for compensation to full-time, nonexempt, non-collective bargaining employees who are required by the employer to regularly work a schedule that is outside the normal Township office hours of 8 a.m. to 4:30 p.m. (core hours).

Schedules that begin before 8 a.m. and end after 4:30 p.m. are eligible for shift

differential pay for only the actual hours worked before and after those core hours. Hours worked during the core hours will be paid at the regular rate of pay. For example, an employee scheduled to work from 5 a.m. to 1:30 p.m. will be paid three hours at the shift differential rate and five hours at their regular pay rate.

Hours worked outside the core Township hours will be compensated at an additional \$2.00 per hour (shift differential rate). Overtime hours worked outside the core hours will be paid at one and one-half times the shift differential rate. Overtime hours worked within the core hours will be paid at one and one-half times the regular rate.

### **1. Compensation During Leave**

If the employee has a permanent schedule that requires them to work outside of the core hours, then paid time off that is taken will be paid according to their normal schedule. For example, if an employee's normal schedule is from 9:30 a.m. to 6 p.m., then, while on leave, they will be paid for 6.5 hours at their regular rate of pay and 1.5 hours at the shift differential rate.

### **2. Holiday Pay**

Holiday pay will be paid at the regular rate. Shift differentials will not be added to holiday pay.

## **E. Other Payroll Situations**

### **1. Garnishments**

Employees for whom a legal garnishment notice is received will be notified immediately and given the opportunity to settle the dispute prior to payroll deduction. To avoid the payroll deduction, the employee must present a court order indicating cancellation of the garnishment. Legal garnishment notices may include deductions for child support. Such deductions will start at the beginning of the next payroll period after receipt of the garnishment notice.

### **2. Lost Checks**

If a payroll or expense reimbursement check is lost, the Fiscal Office must be notified as soon as possible so that a stop payment order can be issued if appropriate. A replacement check will be produced as soon as practical.

**F. Conversion Plan**

1. Anderson Township employees who are not members of a collective bargaining unit and who have at least twenty (20) years of public service recognized by either the Ohio Public Employees Retirement System (OPERS) or the Ohio Police and Fire retirement system may cash out their residual sick and vacation time as well as their paid time off and have it considered earnable salary by OPERS according to the following rules:
  - a. The Anderson Township Conversion Plan is available to any employee with at least twenty (20) years of OPERS-recognized time-in-service, as described in this policy.
  - b. The maximum amount of time that can be considered earnable salary is the amount the employee earns in one year of regular salary. Also, the time must have been earned in the last thirteen months of employment with the Township.
  - c. Anderson Township's Conversion Plan is considered a "Last-In, First-Out" (LIFO) policy. This means that the time being cashed out is the leave earned most recently, which for the purposes of this policy, means within the preceding thirteen months.
  - d. This Conversion Plan is available to all eligible employees once per twelve (12) month period.
  - e. There are no restrictions on the number of years an eligible employee may elect to take advantage of this Conversion Plan.
2. Employees with less than twenty (20) years of public service may cash out their unused PTO according to the following rules:
  - a. The maximum amount of converted time that can be cashed in is one-half (1/2) of the amount of residual vacation time and PTO earned by that employee in any given year.
  - b. Anderson Township's Conversion Plan is considered a "last-in", "first-out" (LIFO) policy. This means that the leave being cashed out is the leave earned most recently, which for the purposes of this policy, means within the current calendar year.
  - c. This Conversion Plan is available to all eligible employees once per twelve (12) month period.

- d. There are no restrictions on the number of years an eligible employee may elect to take advantage of this Conversion Plan.

**TIME AWAYFROM WORK**

The Township provides days whereby full-time employees are allowed time away from work with pay. Among these are holidays, and paid time off (PTO). Outlined in the following paragraphs are the regulations governing each category.

**A. Holidays**

The Ohio Revised Code recognizes the following days as *paid holidays*:

<b>New Years Day</b>	<b>Labor Day</b>
<b>Martin Luther King Day</b>	<b>Columbus Day</b>
<b>Washington-Lincoln (President's) Day</b>	<b>Veterans' Day</b>
<b>Memorial Day</b>	<b>Thanksgiving Day</b>
<b>Independence Day</b>	<b>Christmas Day</b>

In addition to those outlined by the Ohio Revised Code, the Board recognizes the following days as *paid holidays*:

**Good Friday, 1/2 Day**

**Day after Thanksgiving**

**If New Year's Eve or Christmas Eve falls on a workday, employees will be given an additional 1/2 day off with pay on that afternoon.**

The guidelines for administering the holiday time- off policy are as follows:

- 1) All employees covered by Collective Bargaining Agreements shall be eligible for holiday pay as spelled out in each respective agreement.
- 2) Administration and Department Supervisor employees shall be governed by the following holiday policy:
  - a. All full time employees are entitled to a full day's pay, eight (8) hours for each holiday.
  - b. If a holiday falls on a Saturday, it will be observed on the previous Friday.
  - c. If a holiday falls on a Sunday, it will be observed on the following Monday.
  - d. Holiday pay will not be given while an employee is on an unpaid leave of absence.

- e. Holiday pay will be given to employees on residual vacation/sick leave or Paid Time Off and they will not be charged for vacation or sick leave on that day.
- f. If an employee is required to work on a holiday, he/she shall receive eight (8) hour's pay at the regular rate for the holiday, plus their regular rate of pay for each hour worked on the recognized holiday.
- g. Illness occurring on a holiday counts as a holiday and is not charged against residual sick/vacation leave or Paid Time Off.
- h. Special holidays of a religious nature may be covered by residual vacation leave or Paid Time Off. Reasonable effort shall be made to accommodate such requests.
- i. Part-time employees do not receive any holiday benefits unless otherwise granted by Board action.
- j. With the approval of their supervisor, employees have the option of working on a holiday and taking the time off on another day.

**B. Paid Time Off (PTO)**

Effective January 1, 2013, the Township will begin the transition to a paid time off (PTO) system rather than the sick/vacation/personal time system that was previously used. An employee's "bucket" of paid time off can be illustrated by breaking it down into three components; Base Rate, Group Rate and Variable Rate. Every non-bargaining unit employee will earn a base rate of 80 hours of PTO each year (3.08 hrs per pay period). In addition, administrators and department heads will receive a group rate of forty-eight (48) hours of PTO each year, salaried employees will receive twenty-four (24) hours and hourly employees, sixteen (16) hours. The third component, the variable rate, will accrue according to how many years of service each employee has with the Township.

To illustrate how paid time off is accrued:

	Administrators & Dept. Heads	Salaried Employees	Hourly Employees
Base Rate	80 hrs/year	80 hrs/year	80 hrs/year
Group Rate	48 hrs/year	24 hrs/year	16 hrs/year
Variable Rate	Determined by years of service, as follows:		
	1-5 yrs of service	=	80 hours of PTO per year

6-15 yrs of service	=	120 hours of PTO per year
16-25 yrs of service	=	160 hrs of PTO per year
26 yrs and over	=	200 hrs of PTO per year

Paid time off may be used for any reason, at the employee's discretion. Employees may carry over a maximum number of four hundred (400) paid time off hours from year to year. Both paid holidays and overtime/comp time are kept in separate categories and are not mixed in with an employee's paid time off. Employees have the option of cashing in their paid time off every twelve (12) months. Furthermore, during the transition to a PTO-only system, employees will be able to use/cash in their residual sick and vacation time. The rules for cashing in residual sick/vacation time and Paid Time Off are outlined in COMPENSATION/PAYPROCEDURES, Section F. Conversion Plan.

**C. Bereavement Leave**

Employees are granted three (3) days of bereavement leave for immediate family members. "Immediate family member" means father (in-law), mother (in-law), brother (in-law), sister (in-law), spouse, child or grandparent. If more than three (3) days are used, the additional time will be deducted from that employee's paid time off bank (or residual sick/vacation time if available). Furthermore, the three (3) days of bereavement leave do not apply to non-immediate family members therefore this type of usage will be deducted from that employee's paid time off bank (or residual vacation time if available), starting on the first day of leave.

**D. Amount of Pay**

The pay which an employee will receive for a holiday, residual sick/vacation or PTO day will be the amount of pay that the employee would normally have received on a regular scheduled work day for the employee. The maximum amount of pay for a holiday, residual sick/vacation or PTO day shall be eight hours of pay at the employee's regular straight-time hourly rate.

**E. Scheduling Residual Vacation Time & Paid Time Off**

Requests for specific residual vacation dates or paid time off must be submitted for approval by the Department Supervisor and/or the Township Administrator at least one (1) week in advance of the requested dates. If the Department Supervisor believes a temporary replacement is necessary, requests must be submitted four (4) weeks in advance to arrange for

such work coverage. Otherwise, the wishes of the employee will be honored to the extent practical. Employees should recognize that the earlier they submit their requests, the fewer schedule conflicts there will be. In the event that conflicts arise due to several employees requesting the same or overlapping dates, such conflicts shall be resolved by giving preference to the employee who submitted the request first or, if submitted simultaneously, to the employee with the most years of continuous service. Time off requests for bereavement leave are exempt from these requirements.

**F. Residual Sick Leave**

Use of residual sick leave must be approved by the Department Supervisor or, in his/her absence, Township Administration, prior to payment. Township Administration may require, as a condition of approval, a physician's statement or other supporting documentation upon the return to work, if the sick leave extends beyond (2) two days or if the Township Administrator believes there to be a pattern or reason to support a belief of misuse of sick time. In order for sick leave to be approved and paid, an employee must inform the Department Supervisor, or, in his absence, Township Administration, of his/her absence as early as possible, but not later than one (1) hour prior to the employee's normal starting time. If an employee fails to call in, the sick leave may not be approved and the absence will be treated as an unexcused absence, without pay. If a medical review, conducted at the request of the Township and not disputed by the employee, indicates that it is very unlikely that the employee will ever again be able to perform the essential functions of his/her job, the Township may terminate the employee by paying at full value his/her remaining sick leave and refill the position. To the degree permitted by its insurance provider, the Township will also make reasonable efforts to continue the employee's health benefits during the period that would otherwise be covered with sick leave.

Residual sick leave may be used for illness or injury of the employee, or, upon approval by Township Administration, for illness or injury to the employee's dependent or immediate family or if the employee's presence away from the workplace is temporarily necessary until the employee can make appropriate care-giver arrangements.

**G. Sick, Vacation Leave and PTO Donations**

In the event that an employee who has expended all his/her authorized residual sick leave, vacation leave and paid time off does not report for work due to an illness or injury that the Township would otherwise recognize as a legitimate use of accumulated time off, any other employee or employees may, on a case-by-case basis, with approval from Township

Administration and through a written authorization to the Fiscal Office, donate a specified number of days of his/her own residual sick/vacation leave and/or paid time off to the account of the employee who is off. Unless explicitly prohibited by a collective bargaining agreement, such donations may cross bargaining agreement lines. Donations must be in whole days and will be counted as a day-for-a-day (after conversion to or from a 40-hour workweek), without regard for the daily compensation rates of the donor or the recipient. Department Supervisors may authorize up to three (3) months of donated time. If an employee needs to use between three (3) and six (6) months of donated time, such usage must be authorized by Township Administration. Any use of six (6) months or more of donated time must be authorized by the Board. At each level of approval, the authorizing agent (whether that be Department Supervisor or Board) may choose not to approve of the ongoing use of donated time. The Fiscal office will credit the employee's paid time bank as needed on a pay-period by pay-period basis, based upon the approval process described above.

#### **H. Jury Duty or Court Appearance When Subpoenaed as a Witness**

A full-time employee who is ordered to serve on a jury, or is subpoenaed as a witness, shall be compensated for the difference between the employee's regular pay and the court payment (if any) received by the employee from the court. The employee must provide the Township a copy of the court's pay record and turn over the payment to the Fiscal Office for serving jury duty in order to receive regular compensation from the Township.

Any employee required to serve on jury duty (or as a subpoenaed witness) should notify his/her immediate supervisor as soon as possible and provide a copy of the summons and dates of the required court appearances. In fairness to the Township, the employee is expected to return to work at the earliest reasonable time after release from jury duties.

#### **I. Other Absences (Including Family, Maternity and/or Paternity Leave)**

Extended absences from work for reasons other than those previously outlined in this handbook are generally reviewed individually and may be without pay (see the enclosed Family Medical Leave Act policy for leave guidelines). If the extended absence is for illness, the employee may qualify for short and/or long-term disability benefits.

Usually these absences can be accommodated by using residual sick or vacation days or paid time off. These requests must be made in writing to the Department Supervisor and must be approved by the Township Administrator and/or Board.

## **EMPLOYEE BENEFITS**

### **A. Health Benefit Program**

The Township's health benefit program currently includes coverage for medical charges, dental and vision services, term life, short and long-term disability, and an Employee Assistance Program (EAP) (All full-time employees and part-time employees working at least 30 hours per week are eligible to enroll in the health benefit program provided by the Township. Coverage for employees (and eligible dependents) is usually effective the first day of the month after the date of hire. For medical insurance coverage the Township uses a high deductible health plan that is funded through a health savings account system. This procedure may be changed by action of the Board at its sole discretion. Details on the health benefit program will be issued to each new employee as part of their orientation process.

As a sound business practice, the health benefit package is reviewed and may be quoted annually. Based on quotes and the "marketplace," the benefits and carrier may change from year to year. The Board reserves the right of final decision.

When an employee resigns his/her employment with the Township, he/she will be given the opportunity to continue group health benefits for a period of time AT HIS/HER OWN EXPENSE according to COBRA regulations. Details of this process are available to employees upon request (please refer to the Resignation/Termination section of this handbook).

Questions regarding the health benefits program should be referred to the Assistant Administrator for Human Resources.

### **B. Worker's Compensation**

Injuries incurred as the result of an employee appropriately fulfilling his/her job responsibilities are covered by Worker's Compensation Insurance provided at no cost to the employee. The Township may self-insure an injury payment of \$1,000 or less in lieu of the employee's seeking payment through Worker's Compensation Insurance. If the employee is injured on the job -- no matter how slightly -- the incident must be reported immediately to the Department Supervisor, or as soon after receiving emergency care as possible. We also request your assistance in alerting your Department Supervisor to any condition that could lead or contribute to an employee accident.

**C. Employee Assistance Program (EAP)**

An EAP, which provides short-term counseling, advice, and treatment for use during periods of crises, is available to employees and their families through the Township. The program is strictly confidential when an employee/family member initiates the contact and sets up the appointment.

This program is a part of the health benefits program discussed elsewhere in this handbook. However, as a result of the counseling sessions, an employee/family member may require additional assistance/treatment that may subsequently be covered under the other provisions of the health benefits program.

**D. Continuing Education/Tuition Assistance Program (CEP)**

To encourage professional development, the Township offers a tuition program to eligible employees who complete job-related courses (or other requirements toward a job-related degree) with a passing grade.

To participate in this program, the employee must be employed full-time and have completed one year of such employment. The application for tuition assistance must be received and approved by the Department Supervisor and the Assistant Township Administrator for Human Resources prior to registration for the course. Tuition reimbursement will be made based on the grades achieved as outlined below:

**A=100%, B=75%, C=50%**

**(Less than "C" is not reimbursed)**

Books: \$10 per credit hour taken, to be applied toward textbooks, for courses for which a grade of C or higher was received.

**E Township Issued Clothing**

The Township will issue Township logo shirts/sweaters/jackets to Fire Chiefs and other employees not already provided with a uniform as part of a collective bargaining agreement. Each full-time employee will be provided with five (5) winter and five (5) summer shirts. Employees may choose a sweater, jacket or outerwear instead of a shirt. Part-time employees will be provided with three (3) winter and three (3) summer shirts.

**EMPLOYEE RETIREMENT**

**A. Ohio Public Employee Retirement System (OPERS)**

All employees, except for firefighter personnel, are required to be members of OPERS, subject to changes by the state legislature. The Ohio Revised Code provides statutory authority for employees and employer contributions. The employee contribution rate for local government employer units is 10% of each employee’s annual salary or hourly wage. Employees who are considering retirement are strongly encouraged to contact the OPERS office in Columbus, Ohio to discuss the details of their retirement options. OPERS contact information may be obtained from the Township administration office. Employees are responsible for investigating their own retirement plan with OPERS. Information about individual plans is available online at [www.opers.org](http://www.opers.org) or by calling 1-800-222-7377.

**B. Final Payment at Retirement**

The final paycheck will include all salary/hourly wages due through your final date of employment. In addition, payment will be made for residual vacation days, holidays to date and unused Paid Time Off using the current rate of pay to determine the amount due. Payment for residual vacation leave, holidays and unused PTO will be paid at the rate of one hour’s pay for every hour of accumulated time.

Payment for residual sick days up to 500 (five-hundred) hours or 63.3 (unless otherwise noted) work-days will be paid at the rate of one hour's pay for every three (3) hours accumulated. *The rate of pay for calculation of converted sick time will be the employee's base rate at the time of retirement.*

**RESIGNATIONS/TERMINATIONS**

Should an employee decide to leave employment with the Township, a written notice of resignation must be given to his/her immediate supervisor at least two weeks prior to the resignation date. This notice should contain the resignation date and may include the reason for resigning. If the two-week notice is not provided without good cause, some termination benefits may be cancelled. This may include those items described below within the “Final Pay Settlement” section. Following are items of information regarding the resignation/termination process. An employee may be terminated for repeated violations of any type or in the case of a first violation of a serious nature. An employee’s immediate supervisor has the option to suspend an employee and initiate a formal review to be presented, through the chain of

command, to the Trustees. The Township Trustees, with the recommendation of the Township Administrator, shall approve all cases of termination.

**A. Final Pay Settlement**

The final paycheck will include all salary/hourly wages due through the final date of employment. In addition, it will include any residual vacation time and paid time off.

**B. Health Benefits**

Employees and his/her eligible dependents will be eligible to continue basic group health benefits *at his/her election and expense*. Those individuals who are eligible for enrollment in the Township's COBRA plan as of January 1, 2010 have the option to extend their coverage up to twelve additional months beyond the statutory eighteen months subject to an administrative fee. This policy is to be reviewed by the Board on an annual basis. Current Federal COBRA regulations apply, and a letter outlining the specifics of the benefits will be mailed to the employee and other sponsored dependents. Employees have 60 (sixty) days after the qualifying event to select this optional benefit.

**C. Life and Disability Benefits (L & D)**

The Township L & D policies may also be converted to a personal policy provided you have had the disability benefit for at least one year. The Assistant Administrator for Human Resources may be contacted for more information. An employee has 31 (thirty-one) days after his/her last day worked to apply for this option. Application should be made to the Assistant Township Administrator for Human Resources.

**D. Return of Equipment/Supplies**

All individuals leaving the employ of the Township must turn in all equipment/supplies that were issued to them by the Township to use while performing their job duties. These items include but are not limited to tools, keys, protective gear, calculators, pagers, cellular telephones, etc. These items must be returned in good condition to the immediate supervisor, who must verify and return them to the Township, prior to the employee leaving and receiving his/her final paycheck.

**E. Recovery of Costs**

The value of all equipment/supplies not returned to the Township in good condition will

be withheld from the employee's final paycheck.

**F. Exit Interview**

An employee leaving employment with the Township will be scheduled for a brief exit interview. This interview will usually be conducted by the Assistant Administrator for Human Resources. The purpose of the interview is to assure that all paperwork has been completed and understood. It will also provide the opportunity for the Township to receive input regarding the employment experience of the employee, as to how he/she viewed the Township as an employer. This will assist and guide the Board in setting future personnel policies.

**G. Immediate Terminations**

If immediate termination for just cause should occur, the final paycheck will include worked hours only. Accrued paid time off and residual sick and vacation time will NOT be paid.

**GENERAL INFORMATION**

**A. Personal Injury/Property Damage Involving Township Employees**

Township employees are covered by liability insurance carried by the Township. In the event an employee is involved in the injury of a citizen or damages the property of a citizen during the performance of assigned duties, the employee should take the following actions:

- 1) Call any appropriate emergency personnel or, if qualified, render emergency first aid.
- 2) Be courteous and empathetic but *do* not admit fault at the scene.
- 3) Immediately report such an event to the employee's Department Supervisor or his/her designee.
- 4) Report the incident to the Township Administrator's office within 24 (twenty-four) hours so that appropriate insurance forms, legal assistance, etc. may be initiated.

The circumstances of the incident will be reviewed to determine if a commendation or disciplinary action is appropriate.

**B. Operation of Township Vehicles**

Operators of Township vehicle(s) are responsible for the safe operation and cleanliness of the vehicle(s). Unless authorized by the Department Supervisor, only Township employees may

operate Township vehicle(s) and only for job-related purposes.

Employees are responsible for any moving violations and/or fines that may result from improper operation of Township vehicle(s). Accidents involving Township vehicle(s) must be reported immediately to the proper police jurisdiction and to the employee's Department Supervisor as soon as possible.

All Township employees, except firefighters, who operate a motor vehicle of 26,001 lbs. or more (or a combination vehicle), are required to have a valid commercial drivers license (CDL) as specified in the Ohio Traffic Code.

Safety belts shall always be used while traveling on official business. This applies to all employees and occupants of any vehicle driven by employees, including rentals and personal vehicles, when used on official business. Supervisors must demonstrate their commitment to this policy by communicating it to their employees, monitoring compliance, evaluating effectiveness, and taking disciplinary action against violators. Employees who violate this policy will be subject to disciplinary action, which may include dismissal.

**C. Credit Card / Account Card Policy**

The Anderson Township Board of Township Trustees ("Board") may authorize an officer, employee, or appointee of the township to use a credit or account card ("Card") held by the Board to pay for work-related expenses (ORC 505.64(A)). An officer, employee, or appointee ("Employee") who is authorized to use a Card held by the Board and who suspects the loss, theft, or possibility of unauthorized use of the Card shall notify the Fiscal Office of the suspected loss, theft, or possible unauthorized use immediately in writing.

All Cards are and shall remain the property of the Board and are to be used for official Township business only. The use of any Card for personal purchases is expressly prohibited. It is the Employee's responsibility to verify that an open purchase order or blanket certificate is available to cover expenditures prior to making any purchases. The Employee is responsible and accountable for all transactions they perform using Cards. Misuse of a Card held by the Board is a violation of section 2913.21 of the Ohio Revised Code. Cards held by the Board include:

- a. One (1) Visa credit card with a limit of \$10,000 issued thru US Bank in the name of Kenneth G. Dietz, Anderson Township Board of Trustees (Fiscal Officer).
  - i. This card is primarily used for professional development travel, e.g. hotel reservations, airline ticket purchases, etc. It is also used for purchases that cannot be made by using a Township check or emergency payments. The card is in the possession of the Fiscal Office and usage is authorized by the Fiscal

Officer, Assistant to the Fiscal Officer, and/or the Accounting Assistant.

- b. Store-specific account cards – these cards are in the possession of the Fiscal Office and usage is authorized by either the Fiscal Officer, Assistant to the Fiscal Officer, and/or the Accounting Assistant.
  - i. Sam’s Club (pre-authorized users only)
  - ii. Home Depot (pre-authorized users only)
  - iii. FedEx / Kinko’s
  - iv. Kroger
- c. Voyager cards – to be used for refueling Township-owned vehicles only

An Employee who is authorized to use a Card shall present him or herself as an Anderson Township Employee at the point-of-purchase and provide the Township’s tax identification number (listed on each Card) to ensure the vendor does not charge state sales tax. Tax exemption certificates may be obtained from the Fiscal Office if required. Employees shall obtain a receipt for all purchases (except for fuel cards). Receipts shall be turned into the Fiscal Office within 5 business days for review in conjunction with monthly billing statements.

**D. Telephone Use**

It is the intention of the Township to keep our "telephone door" open for business. Therefore, we expect all employees to limit personal use of ALL Township telephones to *necessary* calls, keeping them as brief as possible.

Where work necessitates immediate communication with an employee, the Township may issue a Township-owned cell phone to that employee for work-related communications. Such phones are to be used for work-related reasons only. Phone logs may be periodically audited to ensure unauthorized use has not occurred.

Notwithstanding the above, under some rental arrangements, an employee may be able to use the same phone for business and personal use. See attached document, “Cell Phone Employee Personal Use Agreement”.

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of other Township-owned phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Flexibility will be provided in circumstances requiring immediate attention.

Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to

present the phone in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who leave employment with Anderson Township with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms. Such former employees may find the cost of such equipment deducted from their final paycheck and, may be subject to legal action for recovery of the loss.

Employees who are issued a cell phone for business use are expected to use extreme caution when using their phone while driving. Safety must come before all other concerns. Employees are encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call.

Text messaging while driving is expressly forbidden, in accordance with Ohio State law. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. Violators of this policy are subject to discipline.

In accordance with Ohio Public Records laws, all e-mails and text messages sent or received through Township-owned cell phones and computers may be considered a public record, which may be required to be provided pursuant to public records requests or may be discoverable in the event of litigation even if they have been deleted. Employees should have **no** expectation of privacy in any usage of a Township-owned cell phone.

#### **E. Expense Reimbursement**

The Township will pay for or reimburse employees for authorized expenses incurred for Township business or for approved membership dues, educational seminars, etc., providing the proper approval process has been followed.

*All expenses must be approved in writing by appropriate management **in advance**.*

Receipts are always required with the following exceptions:

- 1) Expenses less than \$2.00;
- 2) Approved per diems.

REASONABLE costs will be paid (or reimbursed) for seminar fees, transportation, lodging, parking, and meals when attending authorized meetings, seminars, or other job-related functions. Meal expenses will be reimbursed according to the following per diem schedule: \$10 for breakfast, \$16 for lunch and \$24 for dinner. Not eligible for reimbursement are expenses for accompanying family members, expenses for other parties attending events, alcoholic beverages, or excessively-priced events or activities. Expense reimbursement requests must be submitted to

the Fiscal Office within six months of the date of the expense to be considered for eligible for reimbursement, depending on the circumstances surrounding the request. Those expenses that are tied to a purchase order must be submitted before the expiration of that purchase order, which generally is at the end of each calendar year. Please consult with the Fiscal Office on such expense reimbursement requests. Please refer to Employee Benefits: Continuing Education Program (CEP) section for specific information about tuition reimbursement.

**F. E-mail and Internet Use**

The Township-provided internet and e-mail services are intended for public purposes. The Township encourages the use of the Internet and e-mail because they make research and communication more efficient and effective. In parallel fashion to telephone use policies, personal use should be minimized and no such use may result in unreimbursed cost to the Township. Furthermore, the Township Internet and e-mail may not be used for transmitting, retrieving or storing any communications of a partisan, discriminatory, harassing or illegal nature or materials that are obscene or x-rated. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. No abusive, profane or offensive language is to be transmitted through the Township's e-mail or internet system. Solicitation of non-Township business or any use of Township e-mail or the internet for personal financial gain is prohibited. Personal computers or peripheral equipment may not be physically connected to the Township network, server or internet connections.

To prevent computer viruses from being transmitted through the Township's e-mail or internet system, there will be no unauthorized downloading of any software. Authorization to download selected software may be obtained through the Office Manager or, in his/her absence, the Assistant Administrator for Operations.

The Township routinely monitors usage patterns on its computers, e-mail and internet communications. All computer files and messages created, sent or retrieved over the Township's e-mail and internet service are the property of the Township. The Township reserves the right to access and monitor all messages and files on the Township's computers and e-mail and internet system. Employees should have no expectation of privacy in any files or folders they create on Township computers since they are not to be used for personal business

In general, all e-mails sent or received through the Township's system are matters of public record, which may be required to be provided pursuant to public records requests, or may be discoverable in the event of litigation even if they have been deleted. Any employee who

abuses the privilege of Township-facilitated access to e-mail or the internet will be subject to corrective action up to and including termination. If necessary, the Township also reserves the right to advise appropriate legal authorities of any illegal violations.

**G. Employment of Relatives**

Anderson Township permits members of the same family to work for the Township. The Township will not, however, consider or accept employment applications from individuals whose employment would result in a supervisor/subordinate relationship with a currently Township-employed relative or in a possible or reasonably perceived conflict of interest. For example, a secretary to a department could be reasonably perceived to have a conflict if his/her relative worked in that department. Relatives are defined as: parent, spouse, child, sibling, grandparent, grandchild, aunt, uncle, cousin, in-law or step relative, or any person with whom the employee has a close personal relationship such as a domestic partner, romantic partner, or co-habitant.

**H. Township Auctions, Awards, Gifts and Contests**

Anderson Township employees and their immediate family members are ineligible to participate in any Township sponsored auctions and/or contests. "Immediate family member" means father (in-law), mother (in-law), brother (in-law), sister (in-law), spouse, child or grandparent. Furthermore, employees and their immediate family members cannot purchase/acquire/bid on any Township property that is being sold, auctioned or otherwise disposed of.

**I. Alcohol and Tobacco Free Environment**

The consumption of alcohol, smoking and/or the use of any tobacco product is prohibited anywhere on Township property at any time. The definition of Township property for the purpose of this policy includes all land, buildings, structures, parking lots and means of transportation owned by or leased to Anderson Township and any area, including customer property, where a staff member is engaged in Township business. Failure to comply with this policy may lead to disciplinary action up to, and including, termination.

**J. The Ohio Public Records Act**

The Ohio Public Records Act encompasses two distinct obligations of a public office:

1. In order to facilitate broader access to public records, a public office must organize and maintain the public records it keeps in a manner such that they can be made available for inspection or copying in response to a public records request.

2. In order to facilitate transparency in government and as one means of preventing the circumvention of the Ohio Public Records Act, Ohio's records retention law, R.C. 149.351, prohibits unauthorized removal, destruction, mutilation, transfer, damage, or disposal of any record or part of a record, except as provided by law or under the rules adopted by the records commissions (i.e., pursuant to approved records retention schedules).

#### **K. Fraud Reporting System**

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

Telephone: 1-866-372-8364

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

Website: [www.ohioauditor.gov](http://www.ohioauditor.gov)

#### **L. Ohio Ethics Law and Related Statutes**

All Township employees are required to abide by the Ohio Ethics Law as outlined in the Ohio Revised Code (R.C.102.09(D)). Questions about this requirement should be directed to the Assistant Township Administrator for Human Resources.

### **REVISIONS**

This Employee Handbook supersedes and replaces all previous Employee Handbooks

provided to you by the Township.

Last revision: December 18, 2012

## **Attachment 1: Anderson Township Family and Medical Leave Policy**

**PURPOSE:** The purpose of this policy is to set forth the conditions under which Anderson Township employees may apply for and be granted leaves of absence for family and medical reasons. This policy does not apply to leaves for any other purpose.

**POLICY:** The Township will grant employees up to twelve (12) weeks of leaves of absence for family and medical reasons when such leave requests qualify under the terms of this policy.

**WHO'S COVERED:** This policy applies only to those employees who (a) have worked for the Township for a minimum of 12 months, and (b) have worked a minimum of 1250 hours during the 12 month period immediately before the date when a requested leave would begin. The required 12 month period need not be consecutive.

**REASONS FOR LEAVE:** Family and medical leave may be taken under the following situations:

- 1) In order to care for a son or daughter in the case of the birth of said son or daughter or the placement of a son or daughter in the home of the employee as a result of adoption or foster care.
- 2) In order to care for an employee's spouse, son or daughter under the age of 18, or parent, if such individual has a serious health condition.
- 3) Because of a serious health condition which renders the employee unable to perform the functions of his/her position.

**DEFINITIONS: A Serious Health Condition is defined as: "an illness, injury, impairment, or physical or mental condition that involves (a) In-patient care or (b) Continuous treatment by a health care provider."**

In the case of the birth of a son or daughter or placement of a son or daughter via the adoption process or foster care, the employee's entitlement to leave shall expire 12 months after the birth or placement of said son or daughter. If a husband and wife are both employed by the Township, they may be limited to a total of 12 weeks, in the case of the birth, adoption or placement in foster care of a son or daughter. In the case of a serious health condition affecting a spouse, son, daughter or parent, the husband and wife may each be entitled to 12 weeks. The term "Parent" is

defined as “the biological mother or father, adoptive mother or father and any person who stood in loco parentis (acting as legal guardian or serving in the parenting role) when the employee was a minor.”

#### **GUIDELINES:**

**I. Must use paid leave first:** Any employee of the Township applying for a leave of absence without pay must use whatever paid leave time (residual vacation and sick leave or PTO) before going on a non-pay status. This paid time is included in calculating the 12 week limit of family and medical leave.

**II. Requesting family or medical leave:** Any employee of the Township requesting family or medical leave must first discuss the need with his/her Department Supervisor and then with both the Department Supervisor and the Assistant Township Administrator. The request for family and medical leave should be made at least thirty (30) days’ in advance of the start of the leave, if at all possible. When the thirty (30) day notice is not possible, with sufficient reason, the Township Administrator may (but need not) waive this requirement.

Upon receiving the request, the Township Administrator shall see that the employee requesting the leave of absence receives a form on which to apply for the leave. Included with the leave form shall be a certification form to be completed in part by the employee and in part by the employee’s health care provider. Both forms must be returned to the Township Administrator within five (5) working days prior to the start date of the leave of absence. The employee may also be required to furnish additional information as requested by the Township. In the case of an extended leave (four weeks or more), the employee must maintain regular contact with his/her Department Supervisor and advise of any changes in the conditions requiring the leave. Not less than 30 days before the leave expires, the employee must also advise the Department Supervisor of his/her intention to return to work, and the expected date of return. Any employee who decides not to return to work should inform the Township Administrator of such intentions.

**III. Calculation of available leave time:** The Township Administrator shall calculate the amount of available leave time for any employee requesting family or medical leave by first determining how much family and medical leave the employee has taken in the immediately preceding 12 months, then subtracting that time from the maximum allowable 12 weeks. (Example: If John Employee takes four weeks of leave in September, 1993 and then asks for another leave in June, 1994, the maximum leave possible beginning in June, 1994, would be eight weeks.)

**IV. Intermittent leave or reduced work schedule:** If an employee can handle a family or medical leave obligation without complete absence from work (for example, needing two afternoons a week for therapy or for transporting a son, daughter, spouse or parent for therapy), the employee should first discuss the circumstances with his/her Department Supervisor, then with the Township Administrator for suitable arrangements. The maximum amount of time off under these circumstances is the equivalent of 12 weeks full-time, or in the case of a part-time employee, pro-rated to the appropriate full-time equivalent.

**V. Status of employee benefits during unpaid leave:** During any leave for which pay is allowed, employee benefits continue as usual. During any unpaid portion of family and medical leave, health and life insurance benefits continue. No additional sick leave credit or vacation credit will accrue during an unpaid family or medical leave. Likewise, no additional seniority accrues during an unpaid absence, but the employee retains whatever seniority credit he/she held prior to the leave. Membership in the health or life insurance plan ends with a failure to return at the expiration of the leave, subject to the requirements of COBRA.

**VI. Return to work:** It is the intention of the Township to make every reasonable effort to return an employee to the same position occupied before the leave was taken. When this is not feasible, in the opinion of the Township, a returning employee will be assigned to an equivalent position, when at all possible, at the same rate of pay.

**Interpretations or exceptions to policy:** The Township Administrator shall interpret any and all phases of this policy, and make exceptions to it for reasonable cause shown.

**Effective Date: 01-01-98**

## **Attachment 2: Anderson Township Cell Phone Use Policy & User Agreement**

### 1. Personal Cellular Phones

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of Township-owned phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees therefore should make personal calls on non-work time and ensure that friends and family members are aware of this policy. Flexibility will be provided in circumstances requiring immediate attention.

The Township will not be liable for the loss of personal cellular phones brought into the workplace.

## 2. Personal Use of Township-Provided Cellular Phones

Where work necessitates immediate communication with an employee, the Township may issue a Township-owned cell phone to that employee for work-related communications. To protect the employee from incurring a tax liability for the personal use of this equipment and to prevent the employees exposure to “theft of services” charges, such phones are to be used for work-related reasons only. Phone logs may be periodically audited to ensure unauthorized use has not occurred.

Notwithstanding the above, under some rental arrangements, an employee may be able to use the same phone for business and personal use. See Exhibit A.

If an employee experiences a personal emergency that results in the need to use the Township-issued cellular phone (and they do not have a personal use agreement outlined in Exhibit A), he or she is required to report this use to the Fiscal Office within 48 hours. The employee will need to sign a form specifying the number called and the reason for the call. The underlying principle behind this provision is that personal use of a Township cell phone should not result in any cost to the Township.

Employees in possession of Township equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who leave employment with Anderson Township with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms. Such former employees may find the cost of such equipment deducted

from their final paycheck and, may be subject to legal action for recovery of the loss.

### 3. Safety Issues for Cellular Phone Use

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to use extreme caution when using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment should be requested in writing (or via e-mail) to facilitate the provisions of this policy.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violators of this policy are subject to discipline.

### 4. Cell Phone Privacy

In general, all e-mails and text messages sent or received through a Township-owned cell phone are considered a public record, which may be required to be provided pursuant to public records requests or may be discoverable in the event of litigation even if they have been deleted. Employees should have **no** expectation of privacy in any usage of a Township-owned cell phone.

## **Exhibit A**

**Cincinnati Bell:** Through a signed agreement with the Township, employees may use Township-issued cell phones for personal use according to the following fee schedule. The fee associated with the chosen number of personal-use minutes will be charged to the employee through monthly payroll deduction.

100 minutes/mo	=	\$6/mo
300 minutes/mo	=	\$18/mo
500 minutes/mo	=	\$30/mo

**Attachment 3: Anderson Township Cell Phone Employee Personal Use Agreement**

I \_\_\_\_\_ acknowledge that I have been issued a Township owned cellular phone,  
I agree that this phone/device is not for personal use except by agreement with the Township according to the following fee schedule. By initialing alongside a chosen level of personal-use minutes and corresponding fee, I agree to a monthly payroll deduction in that amount to cover my personal use of this phone/device:

- \_\_\_\_\_ 100 minutes/mo = \$6/mo
- \_\_\_\_\_ 300 minutes/mo = \$18/mo
- \_\_\_\_\_ 500 minutes/mo = \$30/mo
- \_\_\_\_\_ I decline the personal use of my Township issued cellular phone/device.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date