

## V. EMPLOYEE BENEFITS

---

---

PLEASE NOTE: *Some of the Township benefits and programs discussed below are presented as summary descriptions only. Some of these benefits are governed by formal benefit policy documents. If any conflict exists between the summary descriptions in this Handbook and the benefit policy documents, the benefit policy documents will rule. Management retains the right to change, suspend, interpret, or cancel in whole or in part any of the benefits described below at any time and for any reason it deems appropriate.*

### A. Vacations

All regular, full-time employees, except department heads, are eligible for paid vacation as follows:

- After 6 months or completion of probationary period – 40 hours vacation (equivalent of one week)
- After 1 year – 40 hours vacation (equivalent of one additional week)
- 2 - 8 years employed – 80 hours vacation (equivalent of two weeks)
- 9 - 14 years employed – 120 hours vacation (equivalent of three weeks)
- 15 - 20 years employed – 160 hours vacation (equivalent of four weeks)
- After 20 years employed – 200 hours vacation (equivalent of five weeks)

All regular, full time department heads are eligible for paid vacation as follows:

- After 1 year – 120 hours vacation (equivalent of three weeks)
  - Fire Chief = 144 hours vacation (equivalent of six 24-hour shifts)
- 9 - 14 years employed – 160 hours vacation (equivalent of four weeks)
  - Fire Chief = 192 hours vacation (equivalent of eight 24-hour shifts)
- After 15 years employed – 200 hours vacation (equivalent of five weeks)
  - Fire Chief = 240 hours vacation (equivalent of ten 24-hour shifts)

Full-time fire personnel with work schedules of 48-hour weeks will earn vacation credit as follows:

- After 6 months or completion of probationary period – 48 hours vacation (equivalent of two 24-hour shifts)
- After 1 year – 48 hours vacation (equivalent of two additional 24-hour shifts)
- 2 - 8 years employed – 96 hours vacation (equivalent of four 24-hour shifts)
- 9 - 14 years employed – 144 hours vacation (equivalent of six 24-hour shifts)
- 15 - 20 years employed – 192 hours vacation (equivalent of eight 24-hour shifts)
- After 20 years employed – 240 hours vacation (equivalent of ten 24-hour shifts)

After completing their initial probationary period, all employees will be credited vacation time on January 1 of each calendar year following their first full year of employment.

Vacation must be taken within the year in which it is earned unless this requirement is waived by the Township Administrator, in which case the vacation must be taken in the

following year. Employees may elect to carry not more than two (2) weeks vacation into a following year.

Employees may elect payment for up to two (2) weeks vacation, at straight time rates, in lieu of actual time off for vacation.

If at the end of the year an employee has more vacation time in their accrual bank than is permitted to carry *and* pay out, then that excess vacation time will be forfeited.

Vacation must be scheduled in advance and with approval of the Department Head.

Any accrued or carried-over vacation will be paid to the employee upon termination or death within the limits previously stated.

Vacation pay is calculated on a 40-hour week for regular, full-time employees (and some administrative fire employees) or on a 48-hour week for most fire employees.

An employee who becomes ill while on vacation can neither change the date of the vacation nor charge the time off against sick leave to extend his vacation. Employees may postpone a scheduled vacation to a later time that same year.

For purposes of calculating vacation credit, prior years of service with the State of Ohio, an Ohio city, an Ohio village, or an Ohio county will be credited at the rate of ½ the number of years worked. However, years of service with another Township or with the former Mason-Deerfield Joint Fire District previously serving Deerfield Township will be credited at the rate of one year of service for each year worked.

## **B. Holidays**

Legal holidays for all regular, full-time employees of Deerfield Township (**not covered by a bargaining agreement**) are as follows:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day\*\*
- Thanksgiving Day
- Veterans Day
- Christmas Day

Normally, a holiday that falls on Saturday will be observed the preceding Friday. When a holiday falls on Sunday it will be observed the following Monday. To qualify for holiday pay, non-fire employees must be present for a full shift on the working day before and the working day after the holiday or have an acceptable excuse for absence, as approved by the Department Head. Fire employees covered under this policy must work on the actual holiday to qualify for holiday pay.

Holidays that occur during an employee's scheduled vacation will count as a holiday and not a vacation day. **Holidays occurring during a disability leave or other leave of absence (whether paid or unpaid) are without pay.**

Holiday pay will be paid at the regular hourly rate for all full-time employees, unless a contract agreement specifies otherwise. Employees required to work on the following paid holidays: Martin Luther King, Jr. Day, President's Day, Good Friday, Independence Day, Labor Day, Columbus Day, and Veterans Day shall receive one and one-half (1-1/2) times their regular rate of pay for all hours worked in addition to the holiday pay. Employees required to work on New Year's Day, Memorial Day, Thanksgiving Day, or Christmas Day shall receive two (2) times their regular rate of pay for all hours worked in addition to the holiday pay.

Reasonable efforts will be made to accommodate employees who wish to take time off to observe special religious holidays. Such requests for time off will be approved at the discretion of the Supervisor and Township Administrator upon advance request. Time off granted to observe special religious holidays will be without pay unless the employee chooses to use their accrued vacation, comp, or sick time.

**Holiday pay for employees covered by a collective bargaining agreement, and all Fire Battalion Chiefs who work a 48-hour schedule, (or employees who have individual contracts which incorporate, by reference, holiday and overtime pay terms of a collective bargaining agreement) are paid in accordance with the terms of the applicable labor contract, unless the contract is silent on the issue, in which case this policy controls.**

\*\* Part-time fire personnel substitute Easter Sunday for the Columbus Day holiday. Full-time township personnel not covered by a collective bargaining agreement may observe the Columbus Day holiday on either Columbus Day or on the day after Thanksgiving.

## **C. Sick Leave**

### **1. General Provisions**

All regular, full-time employees are allowed paid sick leave in accordance with the following provisions:

- a) Employees not covered by a collective bargaining agreement will accrue 8 hours sick leave for each month of service in the Township. In each

calendar year you may use up to 24 hours of your accrued sick leave for personal time off.

- b) Sick leave accumulates indefinitely.
- c) Any sick leave or personal time off must be approved by your Department Head and Township Administrator.
- d) Sick leave does not accumulate while you are on suspension or during any unpaid leave of absence exceeding one month.
- e) For employees in good standing who voluntarily resign their employment position, retire from the Township, or die while still employed and who have been employed by the Township for at least 12 consecutive months prior to resignation, retirement, or death, the Township will make a lump-sum payment to the employee or the employee's estate for all accrued sick leave up to a maximum of 480 hours for 40-hour, non-bargaining employees. Forty-eight-hour, non-bargaining employees will be paid out for all accrued sick leave up to a maximum of 576 hours under these same parameters.
- g) A newly-hired employee who has worked full-time with the State of Ohio, an Ohio city, an Ohio village, an Ohio county, or an Ohio township may be permitted to transfer unused (and unpaid) sick leave from their previous government employer. The maximum credited amount will not exceed 240 hours. Any sick leave hours transferred from a previous government employer may not be used until you successfully complete your initial probationary period.

## **2. *Employee Responsibility***

- a) Employees who want to use sick leave must contact their Department Head or the Director of Administrative Services as early in the work day as possible to inform them of the absence and, if possible, the estimated length of absence.
- b) Employees absent for more than three consecutive work days may be asked to provide a written statement of medical treatment and a release for work from the employee's doctor.
- c) Employees who do not have any sick leave available must fill out a request for leave of absence, which is subject to approval by their Department Head and the Township Administrator.

## **3. *Donated Sick Time***

- a) All full time employees of Deerfield Township shall be eligible for donated time benefits, subject to the terms of this Section, to relieve hardship resulting from extended illness/injury which is not covered by injury leave.
- b) The approval of donated time shall be solely at the discretion of the Township Administrator. Factors which may be considered are the nature of the employee's ailment, the prognosis for recovery, and the employee's history of sick leave usage.
- c) If the Township Administrator approves the donation of sick leave to an employee, employees will be notified by memo. Employees may voluntarily donate sick leave to the approved recipient. Time donated must be in one (1) hour increments. Employees donating sick leave must have an accrued balance of at least 240 hours of sick leave.
- d) Donated time shall be converted to its cash equivalent and paid to the recipient at his regular hourly rate.
- e) Donated time shall be drawn from the donated time bank in as equitable a fashion as feasible.

**D. Family & Medical Leave**

In accordance with the Family and Medical Leave Act (FMLA), eligible employees are entitled to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. To be eligible for FMLA benefits an employee must have worked for Deerfield Township for a total of 12 months and been in active pay status for 1,250 hours during the previous 12 months. Cumulative total of all FMLA leave in any 12-month period will be calculated on a "rolling" 12-month period measured backward from the date of any FMLA leave usage.

**1. Leave Entitlement**

An eligible employee is entitled to unpaid leave under the FMLA for the following reasons:

- a) To care for your newborn child;
- b) Placement of a child with you for adoption or foster care;
- c) To care for your spouse, son, daughter, or parent who has a serious health condition (as defined by the FMLA); and
- d) Your own serious health condition that makes you unable to perform your job.

Spouses employed by the Township may be entitled to a combined total of 12 work weeks of family leave for the birth and care of their newborn child, or for placement of a child for adoption or foster care. Leave for birth, care, or placement for adoption or foster care must conclude within 12 months of the birth or placement.

You may take FMLA leave intermittently under certain circumstances, subject to approval by the Township Administrator.

2. ***Pay during FMLA Leave***

You will be required to use accrued or unused vacation or sick leave during any FMLA leave. If you use all your accrued vacation or sick leave, the remainder of your FMLA leave will be unpaid.

In accordance with the Township's existing policies, an employee on an unpaid leave of absence will not accrue sick leave during that absence. Seniority will continue to accrue during any FMLA leave, provided proper procedures are followed by the employee in requesting such leave and the employee returns to work at the end of the approved leave period.

3. ***Maintenance of Health Benefits***

Deerfield Township will maintain group health coverage on the same terms for an employee on FMLA leave whenever such insurance was provided before leave was taken. If you normally pay a portion of any group health insurance premiums, you still must make those payments during your FMLA leave. If your leave is unpaid, you must make those payments on or before the first day of each month. Your coverage may be terminated if the payment is more than thirty calendar days late. At Deerfield Township's sole option, it may pay your share of the applicable premiums during your FMLA leave and recover those payments from you when you return to work.

4. ***Job Restoration***

Upon return from an FMLA leave you will return to the position you held at the beginning of the leave or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

Your right to reinstatement may be affected if you are considered a "key employee" as defined by the FMLA. Generally, the Director of Administrative Services will notify you of your "key employee" status when you request leave or when the Township places you on leave, whichever comes first.

5. ***Notice and Certification***

Where foreseeable, notice of an FMLA request must be given 30 calendar days before the leave begins. Otherwise notice must be given within a reasonable period of time – generally not more than one or two work days – after you become aware of the need for a leave.

Employees requesting FMLA leave may be required to furnish medical certification supporting the need for leave due to a serious health condition of the employee or the employee's immediate family member. Failure to provide the

completed medical certification in a timely fashion may delay your leave or, if not provided at all, may disqualify your absence as FMLA leave.

The Township may request a second opinion or third medical opinion (at our expense) regarding any medical certification you provide. During FMLA leave, you also may be asked to provide periodic reports regarding your leave status and your expected date of return to work.

**6. *Fitness-for-Duty Certification***

Employees returning from FMLA leave must present a fitness-for-duty certification from their physician or other recognized medical provider prior to resuming employment. The Township may also require Fitness-for –Duty certification from a physician designated by the Township. Reinstatement to employment will be delayed until you provide appropriate certification of your fitness for duty.

The sections above are only a summary of your rights under the Family and Medical Leave Act. For additional information, please contact the Director of Administrative Services.

**E. Personal Leave of Absence**

Full-time employees who have completed their probationary period with the Township may request a personal leave of absence (PLA) if they need time off from work and they have no remaining accrued vacation or sick leave. PLA requests must be made in writing and submitted to your immediate supervisor as far in advance as possible. Requests must be approved by the Township Administrator and the Township Trustees. Each PLA request will be considered on a case-by-case basis, taking into account such factors as your length of service, work history, staffing needs, and the reason for your request.

If the Township approves your PLA, the following applies:

- a. PLAs are unpaid.
- b. You are responsible for payment of all insurance premiums during a PLA. Failure to pay premiums may result in cancellation of coverage. You must arrange with the Director of Administrative Services how you will pay your insurance premiums prior to beginning your leave.
- c. Employees who fail to return from a PLA on the date indicated in their leave request will be considered to have voluntarily resigned employment.
- d. Vacation and sick days do not accrue on a PLA that exceeds one month.
- e. Employees will not receive holiday pay while on PLA.
- f. Short-term PLAs of two weeks or less will not interrupt or change your job status or benefit coverage.
- g. Employees who accept other employment while on PLA will be considered to have resigned voluntarily.
- h. The Township cannot guarantee that your job will be available upon your return from leave if the PLA lasts longer than 30 days.

## **F. Bereavement Leave**

Regular, full-time employees will be allowed up to three days of paid bereavement leave to assist with arrangements and/or attend the funeral of an immediate family member. For purposes of this policy “immediate family member” is defined as spouse, child, brother, sister, mother, father, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandmother, grandfather, step-father, step-mother, step-brother, or step-sister.

One day of paid bereavement leave may be granted to grieve the death of a relative who is not an immediate family member (as defined above) or who is any other person with whom your relationship was similar to that of an immediate family member such as a close family friend, foster child, or significant other. The Township reserves the right to verify requests for bereavement leave.

## **G. Military Leave**

Regular, full-time and regular, part-time employees of Deerfield Township who are called for training or active duty in the armed services of the United States are eligible for military leave provided they give notice of their military obligations. In handling military leave issues, the Township will comply with federal and state law governing military leave, including the Uniformed Service Employment and Re-employment Act. You should talk with the Director of Administrative Services if you have questions about military leave.

## **H. Court Leave**

- a. If you are required to serve as a juror or are subpoenaed to appear before any court, commission, or other legal body authorized by law to compel the attendance of witnesses, the following applies: While serving as a juror or witness you will be paid at your regular rate of pay minus any jury pay you receive.
- b. You must turn in to your supervisor the summons to serve as soon as possible so that work assignments can be adjusted to accommodate your absence.
- c. Once you have completed jury or witness duty you must turn in to your supervisor a court document verifying the time you actually spent in court.
- d. If your jury/witness duty ends before the end of your regularly scheduled workday, you are expected to return to work that day.
- e. If you need to appear in court on your own behalf, you may use vacation, sick leave, or comp time or request an unpaid leave of absence.