



City of the Village of Indian Hill Employee Handbook

We are very pleased to have you as a valued employee of the City of the Village of Indian Hill. You are a member of an organization that has established an outstanding reputation for superior quality public service and employee retention.

The City of the Village of Indian Hill is a full service residential community which has long been recognized as one of the premier places to live in this region of the country. Our employee team strives to match the level and quality of services we provide to this exemplary community. The service levels we provide have a direct relationship to our recruitment procedures, our employee compensation and benefit package and our commitment to the development and maintenance of a high performance organization.

This handbook provides answers to questions you may have about the Indian Hill's employee benefit programs, as well as many of the City's administrative policies and procedures that will impact you as an employee. A separate manual is available in each department with detailed descriptions of the City's policies and procedures if further information or clarification is needed. This document provides information on Village-wide policies and procedures while the departmental supplements focus on more specific job functions, departmental operations, and safety procedures germane to the particular department.

Welcome to the City of the Village of Indian Hill . . . we are pleased to have you as part of our team!

The City of the Village of Indian Hill Mission Statement

An organizational partnership dedicated to superior public service, excellence, integrity and preserving the character of the Village.

The City of the Village of Indian Hill Vision Statement

The City of the Village of Indian Hill workforce functions as a team of professionals who trust and help each other build and maintain the strong and cohesive partnership which forms the core of the mission statement.

Statement of Core Values

WE VALUE...

- ✓ *A strong commitment to public relations and customer service which places our resident customers as the No. 1 Priority.*
- ✓ *The paramount importance of conducting ourselves with the highest degree of integrity and ethical standards with a total commitment to our individual and collective responsibilities.*
- ✓ *A safe and secure work environment for the benefit of all employees, residents, and visitors to the City of the Village of Indian Hill.*
- ✓ *Decision-making based on shared trust and teamwork and a commitment to organizational unity and dedication to public service.*
- ✓ *An organization that is committed to organizational values, proud of shared achievements and the quality of services provided while also respecting the contributions and importance of every employee.*
- ✓ *The importance of empowering employees to perform at a high level, assuming leadership roles in the organization, and fostering employee development through training and educational opportunities.*
- ✓ *Cost containment and financial accountability in our public spending.*

I. BRIEF HISTORY OF THE INDIAN HILL	6
II. INDIAN HILL GOVERNANCE	7
A. Form of Government	7
B. Administration	8
1. City Manager	8
2. City Solicitor	8
3. Finance Department	9
4. Inspection Division	9
5. Police Department	9
6. Public Works/Water Works Department	10
7. Fire Department	10
III. NEW EMPLOYEES	11
A. Reporting New Appointments	11
B. Orientation of New Employees	11
IV. TYPES AND NATURE OF EMPLOYMENT	12
A. Types of Positions	12
1. Full-Time Employees	12
2. Part-Time Employees	12
3. Temporary/Seasonal Employees	12
B. Nature of Employment	12
1. Classified Civil Service Positions	12
2. Unclassified (Exempt) Positions	13
3. Bargaining Unit Employees	13
C. Job Descriptions	13
D. Overtime Eligibility	13
1. Fair Labor Standards Act (FLSA) Exempt Positions	13
2. Fair Labor Standards Act (FLSA) Non-Exempt Positions	13
E. Introductory/Probationary Period	14
V. EMPLOYEE COMPENSATION	15
A. City Compensation Schedule	15
B. Pay Period, Pay Days & Time Sheets	15
1. Pay Period	15
2. Timesheets	15
3. Pay Day/Distribution of Paychecks	15
4. Release of Paychecks to Persons other than the Employee	15
5. Payroll Deductions	15
6. Direct Deposit of Paychecks	16
7. Credit Union Membership	16
8. Overtime Pay	16
9. Compensatory Time	16
10. Call Back Pay	17
11. Kelly Time	17

VI. EMPLOYEE BENEFITS	18
A. Paid Leaves of Absence	18
1. Holidays	18
2. Vacation Benefits	18
3. Personal Days (<i>Extra Vacation Days</i>)	20
4. Sick Leave Allotment	21
5. Sick Leave Procedures Applicable to All Employees	21
6. Funeral Leave	21
7. Jury Duty	22
B. Unpaid Leaves of Absence	22
1. Family Medical Leave Act (FMLA)	22
2. Military Leave	30
C. Group Insurance Coverage	31
1. Medical Insurance	31
2. Employee Assistance Program	32
3. Life Insurance	32
4. Additional Optional Insurance Coverage	32
5. Workers' Compensation	32
6. COBRA	33
D. Employee Incentives/Bonuses	33
1. Longevity Pay	33
2. Sick Leave "Buy Back" Incentive	34
E. Travel and Tuition Reimbursement	34
1. Educational Tuition Reimbursement	34
2. Attending Seminars/Training Sessions	34
F. Retirement Plans	35
1. Ohio Public Employees Retirement System (OPERS)	35
2. Ohio Police and Fire Pension Fund (OPFPF)	35
3. Purchase of Military and Out-of-State Service Credits	35
4. Deferred Compensation	36
G. Awards	36
1. Service Awards	36
2. Retirement Service Award	36
VII. EMPLOYMENT POLICIES	37
A. Equal Employment Opportunity	37
B. Americans with Disabilities Act (ADA)	37
C. Code of Ethics	38
D. Non-Discrimination and Anti-Harassment Policy	39
E. Drug-free Safety Policy	41
F. Tobacco-Free Workplace	51
G. Conflict of Interest and Outside Employment	53
H. Personal Appearance	53
I. Firearms in the Workplace	54

J.	Political Activity .....	.55
K.	Nepotism .....	.55
VIII. EMPLOYEE HEALTH & SAFETY .....		.56
A.	Safety and Security .....	.56
B.	Employee Relations Committee .....	.56
C.	Safety Manual .....	.56
D.	Driver's License & Driving Record .....	.56
E.	Reporting Personal Injuries .....	.57
F.	Reporting Vehicle Accidents .....	.57
G.	Property & Equipment Care .....	.58
IX. ADDITIONAL POLICIES .....		.59
A.	Anniversary Date .....	.59
B.	Health Examinations .....	.59
C.	Personnel Files .....	.59
D.	Performance Appraisal/Review .....	.59
E.	Separations/Retirements .....	.59
F.	Termination Pay .....	.60
G.	Employee Discipline Policy .....	.60
G.	Grievance Procedure .....	.61
H.	Expense Reimbursement .....	.62
I.	Reimbursement for Use of Personal Vehicle .....	.62
J.	Internet Usage / Computer System .....	.62
K.	Electronic Communications Policy .....	.62
L.	Suggestions .....	.63
X. RECEIPT & ACKNOWLEDGMENT OF THE CITY EMPLOYEE HANDBOOK .....		.64

I. Brief History of the Indian Hill

The single most compelling quality of Indian Hill is its Village atmosphere. With a population of around 5,900 people, it is technically a City. However, its life style over the years has remained constant. That lifestyle is that of a residential community of dedicated citizens trying to preserve the country atmosphere and the gifts nature has bestowed upon it. Its verdant terrain has a magnetism that attracts citizens who are willing to do something about the quality of their "at home" existence. This state of mind perhaps is vestigial of the Village's earliest days.

The nearly 20 square miles, now known as Indian Hill, was first eyed by the Indian tribes of the Shawnee, Miami and Delaware. From their villages at Pickaway and Chillicothe, they came to hunt the wooded slopes and fish the clear streams. Some of the main thoroughfares of the Village follow the early Indian trails.

In 1787, Major Benjamin Stites, a veteran of the Revolutionary War, was with a surveying party coming down the Ohio River, when he was impressed by the strategic value as well as the beauty of the area between the two Miami Rivers. He returned east and interested Judge John Symmes in its purchase. When Symmes bought close to a million acres from the United States Government, he sold the 10,000 acres adjacent to the Ohio and Little Miami Rivers to Stites for \$.66 an acre. This parcel of land encompassed Indian Hill. Newtown was among the first settlements, and it was not long before some of the families moved from that settlement up the hillside to make their homes. In the early pioneer days, there were many encounters with the Indians.

LEGEND

One such involved the Indians stealing three horses from the settlement at Nelson's Station (Madisonville). The settlers pursued them, and shot the one Indian who was unfortunate enough to have selected a lame horse. Years later, his body was found on a farm on a hill above Madisonville, giving the name Indian Hill to our rural community.

By the early 1800's, the Indians had moved westward. This allowed the settlers to farm, run their grist, saw and paper mills, build comfortable homes, and organize the community about them. Three schools were built, all of which are still standing. The first church, Armstrong Chapel, was built on property given by Nathaniel Armstrong, a prosperous mill operator. The men of the community formed the bricks from clay on the property, cut the beams and forged the hardware. The cemetery predates the church. Soldiers from nearly every U. S. war, including the Revolutionary War, are buried in the cemetery.

By the end of the 19th century, the area was a farming community of about 500 residents, many of whom were descendants of the early pioneer families.

In the early part of the 1900's, in order to escape the heat of the city, a few Cincinnatians began to come for the summer. They purchased farms or visited relatives. The virginal beauty of its hillsides attracted more and more Cincinnatians. By the late 1920's, it began to develop into a suburban residential community. By the late 1930's, its citizens became concerned about protecting the handsome woodlands from the discordant elements that were beginning to plague the outskirts of major cities. Thus, the Village was incorporated in 1941. With tight

zoning, imaginative leadership, and suburban planning, created and guided by the personal efforts of its residents, the Village has been able to meet the pressing demands for housing that began after World War II and yet maintain its rural atmosphere.

The Village has always had a green thumb and affinity for open space. This is manifest in the green areas program, which, through purchase and gifts, has created an almost unbroken arc of greenery around and throughout the Village.

Life in Indian Hill is still full of the blessings of nature as well as the large and small kindnesses that make a community human.

II. Indian Hill Governance

A. Form of Government

The City of the Village of Indian Hill operates according to the Council/Manager form of government which vests authority in an elected City Council that, in turn, appoints a City Manager who is responsible for the day-to-day administration of the City.

The City Council is the City's legislative and policy-making body. It is the Council's responsibility to enact ordinances, resolutions, and directive orders necessary for governing the affairs of the City as outlined in the City Charter; to approve or amend the annual budget; to authorize certain contracts on behalf of the City; to act as the final appeal body on rulings of boards and commissions; and to appoint the City Manager, and all members of the City's various volunteer boards and commissions.

The City Manager is responsible for the overall administration of the City. This responsibility includes implementation of the general policies set by the City Council and the day-to-day operation of all City services and activities. The City Manager, with the help of the City administrative staff, provides the City Council with the information needed to fulfill its policy-making role.

The Council/Manager form of government combines the strong political leadership of elected officials with the strong managerial leadership of an appointed professional manager. This combination of elected and appointed City officials effectively provides local government services to all segments of the community and meets the long range aspirations and needs of the City.

B. Administration

To provide our residents with the best possible services, it is essential that all departments work together. To assist in understanding how each department operates within our organization, the following is a brief description of departmental responsibilities:

1. City Manager

The City Manager is appointed by the City Council and serves at its pleasure. The City Manager provides the professional leadership and management of the City and the execution of City Council's policies. The City Manager provides effective municipal services through the coordination and direction of all City activities, finances and personnel. The City Manager's office also serves as a liaison between the Village of Indian Hill and other governmental agencies, and provides for effective public information dissemination to the community and the region.

The City Manager's office provides services which include the administration and execution of City Council policy; administration and supervision of all City departments; the presentation of recommendations and information to enable the City Council to make decisions on matters of policy; provision of prompt responses to all inquiries and requests of citizens; dissemination of information regarding City activities; provision of input on regional, state and federal issues which affect Indian Hill; maintenance of a sound fiscal position for the City by preparing the annual budget; administration of human resources and labor relations; provision of safety programs to reduce liability exposure while assuring safe employee working environments; and implementation of current and essential technological information services.

The City Manager's office also is charged with the administration of zoning, subdivision and other land use ordinances which regulate the use and development of land. General and specific plans, policies, and strategies for directed growth, community preservation, annexation efforts and environmental quality are created for Council review. Site clearance releases are required to be issued in advance of the issuance of a building permit for any construction in the Indian Hill. Building code enforcement is contracted through the Hamilton County Building Department.

The City Manager's office is comprised of one City Manager, one Assistant City Manager, one City Engineer/Project Manager, one Administrative Assistant shared with the Police Department, one Information Technology Manager, one part-time Administrative Assistant and one Recreation Coordinator.

2. City Solicitor

The City Solicitor is appointed by the City Manager to perform professional and administrative work as the chief counsel and legal representative of the City. In addition, the City Solicitor provides legal counsel to the City Council, City Manager, Department Heads, Commissions, and Boards of the City. The City Solicitor's office is responsible for the preparation and/or review of resolutions and ordinances when necessary for the City Council; provision of the legal defense for actions brought against the City and agencies of the City; preparation of legal documents for the City Council, Planning Commission, and other boards and agencies of the City; legal representation for the City in civil and criminal cases; and provision of legal advice and

counsel to the City Council and administration of the City.

3. Finance Department

The accounting and management functions of Indian Hill's finances are carried out by its Finance Department. The department is supervised by the Finance Director with oversight by a part time Clerk/Comptroller. Three Administrative Assistants and one part time Secretary/Receptionist perform all the clerical functions and provide administrative support associated with the Department.

The Department is responsible for all functions associated with the budgetary accounting, payroll and financial operations of the City. It coordinates preparation of the annual budget and provides monthly and annual financial reporting. The investment of City funds, debt issuance, employee insurance, Mayor's Court support, and retirement information are also handled by the Finance Department.

The Department also is responsible for collecting revenues generated by the Village's local income tax which is based on the State of Ohio's adjusted gross income. The tax rate is established annually by City Council as it falls below the 1.0% threshold, which, per state law, requires voter approval.

4. Inspection Division

The Inspection Division performs several functions in support of overall community health and safety. The division provides inspection services in cooperation with the Hamilton County General Health District to insure compliance with state and local health codes as they relate to home septic systems. One part-time Sanitary Inspector performs inspections on the 1,300 individual home septic systems throughout Indian Hill and works with developers, builders, and homeowners on compliance with applicable codes.

5. Police Department

The Indian Hill Rangers provide for the safety and welfare of the citizens of Indian Hill through maintenance of effective law enforcement systems, which include: crime prevention, patrol, traffic enforcement, follow-up criminal investigations, and community relations.

It is the goal of the Indian Hill Rangers to provide service fairly and impartially throughout the entire community while maintaining integrity and professionalism in its operations.

The Department is comprised of one Chief of Police, two Assistant Police Chiefs (Patrol and Investigations), four Lieutenants, thirteen sworn Patrol Officers and five civilian employees. The civilian employees include four Dispatchers and one Administrative Assistant position, which are shared with the City manager's office.

6. Public Works/Water Works Department

The Public Works Department provides a high level of public services with prompt and courteous response. There are several divisions and maintenance responsibilities within the department. These include:

- a. Street Division - maintains streets and roads, public right-of-ways, installation, and maintenance of all informational and regulatory street signs, vehicle maintenance, storm water control, and snow and ice treatment
- b. Waste and Recycling Collection Division - handles refuse and recycling collection, including yard wastes;
- c. Buildings and Grounds Division - responsible for municipal property maintenance, including buildings and grounds, Green Area Trust property, parks and recreation areas and bridle trails

The Department is comprised of one Public Works/Water Works Superintendent, three Foreman, one Crew Leader, one Administrative Assistant, one Mechanic, one Assistant Mechanic, and twenty-four Service Maintenance Workers. The Department also employs seasonal employees and permanent part time employees on an as needed basis.

The Water Works employees operate and maintain a water system delivering an average of two million gallons daily (MGD) of potable water with a summertime peak of 4 MGD. The current plant capacity is 6 MGD. The Department utilizes a 100KW back-up electric generator to provide a constant source of electric power during any outages and peak shave the electric usage during expensive demand charge periods. Water Works employees include one Chief Plant Operator,

The employees designated specifically to Water Works are one Chief Plant Operator, one Foreman, three Operations Workers, and three Distribution Workers

7. Fire Department

Indian Hill contracts with the Madeira and Indian Hill Joint Fire District (MIHJFD) for fire and emergency medical services. The District has been in existence since 1985. Prior to the establishment of the public district, Indian Hill contracted with its private predecessor, the Madeira and Vicinity Fire Company. The District operates two stations, one at the intersection of Miami/Euclid Roads in Madeira and one at the intersection of Shawnee Run/Drake Roads in Indian Hill.

III.

New Employees

C. Reporting New Appointments

The City Manager serves as the appointing authority for the City and will report in writing all

new appointments to the department head of the respective new employee, and to the Finance Department for payroll purposes.

The City administration must obtain from all new employees the following information for completion of all required personnel and tax reporting forms:

- a. Employment Application/Resume
- b. Social Security Number
- c. Name (first, middle, last)
- d. Address (including zip code)
- e. Telephone Number
- f. Date of Birth
- g. Race
- h. Sex
- i. Marital Status
- j. Withholding Tax Status form for Federal, State, and City taxes
- k. Ohio New Hire form
- l. Federal I-9 Employee Eligibility Verification form
- m. Miscellaneous IRS forms
- n. School District Questionnaire
- o. Retirement system application information
- p. Health/Life Insurance application
- q. Emergency contact information

Additional forms may be added to the above as changes in the law occur. Each employee has the responsibility for reporting any needed changes, and assuring the accuracy of information contained in his/her personnel file. Please report any changes to the Payroll Office in the Finance Department.

D. Orientation of New Employees

All new employees will receive an “orientation” to the City and their new job assignment from their supervisor and/or other members of the City’s management team. During the first week of employment, employees should receive an explanation on the relevant material from this employee handbook, as well as important City policies and procedures. Any questions that may arise from the orientation, or generally about the City, should be referred to the employee’s department head.

IV.

Types and Nature of Employment

There are various types and natures of employment positions available within the City organization.

E. Types of Positions

The following descriptions represent the general categories or types of employment available within the City:

1. Full-Time Employees

An employee who works a regular schedule of at least 40 hours per week (*30 hours per week for Affordable Care Act purposes*) is considered a regular full-time employee.

Full-time employees generally receive full benefits from the City including medical, health reimbursement account contribution and life insurance, sick leave, vacation leave, and personal leave.

2. Part-Time Employees

An employee who works less than a regular 40-hour workweek (*30-hour workweek for Affordable Care Act purposes*) is considered a part-time employee.

Part-time employees do not accrue any benefits other than those provided by state and federal laws, such as worker's compensation, except as specifically provided for in the applicable annual wage and benefit ordinance for the specific position.

3. Temporary/Seasonal Employees

An employee hired for a specific task or set of tasks whose employment is expected to last for a limited duration is considered a temporary or seasonal employee. Temporary/seasonal positions usually do not exceed six months in duration. Temporary/seasonal positions are not eligible for any benefits other than those provided by state and federal laws, such as worker's compensation

F. Nature of Employment

The following explains the "nature" of employment of the various positions within the City:

1. Classified Civil Service Positions

Classified Civil Service positions are those positions that are subject to civil service examinations for entry level or promotional positions, and that follow Civil Service rules and procedures for testing, appointment, evaluation, disciplinary action, and termination.

2. Unclassified (Exempt) Positions

Unclassified positions are those positions which are exempt from Civil Service testing, rules, and procedures. Employees assigned to these positions are generally hired by the City Manager and are “at-will” employees, serving at the pleasure of the City Manager.

3. Bargaining Unit Employees

In any case where an employee is employed in a position covered under a collective bargaining agreement, the employment provisions specified in said agreement shall control when there is a conflict with any provision set forth in the Employee Manual.

G. Job Descriptions

The City maintains a job description for each position in the City. When a position’s duties and/or responsibilities are changed, the job description will be updated. Employees will be provided a copy of their job description during their initial orientation to employment at the City. Employees may request or may be provided updated job descriptions in the future as necessary.

H. Overtime Eligibility

The following explains the basis upon which overtime compensation is paid for eligible employees.

1. Fair Labor Standards Act (FLSA) Exempt Positions

Exempt employees are elected officials, the City Manager, department heads, professional staff, technical staff, and others whose duties and responsibilities allow them to be "exempt" from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any other applicable state laws. These employees generally have duties associated with the management of a department, supervision of other employees, performance of office or non-manual work directly related to management policies, or general business operations and whose responsibilities include the exercise of discretion and independent judgment. Employees assigned to exempt positions will not be eligible to receive pay for hours worked in excess of eight (8) hours per day or forty (40) hours per week. Exempt employees will be advised of their status at the time they are hired, transferred, or promoted.

2. Fair Labor Standards Act (FLSA) Non-Exempt Positions

An employee is considered “non-exempt” if their position does not meet the exemption requirements of the FLSA as outlined above. These employees are typically paid on an hourly basis and are eligible to receive overtime pay for hours worked in excess of eight (8) hours per day or forty (40) hours per week, *or as otherwise specified under any applicable bargaining unit agreements*. “Non-exempt” employees who perform overtime work will be paid one and one-half (1½) times their regular hourly wage for work in excess of the measuring work period.

Police Department employees on a rotating schedule are paid overtime for time worked over twelve (12) hours per day or eighty-four (84) hours within a fourteen (14) day

period.

I. Introductory/Probationary Period

All employees of the City are subject to an Introductory/Probationary Period during his/her first twelve (12) months of employment. After successful completion of his/her Introductory/Probationary Period, the employee will receive a permanent appointment to his/her position.

If an employee's job performance is unsatisfactory at any time during the Introductory/Probationary Period, that employee may be released by the City without cause. In cases where additional time is necessary to assess an employee's performance, the Introductory/Probationary Period may be extended by an additional six (6) months at the discretion of the City Manager.

When an employee is promoted, or accepts another position with the City, he/she will begin a new Introductory/Probationary Period of twelve (12) months.

Appointment to permanent status after the successful completion of an employee's Introductory/Probationary Period is not a guarantee of continued employment with the City.

V. Employee Compensation

J. City Compensation Schedule

The City maintains a schedule of compensation for all positions within the City organization. An individual's pay within the established pay range for his/her position will depend on his/her experience and performance over time. The City's pay ranges are typically adjusted each year so that the City remains competitive in its employee compensation.

K. Pay Period, Pay Days & Time Sheets

1. Pay Period

Employees of the City are paid on a bi-weekly basis. A pay period is a timeframe of fourteen (14) calendar days, starting every other Saturday, for which an employee receives a paycheck.

2. Timesheets

Employees must turn in a completed timesheet to their department head in order to be paid for the work they have performed. This timesheet reflects the employee's days and hours of work, overtime worked (if applicable), and paid leave utilized for the most recent pay period. Timesheets must be turned in no later than the Monday morning following the end of the most recent pay period.

3. Pay Day/Distribution of Paychecks

The official City "pay day" will be every other Wednesday afternoon for services performed for the previous two (2) week period. Whenever holidays interfere with the normal payday, every effort will be made to distribute paychecks the day before the holiday.

4. Release of Paychecks to Persons other than the Employee

Paychecks will not be released to anyone other than the person to whom they are issued, unless the employee has made specific arrangements with the Finance Director in advance.

5. Payroll Deductions

The City is required by law to make certain deductions from an employee's paycheck. In addition to a mandatory pension contribution, federal, state and local income taxes, as well as any applicable school income taxes, are also deducted. These deductions will be itemized on the paycheck stub. Employees may also authorize the City in writing to make additional deductions from his/her paycheck to credit unions, payroll saving plans, United Way, etc.

6. Direct Deposit of Paychecks

Employees' paychecks may be direct deposited into a savings or checking account. For information on how to participate in the direct deposit of your paycheck, contact the Finance Director or Payroll Clerk.

7. Credit Union Membership

Employees of the City are eligible for membership in one of two available credit unions. Membership is voluntary. Once enrolled, payroll deduction from your earnings is also available. For information on how to enroll for credit union membership, contact the Finance Director or Payroll Clerk.

8. Overtime Pay

"Non-exempt" employees who perform overtime work will be paid one and one half (1½) times their regular hourly wage for any time worked in excess of the measuring work period. The City may choose to compensate employees with compensatory and/or straight Kelly time off in lieu of overtime for training time and other special assignment circumstances incurred during any pay period.

The City shall keep to a minimum work in excess of established schedules and shall permit such work only when it is necessary to meet the operating requirements of the City. All overtime work must be approved, in advance, by an employee's department head.

The City Manager shall designate at the time of hire, those persons who are eligible for overtime compensation.

9. Compensatory Time

Upon application to, and approval of the employee's department head, a non-exempt employee may be granted compensatory time off from work in lieu of overtime compensation. Compensatory time shall be accumulated at a rate of one and one-half (1½) hours for each hour of overtime worked.

An employee may accumulate up to sixty (60) hours (72 hours for police personnel) of unused compensatory time in a compensatory time "bank". Once this limit is reached, the employee must be paid for any additional overtime hours worked, or must use a portion of accumulated compensatory time before any additional compensatory time may be accumulated.

The City may choose to "cash out" an employee's compensatory time "bank" at any time during his/her employment with the City.

When an individual leaves the employment of the City, he/she will be fully compensated for all unused compensatory time held in their "bank". The rate of compensation shall be at the regular rate of pay earned at the time of termination.

10. Call Back Pay

If a non-uniformed employee has left work at the end of a tour of duty, and then is called to return on overtime, a minimum of four (4) hours of overtime pay, at the proper premium rate, will be guaranteed unless the call is within four (4) hours of the next scheduled reporting time, and the work continues into the regular schedule. If, however, the need for overtime service is anticipated, and a forty-eight (48) hours notice is given of the scheduled overtime work, the minimum callback guarantee will be two (2) hours. Uniformed police employees shall receive a minimum of **4** hours pay when called back after their regular shift or for court duty.

11. Kelly Time

Employees of the Police Department who are assigned to ***84 hour bi-weekly or*** rotating shift work shall be entitled to receive two (2) hours Kelly time off during each 2 week pay period. The scheduling of such time off shall be at the discretion of the supervising shift lieutenant, or in his absence, the Assistant Chief or Chief of Police.

VI.

Employee Benefits

Full-time employees will enjoy all of the benefits described in this Handbook as soon as the eligibility requirement for each particular benefit is met. Part-time employees are not eligible for benefits described in this Handbook, unless specifically specified or provided by state and federal law, or provided for in applicable wage and benefit ordinances.

Note: Please refer to Employee Benefit Addendum for more detailed information about the insurance plan benefit Information including coverage and premium information for all available benefit plans.

L. Paid Leaves of Absence

1. Holidays

Full-time employees are eligible for time off as city paid holidays. The following holidays are recognized by the City as paid holidays:

New Year's Day	Labor Day
President's Day	Veteran's Day
Good Friday	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day	December 24 th (1/2 day)
	Christmas Day

Police officers, who are assigned to ***84 hour bi-weekly or*** rotating shifts, will be paid 8 hours of holiday pay at 1-1/2 times their rate of pay for holidays in accordance with the applicable pay ordinance. All other employees will receive the holiday off with pay.

Those non-exempt employees that are required to work on a City-paid holiday will be paid at the employee's regular rate of pay, in addition to time and one half (1½) pay for the hours worked on the holiday. Employees are not eligible to receive holiday pay while on an unpaid leave of absence.

2. Vacation Benefits

Full-time employees are eligible for paid vacation benefits according to the following schedule. Employees are eligible to earn paid vacation beginning on their first day of employment with the City.

- a. **Vacation Leave Applicable to Non-Uniformed Employees hired prior to January 1, 2003** Full-time employees covered by this ordinance who were hired prior to January 1, 2003 shall be entitled to two (2) calendar weeks (10 work days) of vacation with full pay after service of one (1) year, including prior service with other governmental units in Ohio.

Employees having five (5) or more years of service, including prior service with other governmental units in Ohio, are entitled, during each year thereafter, to three (3) calendar weeks (15 work days) of vacation leave with full pay.

Employees having twenty (20) or more years of service, including prior service with other governmental units in Ohio, are entitled, during each year thereafter, to four (4) calendar weeks (20 work days) of vacation leave with full pay.

Employees who do not use all of their annual vacation before the end of the current year may carry over up to one-half of their annual vacation leave entitlement to the following year. In no event shall the amount of vacation leave that is carried-over to a subsequent year exceed one-half of the employee's annual entitlement.

- b. Vacation Leave Applicable to Non-Uniformed Employees hired after January 1, 2003 - Full-time employees covered by this ordinance who begin employment after January 1, 2003 shall be entitled to accrue 3.077 hours of vacation per pay period, or two (2) calendar weeks (10 work days) of vacation leave annually, including prior service with other governmental units in Ohio.

Employees having five (5) or more years of service, including prior service with other governmental units in Ohio, are entitled, during each year thereafter, to accrue 4.615 hours of vacation per pay period, or three (3) calendar weeks (15 work days) of vacation leave annually, with full pay.

Employees having twenty (20) or more years of service, including prior service with other governmental units in Ohio, are entitled, during each year thereafter, to accrue 6.154 hours of vacation per pay period, or four (4) calendar weeks (20 workdays) of vacation leave annually, with full pay.

- c. Vacation Leave Applicable to Police Department Employees - Full-time employees of the Indian Hill Rangers covered by this ordinance shall be entitled to accrue 4.308 hours of vacation per pay period, or two (2) calendar weeks (10 work days) of vacation leave annually, including prior service with other governmental units in Ohio.

Employees having five (5) or more years of service, including prior service with other governmental units in Ohio, are entitled, during each year thereafter, to accrue 6.462 hours of vacation per pay period, or three (3) calendar weeks of vacation leave annually, with full pay.

Employees having twenty (20) or more years of service, including prior service with other governmental units in Ohio, are entitled, during each year thereafter, to accrue 8.615 hours of vacation per pay period, or four (4) calendar weeks of vacation leave annually, with full pay.

Employees who do not use all of their accrued annual vacation before the end of the current year may carry over up to one-half of their annual vacation leave entitlement to the following year. In no event shall the amount of vacation leave that is carried-over to a subsequent year exceed one-half of the employee's annual entitlement.

3. Personal Days (Extra Vacation Days)

Full-time employees shall be permitted to take one workday (8 hours) off per year with pay as personal time off, subject to the advance approval of their department head. Employees must work at least six months during their first calendar year of employment in order to be eligible to take a personal day during that year.

Permanent employees shall accrue one (1) additional personal day off per year upon the first day of any calendar year following their respective fifth, tenth, fifteenth, twentieth and twenty-fifth anniversaries marking uninterrupted service with the City, subject to the advance approval of the their respective department head.

Permanent employees shall be eligible for up to three additional incentives based personal days off each year:

- a. One such additional day will be provided for any employee who does not use any sick time for the twelve month period preceding December 1 of any calendar year. Note: Any absences designated as an approved FMLA Leave will be exempted as an absence toward the employee's Incentive Personal Day eligibility.
- b. The second such incentive personal day will be provided to employees in each department which, in the judgment of the City Manager, achieves or exceeds preset departmental goals and objectives for the twelve month period preceding December 1 of any calendar year.
- c. The third such incentive will be provided to employees who achieve or exceed Wellness & Fitness Program "Platinum" or "Silver" Levels and will be awarded 1 full personal day or $\frac{1}{2}$ of personal day as specified in the program. *Note: Any employee may discuss an Americans with Disability Act accommodation request directly with the human resources and/or the City Manager regarding their participation in the Wellness & Fitness Program.*

The incentive personal days earned shall be credited to the personal leave balance of the affected employees on December 1 of each calendar year and must be used before June 1 of the following year.

Unless otherwise specified in this section, personal days off must be taken during the year in which they accrue. With the exception of incentive personal days off, employees may not carry unused personal days forward to the next calendar year.

4. Sick Leave Allotment

- a. Non-uniformed employees. Each full time employee will be given a credit of 1.25 sick days for each month of service. This credit may accumulate up to 120 days. Sick leave credits can be only be used for illness or injury (not job related), absence due to childbirth or related medical procedure, absence caused

by employee being quarantined and absence made necessary by serious illness of a spouse or child of the employee.

- b. Police Department employees. Each full time employee shall be entitled for each completed month of service, to sick leave of ten (10) hours with pay. Unused sick leave shall be cumulative up to 960 hours, unless more than 960 hours are approved by the City Manager.

5. Sick Leave Procedures Applicable to All Employees

The act of requesting paid sick leave constitutes an agreement from the employee to furnish, upon request, all necessary information to human resources and/or the City Manager.

No sick leave will be paid unless the employee properly reports his/her absence to the appropriate supervisor. All sick leave will be at straight time rate. Employees must report their absence no later than ***30 minutes before the start*** of the scheduled duty hour.

Supervisors will in each case satisfy themselves of the legitimacy of each absence and take the necessary steps to insure that sick leave use is monitored and reasonably controlled. Employees absent for personal illness more than 4 times in a twelve month period will be required to explain to their department head what they are doing to improve their attendance and may be asked to furnish medical reports as to their fitness and ability to perform their work assignments satisfactorily. (*Transitional Work Program Policy and Procedure Manual may be utilized where appropriate*)*(See Addendum)*

It is further provided that, upon approval of the City Manager, an employee who is unable to perform his or her regularly assigned duties (or duties which may have been especially assigned due to the nature of the incapacitation) may be absent from work for a period equal to his or her accumulated sick leave, up to a maximum of 90 days in any calendar year, but in no case longer than the period of disability.

6. Funeral Leave

Full-time employees shall be permitted to take eight (8) hours off, without credit to vacation or sick leave, for the purpose of attending the funeral of a family member. At the discretion of the City Manager, this leave may be extended to a maximum of twenty-four (24) hours for the funeral of a relative where the employee may be required to be responsible for arrangements or travel long distances.

An employee wishing to attend a funeral not covered by Bereavement Leave may request to utilize personal or vacation leave.

7. Jury Duty

Employees selected for jury duty and required to serve at times during regular work hours will be paid their regular salary; but *all juror fees must be deposited with the City*. Employees receiving City pay while serving on a jury are required to return to work,

whenever reasonably possible, during their regular working hours when they are released early or excused from jury service.

M. Unpaid Leaves of Absence

1. Family Medical Leave Act (FMLA)

The City will comply with The Family and Medical Leave Act (FMLA) regulations as revised effective October 28, 2009 and the “Final Rule” provisions effective March 8, 2013. The City posts the mandatory FMLA Notice and provides all new employees with the notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Act. The FMLA provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period (up to 26 weeks of military caregiver leave to care for a covered service member). During this leave, an eligible employee is entitled to continued group health plan coverage as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position.

Note: This policy is intended to provide our employees with an overview of their FMLA rights. It is not a comprehensive statement nor is it all-inclusive. In the event of a conflict between this policy and the applicable law, employees will have the full protection of the law and will be provided all rights required by law.

Employee Eligibility Criteria

To be eligible for FMLA leave, an employee must have been employed by the City:

- For at least 12 months or 52 weeks (which need not be consecutive);
- For at least 1250 hours during the 12-month period immediately preceding the commencement of the leave, as determined by applying the Fair Labor Standards Act (“FLSA”) principles and not including as “hours worked” time spent on paid or unpaid leave; and
- At a worksite where 50 or more employees are employed by the City within 75 miles of the worksite.

Separate periods of employment will be counted, provided the break does not exceed 7 years. Employment periods preceding a break in service of more than 7 years will be counted in determining whether an employee has met the 12-month employment requirement for FMLA eligibility where:

- The employee is required to fulfill his or her obligations to serve in the National Guard or reserve military. The time served performing the military service will be counted in determining whether the employee has met the 12-month employment requirement; or

- A written agreement exists concerning the City's intention to rehire the person after a break in service.

Events Which May Entitle An Employee to FMLA Leave

FMLA leave may be taken for any one, or for a combination of, the following reasons:

- The birth of a child or to care for the newborn child;
- The placement of a child with the employee for adoption or foster care or to care for the newly placed child;
- To care for the employee's spouse, child or parent (but not in-law) with a serious health condition; and/or
- The employee's own serious health condition that makes the employee unable to perform the functions of his or her job.
- Any qualifying exigency leave need for families of members of the National Guard, Reserves or regular Armed Forces, related to the employee's spouse, son, daughter, or parent who is a military member on a covered active duty (deployment to a foreign country or has been notified of an impending call or order to active duty) in support of a contingency operation. Such qualifying exigency leave includes leave for parental care, so that eligible employees may take leave to care for a military member's parent who is incapable of self-care, where the care is necessitated by the military member's covered active duty.
- To care for a military member with a serious injury or illness if the employee is the spouse, child, parent or next of kin of the service member.

A "serious health condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. For a current service member and veterans, this includes a preexisting injury/illness which existed prior to the member's active duty and which was aggravated by service in the line of active duty.

Pursuant to the Department of Labor's 2014/2015 regulations and our own City's policy, the term "Spouse" as it is used herein is intended to be gender neutral. Spouses in a same-sex marriage are afforded all of the protections of the FMLA, provided that the same-sex marriage was entered into in a state which recognizes that union.

A "serious injury or illness for a covered veteran" is defined as an injury/illness that was incurred or aggravated by the member in the line of duty on active duty and manifested itself before or after the member became a veteran, and is

- A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed forces and rendered the service member unable to perform the duties of the service member's office, grade-rank, or rating; OR
- A physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such

VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; OR

- A physical or mental condition that substantially impairs the veteran/s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment: OR.
- An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance or Family Caregivers.

How Much FMLA Leave May Be Taken Because of a Qualifying Military Exigency?

An eligible employee who is the spouse, son, daughter, or parent is entitled to up to 12 weeks of unpaid leave during a 12-month period while a covered military member is on active duty or called to active duty status to:

- Respond to issues arising from the military member being given seven or fewer calendar days notice of an impending call or order to active duty in support of a contingency operation, “Short Notice Deployment”;
- Attend official ceremonies, programs or events/activities sponsored by the military that is related to the military member’s active duty or call to active duty;
- Attend family support or assistance programs and informational briefing sponsored by the military , military service organizations, or the American Red Cross;
- Arrange for alternative childcare when the active duty or call to active duty status necessitates a change in the existing childcare arrangements for covered dependents of the service member or to provide immediate, urgent childcare
- Enroll in or transfer covered dependents of the service member to a new; school or day care;
- Attend meetings with staff at a school or a daycare facility when such meetings are necessary due to the circumstances arising from the active duty or call to active duty status of the a covered military members;
- Make or update financial or legal arrangements to address the covered military member’s absence while on active duty or call to active duty status; and
- Counseling provided by someone other than a health care provider for the employee, for the covered military member or covered dependents of the military member.
- To care for a military member’s parent who is incapable of self-care when the care is necessitated by the member’s covered active duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

Leave Related to Post-deployment Activities

Eligible employees may take up to a maximum of fifteen (15) days of leave for each instance of rest and recuperation to:

- Attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status; and
- Address issues that arise from the death of a covered military member while on active duty status

Leave to Care for a Covered Service Member with a Serious Injury or Illness

A Covered Service Member is a current member of the Armed Forces, including a member of the National Guard or Reserves. An eligible employee is the spouse, parent, son, daughter or next of kin of a Covered Service Member (including veterans as outlined below), is entitled to up to 26 workweeks of unpaid leave during a 12-month period to care for a covered service member, who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Covered Service Member includes covered veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness. A covered veteran is an individual who was discharged or released (other than dishonorably) at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran (determination of the five-year period excludes the period October 28, 2009 to March 8, 2013 which is the effective date of the 2013 FMLA regulations).

“Next of Kin” is defined as the closest blood relative of the injured or recovering service member.

The 12-Month Period

The 12-month period is a rolling period of time measured backward from the date an employee uses any FMLA leave.

When leave is taken to care for a covered service member with a serious injury or illness, the 12-month period begins on the first day the employee takes leave to care for the service member and ends 12 months after that date. If the employee does not take all of his or her 26 weeks of leave entitlement to care for the service member during this 12-month period, the remaining part of his or her leave entitlement to care for the covered service member will be forfeited.

Limitations on FMLA Leave

Leave to care for a newborn or for a newly placed child must conclude within 12 months after the birth or placement of the child.

When both spouses are employed by The City, they are together entitled to a combined total of 12 workweeks of FMLA leave within the designated 12-month period for the birth, adoption or foster care placement of a child with the employees, for aftercare of the newborn or newly placed child, and to care for a parent (but not in-law) with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA qualifying reasons (i.e., the difference between the leave taken individually for any of the above reasons and 12 workweeks, but not more than a total of 12 workweeks per person).

For example, if each spouse took six weeks of leave to care for a newborn child, each could later use an additional six weeks due to his/her own serious health condition or to care for a child with a serious health condition.

If leave is taken to care for more than one covered service member or to care for the same service member with a subsequent serious injury or illness, eligible employees may be entitled to take more than one period of 26 workweeks of leave; however, no more than 26 workweeks of leave may be taken within an single 12-month period.

Intermittent or Reduced Work Schedule Leave

Intermittent leave is leave taken in separate blocks of time. A reduced work schedule leave is a leave schedule that reduces an employee's usual number of hours per workweek or hours per workday.

Leave to care for a newborn or for a newly placed child may not be taken intermittently or on a reduced work schedule unless The City agrees with respect to an individual request.

Leave because of an employee's own serious health condition, or to care for an employee's spouse, child or parent with a serious health condition, may be taken all at once or, where medically necessary, intermittently or on a reduced work schedule.

If an employee takes leave intermittently or on a reduced work schedule basis, the employee must, when requested, attempt to schedule the leave so as not to unduly disrupt The City operations. When an employee takes intermittent or reduced work schedule leave for foreseeable planned medical treatment, The City may temporarily transfer the employee to an alternative position with equivalent pay and benefits for which the employee is qualified and which better accommodates recurring periods of leave.

Requests for FMLA Leave

An employee should request FMLA leave by completing The City Request for Leave form and submitting it to the HR Administrator.

When leave is foreseeable for childbirth, placement of a child or planned medical treatment for the employee's or family member's serious health condition, the employee must provide The City with at least 30 days advance notice, or such shorter notice as is practicable (i.e., within one or two business days of learning of the need for the leave). When the timing of the leave is not foreseeable, the employee must provide The City with notice of the need for leave as soon as practicable (i.e., within one or two business days of learning of the need for the leave).

Required Documentation

When leave is taken to care for a family member, The City may require the employee to provide documentation or statement of family relationship (e.g., birth certificate or court document).

An employee will be required to submit medical certification from a health care provider to support a request for FMLA leave for the employee's or a family member's serious health condition. Medical certification forms are available from the HR Administrator.

The City may seek an employee's permission to have a designated health care provider contact the employee's health care provider in an effort to clarify or authenticate the initial certification and/or (ii) require the employee to obtain a second opinion by an independent The City designated provider at the City's expense. If the initial and second certifications differ, The City may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, The City may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, during FMLA leave, the employee must provide The City with periodic reports regarding the employee's status and intent to return to work. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide The City with reasonable notice (i.e., within two business days) of the employee's changed circumstances and new return to work date. If the employee gives The City notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee will be required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

For Military Leave: Upon the employer's request, an employee must provide a copy of the Military Member's active duty orders in support of a request for exigency leave. Upon the employer's request, certification for exigency leave must be supported by a certification containing the following information: statement or description of appropriate facts regarding the qualifying exigency for which leave is needed; approximate date on which the qualifying exigency commenced or will commence; beginning and end dates for leave to be taken for a single continuous period of time; an

estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; and if the qualifying exigency required meeting with a third party, the contact information for the third party and description of the purpose of meeting. For certification of qualifying exigency leave for Rest and Recuperation leave, this also includes a copy of the military member's Rest and Recuperation Leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

Information on the content/scope of the certification to be provided by health care providers and as listing of providers who are authorized to complete the certification for military caregiver leave, for a covered service member, is beyond the scope of this policy. This information must be obtained from the HR Administrator.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

Use of Paid and Unpaid Leave

FMLA provides eligible employees with up to 12 workweeks of unpaid leave. If an employee has available paid leave (e.g., vacation, sick leave, personal leave), however, the employee must use any qualifying paid leave first. The remainder of the 12 workweeks of leave, if any, will be unpaid FMLA leave.

Any paid leave used for a FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12-workweek leave period.

Designation of Leave

The City will notify the employee that leave has been designated as FMLA leave. The City may provisionally designate the employee's leave as FMLA leave if the City has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave. If the employee has not notified The City of the reason for the leave, and the employee desires that leave be counted as FMLA leave, the employee must notify the HR Administrator within two business days of the employee's return to work that the leave was for an FMLA reason.

Maintenance of Health Benefits

During FMLA leave an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. The City will cover the premium costs in full for 2 months while on leave.

To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from the employee's salary. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums may be paid at the same time as if made by payroll deduction.

If the employee's payment of health insurance premiums is more than 30 days late, The City may discontinue health insurance coverage upon notice to the employee.

Return from FMLA Leave

Upon return from FMLA leave, The City will place the employee in the same position the employee held before the leave or an equivalent position with equivalent pay, benefits and other employment terms.

Limitations on Reinstatement

An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

The City reserves the right to deny reinstatement to salaried, eligible employees who are among the highest paid ten percent of City's Shop's employees employed within 75 miles of the worksite ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to The City operations.

Failure to Return To Work Following FMLA Leave

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned. The City may recover health insurance premiums that The City paid on behalf of the employee during any unpaid FMLA leave except that The City share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, The City may require the employee to provide medical certification of the employee's or the family member's serious health condition.

Additional Information

For further information or clarification about FMLA leave, please contact human resources and/or the City Manager.

2. Military Leave

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted an unpaid leave of absence for military service, training or related obligations in accordance with applicable law. Employees on military leave may substitute their available paid vacation time for unpaid leave. At the conclusion of the leave, upon the

satisfaction of certain conditions, an employee generally has a right to return to the same position he or she held prior to the leave or to a position with like status and pay that the employee is qualified to perform.

Continuation of Health Benefits

During a military leave of less than 31 days, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. For military leaves of more than 30 days, an employee may elect to continue his/her health coverage for up to 18 months of uniformed service, but may be required to pay all or part of the premium for the continuation coverage.

Leave for Active or Reserve Duty

Upon receipt of orders for active or reserve duty, an employee should notify the City Manager as soon as possible, and submit a copy of the military orders (unless he/she is unable to do so because of military necessity or it is otherwise impossible or unreasonable).

Leave for Training and Other Related Obligations (e.g., fitness for service examinations)

Employees will also be granted time off for military training and other related obligations, such as for an examination to determine fitness to perform service. Employees should advise their supervisor of their training schedule and/or other related obligations as far in advance as possible.

Return from Military Leave

Notice Required

Upon return from military service, an employee must provide notice of or submit an application for reemployment in accordance with the following schedule:

An employee who served for less than 31 days or who reported for a fitness to serve examination, must provide notice of reemployment at the beginning of the first full regular scheduled work period that starts at least eight hours after the employee has returned from the location of service.

An employee who served for more than 30 days, but less than 181 days, must submit an application for reemployment no later than 14 days after completing his/her period of service, or, if this deadline is impossible or unreasonable through no fault of the employee, then on the next calendar day when submission becomes possible.

An employee who served for more than 180 days must submit an application for

reemployment no later than 90 days after the completion of the uniformed service.

An employee who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the City Manager (if the service was less than 31 days), or submit an application for reemployment (if the service was greater than 30 days), at the end of the necessary recovery period (but which may not exceed two years).

Required Documentation

An employee whose military service was for more than 30 days must provide documentation with their application for reemployment (unless such documentation does not yet exist or is not readily available) showing the following: (i) the application for reemployment is timely (i.e. submitted within the required time period); (ii) the period of service has not exceeded five years; and (iii) the employee received an honorable or general discharge.

N. Group Insurance Coverage

1. Medical Insurance

The City provides all full-time employees with medical insurance beginning on the first day of the month following their first day of employment, subject to any waiting periods established by the insurance carrier. Medical insurance coverage and participating physicians and care facilities may change at any time during the medical plan year. For more information on the nature and types of health insurance coverage, contact the Finance Office.

a. Health Reimbursement Account (HRA) or Health Savings Account (HSA)

Along with medical insurance coverage, the City offers full time employees the opportunity to participate in either a HRA or HSA. The City contributes an amount each year into an HRA or HSA for each participating employee. The amount the City contributes is based upon the medical insurance plan the employee selects for their coverage. Employees may add to their accounts through tax deferred payroll deductions. See addendum for a full list of current plans.

b. Flexible Spending Account (FSA)

Effective January 1, 2004, the City established an optional program which allows employees to set aside pre-tax compensation for use in paying costs incurred for child care, dental and vision care, and other qualified medical expenses. This plan allows employees to direct bi-weekly payroll deductions to accounts which are managed by a third party administrator. Information on the FSA plan is available from the Finance Office. The FSA plan follows the guidelines set forth in Section 125 of the Internal Revenue Service code.

2. Employee Assistance Program

In addition to traditional health insurance coverage, the City's health insurance program also provides an Employee Assistance Program (EAP), which is designated to provide a confidential service to employees and their immediate family members whose personal problems are affecting their ability to function at top efficiency in their job. See the Finance Office or a department head for further details on this program.

3. Life Insurance

Full-time employees are provided with group term life insurance at no charge to the employee beginning on the first day of the month following their first day of employment. This life insurance coverage is equal to the employee's base annual compensation, rounded to the nearest thousand dollars, to a maximum of \$50,000 coverage.

4. Additional Optional Insurance Coverage

Additional optional insurance coverage, such as short-term disability, intensive care and cancer insurance, is offered through payroll deduction, some on a pre-tax basis. See the Finance Office for further details.

5. Workers' Compensation

The Workers' Compensation Law is a no-fault insurance plan which is supervised by the State of Ohio and is paid in its entirety by the City. This law was designed to provide benefits for an injury which may be suffered in connection with employment. Under the provisions of the law, an employee who is injured while at work is eligible to apply for Workers' Compensation. The City has designated facilities for use in work-related injury or illness. In case of a life threatening emergency, go directly to the nearest emergency room, and notify the City as soon as possible. In the case of a non-life-threatening emergency, go directly to the nearest Urgent Care facility and notify the City as soon as possible. For further details, see "Accident Reporting Procedure" under the Accident and Personal Injury Reporting Procedures.

6. COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health and dental insurance coverage under The City group plan when a "qualifying event" would normally result in the loss of eligibility. All employees and their family members that are eligible for health insurance coverage through the City qualify for COBRA continuation. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

It's important to note that an employee must notify the Finance Office within 30 days *of a qualifying event* to start the enrollment process.

Under COBRA, the employee or beneficiary pays the full cost of coverage at The City group rates plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's group plan. Please refer to this notice for additional important information about the employee's rights and obligations.

O. Employee Incentives/Bonuses

1. Longevity Pay

Permanent, full-time employees of the City, with at least five (5) years of continuous service to the City, shall receive an annual longevity payment in addition to their regular compensation in accordance with the following schedule:

<u>YEARS OF SERVICE</u>	<u>PAYMENT</u>
5 thru 9 years	\$750.00
10 thru 14 years	\$850.00
15 thru 19 years	\$950.00
20 or more years	\$1,050.00

Part-time employees, twenty (20) hours per week or more *may be eligible to* receive an annual longevity payment in an amount proportional to the above schedule and the actual number of hours worked by that employee. (*See appropriate pay ordinance*)

The longevity payment will be made annually during the first week in December to those qualified employees of record, who have or will have completed the specified number of years of service on or before December 31 of that year.

In case of death, retirement, or resignation, longevity pay will be pro-rated based on the number of completed months actually worked during the calendar year and paid as part of the terminal benefit lump sum.

2. Sick Leave “Buy Back” Incentive

Permanent, full-time employees of the City who have accumulated a sick leave balance of 90 days (720 hours) shall be compensated annually for 33.3% of the number of hours in excess earned, not to exceed 15 days (120 hours) each year times the hourly rate of base pay in effect at the time such payment is made. The actual payment to the employee in any one year shall not exceed 40 hours of pay. The remaining unused sick leave, not to exceed 10 days (80 hours) per year shall be accumulated with the original 90 day balance to a maximum allowable sick leave balance of 120 days (960 hours). The number of benefit hours shall be based upon a 12 month reporting period of December 1 thru November 30. Payment shall be made during the first week of December in each year.

P. Travel and Tuition Reimbursement

1. Educational Tuition Reimbursement

Full-time employees are eligible for reimbursement of tuition costs associated with

continuing education that will contribute to their performance as a City employee. All educational tuition reimbursement must be approved in advance by the employee's department head and the City Manager, and must be associated with coursework that is directly related to the employee's position with the City. An employee's department head will make the determination as to the appropriateness of the training to the employee's position, and the availability of funds within the departmental operating budget for tuition reimbursement.

For more information on the City's tuition/educational reimbursement program, consult the Tuition and Training Policy provided in the addendum.

2. Attending Seminars/Training Sessions

Employees may be asked, or required by the City, to attend instructional programs or examinations that will increase his/her job knowledge and abilities. Employees will receive a normal paycheck while attending these schools or workshops, and the City will fund any necessary registration and travel costs for these programs.

Before a trip is made that requires City funds, a Travel Request Form must be completed, signed by the employee and the department head, and forwarded to the City Manager for approval. A conference/seminar agenda for the travel time must be attached. The City shall reimburse for the cost of registration, training, pre- and post-conference seminars, travel, housing, etc. after written justification for such expense is submitted to the City Manager as part of the Travel Request form.

Q. Retirement Plans

All City employees are required to participate in, and contribute to, one of the approved retirement systems for Ohio public employees. Full-time police officers participate in the Police & Firemen's Disability Pension Fund (PFDPF). All other employees are required to participate in the Public Employees Retirement System (PERS). The retirement programs are established under State of Ohio law, are mandatory for City employees, and are under state administrative control.

1. Ohio Public Employees Retirement System (OPERS)

For employees eligible for membership in the Ohio Public Employees Retirement System, the City currently contributes to that retirement system an amount equal to a percentage of an employee's salary which is set by the pension system. Employees currently contribute a percentage of their annual salary which is set by the pension system to OPERS through automatic payroll deduction on a pre-tax basis. The contribution percentage rate is subject to change and is established by the Ohio Public Employees' Retirement System of Ohio.

2. Ohio Police and Fire Pension Fund (OPFPF)

For employees eligible for membership in the Ohio Police and Fire Pension Fund, the City currently contributes to that retirement system an amount equal to a percentage of an employee's salary which is set by the pension system. Employees currently

contribute a percentage of their annual salary which is set by the pension system OPFDPF through automatic payroll deduction on a pre-tax basis. The contribution percentage rate is subject to change and is established by the Ohio Police and Fire Pension Fund.

The money employees place in either OPERS or the Ohio Police and Fire Pension Fund belongs to the employee. If an employee resigns prior to retirement eligibility, that person may apply to OPERS or OPFPF for a refund of his/her contributions.

3. Purchase of Military and Out-of-State Service Credits

The City participates in a plan that permits eligible employees to purchase additional military or out-of-state service credits from OPERS or OPFDPF payroll deduction. To inquire about eligibility, cost and the procedure to participate in this plan, contact the applicable retirement system at the following numbers:

Ohio Public Employees Retirement System 1-800-222-7377
Ohio Police and Fire Pension Fund 1-800-860-9599

4. Deferred Compensation

The City offers the opportunity for all employees, full-time and part-time, to participate in authorized pre-tax Section 457 retirement savings programs. The Ohio Public Employees Deferred Compensation Program and the International City Management Association Retirement Corporation Program allow employees to invest part of their income on a tax-deferred basis within the limits specified by federal law.

R. Awards

1. Service Awards

All full-time and permanent part-time employees are eligible for service awards based on their years of service with the City. The first award is earned upon the employee's fifth anniversary with the City and in five (5) year increments thereafter. The awards are presented at the annual Holiday Luncheon in December and are organized by the Employee Relations Committee.

2. Retirement Service Award

The City recognizes retiring employees through a lunch and/or reception based upon their years of service to the community.

VII.

Employment Policies

The following represent brief explanations of many of the City's policies and procedures that may directly impact its employees. For more information on any of these policies, employees should contact their department head or consult the City Personnel Policies Addendum.

S. Equal Employment Opportunity

Equal employment opportunity has been, and will continue to be, a fundamental principle at the City, where employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, sex (including sexual orientation and gender identity), age, national origin, disability, or any other protected characteristic as established by law.

This policy of equal employment opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

Equal employment opportunity notices are posted on appropriate employee bulletin boards as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes he or she has been discriminated against.

The City Manager has overall responsibility for this policy and maintains reporting and monitoring procedures. Employees' questions or concerns should be referred to the City Manager or immediate manager. Alleged violations of this policy will be thoroughly investigated and corrective action will be taken, if warranted.

T. Americans with Disabilities Act (ADA)

The City is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). It is The City policy to comply with all applicable federal and state laws, and not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the City aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the City or cause a direct threat to the health, safety and well-being of themselves or other in the workplace, when that threat cannot be eliminated by reasonable accommodation.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact their supervisor, human resources and/or the City Manager. The City encourages individuals with disabilities to come forward and request reasonable accommodation.

Procedure for Requesting an Accommodation

On receipt of an accommodation request, your supervisor, human resources and/or will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the City might make to help overcome those limitations. Determining if a reasonable accommodation can be made is an individualized process that will take into account not only the specific abilities and functional limitations of a particular individual with a disability, but also the functional requirements of a particular job.

The ADA requires an employer to review and discuss reasonable accommodations with its employees, where needed. This is intended to be an interactive process between the company and its employee. The ADA does not require the City to reallocate to other employees your essential job functions, or to provide what would be personal use items (i.e., eyeglasses, hearing aids, wheelchairs, etc.). The City is not required to make a reasonable accommodation if it would impose an undue hardship on city operations. Generally, an accommodation will be considered an undue hardship if it is unduly costly, extensive, substantial, or disruptive.

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify their supervisor, Human Resources and/or the City Manager. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

Lactation Accommodation Policy

All women who breastfeed their child, and who need to express milk during the working day, will work with their supervisor, Human Resources and/or the City Manager to determine how best to accommodate the needs of the mother while still accomplishing the performance of her job.

- **Time for Lactation Accommodation:** Supervisors may consider flexible working arrangements. Women may use their break and lunch time to express milk. PTO hours can also be used to express milk if needed. Breaks to express milk should not last longer than 30 minutes. If an employee needs to take more than two breaks during the work day to express milk, the employee will need to use personal time (lunch, PTO, and so on.)
- **Environment for Lactation Accommodation:** Human Resources and/or the City Manager will work with each nursing mother to determine a private area in which they may express milk. Milk should be placed in cooler-type containers and may be stored in company refrigerators.

U. Code of Ethics

All employees of the City must comply with the provisions of the Ohio Ethics Law, which was enacted in 1973 to promote confidence in government. The Ohio Ethics Law, as enacted and amended, contains provisions restricting conflicts of interest that involve nepotism, post-employment representation, influence peddling, confidentiality, and supplemental compensation. Ethics violators are subject to criminal prosecution and penalties, which include fines and incarceration; violations may be reviewed by the Ohio Ethics Commission

and/or related agencies. A full copy of the Ohio Ethics Law is attached as an addendum to this handbook.

V. Non-Discrimination and Anti-Harassment Policy

The City is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the City expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment.

It is the policy of the City to promote and practice equal employment opportunity without discrimination or harassment on the basis of race, color, national origin, religion, sex (including sexual orientation and gender identity), age, disability, or any other characteristic protected by law. The City prohibits and will not tolerate any such discrimination or harassment.

Definitions of Harassment:

- a. Sexual harassment constitutes discrimination and is illegal under federal and state laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- b. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, national origin, religion, sex (including sexual orientation and gender identity), age, disability or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Individuals and Conduct Covered

These policies apply to all applicants and employees, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, or a supervisor.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Retaliation is Prohibited

The City prohibits retaliation against any individual who reports discrimination, or harassment or participates in an investigation of such reports. Retaliation of any kind against an individual for reporting harassment, or discrimination or for participating in an investigation of a claim of harassment, bullying, or discrimination is a serious violation of this policy and, like harassment, bullying, or discrimination itself, will be subject to disciplinary action up to and including termination.

Complaint Procedure

Reporting an Incident of Harassment, Discrimination or Retaliation

The City requires the reporting of all incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to the City's policy or who have concerns about such matters should file their complaints with their immediate supervisor, human resources and/or the City Manager.

When reporting an incident of harassment, discrimination, or retaliation, it's important for employees to know that:

- They should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other the City designated representatives identified above, and
- Their initial complaint does not have to be in writing.

Important Notice to All Employees

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note, federal, state and local discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, the City strongly urges the prompt reporting of complaints or concerns so that rapid investigation and constructive action can be taken. The City will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its staff/employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his/her behavior is unwelcome and requesting that it be discontinued.

Investigation Procedures

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

The City recognizes that some employees may be reluctant to discuss such matters, and therefore will endeavor to maintain confidentiality throughout the investigatory process, but only to the extent consistent with adequate investigation and appropriate corrective action, and consistent with applicable state and federal law.

Responsive Action

Misconduct constituting harassment, discrimination, or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay, or termination, as the City believes appropriate under the circumstances.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of the City prohibit disparate treatment on the basis of sex (including sexual orientation and gender identity) or any other protected characteristic or class, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

W. Drug-free Safety Policy

Purpose

The City is committed to providing a safe workplace environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any the City employee illegally uses drugs or alcohol on the job, comes to work under the influence with these substances present in his/her body, or possesses, distributes, or sells drugs in the workplace. Substance abuse is a significant public health problem, which has a detrimental effect on the business community in terms of productivity, absenteeism, accidents, medical costs, theft, and workers' compensation costs.

For these reasons, the City has adopted a "Zero Tolerance" drug and alcohol policy with enforcement. While the City adheres to "Zero Tolerance," this shall be enforced consistent with the City's current program requirements and current level of participation in the BWC Drug Free Safety Program, either at a "Basic" or "Advanced" level.

While The City has no intention of intruding into the private lives of its employees, the City does expect employees to report for work in a condition fit to do their duties. The City recognizes that its employees' off-the-job, as well as on-the-job, involvement with drugs can have a direct impact on the workplace and on our ability to accomplish our goal of a drug and alcohol free work environment.

The primary purpose of this policy is to promote the safety and well-being of all employees and a safe workplace. It would be inconsistent to promote a strong safety effort while allowing the use of drugs and alcohol to undermine the safe and effective performance of employees on the job. Therefore, The City has established the following policy to ensure that we can meet our obligations to our employees and clients.

All employees share responsibility for maintaining a safe work environment and should encourage anyone who uses alcohol or other drugs in the workplace to seek help. As described herein, the City has implemented this policy with a commitment to confidentiality, as required and where appropriate, in any assistance or assistance resources which may be available.

Affected Employees

This policy applies to all full-time, part-time and temporary employees of the City including the entire management team. Please note that there are additional requirements contained in §382.605 of the Federal Motor Carrier Safety Regulations for those employees who operate commercial vehicles for the City. It is the City's policy and intent to, at all times, adhere to the current regulations required thereunder, regardless of any provision set forth herein.

Policy Violations

It is a violation of company policy to use or be under the influence of alcohol and/or illegal drugs at any time while on or using company property, conducting company business or otherwise representing the City. The only exception to this policy's prohibitions pertains to business related entertainment approved by the City and social functions sponsored by the City at which alcohol is served. These exceptions are valid only to the extent that the alcohol is used in moderation and that the individual is not impaired or legally intoxicated.

It is also a violation of company policy for anyone to misuse prescription drugs. However, nothing in this policy precludes the appropriate use of legally prescribed medications or over-the-counter medications. To this end, employees are responsible for promptly notifying his/her supervisor if the prescribed medication or over-the-counter medications will affect the employee's ability to safely perform any function of his/her job.

It is also a violation of company policy for any employee to possess, sell, trade, or offer for sale or trade, illegal drugs or otherwise engage in illegal drug-related activity while on or using company property, conducting company business or otherwise representing the City. Violations of this policy that involve the "trafficking" of drugs may result in an employee being referred for criminal prosecution.

Employees who are arrested for off-the-job drug activity may be considered to be in violation of this policy. In deciding what action to take, management will take into consideration the

nature of the charges, the employee's present job assignment, the employee's record with the City and other factors relating to the impact and facts of the arrest and underlying circumstances of the employee's arrest.

Policy Violations Specific to Commercial Motor Vehicle Operators

It is a violation of company policy for Commercial Motor Vehicle Operators to use alcohol four hours before and while performing a safety-sensitive function. In addition, Commercial Motor Vehicle Operators are prohibited from using alcohol eight hours following an accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

Commercial Motor Vehicle Operators who have an alcohol concentration of 0.02 or greater but less than 0.04 may not perform, nor be permitted to perform, safety-sensitive functions for at least 24 hours.

For the purpose of this policy, performing a safety-sensitive function means all time from the time a Commercial Motor Vehicle Operator begins to work or is required to be in readiness to work until he/she is relieved from work and all responsibility for performing work. This includes all time spent waiting to be dispatched; inspecting equipment or otherwise inspecting, servicing, or conditioning any commercial motor vehicle; time spent at the controls of a commercial motor vehicle in operation; all time other than driving time, spent in or upon a commercial motor vehicle; loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, and receiving receipts for shipments loaded or unloaded; and all time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Important Notice to All Employees

In keeping with our primary interest of preventing accidents and injuries, The City intends to hold employees accountable for violating our drug and alcohol policy and may seek disallowance of a workers' compensation claim when an employee tests positive for alcohol or a controlled substance (drug) after a work-related accident or injury.

Our company policy will be to refuse to certify a workers' compensation claim filed by an injured employee who tests positive for a controlled substance or an alcohol concentration of 0.08 BAC or higher, or who otherwise without legal basis refuses to submit to a test. Refusal to test also includes failure to provide a specimen within the time frame that an employee is permitted or given to do so, or adulterating, attempting to adulterate or substituting a specimen, or otherwise manipulating or attempting to manipulate the testing process.

Rather than having a claim disallowed, we hope to prevent these accidents from occurring in the first place by holding employees properly accountable for following work rules that exist in the interest of the safety of all employees. Employees who fail to follow work rules and thereby endanger themselves, their co-workers and/or our ability to operate our business will be held strictly accountable.

Disciplinary Action

Violations of this policy are subject to disciplinary action up to and including termination of employment, even for a first offense. The City does not guarantee that one form of action will

necessarily precede another. Additionally, nothing in this policy changes the employment-at-will relationship between the employee and the City.

Violations of this policy by Commercial Motor Vehicle Operators which do not lead to immediate dismissal will result in a driver's suspension without pay. Before returning to duty, the driver must comply with the referral, evaluation, treatment, and testing provisions of §382.605 of the Federal Motor Carrier Safety Regulations.

Supervisor/Management Responsibility & Training

Supervisors are responsible for the overall job performance of those they supervise. They have a significant role in establishing and maintaining all of the City's programs and will be provided appropriate training to assist them in developing the necessary skills to carry out their responsibilities in relationship to the City's drug and alcohol program.

The training is not intended to train supervisors to be drug or alcohol abuse experts, counselors or to conduct medical evaluations. The training will be used by supervisors to determine whether reasonable suspicion exists to require an employee to undergo testing. The training shall include the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substances.

Employee Training

The City will provide information on the City's written policy and Drug-Free Workplace Program to all employees. In addition Commercial Motor Vehicle Operators will receive information and training as required by Part 382, Subpart F of the Federal Motor Carrier Safety Regulations.

Alcohol & Drug Program Representative

The City Manager has been designated as the City's drug and alcohol program representative. As the program representative, the City Manager is responsible for overseeing the drug and alcohol program and ensuring that all employee questions regarding the City's policy on substance abuse and alcohol misuse are appropriately addressed.

Drug and Alcohol Testing

An employee's submission to drug and alcohol testing is required as a condition of employment. The City reserves the right to test, at its discretion, any employee for drug and/or alcohol use. All tests will be in compliance with federal and state laws. Employees who refuse to submit to an alcohol or controlled substances test or engages in conduct that obstructs the testing process shall be subject to disciplinary action up to and including immediate dismissal, even for a first refusal.

The City applies its Drug & Alcohol policy to all employees. Where testing occurs solely under Federal mandate in safety sensitive activities, The City follows the Federal guidelines, including the use of the 5 panel test (as modified effective October 2010) and chain of custody reporting requirements. Any urine specimen collected for this purpose will be used for the DOT/FMSCA testing only. Where testing is to be performed in addition to the DOT/FMSCA, a separate specimen will be required. DOT/FMSCA tests are separate from non DOT tests in all respects. DOT tests take priority and will be conducted prior to when a non DOT test is begun, and a separate specimen is collected.

Employee specimens will be analyzed by a certified laboratory for controlled substances up to and including the following:

1. Cocaine (Coke, Crack, Etc.)
2. Cannabinoid (THC, marijuana, hash)
3. Opiates (heroin, codeine, etc.)
4. Amphetamine (Methamphetamine, Ecstasy/MDMA/MDA/MDEA)
5. Phencyclidine (PCP)
6. Methaqualone (Quaalude)
7. Barbiturates
8. Benzodiazepines
9. Methadone
10. Propoxyphene

Cutoff levels established by the U.S. Department of Health and Human Services will be used to determine if a specimen is positive for controlled substances. Alcohol concentrations of .04 or greater will be used as the cutoff level for determining a positive alcohol test for disciplinary purposes. Employees who receive an alcohol test result of .02-.039 will temporarily be removed from performing safety sensitive functions.

Drug and/or alcohol tests will be conducted under the following circumstances:

Post-Accident/Post-Incident Testing

Any employee who is injured and requires outside medical treatment as a result of an unplanned, unexpected, or unintended event which occurs on company premises or time or who is determined to have caused or contributed to that event will be tested for controlled substances and/or alcohol as soon as practicable following the event.

When it is determined that an employee has caused or contributed to an event that took place on company premises or time and posed a substantial risk of personal injury or property

damage, the employee will be tested for controlled substances and/or alcohol as soon as practicable following the event regardless if actual personal injury or property damaged occurred.

As soon as practicable following any occurrence involving a company vehicle or any occurrence involving a personal vehicle when operation of the same is on compensable Company time, the City shall test for controlled substances and/or alcohol for each surviving employee:

- Who was operating the vehicle if the accident involved the loss of human life; or
- If the accident involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from The City premises; or
- If, as a result of the accident, significant vehicle damage or other property damage is incurred.

Post-Accident Drug Testing Related to the Operation of a Commercial Motor Vehicle

Post-accident alcohol and controlled substances testing for Commercial Motor Vehicle Operators will take place as soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, for each surviving driver:

- Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life
- Who receives a citation under state or local law for moving traffic violation arising from the accident if the accident involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident
- Who receives a citation under state or local law for a moving traffic violation arising from the accident if as a result of the accident one or more of the vehicles incur disabling damage requiring the vehicle to be transported from the scene by a tow truck or other motor vehicle.

In all cases, post-accident testing must be performed within eight hours for alcohol and within 24 hours for controlled substances.

Random Testing

All individuals subject to this policy may be required to submit to a random alcohol or drug test at any time while at work for the City. The selection of employees for random alcohol and drug testing shall be made by a scientifically valid method using a computer generated selection list. Under the selection process, each employee shall have an equal chance of being tested each time selections are made. This is required where the City is participating at the Advanced Level in the BWC's DFSP program.

Random Testing Commercial Motor Vehicles

Employees who operate a commercial motor vehicle and who are subject to the commercial driver's license requirements of CFR 49 Part 383 are required to comply with the controlled substances and alcohol testing mandates of Part 382, Subpart C of the Federal Motor Carrier Safety Regulations. Random drug testing pools for Commercial Motor Vehicle Operators will be managed separately from testing pools for employees who are not subject to Department of Transportation testing mandates.

Reasonable Suspicion Testing

All employees will be required to submit to an alcohol or drug test at any time when the City has reasonable suspicion to believe that the employee has violated the drug and alcohol prohibitions stated within this policy. Additionally, all employees will be required to submit to an alcohol or drug test at any time when the City has reasonable suspicion to believe that the employee's use of alcohol or a controlled substance contributed to an accident on company time that resulted in a personal injury or involved a motor vehicle operating on a public road.

The City's suspicion must be based on specific, contemporaneous, articulable observations concerning the employee's appearance, behavior, speech, or body odors.

The observations may include:

- Observable phenomena, such as direct observation of drug or alcohol use, possession or distribution, or the physical symptoms of being under the influence of drug or alcohol, such as but not limited to slurred speech, dilated pupils, odor of alcohol or marijuana, changes in affect, dynamic mood swing, etc.
- The identification of an employee as the focus of a criminal investigation into unauthorized drug possession, use , or trafficking
- A report of on-the-job alcohol use or other drug use provided by a reliable and credible source.

Employees who are directed to undergo a reasonable suspicion test will be provided transportation to the collection site and then home. Under no circumstances will an employee be permitted to drive his/her self to be tested.

The employee will be suspended without pay pending the test results. Should the employee test negatively, the employee will receive back pay from the day of his/her suspension to the time of reinstatement.

Reasonable Suspicion Testing and Commercial Motor Vehicle Operators

Drivers subject to Part 382 of the Federal Motor Carrier Safety Regulations are required to submit to alcohol and/or controlled substances reasonable suspicion testing when the driver's trained supervisor or a company official has a reasonable suspicion to believe the driver has

violated the prohibitions of subpart B of Part 382 of the Federal Motor Carrier Safety Regulations concerning alcohol or controlled substances.

The determination that reasonable suspicion exists to require the driver to undergo alcohol and/or controlled substances testing will be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver, including the chronic and withdrawal effects of controlled substances. These observations may also include indications of the chronic and withdrawal effects of controlled substances.

DOT reasonable suspicion testing related to alcohol misuse will be authorized only if the observations discussed above are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with Part 382 of the Federal Motor Carrier Safety Regulations. In keeping with the Federal Motor Carrier Safety Regulations, a driver may be directed by a supervisor or a company official to only undergo reasonable suspicion testing while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

Return-To-Duty Testing

Any employee who has been out of work for 90 days or more or tested positive for a controlled substance must undergo a return-to-duty test and furnish a negative test result prior to returning to his/her job duties. When an employee has tested positive for a controlled substance and is returning-to-duty, the employee will be required to undergo a return-to-duty test at his or her own expense, except in those situations where the City is currently participating in the Advanced program and enters into a second chance agreement with the employee, in which case it will pay for the cost of any follow up testing required under the second chance agreement.

Follow-up Testing

Individuals may be subject to unannounced follow-up controlled substances testing as directed by a qualified substance-use professional following a determination that assistance is needed in resolving problems associated with the use of a controlled substance. The substance-use-professional shall determine the frequency of follow-up testing, however, for Commercial Motor Vehicle Operators follow-up testing shall consist of a least six tests in the first 12 months following the driver's return to duty. All other employees will be required to submit to a minimum of four follow-up tests in the first year from the date of return-to-duty. In all cases, except as noted above for those scenarios where advanced level-testing is made pursuant to a written second chance agreement, the returning employee is responsible for the full cost of the tests.

Other Testing Scenarios

In addition to the aforementioned tests, employees will be required to comply with all project specific alcohol and drug testing requirements established by the individual drug and alcohol policies of The City's clients.

Employee Referral, Evaluation and Treatment

The City assists all employees by maintaining a list of local community resources to confidentially aide employees who come forward voluntarily to self-disclose a substance abuse issue, or who test positive for alcohol or drugs. It is important to understand that the decision whether to immediately terminate the employee always remains within the sole discretion of the City, and each case will be reviewed on its own merits. The City also administers its DFSP policy in a consistent, neutral and non-discriminatory manner. The City's current level of participation in BWC's DFSP program, at either the Basic or Advanced level, will, however, also generally guide the City's decision to terminate or offer further assistance/second chance agreement. The following explains the City's compliance with these requirements generally:

- If the City is participating at that time in the BWC's "Basic" level program, the community resource assistance information noted above will be provided to the employee. The City will then make a decision, within its discretion, regarding termination or any further assistance to the employee;
- If the City is participating at that time in the BWC's "Advanced" level program, it will be the City's policy to generally refer the employee for an assessment with a qualified substance abuse professional rather than immediately terminate. The City will generally enter into a "second chance agreement" with the employee in conjunction with the assessment.

The City may, in its sole discretion, suspend employees who test positive for alcohol or controlled substances without pay in lieu of immediate termination, and give them the option of undergoing an evaluation by a Substance Abuse Professional (SAP) or other qualified professional holding one of the following credentials: Certified Employee Assistance Professional (CEAP); Certified Chemical Dependency Counselor (CCDCIII); Certified Prevention Specialist (CPS); or Certified Prevention Consultant (CPC). As noted above, the City is not required to pay for assessment (or treatment) of employees with substance problems at the BWC DFSP Basic Level. As noted above, the City is not required to pay for assessment (or treatment) of employees with substance problems at the BWC DFSP Basic Level. However, in the BWC DFSP Advanced program, the City is required by BWC guidelines to pay for the assessment and will do so. The employee remains responsible for payment of co-pays for the assessment under their health care coverage.

Reinstatement will be contingent upon the objective recommendation of a substance-use professional and the employee providing a return-to-duty test. The treating professional must authorize the employee's return to duty in addition to determining what assistance, if any, the employee needs in resolving problems associated with the misuse of alcohol or controlled substance use. If a substance-use professional determines a referral to a treatment provider is necessary, the employee is responsible for the full cost of these services.

Continued employment is contingent upon the employee complying with the substance-use professional's recommendations. Any future violations of the prohibitions listed in this drug and alcohol policy will result in disciplinary action, up to and including termination of employment, and, as outlined above, the City will utilize a written Second Chance Agreement in conjunction with any referral for assessment. Nothing stated herein in this DFSP or in any

Company policy alters the employee's status as an "at will" employee.

The City views alteration (adulteration) of specimens, dilution, or any refusal to provide a sample when requested very seriously, and may terminate employees who are found to have engaged in this behavior or who have attempted to do so.

Drug Testing Assurances

The following employee/applicant protections will be incorporated to ensure the accuracy and integrity of the testing program:

- Only laboratories certified by the Department of Health and Human Services will be used.
- A chain-of-custody procedure will be used to ensure the integrity of each specimen.
- All positive or diluted drug screens will be confirmed by a second analytical procedure (gas chromatography/mass spectrometry (GC/MS)) to identify the presence of a specific drug or metabolite. In alcohol testing, a second test, that provides quantitative data of alcohol concentration will be conducted after the completion of a screening test with a result of .04 or greater.
- All positive or diluted test results will be reviewed by a medical review officer (MRO) who will explore possible medical explanations for a positive result. The MRO will contact any employee with a positive test result and provide them with the opportunity to discuss the test result prior to rendering a final decision.
- After being notified of a positive or diluted test result for the initial test, the employee will have 72 hours to request a test of the split specimen at his or her own expense. If the second test result is negative, the City will reimburse the employee for the cost of the test.

All information, interviews, reports, statements and drug test results, written or otherwise are confidential communications, unless authorized by state or federal laws, rules, or regulations.

Employee Access to Records

Upon written request, an employee may obtain copies of records pertaining to his or her alcohol or controlled substances tests and any substance-abuse professional's evaluations and recommendations resulting from a positive test.

Policy changes

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The City reserves the right to amend any or all of this drug and alcohol policy, as it deems necessary or to reflect any changes in state or federal law.

X. Tobacco-Free Workplace

The smoke free workplace policy is intended to ensure that the City is in full compliance with Chapter 3794 of the Ohio Revised Code. The policy also provides for an internal complaint procedure for persons and employees to report any violations of the applicable law and employment policy.

1. Policy.

It is the policy of the City to fully comply with Chapter 3794 of the Ohio Revised Code so that all employees will enjoy a working environment free from the negative effects of secondhand smoke.

2. Definitions.

- a. “Smoking” means inhaling, exhaling, burning, or carrying any tobacco or any other plant, in a lighted cigar, cigarette, pipe, or “vaping” e-cigarettes device.
- b. “Public Place” means an enclosed area to which the public is invited or in which the public is permitted and that is not a residence.
- c. “City Place of Employment” means an enclosed area under the direct or indirect control of the City as an employer that the City employees use for work or any other purpose, including but not limited to: offices, meeting rooms, production and storage areas, restrooms, stairways, hallways, storage areas, garages, and vehicles. An enclosed area as described herein is a City place of employment without regard to the time of day or the presence of employees.
- d. “City Employee” means a person who is employed by the City, or who contracts with the City or third person to perform services for the City, or who otherwise performs services for the City for compensation or for no compensation.
- e. “Employer” means the City which employs or contracts for or accepts the provision of services from one or more employees.
- f. “Enclosed Area” means an area with a roof or other overhead covering of any kind and walls or side coverings of any kind, regardless of the presence of openings for ingress and egress, on all sides or all sides but one.

4. Smoking Prohibitions.

The City prohibits smoking in all City owned public places and City places of employment or in areas directly or indirectly under the control of the City immediately adjacent to locations of ingress or egress to the public place or place of employment.

- a. It shall be the responsibility of all City employees to ensure that tobacco smoke does not enter any area in which smoking is prohibited under this policy through entrances, windows, ventilation systems, or other means.
- b. No City supervisor or department manager shall discharge, discipline, refuse to

hire, or in any manner retaliate against an individual for exercising any right, including reporting a violation, or performing any obligation under this policy.

- c. No employee shall refuse to immediately discontinue smoking in a public place, place of employment, or establishment, facility or outdoor area declared nonsmoking under Section 3794.05 of the Ohio Revised Code or this policy when requested to do so by any official or employee of the City.

5. Complaint Procedure.

Any person or employee who has a violation of the City Smoke Free Workplace Policy as described above shall report the violation through either of the following procedures, at the option of the person or employee:

- a. By reporting the violation to the department head, human resources and/or the City Manager.
- b. Employees are directed that they may, and are expected to, bypass the standard chain-of-command in reporting allegations of smoke free workplace policy violations when the person to whom the employee would normally report is the employee who committed or condoned the violation.

6. Investigation and Disciplinary Action.

The City shall promptly investigate charges of a violation of the smoke free workplace policy. Employees who are found to have violated the smoke free workplace policy shall be subject to progressive disciplinary action, up to and including discharge for the repeat offenses. Further, no supervisor or employee shall retaliate against an employee who alleges or files a charge of a smoke free workplace policy violation.

Y. Conflict of Interest and Outside Employment

For full-time employees, it is the policy of the City that the work of the City shall take precedence over other occupational interests.

Employees may engage in outside employment as long as such activity does not interfere with the proper performance of their City employment. Department Head approval for outside employment is required in advance of any outside employment. Outside employment is prohibited when:

- a. The work causes absence or tardiness from an employee's work assignment;
- b. The work has caused the quality of the employee's work to deteriorate;
- c. The work could result in a conflict of interest on the employee's part in the performance of his/her City-related duties; or
- d. The work is an inappropriate reflection on the City

The City expects our employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the City.

Business dealings that appear to create a conflict between the interests of the City and an employee are unacceptable.

The City recognizes the right of employees to engage in activities outside of their employment which are of a private nature. However, the employee must disclose any possible conflicts so that the City may assess and prevent potential conflicts of interest from arising.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones which most frequently present problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact their supervisor to obtain advice on the issue. The purpose of this policy is to protect employees from any conflict of interest that might arise.

A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

Z. Personal Appearance

It is the policy of the City that all employees are expected to maintain a professional personal appearance at all times. Professional personal appearance includes, but is not limited to, being well groomed, appropriately attired and possessing good personal hygiene at all times while performing their assigned duties with the city.

While at work, employees must dress appropriately for the work which they are assigned to perform. Those employees who are required to wear uniforms shall do so during the hours in which they are assigned to work. Employees may not substitute personal clothing for any part of the uniform supplied by the city.

Uniforms and any other City supplied apparel, identifying an employee as being associated with the City, may not be worn by employees outside the workplace, except while on official City business or performing an approved off-duty detail.

All employees must maintain a well-groomed appearance. Facial hair, unless specifically prohibited under a departmental policy, is permitted but must be neatly trimmed at all times.

A supervisor may require an employee whose appearance is inappropriate to leave the workplace until that individual is in compliance with this policy. Any employee, who is directed to leave the workplace in order to dress more appropriately, shall not be paid for the time off the job. However, if the employee wishes to be paid for the time off, he/she may use vacation time or some other acceptable personal leave time. Sick time may not be used to substitute for time off the job under the policy.

Any employee found in violation of this policy may be disciplined at the discretion of the City Manager acting independently or upon the recommendation of the employee's supervisor. Disciplinary action shall be progressive, up to and including dismissal from employment as a municipal employee.

In the event of exceptional or unusual circumstances, the City Manager may authorize exceptions to the policy. Interpretations to this policy shall be made by the City Manager.

Z. Firearms in the Workplace

It is the policy of the City to prohibit employees, visitors and guests from carrying concealed firearms while in city owned buildings or in any city owned vehicles.

A firearm, as defined by the Ohio Revised code Section 2923.11(B), means any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant. “Firearm” includes an unloaded firearm, and any firearm that is inoperable, but that can be readily rendered operable.

Employees with a valid concealed handgun carry license: Employees who possess a valid concealed carry license are prohibited from possessing firearms while in city owned buildings or in a city owned vehicle, or at any time while they are acting within the course and scope of their employment. Any employee who possesses a valid license to carry a concealed firearm and is bringing a firearm onto city property, excluding city owned buildings or city owned vehicles, must properly secure such firearm so that it does not present an unreasonable risk of harm to persons or property.

Employees, other than employees with a valid license to carry concealed firearms, are prohibited from bringing a firearm onto any city owned property, even if the firearm is stored in their privately owned vehicle, and are prohibited from possessing a firearm at any time while they are acting within the course and scope of their employment.

Police employees or visiting law enforcement officers specifically authorized to carry firearms under the laws of the State of Ohio specifically authorized to carry firearms are excluded from this policy.

Any city employee who violates this policy is acting outside the course and scope of their duties. Any city employee found to be in violation of this policy may be subject to disciplinary action, up to and including discharge.

All city owned property shall be properly posted to indicate that all visitors and guests are prohibited from possessing firearms while in city owned buildings.

This regulation shall not apply to buildings which are used as part of the police or civilian shooting ranges.

J. Political Activity

City employees are encouraged to participate in the electoral process. However, it is recommended that employees refrain from the following political activities:

- a. Declaring candidacy for, or campaigning for, elected office in the City, whether the ballot is partisan or non-partisan.
- b. Circulating official nominating petitions for any candidate for elected City office.
- c. Campaigning by writing to/for publications or by making speeches on behalf of a candidate for elective office of the City.
- d. Soliciting either directly or indirectly, any assessment contribution or

- subscription for any party or candidate for office in the City.
- e. Employees are prohibited from holding an elective or appointed office within the City.

K. Nepotism

Except in cases of extraordinary or unusual circumstances, the City will not employ any more than one (1) member of an immediate family in full-time or permanent part-time positions within the same department. The term “immediate family” includes the spouse, children, stepchild, parents, siblings, or grandparent of an employee. For purposes of this policy, employees do not include elected officials or temporary or seasonal employees of the City. The City Manager shall review and approve the appointment of all employees under his/her authority as it relates to this policy.

IIX.

Employee Health & Safety

The health, safety and welfare of all City employees are of major importance to the City. The City is committed to making employees' jobs safe in all respects and requires safety to be a major responsibility of every employee.

A. Safety and Security

The Safety Team has been established to improve the personal safety of each employee, and to improve communication between all employees on safety and employee development matters. This committee reviews all accidents and recommends steps to prevent accidents and improve workplace safety.

Z. Employee Relations Committee

The Employee Relations Committee includes representatives from each of the HPO teams and is supplemented by representative from each department to insure comprehensive representation. This committee meets regularly with the City Manager to review and discuss matters related to employee benefits and compensation and personnel policies and procedures. This committee also exchanges information, discusses matters of mutual interest, and explores ways to improve communication between the City Administration and all employees.

The committee consists of representatives from each of the following departments:

Administration

Water Works

Police

Public Works

The duties of each member of the committee shall be to represent their department's employees or management on all issues presented to the committee. The primary focus of the committee is on reviewing benefit and compensation changes and developing new and improved employee policies & procedures and facilitating information flow between the employees and management.

C. Safety Manual

It is the responsibility of each department head to ensure that employees receive proper training in safety procedures. The City has published a Safety Manual that is available in each department to educate employees about safety measures and to promote a safe work environment for our City. Employees are required to review the Safety Manual at after beginning employment and throughout their tenure with the City.

D. Driver's License & Driving Record

Employees whose work requires operation of a motor vehicle must present and maintain a valid driver's license and a driving record acceptable to the City's insurance carrier. The City conducts an annual check of driving records for those employees who operate City vehicles, so it is very important that employees maintain an acceptable driving record. Failure to do so may result in disciplinary action, up to and including termination of employment with the City. If an employee is authorized to operate a vehicle in the course of his/her assigned work, he/she will be responsible for any fines or traffic violations incurred.

E. Reporting Personal Injuries

As an employee of the City, you are covered by state workers' compensation insurance, which is paid for by the City. Workers' compensation coverage is designed to provide you with benefits for an injury arising out of the scope of your employment. If you are injured while at work, you are eligible to apply for workers' compensation benefits.

All work-related injuries including incidents where no medical treatment is required or time off is needed must be reported by the employee to his or her supervisor immediately following the incident, but no later than the end of the workday.

If you are injured on the job, you will be required to complete an "Employee Incident" and "First Report of Loss" Form immediately following the incident or as soon as practicable. All injuries that require medical treatment will be fully investigated by the employee's supervisor who will also insure an "Incident Form" and "Witness Incident Statement" form are completed. All injured workers are required to conduct a drug screening at a designated medical facility.

In cases of ongoing medical treatment, it is the employee's responsibility to keep his or her supervisor updated with all subsequent medical appointments.

Any employee who is unable to return to his or her regular work may be assigned to alternative or transitional work within prescribed medical restrictions based on availability of such work and the physical capabilities of the injured employee.

(Refer also to the City Accident and Personal Injury Reporting Procedures and Transitional Work Program See Personnel Policy Addendums)

F. Reporting Vehicle Accidents

In addition to complying with the requirements set forth in Accident Reporting Procedure included as an addendum to this handbook, the local police department of any jurisdiction in which an accident occurs shall be notified immediately about all accidents involving City-owned vehicles and any other vehicles being operated on City business. A police accident report will be completed and a statement of the operator and all passengers in the car will be taken. As soon as practicable, but within three (3) business days, a copy of the police report should be delivered to the City Manager's office. In conjunction with the employee's supervisor, human resources and/or the City Manager will complete a First Report of Loss or Injury Form and send it with a copy of the police report to the City's insurance carrier.

All City vehicles have an automobile claim instruction card in the glove compartment which should assist an employee in the event of a vehicular accident. In the event of a vehicular accident:

- Do not move the vehicle unless it constitutes a hazard to other vehicles.

- Notify the police immediately.
- Insist that all parties and property involved remain at the scene of the accident.
- Obtain identifying information from the driver of the other vehicle including the driver's name, address, phone number, driver's license number and expiration date, license plate number, make, model, and year of vehicle, and insurance coverage.
- Report all accidents, no matter how small, to your supervisor, human resources and/or the City Manager.

If an employee is in a vehicular accident while driving his/her own personal vehicle while on City business, the employee's insurance will have primary responsibility for any claims.

(Refer also to the City Accident and Personal Injury Reporting Procedures – See Personnel Policy Addendum)

G. Property & Equipment Care

It is the employee's responsibility to understand the equipment needed to perform his/her duties. Good care of any equipment that is used during the course of employment, as well as the conservative use of supplies, will benefit the employee and the City. If equipment is not working properly or in any way appears unsafe, please notify a supervisor immediately so that repairs or adjustments can be made. Under no circumstances should equipment be operated that may be considered unsafe. Additionally, equipment safeguards and/or safety features should not be altered or modified.

A. Anniversary Date

The first date of employment with the City is an employee's official City anniversary date. The anniversary date will be used to calculate vacation accumulation, wage increases, longevity pay and other employee benefits. If an employee is promoted, the date of the promotion will be the position anniversary date.

B. Health Examinations

The City reserves the right to require an employee to participate in a health examination (including drug testing) prior to hiring and at any time during employment to determine the employee's fitness to perform his/her essential job functions. All such health examinations shall be paid for by the City.

C. Personnel Files

The City maintains a personnel file for each employee in the office of the City Manager. The personnel file contains important information related to the qualifications of the employee for original hire, employment history with the City, training and education completed, and other such related information.

D. Performance Appraisal/Review

It is the policy of the City that each employee will receive a written appraisal of job performance at least once each year. Employee performance appraisals provide a basis for identifying strengths and weaknesses of job performance, establishing recommendations and goals for improved performance, establishing a plan of work for the coming year, and for making sound decisions regarding employees' assignments, training, pay increases, promotions, and other personnel actions.

E. Separations/Retirements

When an employee resigns from the City, that employee is to notify his/her department head, in writing, at the earliest possible date prior to his/her planned termination date. Employees are asked to provide such notice no less than two (2) weeks prior to the effective date of resignation. Department heads are expected to provide at least a one (1)-month termination notice. Any employee who intends to retire is requested to notify his/her department head in writing at least sixty (60) days prior to his/her date of retirement.

Any City property issued to an employee, such as keys, identification cards, health insurance cards, tools or uniforms must be returned to the City at the time of termination of employment with the City. Employees are responsible to pay for any lost or damaged items. Employees leaving the City will be issued their final paycheck on the next regularly scheduled payday after their last day of employment. If there are unpaid obligations to the City, the final paycheck will reflect the appropriate deductions in accordance with applicable Wage & Hour laws

Z. Termination Pay

Any employee who has been in the service of the city for at least ten (10) years, upon retiring or leaving the service, with and upon recommendation of the head of such employee's department of work and approval of the City Manager, shall be entitled to be paid one (1) month's pay. In addition the employee shall be entitled to be paid, upon retiring or leaving the service, 1/10 of one month's pay for each additional year of service to the city.

1. Payment for Unused Vacation Leave

Any employee retiring from City service will be paid for any unused vacation leave up to the maximum accrual of 1-1/2 times their annual vacation accrual.

2. Payment for Unused Personal Leave

Any employee retiring from City service will be paid for any unused personal days up to the maximum allotment for the calendar year within which the employee retires.

3. Payment for Unused Compensatory Time

Any employee retiring from City Service will be paid for any unused compensatory time up to a maximum of and sixty (60) hours for all eligible employees (72 hours for Police Employees assigned to rotating shifts).

4. Payment for Accrued Sick Leave Upon Retirement

Any employee retiring from City service will be paid 1/2 of his accrued sick leave up to a maximum payment of sixty (60) days pay.

G. Employee Discipline Policy

The disciplinary procedure for classified employees in the City's Civil Service is governed by the Personnel Rules and related policies and procedures. The office of the City Manager will direct discipline of all other municipal employees under the laws of the State of Ohio.

With the exception of probationary employees and probationary promotions, the City generally pursues a policy of progressive corrective discipline. This means that, in most cases, the purpose of discipline is to correct unacceptable behavior and to allow employees to demonstrate improvement. Toward that end, infractions of work rules, regulations, or standards of behavior will usually result in progressively more severe discipline for continuing infractions. However, some actions or failures of behavior are so serious as to merit dismissal on the first occurrence.

Misconduct that May Result in Immediate Dismissal

Any employee whose conduct, actions or performance violates or conflicts with the City's policies may be terminated immediately and without warning. The following are some examples of grounds that may lead to the immediate dismissal of an employee:

1. Engagement in physical altercations
2. Breach of trust or dishonesty. Dishonesty includes situations where the City is reasonably and otherwise legally relying on an employee's representations or statements in the ordinary course of business. Dishonesty also includes any situations where the City is being defamed through an employee's knowingly false and damaging statements
3. Falsification of City records
4. Gross negligence
5. Insubordination and deliberate non-performance of work (non-performance of work does not include any concerted activity under the National Labor Relations Act or other similar laws, and non-performance of work is expressly exclusive of strike or other protected activity)
6. Willful, severe and/or pervasive violations of established City rules or policies
7. Violence
8. Possession of dangerous weapons on the premises
9. Larceny or unauthorized possession of, or the use of, property belonging to any co-worker or visitor of the City
10. Unauthorized possession, use or copying of any confidential, proprietary trade secrets records that are the property of the City
11. Marring, defacing or other willful destruction of any supplies, equipment or property of the City.

This list is intended to be representative of the types of behaviors and activities that may result in immediate termination of employment. It is not possible to enumerate herein all of the potential acts which may result in immediate termination. It is not exhaustive, and is not intended to be comprehensive and does not change the employment-at-will relationship between the employee and the City.

Z. Grievance Procedure

Any City employee may utilize the grievance procedure to pursue a grievance filed in good faith for a perceived wrong that is inconsistent with existing policy, written procedure, fact of law or personnel rules and regulations. A grievance may also be filed in connection with a punitive action as a result of a disciplinary action. Grievance procedures within individual departments shall be consistent with the grievance policy set forth in the addendum to this handbook which provides for both an informal and formal process to address employee grievances with immediate supervisors, as well as an appeal process involving the grievant's department head, and a secondary appeal process involving the city manager.

H. Expense Reimbursement

Prior to incurring an expense on behalf of the City, an employee must secure written authorization through a requisition or purchase order from his/her department head. To be reimbursed for all authorized expenses, an employee must submit receipts that have been approved by his/her department head. Expenses should be submitted each week, as authorized reimbursable expenses are incurred. All authorized purchases should be accompanied with a tax exemption certificate.

I. Reimbursement for Use of Personal Vehicle

Employees who are authorized in writing by the City Manager to use their personal vehicle for City business must file a Mileage Reimbursement Form for reimbursement of any expenses at the prevailing IRS mileage rate. The Mileage Reimbursement Form must be completed by the employee and approved by the department head and the City Manager. Employees are encouraged to submit their reports on a regular basis (at least monthly) to the Finance Department. Employees must acknowledge all insurance liability in the operation of his/her personal vehicle - even in the event of an accident while on City business.

J. Internet Usage / Computer System

It is the policy of the City that the use of its computers and software, as city property, is intended for job-related, employment-related use.—Employees are not allowed to use the computer system for any use not otherwise permitted by this policy or permitted by law use. Employees are strictly forbidden from installing unauthorized software on the system, entering false information into, or destroying any data on the city's computer system. Further, this policy reaffirms that the city's employees have no reasonable expectation of privacy with respect to any computer hardware, software, electronic mail or other City computer or electronic means of communication or storage, whether or not employees have private access or an entry code into the computer system. The city reserves the right to monitor the use of its computer system. Where portable, laptop or notebook, computers, smartphones, tablets or any other mobile computing devices are provided by the city to facilitate the employee's productivity, connections to or attempting to connect to any unauthorized wired or wireless network is strictly prohibited.

Policy Exception: As a matter of convenience, it is recognized that an employee may periodically utilize the City's computer systems and internet access for personal use on a very limited basis specifically during non-work time and break-periods only. It should be understood that if an employee does utilize the City's computer systems for personal business all other applicable policies regarding computer systems and internet access will still apply including having no expectation of privacy, monitoring of computer usage and the prohibition of activities as specified in this policy.

Z. Electronic Communications Policy

The Voice Mail system, E-mail network and all other electronic communications are information systems and are the property of the City. They have been provided by the city for use in conducting city business. All communications and information transmitted by, received from, or stored in these systems are City records and property of the city.

No expectation of privacy. Employees have no right of personal privacy in any matter stored in, created, received, or sent over the City's Voice Mail and E-mail systems, or any other City equipment. All data transmitted, sent, received or created in any manner on the City's equipment may be viewed by the City in its discretion. The City reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over these systems, for any reason without the permission of any employee and without notice. The City may engage others or grant permission to others to do the same without notice. Individuals using these systems expressly consent to monitoring of their activities.

Even if employees use a password to access the Voice Mail, E-mail or other systems, the confidentiality of any message stored in, created, received, or sent from the City's Voice Mail or E-Mail systems still cannot be assured. Use of passwords or other security measures do not in any way diminish City's rights to access materials on its systems, or create any privacy rights of employees in the messages and files on the systems. Any password used by employees must be revealed to City's as Voice Mail and E-mail messages may need to be accessed by the City in an employee's absence. Employees are not to use another

Monitoring computer usage. The City has the right, but not the duty, to monitor any and all of the aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing E-mail sent and received by users, except as may otherwise be protected as a matter of law.

Prohibited activities. The City's policies against sexual or other harassment or discrimination apply fully to the Voice Mail, E-mail and other electronic communications systems, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no Voice Mail or E-Mail messages should be created, sent, or received if they contain hostile or offensive material concerning race, color, religion, sex (including sexual orientation and gender identity), age, national origin, disability or any other classification protected by law. City equipment/systems may not be used to send messages that are vulgar, obscene, threatening, intimidating, harassing, defamatory, dishonest, unlawful or illegally discriminatory.

Any employee who discovers misuse of the Voice Mail or E-mail or other systems should immediately contact the City Manager.

Violations of the City's Electronic Communications policy may result in disciplinary action up to and including termination.

L. Suggestions

The City encourages all employees to bring forward their suggestions and good ideas about how our City can be made a better place to work, our products improved, and our services to customers enhanced. An employee should discuss any ideas or suggestions he/she has with his/her department head.

X. Receipt & Acknowledgment of the City Employee Handbook

This Employee Handbook is an important document intended to help you become acquainted with the City of the Village of Indian Hill. This Handbook will serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because policies and economic conditions are always changing, the contents of this Handbook may be changed at any time at the discretion of the City. No changes in any benefit, policy, or rule will be made without due consideration of the mutual advantages, disadvantages, benefits, and responsibilities such changes will have on you as an employee and on the City.

Please read the following statements and sign below to indicate your receipt and acknowledgment of the City Employee Handbook.

I have received and read a copy of the City Employee Handbook. I understand that the policies, rules, and benefits described in it are subject to change at the sole discretion of the City at any time. No one other than the City Manager, with the consent of the City Council, may alter or modify any of the policies in this Handbook. No statement or promise by a supervisor, department head, or the City Manager may be interpreted as a change in policy nor will it constitute an agreement with an employee.

I further understand that, except for full time police officers, my employment is terminable at will, either by myself or the City, regardless of the length of my employment or the granting of benefits of any kind, including but not limited to pension benefits, which are provided based upon length of employment.

I understand that no contract of employment other than "at will" has been expressed or implied, and that no circumstances arising out of my employment will alter my "at will" employment relationship.

I understand that, should the content of the policies be changed in any way, the City may require an additional signature from me to indicate that I am aware of and understand any new policies.

Should any provision in this Employee Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Handbook, but only the subject provision.

I understand that the policies and rules contained in this Handbook apply to all City employees including those employees covered by the City's civil service ordinances. Nevertheless, this Handbook shall not supersede any terms, conditions, or benefits specifically set forth in ordinances of the City, ***or contained in applicable collective bargaining agreements***, or terms of employment set by the City Council for the City Manager, Clerk of Council, or City Solicitor.

I understand that this Handbook replaces (supersedes) all other previous Handbooks for the City as of **October 1, 2016**.

Receipt & Acknowledgment of the City Employee Handbook

Employee's Printed Name

Employee's Signature

Position _____

Date _____

Department Head's Signature _____

Date _____

The signed original copy of this agreement should be given to your department head - It will be maintained in your personnel file.

Effective October 1, 2016