

CITY OF TWINSBURG, OHIO

ORDINANCE 152-2011

AN ORDINANCE ESTABLISHING THE CITY OF  
TWINSBURG EMPLOYEE HANDBOOK AND  
CORRESPONDING POLICIES

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**WHEREAS**, the City of Twinsburg has various policies governing its numerous employees; and

**WHEREAS**, Chapter 147 titled "Employees Generally" establishes employee classifications and many of the governing policies; and

**WHEREAS**, the Director of Human Resources has determined that it would be beneficial to the City of Twinsburg to supplement Chapter 147 with an Employee Handbook and corresponding supporting policies governing many of the employee related issues that are not specifically covered in the Chapter 147.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Twinsburg, County of Summit and State of Ohio:

**SECTION I:** That the Employee Handbook and supporting policies attached hereto and incorporated herein collectively as "Exhibit A" is hereby adopted and incorporated as controlling upon the employees of the City in conjunction with the already established criteria in Chapter 147 of the Codified Ordinances of the City of Twinsburg.

**SECTION II.** It is hereby determined that any existing policies established by any prior employee handbooks in circulation in the City are hereby repealed if they are determined to be in conflict with the policies established in the attached Exhibit A.

**SECTION III:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting or meetings of this Council, and that all deliberations of this Council were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

PASSED: November 1, 2011

APPROVED: November 1, 2011

EFFECTIVE: December 1, 2011

Gary V. Sorace  
Gary Sorace, President of Council

Submitted to the Mayor for approval this

1 day of November, 2011

Approved by the Mayor 11/1, 2011

Katherine A. Procop  
Katherine A. Procop, Mayor *aus*

ATTEST:

Lisa Spraggins  
Lisa Spraggins  
Clerk of Council

1<sup>st</sup> Rdg. 10/11/11  
2<sup>nd</sup> Rdg. 10/25/11  
3<sup>rd</sup> Rdg. 11/1/11

Passed: 11/1/11

Yes 7 No 0

**CERTIFICATE OF POSTING**

I, Lisa Spraggins, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the 4 day of November, 2011

Lisa Spraggins  
Lisa Spraggins  
Clerk of Council  
City of Twinsburg

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# MEMORANDUM



DATE: September 30, 2011  
TO: Lisa Spraggins, Clerk of Council  
David Maistros, Law Director  
CC: Katherine Procop, Mayor  
FROM: Clayton D. Morris, Director of Human Resources  
RE: Handbook and Policies

1. Nature of Legislation:

This legislation will accept and rely upon the attached City-wide policies and Handbook as a supplement to the Codified Ordinances Chapter 147

2. Why it is being proposed:

This legislation is being proposed as vehicle to avoid complete and total anarchy and to establish some semblance of order.



**Department of Human Resources**

10075 Ravenna Road, Twinsburg, OH 44087 P: 330.963.6320 F: 330.405.6739  
[www.mytwinsburg.com](http://www.mytwinsburg.com)

Katherine A. Procop, Mayor



*City of Twinsburg*  
*Employee Handbook*  
*Revised by Human Resources 07/2011*



**Department of Human Resources**

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# *City of Twinsburg Employee Handbook*

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## **INTRODUCTION**

This Employee Handbook summarizes the personnel ordinances and policies of the City of Twinsburg and is designed to assist employees with information and understanding of the terms and conditions of his/her employment including services, benefits, policies, and procedures. The following represents guidelines only to familiarize employees with City government employment. The City reserves the right to modify or discontinue, at any time, with or without notice, the provisions contained in this handbook

Each Department Head may supplement the provisions of this handbook with policies, and procedures of their own to expand upon or to address matters unique to their department. Such supplemental policies, procedures, and work rules, however, shall not conflict with the express provisions of this policy Handbook.

## **DISCLAIMER**

This handbook is presented for your general information and guidance, and contains the personnel rules for all non-bargaining employees, supervisors, and management. These rules update, supersede, and replace any other previous personnel policies. These personnel rules may be changed at any time. This handbook is not intended to be an expressed or implied contract or vesting rights of employment, including terms and conditions, rights or guarantees, except those created through a collective bargaining agreement and/or applicable State or Federal law. No representative of the City, other than the Mayor, has the authority to enter into any agreement for any specified period of time or to make any promises regarding employment, and such agreements or promises must be in writing and properly signed by the Mayor to be valid.

*The provisions of this handbook are applicable to all employees of the City except where specifically exempted. Some provisions will not apply to every employee. Bargaining Unit employees are not subject to or entitled to all of the provisions, rules, and benefits explained here within except where their Bargaining Agreement is silent on a particular issue or where their contract specifically refers to the City's policies. Further, it is not the intent of this handbook to supersede or modify any collective bargaining agreement. Rather, it is intended that this handbook supplement such collective bargaining agreement. Additionally, it is the intent of this handbook to comply with all applicable laws, regulations and collective bargaining agreements that the City is required to follow. Where there may be an express conflict between provisions of this handbook and applicable laws, ordinances, or agreements, the statutes, ordinances, and collective bargaining agreements shall prevail.*

## **SEVERABILITY/SAVINGS CLAUSE**

The policies in this handbook supersede any and all previous policies of the City, written or unwritten, on subject matters covered or referred to herein. If any provision, amendment or revision of this handbook is held to be unenforceable, invalid, contrary to

law or otherwise restrained from its full force and effect by a court of competent jurisdiction, the remaining provisions of this handbook, to the extent that they remain unaffected by such declaration or restraint, shall continue in full force and effect. The City reserves the right to effectuate a lawful alternative to any policy or procedure declared unenforceable, invalid, or contrary to law.

## **COMPLIANCE WITH HANDBOOK**

The various management and supervisory personnel are charged with applying, enforcing, and ensuring compliance with the provisions of this handbook. Likewise, compliance with this handbook is the obligation, requirement, and condition of continued employment for each employee of the City. As such, employees are expected to become knowledgeable about this handbook's contents and abide by the policies, procedure's rules and regulations set forth herein.

### **I. IMPORTANT INFORMATION**

#### **A. The City at a Glance**

- 1) The City of Twinsburg, founded in 1817, still remains its small town charm while being home to many new residents, businesses, and industries. Twinsburg continues to value the principles of its founder, Ethan Alling, to create a community that values progressive thinking, quality education, green space, and prosperity. The diversity of the community, from its vast parklands to its small stores, upscale developments and strong industrial base, Twinsburg is an ideal place to raise a family, pursue a career, or enjoy the outdoors.

#### **B. Form of Government**

The Ohio constitution home-rule provision grants the City of Twinsburg the authority to exercise self-government through the establishment of our Charter. Our Charter establishes a Strong Mayor – Council form of government where the Mayor is elected at-large and serves as the Chief Executive and Administrative Officer of the City.

Council consists of 7 members, 2 which are elected at-large and 5 elected by ward. Members serve 4 year terms commencing in odd years. The terms are staggered so that no more than 4 seats are open at any one time. Council is responsible for setting policies and making decisions on local government issues.

Various Boards and Commissions are established and are comprised of citizens who are appointed by council. These Boards and Commissions serve

in an advisory capacity to the Mayor and Council by gathering information on pending issues, analyzing it and recommending options to Council.

The Mayor and City Council are supported by the various City Departments who are appointed by the Mayor and provide public services for the successful operation and improvement of the City, its residents, businesses, visitors and employees.

**C. Municipal Office, Police and Fire Departments, and Employee Hours**

The Twinsburg City Hall is open to the public for the transaction of business from 8:00 a.m. to 4:30 p.m., Monday through Friday. The Police and Fire Departments are open to the public continuously.

**D. Residence Requirements**

There are no requirements of residence for City employees.

**E. Appointment Types and Work Weeks**

Employees may be hired under a variety of appointment types. The standard work week is from 8:00 a.m. to 4:30 p.m., Monday through Friday. Following chart describes the hours of work and schedules normally associated with the various appointments types:

<u>Type of Employee</u>	<u>Hours of Work</u>		<u>Schedule</u>
	Week	Year	
<b>Full-Time</b>	40	2,080	<b>Regular</b> Typically this is 40 hours per week, or 80 hours per pay period. <i>Except for Police and Fire on Shifts.</i>
<b>Part-Time</b>	Average 20	Less than 2,080	<b>Regular</b> As required by supervisor may work 32 hours per week in designated cases.
<b>Seasonal</b>	40	Less than 2,080	<b>Regular Seasonal</b> Work regular hours for a specific season of the year only.
<b>Interim</b>	Varies	Limited Time Period	<b>Indefinite</b> Work when another employee is absent (i.e., filling in for someone with a long-term illness).
<b>Temporary</b>	Varies	Limited Time Period	<b>Limited</b> Extra work or fill-in as authorized by the Mayor.
<b>Emergency</b>	Varies	Limited to 30 Days	<b>Limited</b> To meet special demands.

## F. Employment Categories

1) City employees are categorized in a number of ways. They are; Civil Service classified or unclassified, Fair Labor Standards Act (FLSA) exempt or non-exempt, and Bargaining Unit or Non-bargaining Unit. The following definitions will help to understand each category:

a. Classified: Employee is subject to examination or has employment protection under the terms of Ohio civil service laws. If an employee is classified, he/she will also either be certified or provisional.

1. *Certified*: An employee who has both passed a civil service exam and been appointed from an eligible list.

2. *Provisional*: An employee who is hired without taking a formal civil service examination.

b. Unclassified: An Employee who is not subject to examination and serves at the pleasure of the Mayor.

c. Exempt: Any full-time employee who receives compensation on a salary basis and who is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA), and thus does not receive overtime pay. These positions include the following:

- Chief of Police
- Chief of Fire
- Director of Public Works
- Director of Human Resources
- Director of Planning and Community Development
- Municipal Engineer
- Building Commissioner
- Director of Finance
- Director of Parks and Recreation
- Golf Course Manager
- Golf Course Superintendent
- Senior Network Administrator
- Police Lieutenant
- Assistant Fire Chief
- Service General Superintendent
- Wastewater Superintendent
- Parks Working Foreman
- Fitness Center Manager

d. Non-Exempt: Any other full-time or part-time employees who receive compensation on an hourly basis and who are not exempt from the overtime provisions of the Fair Labor Standards Act (FLSA), and thus receives compensation on the basis of hours worked, including overtime for any hours worked over 40 in week.

- e. Bargaining Unit / Non Bargaining Unit: Employees represented by a labor union, which, as a result of an election and certification process, is certified to represent them.

### **G. Probationary Period**

- 1) An employee serves a probationary period after hire or a promotion. The probationary period is a period of assessment during which both the employee and supervisor assess the employee's ability to perform the job.
  - a. All new hire and promotional appointments are for one (1) year.
  - b. An employee will be evaluated at the midpoint and end of his/her probationary period.
  - c. Newly hired employees are considered at-will during the probationary period and may be removed at the sole discretion of the Mayor at any time prior to the end of the probationary period with no right to appeal.
  - d. In the case of promotion, the employee may be placed back into his/her former positions, if the employee's performance is unsatisfactory at any point of the probationary period.

## **II. REQUIREMENTS FOR INITIAL EMPLOYMENT**

### **A. Application**

Applicants for initial employment must accurately, truthfully, and correctly complete an employment application which includes an acknowledgment that all information provided is truthful. Falsification or misrepresentation by the applicant will be cause for denial of employment or removal if discovered at any time after the applicant has been hired.

### **B. Post Offer/Pre-Employment Testing**

- 1) After an offer of employment, but prior to commencing work, all newly hired employees will be subject to a drug screen by a qualified physician and/or medical personnel designated by the City.
- 2) Additionally, prospective employees may be required to submit written examinations, physical agility tests, physical examinations and psychological assessments.
- 3) If the employee has a disability that affects his/her abilities to complete required employment testing or to perform the essential functions of the

position, a request for reasonable accommodation, made by the employee will be evaluated to ensure that the hiring/promotion process is available to all qualified employees.

- 4) All pre-employment testing will be job-related for the position in question and consistent with business necessity. Testing will be administered in a non-discriminatory manner and will ensure equal access to all prospective employees.

### **C. Reference and/or Background Checks**

To ensure that the individuals who join the City are well qualified and have strong potential to be productive and successful, the City will check the employment references of applicants when deemed appropriate and conduct other reference or background checks, as appropriate, to determine the employment suitability of any applicant.

### **D. Proof of Certification**

If a position requires educational degrees, licensure, or other certification, the applicant must provide certified copies of such document(s). Such licensure or certification must be appropriately maintained in good standing if the applicant is subsequently employed by the City.

### **E. Training and Orientation**

At the discretion of the Department Head, employees will be given appropriate training and orientation opportunities as applicable to their position.

## **III. Employee Development and Recognition**

The City promotes the growth, development, and recognition of employees through a variety of programs. This section includes descriptions of some of these programs. Employees' full participation in these programs is encouraged.

### **A. Testing**

- 1) Employees who are seeking a promotion may be required to demonstrate their knowledge or perform certain tests of skills in order to further ascertain their fitness for the position.
- 2) The City, at its own expense may require an employee at any time to take a physical or mental examination by a licensed medical physician selected by the City if it has reason to believe the employee is no longer capable of performing the essential functions of the position.

## **B. Performance Evaluations**

- 1) All employees may receive at least one (1) review each year. New hired employees and those who recently have been promoted also receive reviews midway through and at the end of his/her probationary periods.
- 2) Employees' performance is reviewed on a regular basis for the following reasons:
  - To encourage joint planning and communication between the employee and his/her supervisor(s);
  - To provide employees with clear and explicit performance expectations;
  - To provide employees with information on how to improve his/her performance; and
  - To help employees identify and develop important job skills.

## **C. Training and Development**

- 1) It is the responsibility of the employees to maintain the minimum qualifications of their classification as described by their current job description and as established by the City and/or qualifications of a classification are changed by law, technical advancement, or other circumstances it is the sole responsibility of the employee to meet such new requirements within a reasonable period of time (as determined by the City) and to maintain such qualifications.
- 2) Employees failing to maintain the minimum requirements and qualifications of their classification in a reasonable amount of time may be subject to reduction in position, provided a vacancy exists in a classification for which the employee is qualified or removal if no such vacancy exists.
  - a. The City has no obligation to create a vacancy for an employee failing to maintain the qualifications of the job.
  - b. An employee who is reduced in position for failing to maintain the qualifications of their classification will receive the rate of pay of the classification to which he/she was reduced to.

## **D. Employee Recognition**

- 1) Appreciation activities may be held annually to recognize the service, dedication and contributions of City employees.

- 2) Awards will be given to employees celebrating a 'milestone' anniversary in five-year increments from the date of full-time seniority with the City.

#### **IV. CLASSIFICATION AND COMPENSATION**

City employees are assigned to a classification based on the duties he/she performs. The classification an employee is assigned to determine his/her salary.

##### **A. Position Classification**

###### 1) Job Specifications

- a. The City's classification plan groups all non-union positions in the City into pay ranges according to the duties, responsibilities, knowledge, skills, and abilities.
- b. For each position there is a job description designated by job title, job responsibilities, job qualifications, and working conditions.
- c. The job descriptions are intended to be descriptive and explanatory only, and do not include all of the duties required of an employee in that specific classification. Positions are allocated to the various classifications on the basis of work performed during the majority of the working period.

###### 2) Job Analysis

- a. The classification of positions is based upon an examination of significant classification factors in each position including the nature and complexity of work, level of responsibility, and where applicable, the required physical exertion and exposure to environmental conditions.

##### **B. Payroll**

- 1) The City's payroll is based on two-week or 80 hour pay period. There are typically 26 pay periods per year. Paychecks are issued every other Friday.
  - a. Because there is a one-week time lag in the payroll system, the check an employee receives on Friday is for the pay period ending one week before.
  - b. Distribution of paychecks will be made to each department.
  - c. Paychecks will not be distributed to individuals other than City employees without the express written consent of the employee.

- d. When an employee leaves City service, his/her last paycheck will be released two (2) weeks after the last day of the pay period.
- e. An employee's paycheck is accompanied by an earnings statement, which gives an account of the pay period, as well as a cumulative record of his/her earnings, deductions, and leave balances for the year to date.

**C. Longevity and Pay Supplements**

- 1) When an employee reaches six (6) years of continuous employment, he/she may qualify for a longevity pay supplement which will increase each year until he/she serves twenty (20) years.
- 2) Other pay supplements may be authorized in unusual circumstances, such as hazardous conditions or when special skills are required. Employees may contact the Human Resources Department or the Finance Department to see if he/she qualifies for any supplement.

**D. Payroll Deductions**

- 1) A number of payroll deductions are required by law, such as federal tax, state tax, municipal tax (where applicable), Medicare, and retirement.
- 2) Some of the other deductions include health insurance, supplemental life insurance, Fitness Center memberships, charity pledges, additional savings accounts, and deferred compensation.
  - a. If an employee is interested in any voluntary deductions, he/she should contact the Human Resources Department or the Finance Department for assistance in completing the necessary payroll information and authorization forms.

**E. Direct Deposit or Electronic Funds Transfer (EFT)**

- 1) The City electronically transfers an employee's paycheck into his/her checking or savings account at the financial institution of his/her choice.
- 2) An employee's money will be available the morning of payday. The Human Resources Department or the Finance Department can provide the employee with an authorization form.

**F. Shift Differential Pay**

- 1) Full-Time employees will be paid shift differential pay as follows:

- First shift begins between 4:00 am and 11:00 am – no differential;
  - Second shift begins between 11:45 am and 4:00 pm – five percent (5%) differential; and
  - Third shift begins between 4:15 pm and 3:45 am – ten percent (10%) differential.
- 2) Shift differential pay will not apply to part-time employees, seasonal employees, and shift firefighters.
  - 3) An employee required to work any period spanning two (2) shifts will be paid the shift differential in effect at the time he/she began work.
  - 4) Shift differential also applies when an employee would have been scheduled but is on an approved leave, such as holiday, sick, vacation, or injury leave.

#### **G. Overtime Pay and Compensatory Time**

- 1) If an employee is overtime eligible and is required to work more than 40 hours in one (1) week, he/she may choose to receive overtime pay or compensatory time for each hour worked over 40 hours. Hours worked include all hours in a paid status except for sick leave and injury leave hours.
  - a. Overtime must be pre-approved by the Department Head and the Mayor and will be paid at one and one-half (1½) times an employee's normal hourly rate for each hour worked over 40 hours.
  - b. It is be the responsibility of the Department Head to determine the use of compensatory time so that the necessary services of the City can be maintained. Compensatory time will be calculated at one and one-half (1½) hours for each hour worked over 40 hours.
  - c. Most employees may not accumulate more than 80 hours of compensatory time and the time should be taken off within 12 months of it being incurred. Certain Golf Course, Engineering and IT employees may incur additional hours of compensatory time.
  - d. Compensatory time not used within the specified time frame will be paid at the employee's regular hourly rate.
- 2) Time worked will be rounded to the next quarter-hour after seven (7) minutes beyond the scheduled shift.
  - a. No overtime will be paid for working less than seven minutes beyond the hours scheduled.

**H. Uniforms and Uniform Allowance**

1) The following is a chart of the uniform allowance for employees of the City :

<u>Employees</u>	<u>Amount Per Year</u>	<u>Type of Clothing</u>
Seasonal Service	-	T-Shirts
Building and Engineering Department Inspectors	\$350.00	-
Director of Parks and Recreation		-
Chief Operator in WWTP		-
Golf Course Superintendent		-
Assistant Director of Engineering		-
Construction Manager		-
Director of Public Works		-
WWTP Superintendent		-
Service Department General Superintendent		-
Service Department Foreman		-
Parks and Recreation Foreman		-
Chief of Fire		-
Fire Chief		Equal to dollar amount agreed in Firefighter Bargaining Unit
Assistant Fire Chief	-	
Captains	-	
Part-Time Firefighters	Determined by Chief of Fire and the Mayor	-
Sworn Officers of the Police Department who are not member of the Bargaining Unit	Equal to dollar amount agreed in Patrol Bargaining Unit	-
Chief of Police		-
Police Lieutenants	Equal to dollar amount agreed in Sergeants Bargaining Unit	-
Terminal Agency Coordinator of the Police Department	Equal to dollar amount agreed in Dispatchers Bargaining Unit	-
Part-Time Police	Determined by Chief of Police and the Mayor	-
Part-Time Dispatchers		-
Full-Time Activity Center	-	Logo Shirts
Full-Time Fitness Center	-	Logo Shirts
Part-Time Senior Center	-	Logo Shirts
Part-Time Fitness Center	-	
Seasonal Senior Center	-	2 T-Shirts
Seasonal Fitness Center	-	
Part-Time and Seasonal Lifeguards	-	1 Swim Suits
Golf Course Rangers	-	2 Logo Shirts
Seasonal Golf Course Groundskeepers	-	3 T-Shirts
Seasonal Clubhouse Staff	-	2 Logo Shirts

- 2) The City is provide rental uniforms of a type which may be laundered for all full-time employees of the Service Department, Wastewater Treatment Department, and maintenance employees of the Parks and Recreation and Golf Maintenance Departments.
- 3) In addition, these employees will be provided with one (1) pair of safety shoes per year. If employees wish to purchase their own shoes, he/she will be reimbursed up to \$125.00.

### **3 Compensation For Training and Higher Education**

- 1) The Department Head and Mayor will pre-approve all training costs for employees. When training has been approved, the City will pay for registration fees, course materials, and parking fees. The class time involved will be considered as time worked. Meals and other expenses will be paid in accordance with the City's Travel Policy.
- 2) If an employee attends an off-site work related training session, he/she will be paid their regular eight (8) hour workday. If the employee is normally scheduled to work more than eight (8) hours and does not wish to return to work after the training session, the employee must use some other paid leave to make-up the additional hours they were scheduled that day if they wish to be paid for that time.
- 3) Regular full-time employees who wish to further their education at an accredited college or trade school in regards to their job are encouraged to do so. Such schooling will be scheduled for off-duty hours. Under special circumstances where this is not possible, the Mayor may authorize such schooling or training during duty hours and the employee will make up such hours during the same workweek.
  - a. The employee must complete a Tuition Reimbursement Form and have it approved by their Department Head and the Mayor prior to registration for the class or incurring any expenses.
  - b. The City will reimburse the employee one-half (1/2) of the cost of tuition, required books, parking fees, lab fees, etc., up to a maximum of \$1,000.00 per year, if the employee receives a 'C' or better in the class or classes.
  - c. Proof of completion will be made by submitting a transcript or grade report card from the college or university.

## **V. BENEFITS**

Full-time City employees are eligible for a variety of benefits.

### **A. Health Insurance**

- 1) On the first day of the month following the date of hire, each regular full-time employee of the City will be eligible to enroll in the medical, dental, vision, and prescription plans offered by the City.
- 2) Opting Out of The City Health Plan
  - a. Each regular full-time employee of the City who can demonstrate that he/she has alternative health insurance coverage through an alternative source may elect to opt-out of the coverage under the City health plan.
  - b. Such employees will receive payment in the amount determined by the Mayor.

### **B. Life Insurance**

- 1) City will pay the premium for a seventy thousand (\$75,000) face value term life insurance policy for each regular full-time employee of the City.

### **C. Workers' Compensation Program**

- 1) The City participates in the Workers' Compensation Program administered by the State of Ohio to provide compensation to employees who suffer occupational injuries, diseases, or death.
  - a. No employee will receive both Workers' Compensation and sick pay and holiday pay.
- 2) In order to avoid delays or denial of any Workers' Compensation benefits, employees should immediately report any work-related injury regardless of how minor such injury may be.
  - a. Proper forms that must be filled out may be obtained from the Human Resources Department.
- 3) Employees on a Workers' Compensation leave will continue to be covered by the City's group health plan.

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

- 1) The City provides all employees and their families a free comprehensive Employee Assistance Program to offer professional and confidential support.
  - a. EAP provides life-balancing services, solution-oriented counseling, childcare and adoption services, financial and legal consulting, and eldercare support.

**E. Fitness Center Use**

- 1) The City will provide a single membership to the City's Fitness Center to each full-time and part-time employee.
- 2) Employee may purchase a family membership at an established rate.

**F. Education Bonus**

Any regular full-time employee earning a job related Associate, Bachelors or Masters Degree while employed at the City will receive a one-time Education Bonus of two hundred and fifty dollars (\$250), five hundred dollars (\$500) or one thousand dollars (\$1,000) respectively.

**G. Deferred Compensation**

- 1) The Ohio Public Employee Deferred Compensation Program is available to all City employees.
- 2) Information and enrollment forms are available through the Human Resources Department.

**VI. CHANGES IN PERSONAL INFORMATION**

**A. Keeping Employee Records Up To Date**

- 1) To ensure that needed records are accurate and up-to-date, it is necessary for employees to notify the Director of Human Resources in writing, whenever changing the following:
  - Name;
  - Address or telephone number;
  - Marital status or number of dependents (insurance coverage);
  - Beneficiary for life insurance;
  - Emergency contacts – name, relationship and daytime phone;

- Education and training completion; and/or

## VII. TIME OFF / LEAVES

City employees receive various types of leave, both paid and unpaid. Leave may be taken for purposes such as vacation, illness, or personal reasons.

### A. Holidays

#### 1) Designated Holidays

- a. The following days are designated as official holidays to be observed by all regular full-time employees:

- |  |                               |
|--|-------------------------------|
| • 1 <sup>st</sup> of January           | New Year's Day                |
| • 3 <sup>rd</sup> Monday of January    | Martin Luther King's Birthday |
| • 3 <sup>rd</sup> Monday of February   | President's Day               |
| • Good Friday                          | One Full Day                  |
| • Last Monday of May                   | Memorial Day                  |
| • 4 <sup>th</sup> of July              | Independence Day              |
| • 1 <sup>st</sup> Monday of September  | Labor Day                     |
| • 11 <sup>th</sup> Day of November     | Veteran's Day                 |
| • 4 <sup>th</sup> Thursday of November | Thanksgiving Day              |
| • 4 <sup>th</sup> Friday of November   | Day after Thanksgiving        |
| • 24 <sup>th</sup> day of December     | Christmas Eve                 |
| • 25 <sup>th</sup> day of December     | Christmas Day                 |

- b. When a holiday occurs on a Saturday, it will be observed on the preceding Friday. When a holiday occurs on a Sunday, it will be observed on the following Monday.

#### 2) Holiday Occurring During Vacation or Sick Leave

- a. If a holiday occurs during a period that the employee is on vacation or sick leave, no vacation or sick leave will be charged for that day.
- b. If an employee requests the use of sick leave on the day preceding or following the holiday, medical certification must be provided to the Department Head to be compensated for the holiday.

#### 3) Holiday Compensation and Entitlement

- b. All regular full-time, non-bargaining employees receive the benefit of holidays in the following manner:
  - By receiving their regular rate of compensation and having the day off
  - Employees scheduled to work on a holiday, they may choose to receive pay at time and one-half (1½) and receive another eight (8) hours off;

**B. Vacation**

- 1) All regular full-time employees are entitled to earn vacation time in accordance with the following schedule.

<u>Years of Completed Service</u>	<u>Days of Vacation</u>
1-4 Years	10
5-9 Years	15
10-19 Years	20
20+ Years	25

- a. The year in which an employee begins employment in their initial full-time position will be considered as his/her first year for the purpose of determining the amount of vacation he/she is entitled.
- b. Regular part-time employees are not eligible for paid vacations; however unpaid leave may be scheduled with their Department Head's approval.

- 2) Use of Vacation

- a. Employees will not be entitled to take vacation until they have successfully completed one (1) year of full-time service.

- 3) Scheduling of Vacation Time

- a. It is the responsibility of the Department Head to schedule vacations so that the necessary services of the City can be maintained.
- b. The scheduling of all vacation time is at the discretion of the City and vacation requests must be submitted to the employee's Department Head in writing in advance of the vacation date.

- c. The employee's vacation will not be considered scheduled until the employee receives written approval from his/her Department Head.

4) Vacation Carryover

- a. An employee may carryover a maximum of ten (10) days of vacation leave which must be used within three (3) months of the new anniversary year.
- b. A Vacation Carryover Request must be completed and approved by the Mayor prior to carryover. If carryover is not requested and approved prior to the beginning of the new anniversary year, the vacation time is forfeited.

5) Payment of Vacation Upon Termination of Employment

- a. An employee's accumulated unused vacation balance will be paid-out at his/her regular rate of pay, upon termination of employment.

**C. Sick Leave**

1) Accrual of Sick Leave

- a. All regular full-time and regular part-time employees of the City accrue Sick Leave hours during each calendar month in which they are employed by the City. Beginning the first day of the month following the date of hire.
- b. A newly hired employee does not start to accrue Sick Leave until the first day of the month following the date of hire. Eligibility to use sick leave begins the first of the month following first month of accrual.
- c. Regular full-time employees earn ten (10) hours of Sick Leave for each full month of employment.
- d. Regular part-time employees earn 4.6 hours of Sick Leave for each 80 hours worked.
- e. Unused Sick Leave may be accumulated up to an unlimited number of hours.

2) Authorized Use of Sick Leave

- a. Subject to the terms and limitations below, paid Sick Leave may be used by an eligible employee for any the following reasons:

- An employee's personal illness or physical incapacity;
  - The illness or physical incapacity of an employee's immediate family that requires the presence of the employee. Immediate family member is defined as: spouse, child, sibling, parent, grandparent, brother/sister-in-law, father/mother-in-law, grandparent-in-law, stepfather/mother, stepbrother/sister, stepchild, and grandchild;
  - Medical, dental, or optical appointments or procedures of an employee or member of an employee's immediate family that cannot be scheduled during non-working hours; and/or
  - The quarantine of an employee due to a member in his/her household's medical condition.
- b. After three (3) consecutive days of sick leave, a certificate from a registered physician will be required in order for the employee to return to work. Such documentation will include the reason for the illness and verification that the employee was seen by the doctor during the absence; otherwise the sick leave benefit will be denied.

### 3) Notice of Absence for Sick Leave Purposes

- a. An employee not reporting to work for any of the reasons stated above will notify his/her supervisor and follow Department Policy procedure (At a minimum the employee will notify their supervisor at least one (1) hour prior to the start of his/her scheduled shift).
- b. Sick Leave will be charged in no less than one-quarter (1/4) hour increments for absences of less than one (1) workday in connection with Sick Leave.

### 4) Transfer of Accumulated Sick Leave

- a. If an employee transfers from another political subdivision or public agency to the City, the employee is entitled to transfer the unused balance of Sick Leave from such previous position to the City.
- b. It is the employee's responsibility to furnish a written statement from the previous employer verifying the amount of transferred Sick Leave.
- c. Sick Leave hours transferred from another political subdivision will be used after all City of Twinsburg accumulated Sick Leave has been used.

- d. Sick Leave hours transferred from another political subdivision are not eligible for the “Annual Sick Leave Cash-Out,” or payment upon Retirement, Disability, or Death.

5) Donation of Sick Leave

- a. Employees wishing to donate Sick Leave hours to another full-time or part-time employee who has used all of their paid time off may do so by in accordance with the Sick Leave Donation Policy and by completing and submitting a Sick Leave Donation Form.

6) Annual Sick Leave Cash Out

- a. Full-time employees who have accumulated a minimum of 360 hours of Sick Leave may, in December of each year, ‘Cash-out’ any or all of their unused Sick Leave hours which were earned in the previous calendar year at 50% of their regular hourly rate.

7) Payment for Accrued Sick Leave Upon Retirement or Retirement

- a. Regular full-time employees, upon a recognized pension system retirement or disability retirement, may cash out one-half (1/2) of his/her unused Sick Leave up to a maximum of 1,440 hours.
- b. Sick leave may not be “cashed-out” upon resignation or termination.

8) Payment for Accrued Sick Leave Upon Death of an Employee

- a. If an employee dies while employed with the City, the cash value of all his/her accrued and unused Sick Leave will be paid to that employee’s surviving spouse or heirs.

**D. Injury Leave**

1) On-the Job Injuries

- a. All injuries must be reported to the Supervisor. The supervisor may assist the injured employee with the completion of an illness/Injury Report form and then forward the completed form to the Human Resources Department.
- b. Any time lost from work due to an injury suffered in the job which is, or results in a serious health condition will be counted as Family Medical Leave.

2) Doctor's Certificate Required

- a. A licensed practicing physician certifying that the employee's conditions prevented him/her from performing the duties of his/her position will confirm Sick Leave taken for a period in excess of three (3) consecutive working days.
- b. Regular full-time employees who receive a workplace injury or illness, "allowed" by the Bureau or Worker's Compensation, will receive their base pay at their current regular hourly rate for a period not to exceed 90 days or 720 hours.
- c. The City has the right to require an employee to have a physical exam by a physician, appointed and paid by the City.

3) Return To Work

- a. Anytime an employee is absent for more than three (3) days due to illness or injury, the employee must submit a written statement from a licensed practicing physician stating that the employee is able to return to their job without restrictions. If the physician is unable to release the employee to return to full duty, the physician must submit a detailed statement of the employee's limitations, including the duration of such limitations.
- b. Light Duty: If in the physician's opinion, the employee is unable to return to full duty; it is at the City's discretion to determine if the employee is able to return to work on a restricted or light duty assignment. If there is no light duty work available, the employee may not return to work until released for full duty. If the employee refuses to perform light duty work, the City has the right to deny sick leave or injury leave to the employee.

**E. Court Appearances**

- 1) Any City employee who is required by the City to appear in court on behalf of the City or who has been subpoenaed by the court for a case related to City business will be compensated at his/her regular hourly rate for the time spent in court.

**F. Jury Duty**

- 1) Any City employee called to serve on a municipal, county, federal, or grand jury or to be examined as a juror will be granted the time necessary to

complete his/her assignment, but must notify his/her supervisor immediately once he/she is contacted.

- 2) The City will reimburse regular full-time employees for any differential between his/her normal rate of pay and the compensation received for jury duty.
- 3) All employees are to report back to work if they are dismissed from such duty with more than one-half (1/2) of his/her work shift remaining.
- 4) Employees may be required to provide appropriate documentation from the court evidencing completion of jury duty.

#### **G. Paid Administration Leave**

The Mayor, at their discretion, may place an employee on a Paid Administration Leave for a period not to exceed 30 days.

#### **H. Military Leave**

- 1) All employees of the City, who are members of the Ohio National Guard or reserve components of the naval, air, or grounds forces, will be entitled to a leave of absence from their respective duties in accordance with applicable provisions of State and Federal Law.
- 2) Reservists or draftees will receive the difference between their regular pay and their base military pay for the duration of their service when called up for active duty.

#### **I. Special Leaves**

- 1) Special Leave With Pay
  - a. Upon approval of the Mayor, an employee may be granted special leave with pay to attend professional and technical conferences, meetings, and schools related to his/her duties, or to visit other cities to obtain information and observe practices related to his/her duties with the City.
- 2) Special Leave Without Pay
  - a. Leave without pay may be granted with the approval of the Mayor in a case of emergency or under other special circumstances, but only if the employee's absence does not materially affect the operation of his/her department and if circumstances warrant such leave.

- b. Employees who are on any type of leave without pay do not accrue Sick Leave. Seniority and longevity will not continue to accrue during unpaid leave.

3) Compassionate / Bereavement Leave

- a. Regular full-time employees are entitled to up to four (4) days of bereavement leave with pay upon the death of a member of his/her immediate family.
- b. Immediate family member is defined as: spouse, child, sibling, parent, grandparent, brother/sister-in-law, father/mother-in-law, grandparent-in-law, stepfather/mother, stepbrother/sister, stepchild, and grandchild.

4) Maternity / Paternity Leave

- a. An employee may use up to two (2) weeks paid Sick Leave for the birth, adoption, or placement of a child. Any remaining time will not be considered Sick Leave except when medically necessary as certified by the doctor, in which case the employee will be entitled to use Sick Leave for the time. Refer to the Family Medical Leave Policy for additional leave information.

5) Cancer Screenings

- b. Each full-time employee will be given up to four (4) hours leave annually for cancer screening procedures such as mammograms, prostate, etc.
- c. Time off will be scheduled at least one-week (1) in advance and will be designated specifically for cancer screening at the time of request.
- d. In order for employee to receive paid time off, he/she must provide proof of the specific test or screening that was received.

**VIII. OUTSIDE EMPLOYMENT**

**A. Terms of Outside Employment**

- 1) Employees may hold outside jobs as long as they meet the performance standards of their job with the City and such outside employment does not pose a conflict of interest with their job with the City.
- 2) Employees should consider the impact that outside employment may have on their health and physical endurance.

- 3) All employees will be judged by the same performance standards and will be subject to the City's scheduling and demands regardless of any existing outside work requirements.
- 4) If a Department Head determines that an employee's outside work interferes with performance or the ability to meet the requirements of the City as they are modified from time to time, the employee may be required to terminate the outside employment if he/she wishes to remain with the City.

## **IX. TERMINATION OF EMPLOYMENT WITH THE CITY**

### **A. Resignation**

- 1) A regular employee's resignation from the City must be submitted in writing (signed and dated) to the Department Head at least two (2) weeks prior to the resignations effective date.

### **B. Retirement**

- 1) All employees of the City are required by law to participate in either the Ohio Public Employee Retirement System or the Ohio Police and Fire Pension Fund.
  - a. As an eligible employee of either of these retirement programs, the employee and the City are required to make mandatory contributions through payroll deduction.
- 2) Any employee giving consideration to retirement is encouraged to notify the Finance Department and fill out the correct application at least thirty (30) days in advance of the anticipated effective date so that he/she may receive timely retirement benefits.

### **C. Layoff**

- 1) Employee layoffs may be necessary because of lack of work, lack of funds, or job abolishment.
- 2) When layoffs do occur, the order in which employees are laid off may be determined by length of service and appointment type.

### **D. Exiting Procedure**

- 1) Before leaving employment with the City for any reason the following is a list of procedures that employees must complete:

- Turn in any keys belonging to the respective department and any City property such as uniforms, tools, laptop computer, etc;
- Participate in an exit interview if requested by the Director of Human Resources.

**X. UNEMPLOYMENT COMPENSATION**

**A. Ohio Department of Jobs and Family Services (ODJ&FS)**

- 1) Employees who are separated from employment with the City may be eligible for unemployment compensation administered by the Ohio Department of Jobs and Family Services paid for by the City.
  - a. Application for unemployment benefits can be made at the appropriate ODJ&FS office.

**ACKNOWLEDGEMENT FORM OF RECEIPT OF THE EMPLOYEE HANDBOOK**

All employees shall receive a copy of the City of Twinsburg Employee Handbook and copies of updates to the handbook. A copy of the handbook will also be available in the Public Folders on the City Network. A hardcopy of the handbook is on file in the Human Resources Department and with each Department Head or designated Department Administrator. This Employee Handbook is not in any way a contract of employment or intended to create any binding legal obligations on the part of the City.

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I have received a copy of the City of Twinsburg's Employee Handbook and acknowledge that I am expected to read it. I understand that this handbook is not in any way a contract of employment or intended to create any legal obligations on the part of the City.

EMPLOYEE SIGNATURE \_\_\_\_\_

PRINT NAME \_\_\_\_\_

DATE OF RECEIPT \_\_\_\_\_

*Please return this completed form to the Human Resources Department immediately.*

**ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETALIATION POLICY  
OCTOBER 2010**

**Policy Statement**

It is the policy of the City to take affirmative action in accordance with all applicable federal and state laws, rules, regulations, and guidelines regarding discrimination, harassment, and retaliation, and to establish procedures for the reporting of discriminatory incidents; and to emphasize that discrimination, harassment, and retaliation will not be tolerated in the workplace.

**Reference**

Age Discrimination in Employment Act (ADEA)  
Americans with Disabilities Act (ADA)  
Code of Federal Regulations Title 29, Part 1605.1  
Genetic Information Nondiscriminatory Act of 2008  
Ohio Revised Code Chapter 4112  
Ohio Administrative Code 123:1-49-02  
Pregnancy Discrimination Act (PDA)  
Title VII of the Civil Rights Act of 1964  
Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USCS 4311

**General**

Discrimination, harassment, or retaliation against employees and applicants due to race, color, religion, sex, sexual orientation, gender identity, national origin, disability, age, genetics, or military status is illegal.

It is unlawful for any person to discriminate in any manner against any other person because that person has opposed any unlawful discrimination practice. It is also unlawful to retaliate against any person who has made a charge of discrimination, testified, assisted, or participated in any manner of an investigation, proceeding, or hearing.

The City encourages all employees to assist in the effort to achieve equal opportunity. Violations of this policy may be cause for disciplinary action, including termination.

**Definitions**

- Age: Discrimination or harassment based on years of age (40 years or over).
- Color: Discrimination or harassment based on skin-tone. Equal opportunity cannot be denied to any person based of his or her racial group or perceived racial group, his or her race linked characteristics (e.g., hair texture, color, facial features), or because

of his or her marriage to, or association with, someone of a particular race or color.

**Disability:** Discrimination or harassment based on a physical or mental impairment that substantially limits one or more major life activities of the individual including having a record of such impairment or being regarded as having such impairment (42 U.S.C. 12102(2)).

**EEOC:** U.S. Equal Employment Opportunity Commission.

**Gender Identity:** The gender a person associates with him or herself, regardless of the gender others might attribute to that person.

**GINA:** Title VII of the Genetic Information Nondiscriminatory Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition about genetic tests of applicants, employees, or their family members; the manifestation of disease or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

**National Origin:** Discrimination or harassment based on birthplace, ancestral, cultural, family descent, or lineage; linguistic characteristics common to a specific nationality; marriage or association with a person of a national origin group; membership or association with organizations identified with or promoting the interests of a national origin group's attendance or participation in schools, churches, temples, or mosques generally associated with a national origin group; or a surname associated with a national origin group.

**OCRC:** Ohio Civil Rights Commission

**Race:** Discrimination or harassment based on physical, tribal, ancestral, cultural, geographical, or linguistic characteristics common to a specific ethnic group or stock including, but not limited to persons having origins in any of the original people of North America, South America, Europe, Africa, Australia, Antarctic, or Asia.

**Religion:** Discrimination or Harassment based on the religious nature of a practice or belief (CFR Title 29, Part 1605.1). Religious practices include moral or ethnic beliefs as to what is right or wrong, which are sincerely held with the strength of traditional religious views.

**Sex:** Discrimination or harassment against any employee or applicant for employment because of his or her sex in regard to hiring,

termination, promotion, compensation, job training, or any other term, condition, or privilege of employment. Decisions based on stereotypes and assumptions about abilities, traits, or the performance of individuals on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under the Pregnancy Discrimination Act, which is an amendment to Title VII of the Civil Rights Act of 1964.

**Sexual Orientation:** A person's actual or perceived homosexuality; bisexuality; or heterosexuality, by orientation or practice, by and between adults who have the ability to give consent.

**Military Status:** Discrimination or harassment based on service in the uniformed services which is defined under Ohio Revised Code 5903.01(G) as performance of a duty, on a voluntary or involuntary basis, in a uniformed service under competent authority. This includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard, the commissioned corps of the public health service, and any other category of persons designated by the President of the United States in time of war or emergency, performance of duty or training by a member of the Ohio organized militia, and the period of time for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any duty in a uniformed service. Ohio prohibits discrimination on the basis of an individual's past, current, or future military status in hiring, promotion, tenure, discharge, pay fringe benefits, job training, classification, referral, terms, conditions, and privileges of employment, or any other matter directly or indirectly related to employment.

### **Reporting Discrimination, Harassment, or Retaliation**

Any employee, client, customer, member of the public, or applicant who believes that he or she is a victim of discrimination, harassment, or retaliation should report such incidents to as follows:

1. The City of Twinsburg Director of Human Resources (HR)
2. The City of Twinsburg Law Director
3. Equal Employment Opportunity Commission (EEOC)
4. Ohio Civil Rights Commission (OCRC)

A formal complaint may be filed with any or all of the following:

The City of Twinsburg Director of HR or Law Director within 6 months  
EEOC within 300 days (<http://www.eeoc.gov>)  
OCRC within 6 months (<http://crc.ohio.gov>)

**Investigation Process for complaints filed with the Director of HR**

A complaint can be filed with the City of Twinsburg Director of HR within six (6) months of the alleged discriminatory act. The individual will need to complete and return an Discrimination Complaint Form. A copy of the complaint form is attached to this policy. The Director of HR will then conduct a formal investigation of the complaint. In most circumstances, the Director of HR will render a decision within 60 days of the filing of the complaint whether probable cause exists to prove that an act of discrimination, harassment, or retaliation occurred.

The complainant may request a hearing within 15 calendar days of receipt of the findings through the Director of HR that he or she is not satisfied with the Director of HR's decision. Written request must be sent to:

The City of Twinsburg  
Director of Human Resources  
10075 Ravenna Rd., Twinsburg, OH 44087

The Director of HR will select a hearing officer to preside over the proceedings and to render a decision on the case. If any action is required on the decision of the hearing officer, The City of Twinsburg will have 30 days to do so. The complainant may request a final review of the decision by the Law Director if he or she is not satisfied with the hearing officer's decision.

**Investigatory Processes for Complaints filed with EEOC and/or OCRC**

A complaint can be filed with the OCRC within six (6) months and/or with the EEOC within 300 days of the most recent incident of discrimination, harassment, or retaliation. Complaints filed with the EEOC and/or the OCRC will be investigated by the applicable enforcement agency.

**Supervisor and Management Reporting Requirements**

When a supervisor or management employee witnesses, is notified of, or otherwise becomes aware of offensive conduct that is based on membership in a protected class as defined herein, the supervisor or manager must report the conduct to the City of Twinsburg Director of HR. Reporting under this requirement is mandatory, not discretionary, and full disclosure of all information about the incident is required.

**Enforcement**

Acts of discrimination, harassment, and retaliation in the workplace are inappropriate and will not be tolerated and may be cause for disciplinary action, up to and including termination.

**CELLULAR TELEPHONE USE POLICY**  
**AUGUST, 2011**

**Policy Statement**

It is the City's Policy to offer City owned cellular phones to employees as needed and establishes procedures for their authorization and to contain costs, ensure personal and departmental accountability, and prevent improper use. City cell phones are issued for City business purposes only. Personal use of the business line on the cell phone is prohibited.

**Provisions**

The City will provide cellular telephones for City employees under certain circumstances. City employees shall follow the guidelines and procedures set forth in this policy for the purchase and use of cellular telephones.

**Authorization**

Cellular telephones shall not be issued to any employee without authorization from the Mayor.

Because of the very nature of the need for cellular phones, authorized employees are expected to have their assigned cellular phone in their possession at all times during their work shift with the exception of certain meetings and conferences or safety related issues. Some employees may be required to have their phones in their possession outside of their work shift(s).

Cellular telephones are not to be used while operating an automobile unless the employee is able to use a "hands free" device. Employees are instructed to safely park vehicles before operating cellular phones whenever possible. Under no circumstances are employees permitted to use the texting function while operating a City vehicle.

**Traveling**

When traveling on City business, employees should use their City cell phone for permitted uses as specified in the City's Travel Policy. 'Floater' cell phones are available for use by employees who do not normally have a City cell phone assigned to them.

**Misuse or Abuse**

As with all City property and equipment, employees who are issued City cellular phones are expected to take reasonable care of the cell phone(s) assigned to them. Any necessary repairs or malfunctions should be reported to the Information Technology Department in a timely manner. Use of the cell phone for any illegal purposes may result in criminal prosecution.

### **Phone Acquisition**

The following procedures shall be used for the acquisition of a cell phone. Once a department head determines that an employee needs a cellular phone, the department head shall make a request and forward it to the Mayor and Finance Director for approval. The request shall include a cost estimate and budget account. In addition, a reason shall be given for the business necessity for the phone. Issues to consider when requesting a cell phone include:

- Will the cell phone enhance emergency response, employee safety, or work efficiency?
- Given the adequacy of the present system of communication, is a cellular phone an appropriate and economical option?
- Is the phone merely a convenience or is it a necessity for job performance?
- Will the user spend a lot of time in the field (away from a land line) each day?
- How frequently will the phone be needed?
- Can the user share a phone with other employees?

After the Mayor has approved the request, the department head should:

1. Obtain the appropriate signatures/approvals;
2. Forward a copy to the Information Technology Department for processing; and
3. Forward the original form to the Human Resources Department where it will be filed in the employee's Personnel file

### **Exceptions**

Should an employee need to make or receive an emergency call of a personal nature on the City's cell phone line or should the employee accidentally make or receive a personal call on the City's cell phone line, such use shall not be in violation of this policy unless such personal use is extreme or becomes repetitive nature in which case such use shall result in discipline up to and including termination.

**CONCEALED CARRY FIREARMS POLICY  
AUGUST, 2011**

**GENERAL**

The City of Twinsburg is committed to providing its employees a safe work environment that is secure, free of intimidation and threat of physical harm. This policy prohibits all employees, except law enforcement officers and security personnel, from carrying a concealed firearm while acting in the course and scope of City employment.

Unless otherwise authorized by law, no person shall knowingly possess, have under the person's control, convey or attempt to convey a deadly weapon or dangerous firearm onto City property. This policy applies to employees, visitors, independent contractors, vendors and any other person on City property, even those with valid permits to carry firearms.

**DEFINITIONS**

**Firearm**

"Firearm" 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 readily be rendered operable. Firearms include, but are not limited to, handguns, pistols, rifles, shotguns, automatic and semi-automatic weapons and zip-guns.

**Deadly Weapon**

"Deadly weapon" means any instrument, device or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried or used as a weapon.

**City Property**

"City property" means the vehicles, equipment, facilities and land owned, leased or under the primary control of the City of Twinsburg, including areas under construction.

**Visitor**

"Visitor" means any person who is on City property, including independent contractors, vendors and visitors, and off-duty employees of the City of Twinsburg.

**GENERAL PROHIBITIONS**

No person is permitted to carry or possess a firearm on City property except as provided in this policy.

No City employee while conducting city business, during working hours, on city time, or while on or in city-owned or leased property shall possess, or have under his or her control any offensive or defensive weapons, including but not limited to, a firearm (including unloaded, inoperable or sawed off firearms, starter pistols, zip guns, etc.), knife, club, brass knuckles, martial arts weapon, or stun gun. Specifically, prohibited items shall not be stored in personal vehicles parked on city-owned and/or leased property. Additionally, weapons shall not be stored in or on city-owned and/or leased property.

No visitors, vendors and independent contractors shall possess, or have under his or her control any offensive or defensive weapons, including but not limited to, a firearm (including unloaded, inoperable or sawed off firearms, starter pistols, zip guns, etc.), knife, club, brass knuckles, martial arts weapon, or stun gun.

No Employee, vendor, visitor or contractor who have been issued a Permit to carry a concealed weapon in the State of Ohio is exempt from the above provisions. Employees who carry or possess a weapon **MUST** store said weapon, in accordance with the law, prior to entering an area in which a weapon is prohibited.

Law enforcement officers licensed under Ohio law and employed by the City of Twinsburg are exempt from this policy when assigned by the City to public safety duties and acting within the scope of their duties.

Licensed Law Enforcement Officers from other jurisdictions, who, in the course of their employment are required to visit the City of Twinsburg are exempt from this policy.

### **FIREARMS STORAGE**

Nothing in this policy requires the City to provide storage facilities for employees' firearms. The City reserves the right to search and inspect employee property while on City property, while operating City machinery, equipment or vehicles for work-related purposes, or while engaged in City business off premises. The City also reserves the right to search all people and workplace areas on City property including, but not limited to lockers, files, desks, equipment, toolboxes or tool kits, personal bags, briefcases, automobiles parked on City property, as well as personal clothing.

### **VIOLATIONS BY EMPLOYEES**

Violation of this policy by an employee while on duty is grounds for immediate discharge. Display of a firearm while on or off duty, on City property (including City parking lots), is considered a threat. An employee who uses a firearm while on duty will not be defended or indemnified by the City of Twinsburg. Furthermore, the City may refer suspected violations to appropriate law enforcement authorities, as permitted by law.

### **REPORTING RESPONSIBILITY**

If an employee believes that another person (visitor, independent contractor, vendor or another employee) is in possession of or carrying a firearm in violation of this policy, the employee must report the suspected act immediately to his/her supervisor as well as

the City Police Department unless doing so would subject the employee or others to physical harm. No employee acting in good faith, who reports violations of this policy, will be subject to retaliation or harassment, as a result of their report.

**Failure to Report**

Failure to report knowledge of the presence of any firearm on City property shall subject the employee to discipline.

**False Report**

If an employee knowingly makes a false report of a suspected violation of this policy, the employee will be subject to disciplinary action, up to and including termination of employment.

**SAFETY & ENFORCEMENT**

Employees should be aware that the enforcement of this policy deals with confronting individuals carrying potentially loaded firearms. Under no circumstances should an employee take unnecessary risks or compromise his or her safety in order to enforce this policy. The Twinsburg Police Department should be contacted immediately when an imminent threat to personal safety exists.

Upon notification of a suspected violation of this policy, the responding Police Officer should immediately inform the individual that it is a violation of Ohio law to carry a firearm on City property and request immediate removal of the firearm and holster. If the individual refuses to leave, the officer should proceed with an arrest according to City/State Law.

**DRUG-FREE WORKPLACE POLICY  
JULY 2011**

**Policy Statement**

It is the Policy of the City to provide a safe workplace for all employees. The City's Drug-Free Workplace Policy on substance abuse is intended to promote and ensure a drug free workplace in a manner consistent with applicable laws including the Drug-Free Workplace Act of 1988 and the Omnibus Transportation Act of 1991. The City is concerned with the health and well-being of its employees; it will not condone and will not tolerate behaviors on the part of employees that relate to substance use, such as:

- Use of illegal drugs;
- Misuse of legal drugs (prescription or over-the-counter medication);
- Misuse of alcohol;
- Sale, purchase, transfer, use or possession of any illegal drugs, or prescription drugs obtained illegally; and/or
- The arrival at work or return to work under the influence of any drug (legal or illegal) or alcohol to the extent that job performance is affected.

This document sets forth the City's Drug-Free Workplace Policy. Every employee is required and expected to carefully read and understand it. The Policy applies to every employee of the City of Twinsburg. If any employee violates the City's Drug-Free Workplace Policy, the consequences stated herein will apply.

The City will hold all employees accountable with respect to substance use issues, but also supports rehabilitation. In this regard, the recognized City Employee Assistance Program will be offered. No employee who voluntarily seeks assistance for a substance abuse problem prior to detection shall have job security or other terms and conditions of employment affected provided the employee completes an appropriate rehabilitation program. An employee with a substance use problem, who does not voluntarily seek assistance, and is found to be in violation of this Policy, will be disciplined per the guidelines of this policy.

Employees whose positions are subject to special laws or regulations (Federal, State, Local, or otherwise) may face additional requirements in terms of substance abuse. If Federal laws establish a zero threshold for certain designated drugs or alcohol, employees in these positions who test positive are subject to discipline up to, and including termination of employment. Other consequences that apply to all employees who violate this Policy are set forth within this document.

This Policy covers the five (5) key components of the City's Drug-Free Workplace Program:

- A written policy;
- Substance awareness education for all employees;
- Training for supervisors to help them understand the program and their responsibilities;
- Drug and alcohol testing; and
- Employee assistance for those who voluntarily address a drug abuse problem or who test positive for drugs or alcohol.

Each of these program components is explained in detail in the pages that follow. In addition, the City has designated the Director of Human Resources as Drug-Free Workplace Administrator, to give employees a confidential contact to answer questions and to provide explanations about this Policy.

### **Employee Testing**

Employees will be tested for the presence of drugs in the urine and/or alcohol on the breath under any and/or all of the following conditions:

#### **1. Pre-employment Drug Testing**

As part of the City's employment procedures, all employees will be required to undergo a post-offer/pre-employment medical examination and a drug screen/test that is conducted by a medical facility designated by the City. All newly hired employees as well as those employees promoted or transferred into a safety sensitive position shall be required to successfully complete a drug test prior to performing any safety sensitive functions. Returning Seasonal employees must undergo an annual drug screen. Any offer of employment from the City is contingent upon satisfactory completion of this examination and/or screening, and the determination by the City and its examining physician that the applicant is capable of performing the responsibilities of the position that has been offered. The City may also request and receive drug and alcohol test information from previous employers when an employee is applying for a DOT driving position.

#### **2. Random Testing**

All safety sensitive employees will be subject to unannounced quarterly random testing for drugs and alcohol. The recognized City Medical Facility will utilize objective computer software that ensures a truly random selection process in which all employees in the testing pool have an equal statistical likelihood of being selected for testing. At any given random draw, all employees are again included in the pool with an equal chance of selection, regardless of any previous selection. A safety sensitive employee selected for random testing must proceed or will be escorted immediately upon notification to the collection site. A refusal to submit to a random drug or alcohol test, or conduct which does not lead to a collection as soon as possible shall subject the employee to disqualification and discipline, up to and including termination. A percentage equal to at least 25 percent of the average number of covered employees, or other percentage provided by Federal laws and regulations, will be tested for drugs and a percentage equal to at least 10 percent, or other percentage established by

Federal laws and regulations, of the average number of covered employees will be tested for alcohol annually.

### **3. Post-Accident Testing**

Per the Accident Reporting procedures, all employees must complete an Accident/Incident Report immediately after the accident or incident occurred. Post-accident drug and alcohol testing will be conducted whenever a workplace accident occurs. An accident is defined as an unplanned, unexpected, or unintended event that occurs during the conduct of the employer's business, during working hours, or which involves employer supplied motor vehicles or motor vehicles that are used in conducting City business, or is within the scope of employment, and which results in any of the following:

- An employee of the City is involved in an accident where there is a fatality of anyone involved in the accident.
- An employee of the City is involved in an accident that caused bodily injury to the employee and/or another person that requires off-site medical attention at a hospital.
- An employee of the City is issued a citation for a moving traffic violation arising from a vehicular accident that occurred during the employee's scope of employment with the City.
- An employee is observed by a supervisor, or law enforcement officer who reasonably suspects the employee to be under to influence of drugs or alcohol.

### **Drug and/or Alcohol Testing After an Accident**

Following any accident, the driver must immediately contact their supervisor, or any management official on duty. A refusal to submit to post-accident drug or alcohol testing shall subject the employee to discipline up to and including termination. The City may substitute tests for the use of drugs or alcohol administered by police or other public safety officers under separate authority in lieu of conducting its own testing. The employee must sign a release allowing the City to obtain results from such Federal, State, or Local officials. A post-accident alcohol or drug test shall be collected as soon as possible following the accident. Breath alcohol testing will be performed within two (2) hours of the incident whenever possible, but no later than eight (8) hours after the incident occurred. If no alcohol collection can be made within eight (8) hours, attempts to collect a breath sample shall cease. If no urine sample can be obtained for purposes of a post-accident drug test within 32 hours, attempts to make such collection shall cease. The supervisor or management shall transport or accompany the employee to report to the collection site immediately. If the employee responsible for the employment-related accident is injured, that employee herein expressly grants unto the City, its officers, and management, the right to request that attending medical personnel obtain appropriate specimens (breath, blood, and/or urine) for the purpose of conducting alcohol and/or drug testing. Further, all employees herein expressly grant unto the City, its officers, and management, access to any and all other medical information that may be relevant in conducting a complete and thorough investigation of the employment-related accident, to include, but not be limited to, a full medical report from the examining physician(s) or other health care providers.

### **Reasonable Suspicion Testing**

Any employee of the City who is personally observed, on duty, by at least one (1) trained supervisor and/or management employee manifesting physical or behavioral symptoms, appearances, reactions, speech, or odors commonly associated with alcohol or controlled substance use or impairment shall be subject to testing. Reasonable suspicion testing may be based upon other things as stated below:

- Observable phenomena, such as direct observation of drug or alcohol use or possession and/or the physical symptoms of being under the influence of drugs or alcohol;
- A pattern of abnormal conduct or erratic behavior;
- Arrest or conviction for a drug or alcohol related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking. The employee is responsible for notifying the City within five (5) working days of any drug-related conviction;
- Information either provided by reliable and credible sources or independently corroborated source regarding an employee's substance use; and
- Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

The observing supervisor or management employee should document, in writing, the grounds for his/her reasonable suspicion within 24 hours of the event or prior to the release of the test findings, whichever occurs first. A reasonable suspicion alcohol test should be administered within two (2) hours, but no later than eight (8) hours after the incident occurred. A supervisor or management employee of the department shall transport or accompany the employee to the collection site.

Although reasonable suspicion testing does not require certainty, mere "hunches" are not sufficient to meet this standard. All supervisors will be trained in the recognition for drug and alcohol-related sign and symptoms, and testing may only be requested by a trained supervisor with the concurrence of a second individual (either another trained supervisor or another management staff if a second trained supervisor is not available). The testing may be for drugs, alcohol, or both.

### **Return to Duty Testing**

Any full time employee who has tested positive as a result of a random, reasonable suspicion, or post-accident test, and is not terminated from employment with the City, will not be permitted to return to work until he/she has been evaluated by a substance abuse professional, completed any recommended rehabilitation, and has a negative test result on a return to duty test. The cost of the return to duty test shall be borne by the employee.

### **Follow-Up Testing**

An employee who tests positive on a random, reasonable suspicion, or post-accident drug and/or alcohol test, and is not terminated from employment with the City, may be

required to participate in follow-up testing for up to 60 months from the employee's return to work if recommended by a Substance Abuse Professional. If the Substance Abuse Professional (SAP) recommends follow-up testing, the employee shall be required to submit to a minimum of six (6) unannounced follow-up tests within the first 12 months after returning to duty. Follow-up testing shall be conducted just before, during, or just after the employee performs a safety sensitive function in addition to any other random and reasonable suspicion testing. The SAP shall direct the schedule of unannounced follow-up testing. The cost of follow-up testing shall be borne by the employee.

### **Substances Tested and Methods of Testing**

Systems presence testing is the procedure that is used to identify the presence of the controlled substances or alcohol that may be present: (A negative initial screening test is considered a negative test).

<u>Drug Class</u>	<u>Screening Test Level</u>	<u>Confirmation Test Level</u>	<u>Confirmation Method</u>
Amphetamines Amphetamines Methamphetamines MDMA MDA MDEA	500 ng/ml	250 ng/ml	GC/MS
Cocaine	150 ng/ml	100 ng/ml	GC/MS
Marijuana	50 ng/ml	15 ng/ml	GC/MS
Opiates	2,000 ng/ml	2,000 ng/ml	GC/MS
Phencyclidine	25 ng/ml	25 ng/ml	GC/MS

The Federal Department of Health and Human Services has established these detection thresholds consistent with available technology for each of the drugs listed above. These detection thresholds will be used uniformly in the interpretation of all drug test/drug screens, whether for a post-offer, pre-employment exam, reasonable suspicion testing, post-accident testing, random testing, or follow up to an assessment/treatment test. The levels for the five (5) drugs tested for under the Federal Department of Transportation/Federal Highway Administration are established by the DHHS. These drugs include amphetamines, cocaine, marijuana, opiates, and phencyclidine.

The City reserves the right to add or delete substances on the list set forth in the Substances Tested and Methods of Testing section above. These changes may be made if, in the City's discretion, they become warranted by the changing nature of

abused substances or if mandated by changes in existing Federal, State, or Local laws and regulations.

The drug and alcohol testing for the City shall be conducted by trained collection personnel, who meet quality assurance and chain-of-custody requirements for urine, hair or other collection procedures, breath alcohol testing and strict confidentiality requirements as required by DHHS certified laboratories with which the collection site coordinates the testing process. Any individual subject to testing under this Policy shall be permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel to avoid any alteration or substitution of the specimen to be provided. Breath alcohol testing will likewise be done in an area that affords the individual privacy. In all cases, there will only be one individual tested at any time. Failure to appear for testing when scheduled shall be considered refusal to participate in testing, and will subject an employee to the range of disciplinary actions, including termination. An applicant who fails to appear for testing may have an offer of employment rescinded.

#### **Alcohol Use and Testing**

With regard to alcohol use, all employees are prohibited from any use, on or off the job that could affect their performance. This includes, per DOT guidelines, the use of alcohol during the four (4) hours immediately prior to work, having prohibited concentrations of alcohol (0.02 or above) in their system, while operating City owned vehicles or equipment, and any use of alcohol during the eight (8) hours following an accident involving City owned vehicles or equipment.

The recognized City Medical Facility, which utilizes only certified equipment and personnel, will conduct breath and alcohol testing. Employee alcohol testing is to be conducted using an evidential breath-testing device (EBT) by a trained breath alcohol technician (BAT). DOT alcohol level guidelines apply to all employees. In the event of an accident where an employee has a "whole blood" alcohol drawn at a medical treatment facility, a result equal to or greater than 0.04 shall be considered to be a verified positive result.

If the result of an initial screening test shows an alcohol concentration of 0.02 or greater, a confirmation test shall be performed. An Evidentiary Breath Test (EBT) is used to confirm an initial positive test result. Confirmation testing will take place 15 minutes after the initial positive test. A confirming test result of 0.04 or greater is considered a positive result.

An employee attempting to adulterate a specimen or otherwise manipulate the testing process will result in termination of employment, as will a refusal to produce/provide a specimen.

#### **Controlled Substance Testing**

Specimens shall be collected at a collection site which complies with procedures set forth in the Drug Free Workplace Act of 1998 and the Omnibus Transportation Act of 1991 and related regulations which otherwise conform to DOT protocols.

The collection site shall be responsible for transmitting specimen samples to a Substance Abuse Mental health Services Administration/DHHS certified laboratory for analysis. All laboratory results will be reported to a Medical Review Officer (MRO) designated by the company contracted to provide substance testing for the City of Twinsburg. The MRO is a medical doctor or doctor of osteopathic medicine with a specialized knowledge of substance abuse disorders. This professional will be able to determine valid reasons for the presence of a positively tested substance in the employees' system. Negative results will be reported to the City. Before reporting a positive result to the City, the MRO will attempt to contact the employee to discuss the test results. If the MRO is unable to contact the employee directly, he/she shall contact the designated management official, who shall in turn contact the employee and direct him/her to contact the MRO. Upon being contacted by a management official, the employee shall immediately contact the MRO. An individual testing positive may make a request of the MRO to have the secondary vial tested by a different SAMSHA certified lab. Such costs shall be borne by the employee. The request for testing of a second specimen must be made within 72 hours of being notified by the MRO of a positive result.

#### **Employees' Rights and a Positive Test Result**

In the event that an employee tests positive for any drugs or alcohol as prohibited in this Policy, the employee will be given an opportunity to explain the findings to the MRO prior to the issuance of a report of a positive test result. Upon receipt of a confirmed positive finding, the MRO shall contact, or attempt to contact, the employee by telephone or in person. If contact is made by the MRO, the MRO shall inform the employee of the positive finding and give the employee an opportunity to rebut or explain the finding.

The MRO can request information on recent medical history and on medications taken within the last 30 days by the employee. In the event that the MRO finds support in the explanation offered by the employee, the employee may be asked to provide documentary evidence to support the employee's position (i.e., the name(s) of treating physician(s), pharmacies where prescriptions have been filed, etc.) Failure to provide such documentary evidence will result in the issuance of a positive report by the MRO with no attendant medical explanation. A medical disqualification of the employee will result

If the employee fails to contact the MRO within five (5) days of having been instructed to do so, the MRO will issue a positive report to the City. Since no contact with the employee was possible, no medical explanation can be provided, and the employee shall forego the right to offer a defense to the positive test findings. A medical disqualification shall result, subject to re-test provisions set forth in the MRO's report.

#### **Driver and Employment Eligibility**

Any safety sensitive employee, who, pursuant to any of the required testing, is found to have an alcohol concentration of .02 or greater, but less than .04 shall not be permitted to perform safety sensitive functions for at least 24 hours. Such employee shall be

placed on unpaid leave until he/she is fit to return to duty. Any employee who is found through any required testing to have an alcohol concentration level of .04 or greater and is not terminated from employment, shall be prohibited from operating a City owned motor vehicle. An employee not permitted to drive may be placed, if available and at the discretion of the City in a lower, non-safety sensitive position at the lower rate of pay. If no such non-safety sensitive position is available, the employee shall be placed on unpaid leave. Any employee who is found through required testing to have engaged in prohibited use of a controlled substance shall be referred for professional assistance (i.e. SAP). If the employee is not terminated from employment, such employee shall be placed on unpaid leave of absence and not permitted to return to employment and operate a City vehicle until he/she has completed recommended rehabilitation and has a negative test result on a return to duty drug test. Nothing herein shall require the City to provide alternate employment during the period when the employee is not in compliance nor is there any obligation on the part of the City to retain an employee who violates the Acts or this Policy.

#### **Discipline and Rehabilitation**

In addition to the above consequences for having a prohibited alcohol concentration or a positive drug test result, the City may discipline an employee, up to and including termination, for violations of the Acts, this Policy, and/or the misconduct or poor performance resulting from an alcohol or substance abuse problem.

Employees who are found to have a confirmed positive drug or alcohol test, with no attendant medical explanation by the MRO, will be immediately suspended without pay or compensation. This suspension will remain in effect until the employee has a negative re-test in accordance with the MRO's instructions or has completed a medically recognized rehabilitation program. The employee must complete this rehabilitation program within a period of not more than 45 days from the date that the employee is notified by the MRO of the confirmed positive drug or alcohol test result. If documentary evidence of the employee's enrollment and successful completion of the rehabilitation program is not provided to the City, the employee's employment with the City shall be terminated for cause.

An employee's suspension for a positive drug or alcohol test result is intended to permit time for the positively tested substance to clear the employee's system and to allow the employee sufficient time to have a negative re-test or to complete a recognized rehabilitation program. The City will permit only one (1) suspension for a positive result without medical explanation per employee. Another positive result without medical explanation will result in termination for cause.

Failure to complete or participate in a prescribed rehabilitation program, if that opportunity is provided, shall result in the employee's termination. In no event shall an employee be offered more than one (1) opportunity at rehabilitation. A refusal to test or a positive test result on a return to duty or follow-up test shall be cause for termination. The cost for rehabilitation services shall be paid by the employee, except when the City's provided health insurance plan provides such benefits. Nothing herein shall be construed as a guarantee that the City will offer an employee an opportunity for

rehabilitation. The City's decision to offer employee rehabilitation and not terminate the employee shall be made on the basis of the circumstances surrounding the employee's prohibited alcohol concentration or positive drug test. Considerations such as any other misconduct resulting from the employee's prohibited alcohol concentration or positive drug test, misconduct resulting in injury or property damage, the employee's work record, and other factors traditionally considered when determining whether to retain an employee.

### **Refusal to Test**

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

- A failure to provide a sufficient sample provided there does not exist a valid medical explanation as to why the employee was unable to do so;
- Any conduct which clearly obstructs the testing process such as unavailability or a delay in providing a sample; and
- A failure to execute forms required as part of the testing process.

### **Supervisory and Employee Training**

The City will ensure that persons authorized to determine reasonable suspicion are trained, in compliance with the Acts, to recognize the symptoms of impairment and intoxication. Further, employees of the City shall be provided a copy of this Policy and other information prior to the start of alcohol and controlled substances testing under the Acts.

### **Employee Status**

Employees shall be on paid status while submitting to any random, post-accident, reasonable suspicion or follow-up testing performed during times when the employee is scheduled to work. An employee, who is not permitted to return to work pending the outcome of a test result conducted pursuant to the provisions relating to reasonable suspicion testing and where the test result is ultimately negative, shall be paid for the time he/she was not permitted to work.

### **Confidentiality, Record Keeping, and Reporting**

All test results will be reported to the MRO prior to the results being issued to the City. The MRO will receive from the DHHS testing laboratory a detailed report of the findings of the specimen. Each drug tested for and alcohol will be listed along with the results of the testing. The City will receive a summary report; this report will indicate that the employee passed or failed the drug/alcohol test.

All of the above procedures are intended to be consistent with the most current guidelines for Medical Review Officers that are published by the Federal Department of Health and Human Services.

To protect confidentiality of employees, all records of drug and alcohol testing will be stored with the employees' confidential medical records. These records shall be maintained under lock and key at all times. Access to these records shall be limited to City officials, on a need to know basis. The information contained in these files shall be utilized only to properly administer this Policy and to provide to auditing or certifying agencies for review as may be required under Federal or State laws. Those City officials having access to these records are charged with the responsibility of maintaining the confidentiality of these records. Any breach of confidentiality with regard to these records may be an offense resulting in termination of employment.

Employees tested under this Policy have the right to review and/or receive a copy of their respective test results. An employee may request copies of any records pertaining to his/her use of alcohol or controlled substances. Requests should be communicated to the Director of Human Resources. The City will use its best efforts to promptly comply with this request.

#### **On-Going Education Regarding Substance Use**

The City recognizes the pervasive nature of substance use in today's society and strives to provide its employees with timely and informative training. As a BWC designated Drug-Free Workplace, all employees are required to participate in all City-sponsored educational programs. This Drug-Free Workplace Training will be provided to all employees including supervisors, department heads, and administrative staff. All training will be conducted by or supervised by appropriately qualified educators.

All employees will receive an annual two (2) hour educational session aimed at providing current information about alcohol and drugs, signs and symptoms of use, the disease model associated with addiction and the effects of commonly used drugs in the workplace.

Supervisors will attend the annual two (2) hour educational sessions and, in addition, will receive an initial four (4) hours of informational and skill building training to assist them in performing their responsibilities as they relate to the terms of this Policy. Supervisors will receive two (2) hours of refresher training in subsequent years.

All educational awareness building and training sessions strive to help employees understand the nature of the substance abuse problem and to make employees aware of resources to help them address the problem. This Policy is designed to challenge the workplace to become substance free and to create a safer workplace for everyone.

**ETHICS POLICY  
FEBRUARY 2011**

**Policy Statement**

It is policy of the City of Twinsburg to carry out its mission in accordance with the strictest ethical guidelines and to ensure that City of Twinsburg members and employees conduct themselves in a manner that fosters public confidence in the integrity of the City of Twinsburg, its processes, and its accomplishments.

**General Standards of Ethical Conduct**

City of Twinsburg officials and employees must, at all times, abide by protections to the public embodied in Ohio's ethics laws, as found in Chapter 112 of the Codified Ordinances of Twinsburg, and Chapters 102 and 2921 of the Ohio Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts. (A copy of these laws is provided as required in R.C. 102.09(D).) Officials and employees must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety.

A general summary of the restraints upon the conduct of all officials and employees includes, but is not limited to, those listed below. No official or employee shall:

- Solicit or accept anything of value from anyone doing business with the City of Twinsburg;
- Solicit or accept employment from anyone doing business with the City of Twinsburg, unless the official or employee completely withdraws from City of Twinsburg activity regarding the party offering employment, and the City of Twinsburg approves the withdrawal;
- Use his or her public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
- Be paid or accept any form of compensation for personal services rendered on a matter before any board, commission, or other body of the City of Twinsburg, unless the official or employee qualifies for the exception, and files the statement, described in R.C. 102.04(D);
- Hold or benefit from a contract with, authorized by, or approved by, the City of Twinsburg, (the Ethics Law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under R.C. 2921.42 are met);
- Vote, authorize, recommend, or in any other way use his or her position to secure approval of a City of Twinsburg contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
- Solicit or accept honoraria (see R.C. 102.01(H) and 102.03(H)) ;

- During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the official or employee personally participated while serving with the City of Twinsburg;
- Use or disclose confidential information protected by law, unless appropriately authorized; or
- Use, misuse, misrepresent or authorize the use of, his or her title, the name "City of Twinsburg," or the City of Twinsburg's logo in a manner that suggests impropriety, favoritism, or bias by the City of Twinsburg or the official or employee;

For purposes of this policy:

- "Anything of value" includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. "Value" means worth greater than de minimis or nominal.
- "Anyone doing business with the City of Twinsburg" includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before City of Twinsburg.

### **Financial Disclosure**

Every City of Twinsburg official or employee required to file a financial disclosure statement must file a complete and accurate statement with the Ethics Commission by April 15 of each year. An official or employee elected, appointed, or employed to a filing position after February 15 must file a statement within ninety days of appointment or employment.

### **Ethics Education**

Providing ethics education and information is an inherent part of good ethics governance. The Ethics Commission is available to provide educational seminars and informational materials. Please contact the City of Twinsburg Human Resources Department for ethics educational material.

### **Assistance**

The Ethics Commission is available to provide advice and assistance regarding the application of the Ethics Law and related statutes. The Commission can be contacted at (614) 466-7090. The Commission's web site address is: [www.ethics.ohio.gov](http://www.ethics.ohio.gov). All employees are advised that the City of Twinsburg Human Resource Director and Law Director are available to answer questions involving this policy.

### **Penalties**

Failure of any City of Twinsburg official or employee to abide by this Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline, which may include dismissal, as well as any potential civil or criminal sanctions under the law.

**FAMILY MEDICAL LEAVE POLICY  
JUNE 2010**

**Policy Statement**

It is the City's policy to grant up to 12 weeks of job-protected leave during any 12-month rolling period to eligible employees for incapacity due to pregnancy, prenatal medical care or child birth; To care for the employee's child after birth, or placement for adoption or foster care; To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or For a serious health condition that makes the employee unable to perform the employee's job.

**Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternate childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

The Family Medical Leave Act also includes a special entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

The leave may be paid, unpaid, or a combination of both, depending on the circumstances as specified in this policy.

**Eligibility**

To qualify for Family Medical Leave under the City policy, the employee must meet all of the following conditions:

- The employee must have worked for the City for at least 12 months (52 weeks).
- Any accrued leave taken will count toward the 12 months or 52 weeks.
- The employee must have worked at least 1250 hours during the 12 month period immediately before the date when the leave will begin.

- The calculation of the 1250 hours includes actual time worked and paid leaves of absence.

If an employee takes paid leave for a condition that progresses into a serious health condition and/or the employee requests unpaid leave as provided under this policy, the City may designate all or some portion of the leave taken under this policy to the extent allowed under the law.

An eligible employee can take up to 12 weeks of leave under this policy during any 12-month period. The City will measure the 12 week period as a “rolling” 12 month period measured backward from the first date an employee uses any leave under this policy.

Leave may be recorded in quarter-hour increments. Each time an employee takes leave, the City will compute the amount of leave the employee has taken under this policy and subtract it from the 12 weeks of available leave, and the balance remaining will be the amount the employee is entitled to take.

If a father and a mother both work for the City and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (not a parent-in-law) with a serious health condition, the father and mother may only take a combined total of 12 weeks of leave. The individual father or mother may then use their remaining balance of leave for future qualifying event(s).

#### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing medical treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

#### **Status and Benefits During Leave**

Use of Family Medical Leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

While an employee is on leave, the City will continue the employee's health benefits at the same level and under the same conditions as if the employee had continued to work.

In addition, the employee continues to accrue seniority during leave.

If the employee chooses not to return to work for reasons other than a continued serious health condition, the City will require the employee to reimburse the City the amount it paid for the employee's health insurance premiums during the unpaid portion of the leave.

If the employee contributes to a life insurance or disability plan, the City will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee must continue to make those payments. If the employee does not continue these payments, the City may discontinue coverage during the leave period, or will recover the payments at the end of the leave period, in a manner consistent with the law.

#### **Status Post-Leave**

An employee who takes leave under this policy will be able to return to the same job or a job with equivalent status, pay, benefits, and other employment terms. The position will be the same or one that requires substantially equivalent skill, effort, responsibility, and authority.

#### **Use of Paid and Unpaid Leave**

An employee taking leave for the birth of a child may use paid sick leave for medical recovery following childbirth, or for the spouse's medical recovery following childbirth.

The employee must use any accrued Sick Leave before using vacation, personal, comp or holiday time. Additionally, once an employee is approved for vacation or other paid time off, Sick Leave cannot be substituted for that time off if the employee or a family member is ill or injured while on personal, holiday, comp or vacation leave.

An employee who is taking leave for the adoption or foster care of a child may use up to two (2) weeks of his/her Sick Leave as paid leave. The employee may then use paid leave such as comp time, personal leave, vacation pay, or family leave prior to being eligible for unpaid leave.

#### **Intermittent Leave or Reduced Work Schedule**

The employee may take family and medical leave in 12 consecutive weeks, may use the leave intermittently (taking a day periodically when needed during a year), or under certain circumstances, may use the leave to reduce the work week or work day, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 weeks over a 12-month period.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

For the birth, adoption, or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption, or foster care of a child must be taken within one (1) year of the birth or placement of the child.

When the employee is taking leave for a qualifying serious health condition, or because of the qualifying serious health condition of a family member, it is the employee's responsibility to reach an agreement with their supervisor(s) and/or department head in order to establish an intermittent leave schedule or a reduced hour schedule.

### **Certification of Serious Health Conditions**

The City may ask for certification of the serious health condition of the employee or employee's family member. The employee should respond to such a request within 15 days, or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification may be provided by using the Certification of Health Care Provider Form attached to this policy.

Certification of the serious health condition shall include the following:

- the date when the condition began;
- the condition's expected duration;
- a diagnosis;
- a brief statement of treatment: and
- a brief statement of possible return to work restrictions.

For medical leave for the employee's own medical condition, the certification also must include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform one or more of the essential functions of the employee's job, identified on the Medical Restrictions Form. For a seriously ill family member, the certification must include a statement that the patient requires assistance and that the employee's presence would be physically or psychologically beneficial.

If the employee needs to take intermittent leave or work a reduced schedule, the certification also must include dates, the duration of treatment, and a statement of medical necessity.

With all certifications, the City reserves the right to ask for a second opinion. The City will pay for the employee to get a certification from a second doctor selected by the City. If necessary, to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will jointly select the third doctor and the City will pay for that opinion. The third opinion will be final.

### **Requesting Leave**

The employee informs immediate supervisor of their need for Family Medical Leave and obtains an FMLA Packet from Human Resources.

Except when leave is not foreseeable, all employees requesting Family Medical Leave must first notify their immediate supervisor. The employee then notifies Human Resources and signs The Family Medical Leave Notification Form. Human Resources will conditionally approve qualifying Family Medical Leave events, pending receipt of the Certification of Health Care Provider Form. When Certification is complete, Human Resources will forward a final copy of the Family Medical Leave approval/denial to the employee. Human Resources will notify the employee within five (5) days if the leave is or is not approved. In all cases, medical certification will be requested. The employee must return the Certification of Health Care Provider Form within 15 days of signing the Family Medical Leave Notification Form.

When an employee plans to take leave under this policy, the employee must give the City 30 days notice, if possible. If it is not possible to give 30 days notice, the employee must give as much notice as is practicable. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to the City's operations.

If an employee fails to provide 30 days notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date the City receives notice.

In the event of work place injury, it is the City's policy to apply Family Medical Leave concurrently with time off for worker's compensation claims.

While on leave, employees are required to report to the City every 30 days on their status of the medical condition and their intent to return to work.

**NO SMOKING POLICY  
AUGUST, 2011**

**Policy Statement**

Ohio Revised Code Chapter 3794 requires employers to provide a Smoke-Free Workplace and environment. Ohio law prohibits smoking in all “public places” or “places of employment” that are enclosed areas under the direct or indirect control of the employer.

**No Smoking Areas**

Smoking is prohibited in all “public places” and “places of employment” that are enclosed areas under the direct or indirect control of the City. Under Ohio law, this prohibition applies without regard to the time of day or the presence of other employees, volunteers or visitors. These prohibited smoking areas include, but are not limited to:

- Common areas, such as: all offices; near all facility entrances and exits; lobbies; lounges; waiting areas; utility rooms; production and storage areas; lunch rooms; copier rooms; reception areas; locker rooms; restrooms; stairwells; hallways; warehouses; elevators and garage bays.
- Within 20 feet of facility entrances and exits, window openings, vents and other such openings.
- In City owned vehicles. The Ohio Department of Health, under the provisions of the Ohio Administrative Code Chapter on “Smoking Prohibitions,” has defined a “Vehicle” as meaning the following: “An enclosed motor vehicle registered by the Ohio bureau of motor vehicles when it is occupied by one or more non-smoking persons at the same time and while used for business purposes; a motor vehicle registered by the Ohio bureau of motor vehicles that is part of a motor pool and shared by non-smoking employees; a motor vehicle registered by the Ohio bureau of motor vehicles that is used for public mass transit . . .”.
- Any area in which a fire or other safety hazard exists, such as: around gas pumps; in vehicle/equipment areas where flammable vapors are present; in boiler rooms; or in storage rooms where combustibles are present.

**Outdoor Smoking Permitted Areas**

The decision to provide or not provide designated smoking areas outside City facilities is at the discretion of the Mayor. Department Directors in charge of City facilities may, however, create outdoor smoking locations. Such locations that provide for outside “smoking permitted” areas shall be approved by the Mayor, in a manner consistent with this Policy. These areas must meet the following criteria:

- The area must be at least 20 feet from entrances, exits and openings to facilities;

- Non-smokers do not have to pass through this area to get to another area;
- The area has been determined as suitable as an outdoor “smoking permitted” area by Department Directors and/or administrators in charge of a facility; and
- There are no other safety concerns.

#### **Communications, Signs, Handling of Complaints and Removal of Ashtrays**

- Department Directors in charge of City facilities shall notify their staff of any departmental smoking policies applicable to facilities and vehicles under their control.
- The City will post “No Smoking” signs, consistent with the requirements of the Ohio Revised Code Section 3794.06, which shall contain the phone number (866) 559-6446 for reporting unresolved violations to the Ohio Department of Health’s Smoke-Free Workplace enforcement office.
- Smoking-related concerns, disputes and complaints that occur should be communicated to Department Directors in charge of the facilities and/or vehicles in question.
- Unresolved disputes may be appealed to the Mayor, or her designee or reported to the Ohio Department of Health’s Smoke-Free Workplace enforcement office by calling (866) 559-6446. If a satisfactory arrangement cannot be made by all parties, then the area in question may be designated as a “No Smoking” area by the Mayor.

**PUBLIC RECORDS REQUEST POLICY  
AUGUST, 2011**

**Policy Statement**

It is the policy of The City of Twinsburg that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of The City of Twinsburg to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

**Public Records**

The City of Twinsburg, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of The City of Twinsburg are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

It is the policy of The City of Twinsburg that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently.

**Record Requests**

Each request for public records should be evaluated for a response using the following guidelines:

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.

The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record.

Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested;

the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes, budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.

All requests for public records must either be satisfied or be acknowledged in writing by The City of Twinsburg within three business days following the office's receipt of the request. If a request is deemed significantly beyond "routine", such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

- An estimated number of business days it will take to satisfy the request.
- An estimated cost if copies are requested.
- Any items within the request that may be exempt from disclosure.
- Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

#### **Costs for Public Records**

Those seeking public records will be charged only the actual cost of making copies.

- The charge for paper copies is 6 cents per page (letter or legal size).
- The charge for downloaded computer files to a compact disc is \$1 per disc.
- There is no charge for documents e-mailed.
- Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

#### **E-mail**

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are instructed to retain their e-mails that relate to public business (see Section 1 Public Records) and to copy them to their business e-mail accounts and/or to the office's records custodian.

The records custodian is to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

**Failure to Respond to a Public Records Request**

The City of Twinsburg recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, The City of Twinsburg's failure to comply with a request may result in a court ordering The City of Twinsburg to comply with the law and to pay the requester attorney's fees and damages.

**SICK LEAVE DONATION POLICY  
MARCH 2011**

**Policy Statement**

It is the policy of the City to recognize that on rare occasions an employee may not have sufficient Sick Leave accruals to cover a long-term illness or serious injury. On such occasions, the City finds it appropriate that other employees be allowed to donate some of their Sick Leave hours to the injured/ill employee with the following guidelines.

**Eligibility to Donate**

In order to donate sick leave hours employees must meet the following requirements:

- Employees must maintain a balance of 240 hrs of Sick Leave.
- Donations must be in four-hour increments.
- Employees may donate up to a maximum of 80 (96 hrs for Fire staff on shifts) hours in one calendar year.
- Donations may only be made to eligible recipients as defined below.
- Any Sick Leave hours transferred from an employer other than the City of Twinsburg may not be donated.

**Eligible Recipients**

In order to receive donated sick leave hours employees must meet the following requirements:

- Recipients must be employed full time for at least one year
- All leave balances, including sick leave, vacation, personal and compensatory time must be depleted.
- Must currently be off work for a qualifying serious health condition.
- No employee may receive more than 1040 (1248 for Fire staff on shifts) hours of sick leave donations in any twelve (12) month period.

**Procedure**

When a Department Head becomes aware of a need for donated sick leave hours, they must notify Human Resources. Human Resources will confirm the eligibility of the employee to receive donations and will distribute the Sick Leave Donation Request and Authorization form to the appropriate employees.

Employees wishing to donate must complete the Sick Leave Donation Request and Authorization form indicating the number of hours they wish to donate and the date and time of the donation. Donated hours will be used by the recipient according to the date and time in which they were donated – first hours donated will be first hours used.

**Guidelines**

All donations are on a voluntary basis. No employee is guaranteed any donations.

Sick Leave hours are to be donated and used with no regard to the pay rate of the donor or the recipient.

Donated Sick Leave hours will not be available for year-end Cash Out or for retirement Cash Out.

Recipients may not "bank" or save any unused donated hours. Any unused donated hours will be returned to the donor employee.

Recipients may not 'pay back' those who donated while they were out with their accumulated leave at a later date.

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**P O L I C Y**



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**SICK LEAVE DONATION REQUEST AND AUTHORIZATION FORM**

Date of Donation \_\_\_\_\_ Time of Donation \_\_\_\_\_

Number of hours to be donated \_\_\_\_\_  
(minimum 4 hours)

Name of Leave Donor \_\_\_\_\_

Department \_\_\_\_\_

Name of Leave Recipient \_\_\_\_\_  
(must be full-time employee)

Department \_\_\_\_\_

Acknowledgment of Policy Terms (Donor must initial each item):

\_\_\_\_\_ I understand that the recipient shall not repay these hours.

\_\_\_\_\_ I understand that sick leave hours donated will not be available for the year end "cash out" or upon retirement.

I agree to donate the sick leave hours I have indicated and I understand that these hours will no longer be available to me as defined above.

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

\_\_\_\_\_  
Date

APPROVED:

\_\_\_\_\_  
Department Head Approval

\_\_\_\_\_  
Date

\_\_\_\_\_  
Human Resources

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**SOCIAL MEDIA POLICY  
AUGUST, 2011**

**Policy Statement**

The City endorses the secure use of social media to enhance communication, community involvement, and information exchange. This policy establishes utilization and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media; rather social media in general, as advances in technology will occur and new tools will emerge.

Social media provides a new and potentially valuable means of assisting the City and its personnel in meeting community involvements, events and activities communications, registrations, recruitment, crime prevention, and related objectives. The City also recognizes the role that social media play in the personal lives of some City personnel. The personal use of social media can have an impact on City personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by City personnel.

**Definitions**

- Blog:** A biographical web log regularly updated recording daily events or a type of diary on a website that is changed regularly, to give the latest news. The page usually contains someone's personal opinions, comments, and experiences.
- Post:** Content an individual shares on a social media site or the act of publishing content on a site.
- Profile:** A brief description that summarizes the characteristics of somebody or something that a user provides on a social networking site.
- Social Media:** A collection of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace, Google+), microblogging sites (Twitter), photo and video sharing sites (YouTube), wikis (Wikipedia), blogs (Blogger), and news sites (Digg, Reddit).
- Social Networks:** Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

### **Official City and Department Sites**

Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.

All City social media sites or pages shall be approved by the Mayor or his or her designee and shall be administered by the department's Public Information Officer or employee designated as such.

Where possible, social media pages shall clearly indicate they are maintained by the City and shall have City contact information prominently displayed and they should link to the City's official website.

Social media content shall adhere to applicable laws, regulations, and policies, including; Anti-Discrimination, Anti-Harassment and Anti-Retaliation, all information technology and records management policies.

Content is subject to public records laws. Relevant records retention schedules apply to social media content.

Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.

Social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the City.

Pages shall clearly indicate that posted comments will be monitored and that the City reserves the right to remove obscenities, off-topic, discriminatory, or harassing comments, and personal attacks.

Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

City personnel representing the City via social media outlets shall do the following:

- Conduct themselves at all times as representatives of the City and, accordingly, shall adhere to all City standards of conduct and observe conventionally accepted protocols and proper decorum.
- Identify themselves as a member of the City.
- Not make statements, post, transmit, or otherwise disseminate information, including photographs or videos about; pending litigation, personnel action, prosecutions or work-related assignments without written permission from the Mayor.
- Not conduct political activities or private business.

The use of personally owned devices to manage the City's social media activities is prohibited.

Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

### **Potential Uses**

Social media is a valuable tool for community outreach and engagement and can be used to make time-sensitive notifications related to:

- missing persons;
- wanted persons;
- crime prevention tips;
- offering online-reporting opportunities;
- sharing crime maps and data; and
- soliciting tips about unsolved crimes (i.e., Crimestoppers, text-a-tip).
- road closures,
- special events,
- weather emergencies, and
- recruiting employment and volunteer positions

### **Personal Use**

Barring state law or binding employment contracts to the contrary, City personnel shall abide by the following when using social media.

City personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this City for which loyalty and confidentiality are important, impede the performance of duties, impair harmony among coworkers, or negatively affect the public perception of the City.

As public employees, City personnel are cautioned that speech 'on' or 'off' duty, made pursuant to their official duties (where its existence to the employee's professional duties and responsibilities) is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the City. City personnel should assume that their speech and related activity on social media sites will reflect upon their office and the City.

City personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Mayor or his or her designee.

When using social media, City personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, in the personal use of social media, City personnel are prohibited from the following:

- Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
- Speech involving themselves or other City personnel reflecting behavior that would reasonably be considered reckless or irresponsible.

City personnel should be aware that they may be subject to civil litigation for:

- publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
- publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
- using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose;
- publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

City personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.

City personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the City at any time without prior notice.

### **Reporting Violations**

Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify the Director of Human Resources immediately for follow-up action.

**TRAVEL POLICY  
JUNE 2010**

**Policy Statement**

It is the City's Policy that employees may be required, on occasion, to travel for City-related business such as to attend meetings, training, seminars and conferences. The purpose of this Policy is to provide substantiation and adequately account for travel expenses for business purposes in a timely manner, such that an employee will not be subject to income inclusion on his/her W-2 at year-end according to the IRS regulations.

**References**

IRS Publication 463  
Ohio Revised Code 126-1-02  
Ohio Administrative Code 126.30

**General**

All requests for travel shall be limited to City business such as to attend meetings, training, seminars and conferences, etc. from which the City will derive a specific benefit through the attendance of a representative. The Department Head and/or the Mayor shall approve all administrative department expenses in advance. A purchase order is to be submitted and approved before an employee may commit to any expenditure, including registration or travel. A program or description of any City business such as meetings, training, seminars and conferences, etc. shall be attached to the purchase order requisition prior to approval. The City will not issue "cash" advances for travel expenses. The City will provide advance payment for air travel, lodging and, registration. Employees must submit, upon return, a complete Travel Expense Report in order to be reimbursed for any travel related expenses. Employees should adequately account for expenses within 30 days after they were paid or incurred and reimburse approved expenses within 30 days after they were paid or incurred. It is the employee's responsibility to comply with these time requirements. Any travel reimbursements submitted beyond the stated 30 day time limits may not be reimbursed.

**Mileage**

Reimbursement of mileage is authorized, when no City vehicle is available, at the Internal Revenue Service's business rate per mile. The rate is the same for automobiles and motorcycles. There is no reimbursement for mileage commuting from one's residence to their place of employment. For example, if your daily commute is ten (10) miles from residence to place of employment, then those ten (10) miles are subtracted from the daily total miles for each day's travel.

**Conference and Seminars**

Registration fees are reimbursable and may be paid by the City in advance when pre-registration is required and approved by the Department Head and/or Mayor. Lodging at the meeting, training, seminar, or conference site, or at a hotel identified in the meeting,

training, seminar, or conference materials as one of the meeting, training, seminar, or conference hotels, is reimbursable at actual cost as long as the meeting, training, seminar, or conference is greater than 45 miles from home, the place of employment, or at the Mayor's approval. Meals provided at conferences and seminars will be deducted from the meal Per Diem.

### **Lodging**

Within the United States is reimbursable at the lowest available government rate in the area with approval from the Department Head and/or the Mayor.

Out of the United States is reimbursable at the actual reasonable cost as determined by the Department Head and/or the Mayor.

Overnight lodging may be reimbursed when location is greater than 45 miles from both the employee's home and their place of employment or at the Mayor's approval.

### **Meal Per Diem**

Per Diem for meals will only be authorized when overnight lodging is required. Per Diem is designed to offset the cost of travel meals on travel days where there is an overnight stay. On full travel days (days preceded AND followed by overnight stay), the Per Diem is \$50. On partial travel days (days preceded OR followed by an overnight stay), the traveler is expected to prorate travel. If the partial day encompasses one (1) or more of the following scenarios, use the below prorated rates:

- Traveling between midnight – 10:00 am \$10
- Traveling between 10:00 am – 4:00 pm \$15
- Traveling between 4:00 pm – Midnight \$25

Reimbursements beyond the Per Diem for meal cost may exceed \$50 per day provided the receipts are available and the meals are served in a high cost area pursuant to IRS Publication 463 and the Mayor's approval. Credit card receipts will not be accepted unless a breakdown of purchases is provided.

### **Transportation**

Travel by common carrier is authorized at the lowest available rate. Business class air travel is allowed for some specific international travel. Air travel may be reimbursed, or paid by the City directly to the travel agent; only if flying is more economical or necessary than other modes of travel.

### **Car Rental**

Reimbursement is authorized only if the car rental is more economical than any other mode of transportation or if your destination is not otherwise easily accessible.

**Receipts**

Receipts are required for all service expenses incurred in the use of a City owned vehicles, for all common carrier expenses, and all miscellaneous transportation expenses.

**Prohibitions**

No reimbursement will be made for valet services, laundry, alcoholic beverages, movies, entertainment, personal expenses, political expenses, Travel Insurance, or costs incurred due to non-attendance or non-arrival at hotel or overnight accommodation, unless an emergency situation exists. Spouses and guests are permitted to accompany employees; however, they are not permitted to travel in City vehicles and all expenses incurred by them are the employee's responsibility and will not be reimbursed.

# City of Twinsburg - Travel Expense Report

<b>Name:</b>	Department:	Date:							
<b>Name of Meeting, Training, Seminar, Conference, or Other:</b>									
<b>Destination:</b>		Departure Date:	Departure Time:						
		Return Date:	Return Time:						
<b>Starting Mileage:</b>		Total Mileage:							
<b>Travel Mode:</b>		<input type="checkbox"/> Personal Vehicle <input type="checkbox"/> City Vehicle <input type="checkbox"/> Common Carrier							
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sub-Total	Totals
<b>Date</b>									
<b>Per Diem</b>									
<b>Registration Fee</b>									
<b>Miles @ IRS rate</b>									
<b>Tolls/Parking</b>									
<b>Airfare</b>									
<b>Car Rental</b>									
<b>Lodging</b>									
<b>Breakfast</b>									
<b>Lunch</b>									
<b>Dinner</b>									
<b>Gas/Oil*</b>									
<b>Misc**</b>									
<b>Totals</b>									
<p>All requests for travel shall be limited to City business such as meetings, training, seminars, conferences, etc. from which the City will derive a specific benefit through the attendance of a representative. The Department Head and/or the Mayor shall approve all administrative department expenses in advance. A purchase order is to be submitted and approved before an employee may commit to any expenditure, including registration or travel. A program or description of any City business such as a meeting, training, seminar, conference, etc. shall be attached to the purchase order requisition prior to approval.</p> <p><b>I acknowledge that all requests are true and consistent with the City Travel Policy.</b></p>									
<b>TOTAL EXPENSE</b> <b>AMOUNT DUE CITY</b> <b>DUE EMPLOYEE</b>									
<b>EMPLOYEE:</b>									
<b>FINAL APPROVAL</b>									
<b>DEPARTMENT HEAD:</b>									
<b>MAYOR:</b>									
<b>FINANCE DIRECTOR:</b>									
<b>DATE</b>									
<b>DATE</b>									
<b>DATE</b>									
<b>DATE</b>									

\* City vehicles only \*\* Specify with additional documentation

**VEHICLE USE POLICY  
AUGUST, 2011**

**Policy Statement**

Use of City vehicles are hereby determined to ensure an employee's safety and operational responsibility and expectations when entrusted with the use of a City vehicle.

**Guidelines**

The use of City vehicle for personal use is strictly forbidden.

Those employees who are permitted to take a City vehicle to and from work for the reason that they may need the vehicle after hours for safety or work-related reasons are also permitted to take the vehicle to lunch.

Non-employees are not permitted to ride in a city vehicle except for business-related reasons (ie. carpooling to a permitted function). Only in an extreme emergency (ie. safety) would a minor be permitted to ride in a city vehicle. Activities such as routinely dropping kids off for school or picking them up from daycare are strictly forbidden.

Only employees who use a city vehicle daily in order to perform their duties may take the city vehicle to lunch. No other employees may take a city vehicle to lunch.

Cellular telephones are not to be used while operating an automobile unless the employee is able to use a "hands free" device. Employees are instructed to safely park vehicles before operating cellular phones whenever possible. Under no circumstances are employees permitted to use the texting function while operating a City vehicle.

Additionally, the City will not tolerate improper, careless, negligent, destructive, unauthorized or unsafe use of City vehicles pursuant to the following guidelines:

- Seatbelts are to be used at all times when driving a City vehicle.
- Smoking is prohibited in all City vehicles.
- When using City vehicles, employees are expected to exercise care, see that proper maintenance is performed and follow all operating instructions, safety standards and guidelines.
- Employees are required to notify their supervisor of any vehicles that appear to be damaged, defective or in need of repair.

- Improper, careless, negligent, destructive, unauthorized or unsafe use or operation of equipment or vehicles, as well as avoidable traffic and parking violations can result in disciplinary action, up to and including termination of employment.

No employee shall use alcohol while operating a City vehicle or heavy machinery or equipment or within six (6) hours prior to carrying out such activities. In any event, no employee shall operate a City vehicle or City equipment with a blood alcohol concentration level of 0.08 or greater. In addition, no employee shall use an illegal controlled substance or any otherwise legal substance, the packaging of which contains a warning to the effect that such substance should not be taken while driving or operating heavy equipment or machinery, while the employee is operating a City vehicle, or within six (6) hours prior to carrying out such activities. In addition to the restrictions set out in this paragraph, employees have an affirmative duty to report their use of alcohol, illegal use of controlled substances or other substances to their immediate supervisor at the time the employee next reports for scheduled duty or at the time that he/she is called for unscheduled duty, if such employee's regular duties involve operating of City vehicles or heavy machinery or equipment.

Misuse of the City's vehicles, machinery or equipment will be considered grounds for disciplinary action up to and including termination.

**VOICE AND ELECTRONIC COMMUNICATION POLICY  
AUGUST, 2011**

**Policy Statement:**

The following guidelines were established for internet access and electronic mail exchange over the City of Twinsburg networks. Supervisors are responsible for instructing employees on the proper use of the electronic communications services and equipment used by the department for both internal and external business communications.

**Definitions**

Electronic mail (E-mail): An office communication system that allows electronic text-based messages to be exchanged electronically, e.g. between computers or cell phones.

The Internet: An on-line network that links computer networks all over the world by satellite and telephone, connecting users with service networks such as e-mail and the World Wide Web.

Voice mail: An office communication tool which allows voice messages may be stored, sent, forwarded and retrieved on the phone system or cell phones.

Phone System: is any telephone or cell phone owned, leased or used by the City.

The Network: is defined as all the servers, PC's, laptops and the infrastructure of the City's electronic storage system.

**Privacy and Security**

The City of Twinsburg's electronic mail, Internet, phone (including cells phones), computer, and voice mail systems enable employees to communicate through voice and data by sending and receiving messages and to store information electronically. These systems are provided by the city to the employees for the sole purpose of assisting in the conduct of business within the city.

**The City has the right to monitor use of all Electronic Communications.**

The Internet, electronic mail, computer and voice mail system hardware and software are City property. Additionally, all messages composed, sent, or received on these systems are and remain the property of the City. All files stored on these systems remain the property of the City. They are not the private property of any employee.

**No employee should have any expectation of privacy concerning any electronic communications including, but not limited to: email, voice mail, file storage and Internet Use.**

The internet and electronic messages are not secure. Employees should assume that all transactions over the internet via e-mail or other means are publicly available information that can be intercepted by individuals other than the intended recipient(s).

Employees should not install or use any hardware or software product on City owned equipment that has not been specifically approved by the Information Technology Department.

It is specifically forbidden to download any non-business-related material from the Internet. This includes, but is not limited to: games, 'shareware' programs, pictures, videos, music, etc.

**Permission and Prohibitions**

Use by an employee of the City of Twinsburg's voice and electronic communications systems shall constitute express consent of the employee to monitoring and/or disclosure by The City of Twinsburg of the contents of messages.

User names, identifications and passwords should not be shared with non-authorized individuals. It is the responsibility of each authorized user to safeguard access to the Internet and email via their computer by non-authorized users.

Users should not create, forward or copy email chain letters, jokes, poems, etc. as this is the way most viruses are spread and these items are not business-related.

Users should be aware that it is the policy of The City of Twinsburg to routinely back-up internet, e-mail and voice mail files. Therefore, all files should be maintained, deleted or saved by individual users in an appropriate and timely manner. Distribution lists should be kept current and updated regularly to reflect changes in responsibility or employment status.

The City of Twinsburg reserves the right to access and disclose the contents of internet, e-mail and voice mail messages for any purpose without prior notice or approval of the employees.

Internet records, e-mail messages and voice mail messages should be treated like public records. Their content should be made available for review by authorized representatives of the City of Twinsburg or by members of the public in accordance with public records laws.

The bypassing of any and all security measures to gain access to voice or electronic information or systems that the employee has not been specifically authorized to view or use will be considered grounds for disciplinary action up to and including termination.

Internet access, e-mail and voice mail is intended for business purposes relating to the operation of the City of Twinsburg during business hours. The use of the Internet, e-mail or voice mail to solicit others for commercial ventures, religious or political causes or other non-job-related solicitations are prohibited at all times. The Internet, e-mail, phones and voice mail are intended for the transmission of business-related transactions and should be limited to those individuals who have a need to receive it.

Neither the Internet, e-mail system nor the voice mail system may be used in a way that may be disruptive, offensive to others, or harmful to morale. This includes sexually explicit or obscene images or remarks, political campaigns, endorsements, messages, cartoons, promotion of social functions, parties, or other non-city related social gathering, gender-bashing, ethnic slurs, racial epithets, or anything that could be construed as discriminatory, harassment or disparagement of others.

Misuse of the City's electronic communications systems will be considered grounds for disciplinary action up to and including termination.

**WORK RULES**  
**May 2011**

**Purpose**

It is the City's Policy to standardize the procedures used when it becomes necessary to impose disciplinary actions against an employee.

**References**

Ohio Revised Code 124.34  
Ohio Administrative Code 124  
Codified Ordinance of the City of Twinsburg 147  
Contract between the City of Twinsburg and AFSCME Local 1313  
Contract between the City of Twinsburg and Teamsters Local 436  
Contract between the City of Twinsburg and IAFF Local 3630  
Contract between the City of Twinsburg and OPBA

**General**

Disciplining an employee who violates the Work Rules or the Ohio Revised Code is necessary if order and efficiency are to prevail in the work place. The objective of imposing discipline is to correct undesired behavior that adversely affects the mission and integrity of The City of Twinsburg and/or the health, safety, morale, and productivity of other employees. It is of equal importance that disciplinary actions be administered fairly and consistently throughout the City. This Policy will give supervisory staff the necessary guidelines that should be followed when disciplinary action is needed.

The City of Twinsburg is dedicated to the policy of progressive constructive discipline. Disciplinary actions should be imposed at the lowest level possible with the intent of giving the employee the opportunity to correct his/her behavior as long as the discipline is commensurate with the infraction. If this does not occur, discipline should become more severe up to and including removal; certain offenses warrant severe disciplinary action on the first offense.

**Type of Disciplinary Action**

The following are the types of disciplinary actions that will be utilized:

1. Oral Reprimand - This action shall be in writing stating the time, place, and nature of the offense, referencing the specific violation(s) of this Policy for which the oral reprimand is being given. Non-bargaining unit employees being reprimanded shall be charged under O.R.C. 124.34.

This reprimand will be signed by the issuing supervisor and by the employee acknowledging that he/she received a copy. If the employee refuses to sign, another

non-bargaining unit employee should witness it. The reprimand will be sent to the Human Resources Department, and will be placed in the employee's personnel file.

2. Written Reprimand - This action shall be in writing stating the time, place, and nature of the offense, referencing the specific violation(s) of this Policy for which the written reprimand is being issued. Non-bargaining unit employees being reprimanded shall be charged under O.R.C. 124.34.

This reprimand shall be signed by the issuing supervisor and by the employee acknowledging that he/she received a copy. If the employee refuses to sign, another non-bargaining unit employee should witness it. The reprimand will be sent to the Human Resources Department, and will be placed in the employee's personnel file.

3. \*Suspension - An employee is sent home for a period of time with loss of pay and applicable benefits.
4. Removal - Termination of employment.

### **Appeals**

Bargaining Unit Employees - Refer to your respective Collective Bargaining Agreement.

Classified Exempt Employees - Refer to the Civil Service Rules, and the Ohio Revised Code 124.34, Ohio Administrative Code Chapter 124.

### **Who Imposes Disciplinary Action**

All supervisors have the responsibility of enforcing the Work Rules and initiating the appropriate disciplinary action against an employee. With reference to the Types of Disciplinary Action section, there are limitations in the authority supervisors have in imposing discipline. Lower level supervisors have very limited disciplinary authority, but are expected to provide documentation and initiate disciplinary measures through the supervisory chain of command. The issuance of discipline is restricted to supervisory personnel in accordance with the following:

1. All Supervisors may issue oral and written reprimands in accordance with the City policies and procedures.
2. The Mayor may issue suspensions, removals, and reductions/demotions where appropriate.

### **Administration of Disciplinary Actions**

It is important when disciplinary action is taken or proposed that the correct administrative actions are implemented. The following administrative actions will be taken whenever the specific discipline is proposed:

1. Reprimands (oral or written) - Supervisors will thoroughly document the incident in question and forward the documentation along with a request for appropriate disciplinary action to the Department of Human Resources. All oral and written reprimands will be sent to the Department of Human Resources.
2. Suspensions and Removals - Supervisors will thoroughly document the incident in question and forward the documentation along with a request for appropriate disciplinary action to the Human Resources Department. The appropriate pre-disciplinary meeting will be held where results will be reviewed and a recommendation will be made by the Mayor.

### **Progressive Constructive Discipline**

Uniform guidelines have been developed to assist in complying with this policy. These guidelines will serve to notify employees of the type of discipline that will be enforced for specific violations of the rules and regulations of The City of Twinsburg.

The degree of seriousness of the offense(s) will determine which appropriate disciplinary action will be imposed. Discipline does not have to be for the same/similar offense to be progressive.

**NOTE: THIS SECTION SHOULD BE VIEWED AS A GUIDELINE. THE MAYOR MAY IMPOSE LESSER OR GREATER DISCIPLINE AS THE SITUATION DICTATES.**

**The City of Twinsburg Disciplinary Guidelines**

Violations	Progression			
1. Neglect of Duty.	Reprimand/ Removal			
2. Insubordination.				
a. Failure to carry out an assignment.	Reprimand/ Removal	Suspension	Removal	
b. Disobedience/refusal of an order or assignment by a Supervisor.	Suspension/ Removal	Removal		
c. Failure to follow policies, rules, procedures, or SOP of the Department.	Reprimand/ Suspension	Suspension	Removal	
3. Posting, displaying, using, or abusing obscene or insulting material or language toward another employee, a supervisor, or the general public.	Reprimand/ Suspension	Suspension/ Removal	Removal	
4. Interfering with and/or failing to cooperate in an official investigation or inquiry.	Reprimand/ Suspension	Suspension/ Removal	Removal	
5. Failure to maintain acceptable standards of work performance and job attitude and/or an inefficient or unproductive use of time.	Reprimand/ Suspension	Suspension/ Removal	Removal	
6. Fighting with a fellow employee or non-employee on City time and/or on City property. Threatening a superior, fellow employee, or non-employee.	Suspension/ Removal	Removal		
7. Unauthorized/misuse of City equipment and/or vehicle.	Reprimand/ Suspension	Suspension/ Removal	Removal	
8. Carelessness with tools, keys, and equipment or vehicle resulting in loss, damage, and/or an unsafe act.	Reprimand/ Suspension	Suspension/ Removal	Removal	
9. Involvement in disorderly or disruptive behavior, "horseplay", on City time and/or on City property.	Reprimand/ Suspension	Suspension/ Removal	Removal	
10. Sale, consumption, or possession of alcoholic beverages or illegal drugs while on duty and/or on City property.	Suspension/ Removal	Removal		
11. Reporting to work under the influence of any intoxicant (alcohol or drugs) other than required for medical reasons or a positive drug or alcohol test.	Removal			
12. Sleeping on duty.	Reprimand/ Suspension	Suspension/ Removal	Removal	
13. Leaving the work area without the permission of a supervisor.	Reprimand/ Suspension	Suspension/ Removal	Removal	
14. Excessive absenteeism including unavailability for overtime.	Reprimand	Reprimand/ Suspension	Suspension / removal	Removal

15. Unexcused tardiness/unauthorized absence of 30 minutes or less, leaving early, and/or an extended lunch or break period.	Reprimand	Reprimand/ Suspension	Suspension / Removal	Removal
16. Unauthorized absence of 30 minutes or more.	Reprimand/ Suspension	Suspension	Suspension / Removal	Removal
17. Unauthorized absence for three (3) or more consecutive days.	Suspension/ Removal	Removal		
18. Job abandonment.	Removal			
19. Falsifying any official document.	Suspension/ Removal	Removal		
20. Intentional misuse of Federal, State, or City funds and/or resources.	Suspension/ Removal	Removal		
21. Violation of The Ohio Ethic Laws and related statutes, O.R.C. Chapter 102 and Sections 2921.41, 2921.42, 2921.43.	Removal			
22. Engaging in political activity as prohibited in The Ohio Revised Code 124.57	Reprimand/ Removal			
23. Theft, in or out of employment. (Nexus established)	Removal			
24. Felony convictions.	Removal			
25. Having possession of weapon(s) while on duty and/or while on City property including all equipment and vehicles. Weapons shall be defined to include (but not limited to) guns, knives (except folding knives with a blade of 3" or less), clubs or tear gas.	Suspension/ Removal	Removal		
26. Violation of Section 124.34 (See Appendix A) of The Ohio Revised Code.	**			
27. Other actions that could harm or potentially harm the employee, a supervisor, a fellow employee or a member(s) of the general public.	**			
28. Other actions that could compromise or impair the ability of the employee to effectively carry out his/her duties as a public employee; including operating a City vehicle without a valid license.	**			

\*\* The appropriate discipline depends upon the severity of the incident.

APPENDIX A

Section 124.34(A) (In pertinent part)

The tenure of every officer or employee in the classified service of the state and the counties, civil service townships, cities, city health districts, general health districts, and city school districts of the state, holding a position under this chapter, shall be during good behavior and efficient service. No such officer or employee shall be reduced in pay or position, fined in excess of five days' pay, suspended, or removed, except as provided in section 124.32 of the Revised Code, and for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of this chapter or the rules of the director of administrative services or the commission, or any other failure of good behavior, any other acts of misfeasance, malfeasance, or nonfeasance in office, or conviction of a felony. An appointing authority may require an employee who is suspended to report to work to serve the suspension. An employee serving a suspension in this manner shall continue to be compensated at the employee's regular rate of pay for hours worked. Such disciplinary action shall be recorded in the employee's personnel file in the same manner as other disciplinary actions and has the same effect as a suspension without pay for the purpose of recording disciplinary actions.

A finding by the appropriate ethics commission, based upon a preponderance of the evidence, that the facts alleged in a complaint under section 102.06 of the Revised Code may constitute a violation of Chapter 102, section 2921.42, or section 2921.43 of the Revised Code may constitute grounds for dismissal. Failure to file a statement or falsely filing a statement required by section 102.02 of the Revised Code may also constitute grounds for dismissal.

Conviction of a felony is a separate basis for reducing in pay or position, suspending, or removing an officer or employee, even if the officer or employee has already been reduced in pay or position, suspended, or removed for the same conduct this is the basis of the felony. An officer or employee may not appeal to the state personnel board of review or the commission any disciplinary action taken by an appointing authority as a result of the officer's or employee's conviction of a felony. If an officer or employee removed under this section is reinstated as a result of an appeal of the removal, any conviction of a felony that occurs during the pendency of the appeal is a basis for further disciplinary action under this section upon the officer's or employee's reinstatement.

A person convicted of a felony immediately forfeits the persons' status as a classified employee in any public employment on and after the date of conviction for the felony. If an officer or employee is removed under this section as a result of being convicted of a felony or is subsequently convicted of a felony that involves the same conduct that was the basis for the removal, the officer or employee is barred from receiving any compensation after the removal notwithstanding any modification or disaffirmance of the removal, unless the conviction for the felony is subsequently reversed or annulled.

Any person removed for conviction of a felony is entitled to a cash payment for any accrued but unused sick, personal, and vacation leave as authorized by law. If subsequently reemployed in the public sector, such person shall qualify for and accrue these forms of leave in the manner specified by law for a newly appointed employee and shall not be credited with prior public service for the purpose of receiving these forms of leave.

As used in this division, "felony" means any of the following:

- (1) A felony that is an offense of violence as defined in section 2901.01 of the Revised Code;
- (2) A felony that is a felony drug abuse offense as defined in section 2925.01 of the Revised Code;
- (3) A felony under the laws of this or any other state or the United States that is a crime of moral turpitude;
- (4) A felony involving dishonesty, fraud, or theft;
- (5) A felony that is a violation of section 2921.05, 2921.32, or 2921.42 of the Revised Code.