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# STATEMENT OF DELIVERY

**THE WASHINGTON TOWNSHIP POLICIES AND PROCEDURES LOCATED ON THE TOWNSHIP WEB SITE ARE TO BE REVIEWED BY EVERY EMPLOYEE WITHIN TEN DAYS OF THEIR DATE OF HIRE.**

## RECEIPT

**I HAVE READ AND REVIEWED THE WASHINGTON TOWNSHIP POLICIES AND PROCEDURES.**

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**SIGNATURE**

---

**DATE**



## **POLICIES AND PROCEDURES**

**FIRST ADOPTED BY THE  
WASHINGTON TOWNSHIP  
BOARD OF TRUSTEES**

**ON JUNE 5, 2000**

**Camille Hammer**

**Ken Kay**

**Barb Shaheen**

**Becky Bodette  
Clerk**

**THIS EDITION APPROVED BY THE  
WASHINGTON TOWNSHIP  
BOARD OF TRUSTEES**

**ON JULY 20, 2017**

**Joanne Vail-Nixon**

**Ken Kay**

**Denise Rex**

**Becky Bodette  
Fiscal Officer**

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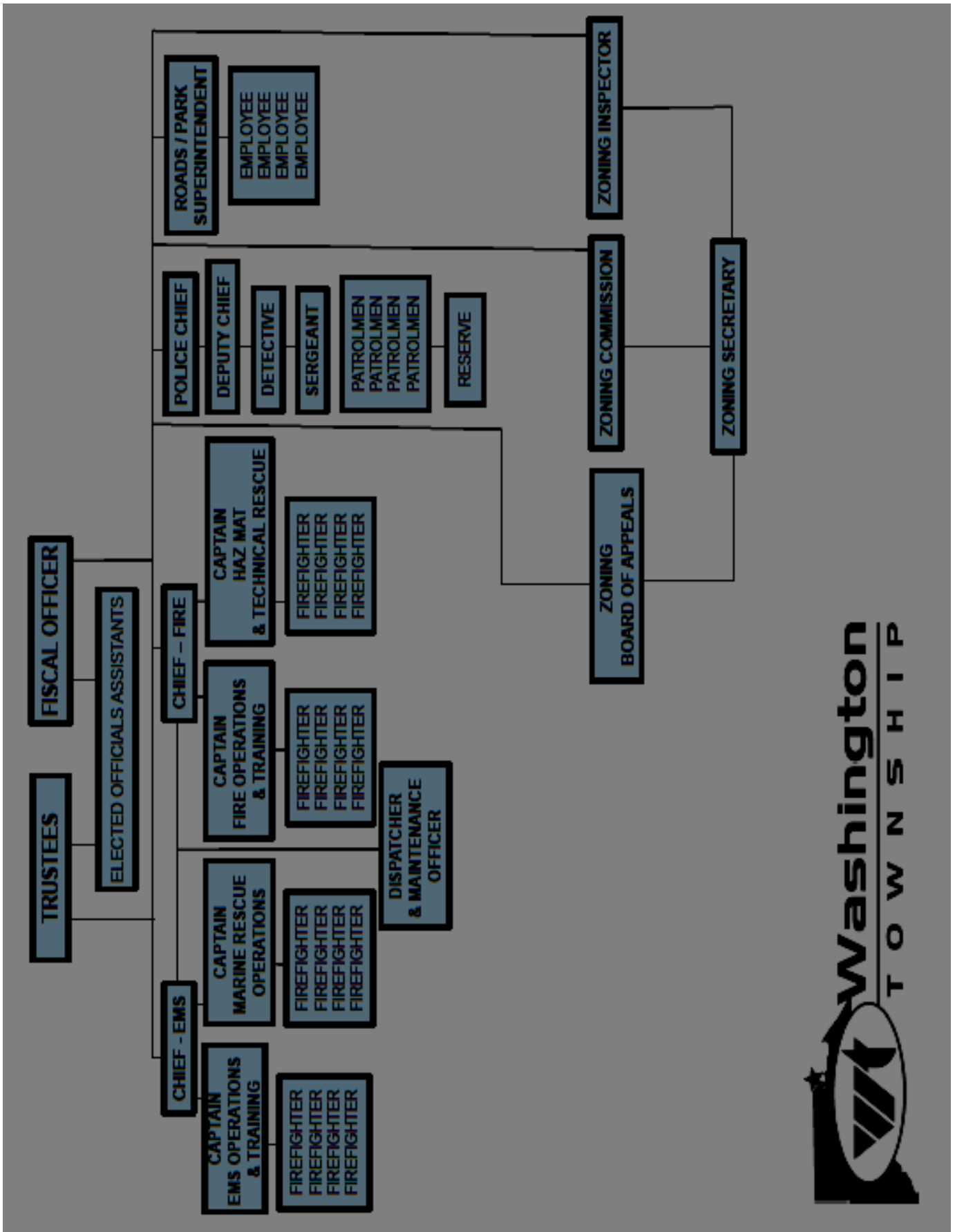
# **ARTICLES**

## **ARTICLE 1 - DISCLAIMER**

This personnel manual is presented for information purposes only. The Board of Trustees reserves the right at its sole discretion to modify, suspend or terminate this manual and any provisions contained herein as well as modify, suspend or terminate any policies, procedures or employee benefits program with or without notice. The Board of Trustees is the sole arbiter of the provisions of this manual. This manual is not an employment contract, expressed or implied. No representative of the Board of Trustees, unless given express permission by the Board of Trustees, has the authority to enter into an agreement with an employee that is contrary to the foregoing. Any agreement made with the express permission of the Board of Trustees which is contrary to the foregoing must be in writing to be valid.

## **ARTICLE 2 – ORGANIZATIONAL CHART (next page)**

**DECLARED EMERGENCY SUPERSEDES THE ORGANIZATIONAL CHART**



# **ARTICLE 3 - PREFACE, AMENDMENT OF POLICIES AND PROCEDURES**

## **3.1 How to use this document**

This document, for employees of Washington Township, serves two purposes:

- A) A summary of personnel policies and practices, benefits, responsibilities and opportunities available to you as an employee.
- B) An official document governing the personnel administration of all employees and appointees of the township with references to the Ohio Revised Code and other administrative orders and resolutions.

**All necessary employees and appointees will be provided a copy of this document. Fire Fighters are subject to the contents of this document that pertain to them. Required contents are included in their Fire Department Policies and Procedures. It is required that you take time to go over this document and make sure you are aware of its contents and how it applies. The Ohio Revised Code is available on the Internet.**

You may then wish to keep this document at work where you can refer to it as the need may arise. From time to time this document will be updated. It is recommended that any changes received be immediately included in your copy of the document to avoid any misunderstandings.

If you have a question or a problem regarding a specific policy, benefit, or practice, the discussion of it can be found by referring to the Table of Contents in the front of this document. In some cases, you may want details or information which was not included in this document for the sake of brevity. A complete set of source documents can be made available on request.

If you have a question regarding a written policy, it should be directed to your immediate supervisor. If there should be, at any time, any conflict between the summary in this document and the source material, the reference or source material which is current at the time is the official statement. Washington Township Policies and Procedures will supersede departmental policies and procedures.

## **3.2 Purpose**

It is the purpose of these Rules and Regulations to implement the provisions of the Ohio Revised Code and township personnel resolutions by establishing standards and procedures. These regulations are also provided as a guideline to be followed when a situation occurs which is not specifically considered in the Ohio Revised Code, personnel resolutions, or specifically modified by an applicable labor contract. The Board of Trustees reserve all rights authorized them by the Ohio Revised Code for personnel administration. Section 511.10 of the Ohio Revised Code reads, in part, **“the board of township trustees may appoint such superintendents, architects, clerks, laborers, and other employees as are necessary and fix their compensation. Any person so appointed may be removed by a majority of the members of such board at any time.”**

### **3.3 Amendments**

Amendments to these Policies and Procedures shall be made by the Board of Trustees. The Chairperson of the Board of Trustees may consult with the various department and division heads or other knowledgeable persons prior to making recommendations and amendments.

### **3.4 Administration**

- A) The Board of Trustees shall be charged with applying the provisions of this chapter to provide for the orderly conduct of dealing effectively with the employees of the Township in its pursuit to serve the citizens efficiently.
- B) The following provisions of this chapter are hereby adopted and enacted as part of the Personnel Regulations of the Township, in accordance with the relevant sections of federal and state law.
- C) The intention of the Township in establishing the provisions of this chapter is to provide for employee's benefits and responsibilities in order to promote better development of services to the public.

### **3.5 Positions Covered**

- A) All employees and appointees of Washington Township shall be supplied a copy of these Policies and Procedures. All newly appointed employees shall be given a copy of these Policies and Procedures at the time of their appointment.
- B) Any amendment to these Policies and Procedures shall be made available to you in writing or through means deemed appropriate by the Board of Trustees. It shall be your obligation to read and become familiar with these rules.

### **3.6 Interpretation**

The policies are intended to cover most personnel problems and actions which arise. Those not specifically covered shall be interpreted by the Board of Trustees. Such interpretations shall be in concert with the spirit and letter of Article 3, Section 3.2. – Purpose.

### **3.7 Delegation**

The Board of Trustees may delegate such duties and functions as they deem appropriate. The Township Fiscal Officer may be designated to perform certain personnel functions.

### **3.8 Managerial Rights**

Any employee may be transferred from one department to another as long as they are assigned to basically the same type and level of work. Transfers may be either temporary or permanent in order to meet the needs of the Township. Transfers may also be made at the request of the employee in order to provide the employee with new supervision and experience. The township reserves the right and authority to administer the business of the township, direct its operations, and declare rules and regulations and to otherwise exercise the prerogatives of management, more particularly including:

- A) to manage and direct its employees, including the right to select, hire, promote, transfer, assign, evaluate, layoff, recall, reprimand, suspend, demote, discharge or discipline, and to maintain order among employees;



- B) to manage and determine the location, type and number of physical facilities, equipment, programs, and the work to be performed;
- C) to determine the Township's goals, objectives, programs, services and budget and to utilize personnel and technology in a manner designed to effectively meet these purposes;
- D) to determine the size and composition of the work force and the township's organization structure, including the right to relieve employees from duty by layoff or job abolishment;
- E) to determine the hours of work and work schedules and to establish the necessary work rules for all employees;
- F) to determine when a job vacancy exists, what duties are to be included in all job classifications, and what standards of quality and performance are to be maintained;
- G) to provide for and maintain the security of records and other pertinent information;
- H) to determine and implement necessary actions in emergency situations, if necessary one member of the Board of Trustees may declare a disaster.

### **3.9 Notice**

The Washington Township Board of Trustees, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this document at any time without prior notice. Any such action shall apply to existing as well as future employees with continued employment being the consideration between the Board of Trustees and the employee. Employees may not accrue eligibility for monetary benefits (provided for in writing) that they have not earned through actual time spent at work. Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked. No one other than the Board of Trustees may alter or modify the contents of this document. No statement or promise by a supervisor, manager, or department head may be interpreted as a change in policy nor will it constitute an agreement with an employee.

### **3.10 Merit System**

- A) In the application of the merit system, employees and applicants shall be evaluated solely on merit without regard to race, sex, religion, disability, national origin, or any factor precluded by applicable law.
- B) These policies and procedures provide for the recruitment, selection, training, evaluation and retention of the best employee for each position in Washington Township. They provide for the orderly establishment of procedures for personnel administration that are consistent with the following merit principles;
  - 1) Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open competition of qualified applicants for initial appointment, where appropriate;
  - 2) Establishing pay rates consistent with the principle of providing comparable pay for comparable work;
  - 3) Training employees, as needed, to assure high quality performance;
  - 4) Retaining employees on the basis of their satisfactory performance; correcting unsatisfactory performance and separating employees whose unsatisfactory performance cannot be corrected;
  - 5) Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation,

handicap, race, color, age, national origin, citizenship, sex, or religion;

- 6) Assuring that employees are protected against coercion from partisan, political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the results of an election or a nomination for office.

### **3.11 Sever Ability Clause**

If sections of these policies and procedures are held invalid, the remaining sections shall not be affected and shall remain in effect.

### **3.12 Repealer**

Any prior resolutions, memorandum, or other written documents in conflict with these policies and procedures are hereby repealed. All oral statements past, present, and future in conflict with these policies and procedures are invalid.

### **3.13 Definitions**

**Active Pay Status** – actual hours worked.

**Appeal** – the response of an employee to the decision made based on a disciplinary action.

**Appointing Authority** – the person or agency that, based on the Ohio Revised Code, has the authority to employ persons to perform the required duties of the office or agency. Included is the companion authority to dismiss, promote and other normal activities.

**Classification** – a group of positions that involve similar duties and responsibilities require similar qualifications, and which are properly designated by a common descriptive title indicating the general nature of the work. A class may include only one position in some circumstances.

**Department Head** – an employee who has been authorized by the Board of Trustees to oversee and direct the work of their department on a daily basis.

**Discipline** – an action taken against an employee by the Department Head with the authority granted by the Board of Trustees or The Board of Trustees as the result of an employee's lack of adherence to rules and procedures of Washington Township.

**Employee** – anyone who serves Washington Township at the pleasure of the Board of Trustees. Employee status is automatically terminated after six (6) months absence, except seasonal employees and employees on approved leave.

**Exempt Employee** – employees not covered by the Fair Labor Standards Act (FLSA) overtime provisions and do not receive either pay or compensatory time in lieu of overtime pay.

**Employer** – The Board of Trustees or the designee of the Board of Trustees specifically authorized to make policy decisions on their behalf.

**Full Time Employee** – an employee who is designated full time by the Board of Trustees, and all Department Heads.

**Grievance** – an action initiated by an employee concerning work rules, policies, or procedures.

**Health Insurance** – for Township Officials and Employees according to **ORC 505.60**.

**Immediate Family** – the immediate family of an employee includes the employee's spouse, child, parent, brother or sister, mother or father in-law, son or daughter in-law, as well as step-son, step-daughter, step-mother, step-father, step-brother, and step-sister.

**Non-Exempt Employee** – employees who are covered by the Fair Labor Standards Act (FLSA) overtime provisions, and can receive pay or compensatory time in lieu of overtime pay.

**Part Time Employee** – an employee who works less than 36 hours in a payroll work week.

**Personnel Policies and Procedures** – the rules and regulations governing the day to day relationships between Washington Township and its employees, and which explain the privileges, benefits, and rights of the employee as well as the responsibilities of the employee.

**Probationary Period** – the period of time at the beginning of employment or following a promotion which constitutes a trial period for the employee in order to ascertain their suitability. Probationary status change is determined by the Board of Trustees.

**Seasonal or Temporary** – an employee working for a brief period of time or on a specified project that has a termination date.

**Supervisor** – an individual who has been authorized by the Township Trustees to oversee and direct the work of their department on a daily basis.

## ***ARTICLE 4 – EMPLOYMENT REQUIREMENTS***

### **4.1 Pre Employment**

- A) Ohio Law allows inquiries into convictions for specific crimes related to qualifications for a particular job.
- B) Prior to an applicant being recommended to the Board of Trustees; for any position, or returning to work after twelve months absence:
  - 2) 1) All employment forms (see Article 20) must be completed and submitted to the Board of Trustees and the Fiscal Officer.
  - 2) Fingerprints will be submitted and ran.
  - 3) BCI or FBI checks will be completed.
  - 4) Motor vehicle records (MVRs) check will be completed.

## **4.2 Employment**

- A) Any applicant making false statements on the employment application or any supporting documents shall not be considered for a position. If the discrepancies become known after the applicant has been hired, the applicant will be subject to disciplinary action up to and including dismissal.
- B) MVRs will be checked annually for ALL employees required to drive/operate any Township vehicle. Township employees who are required to obtain a CDL must possess a current Department of Transportation Physical card.
- C) An employee will no longer be considered employed after twelve (12) months of absence.

## **ARTICLE 5 - PAY SCHEDULE**

### **5.1 Payment of Wages**

- A) Salaries and compensation will be determined by resolution of the Board of Trustees.
- B) Employees will be paid bi-weekly. Payroll will be prepared by the Township Fiscal Officer.
- C) Payroll checks are distributed to the Department Heads. Checks will not be released to anyone other than the employee or their designee noted by written authorization.
- D) Compensation of a township employee may be by direct deposit of funds by electronic transfer (1997 OAG 053).

## **ARTICLE 6 - DISCIPLINE**

### **6.1 Offenses**

Every employee in the service of the Township shall be expected to exhibit good behavior, and perform efficient and effective service. Any employee of the township may be disciplined for any of the following offenses:

**Note: this list is provided only as examples and is not exhaustive.**

- A) Conviction of any criminal offense.
- B) Fighting, threatening or attempting bodily injury to another; stealing, malicious mischief resulting in the injury or destruction of property of other employees or Washington Township.
- C) Consumption of or under the influence of drugs/alcohol while on the job or during work hours.
- D) Use, or possession, of illegal habit-forming drugs, hallucinogens or alcohol.
- E) Unethical conduct on Township time.
- F) Insubordination; verbal abuse, verbal insubordination, including but not limited to, refusal or failure to perform work assignments, or absence from duty without notice or permission of their Department Head.
- G) Failure to report to work or call in as required.
- H) Use of profane or abusive language.
- I) Willful neglect; inappropriate care or use of Township property and equipment.
- J) Lack of energy and failure to satisfactorily perform the duties for which employed.

- K) Gross or habitual carelessness or recklessness, playing of tricks, jokes or other dangerous pranks upon others. Disregard for safety and comfort of fellow employees.
- L) Granting unauthorized access to Township property.
- M) Repeated failure to report to work on time or be ready to start work.
- N) Incurring costs or obligations in the name of the Township without the authority or prior required approval.
- O) Discourteous/unprofessional treatment of the public, other employees or officials.
- P) Failure to comply with the provisions of this document.
- Q) Any violation of Section 505.491 Police officer guilty in performance of official duty of the Ohio Revised Code.
- R) Any violation of Township Work Rules, Regulations or Standard Operation Procedures documents.
- S) Falsification; of reports, work performed or time worked.
- T) Any violation of Federal, State, City, or Township employment laws.
- U) Any violation of the Township Ethnic/Sexual Harassment Policies.
- V) Unacceptable driving record per the Township's Insurance Company.
- W) Noncompliance of Article 21.
- X) Workplace bullying; verbal or physical.
- Y) Harassment of any nature.

## **6.2 Disciplinary Action**

- A) All disciplinary actions will be documented, dated and signed by the disciplinarian.
- B) Disciplinary action shall consist of one or more of the following:
  - 1) Verbal warning
  - 2) Written warnings
  - 3) Probation
  - 4) Suspension from duty without pay
  - 5) Demotion in rank/salary
  - 6) Dismissal

## **6.3 Disciplinary Procedure**

The Board of Trustees or the Department Head concerned, shall be responsible for the discipline of employees within their departments. Discipline may be progressive in nature and shall be applied based upon a combination of factors, including the severity of the offense, past history of the employee and past disciplinary actions against the employee.

### ***6.3.1 Department Head Disciplinary Authority & Responsibility***

Department Heads may issue verbal warnings and written warnings to members of their department. Documentation of discipline is to be given to the Board of Trustees and Fiscal Officer. Documentation will be included in their personnel file.

### ***6.3.2 Board of Trustees Disciplinary Authority***

The Board of Trustees may enforce any of the types of discipline, including termination.

### **6.3.3 Employee Notification**

- A) For disciplinary measures that are more severe than a verbal warning, the disciplined employee will be informed in writing by their Department Head of the right to appeal the disciplinary action to the Board of Trustees.
- B) Written notice will be provided by the Department Head to the employee prior to the effective time of all disciplinary actions of the Board of Trustees.
- C) The employee will sign and date the written notice and return the original to the Department Head. The Department Head will give it to the Fiscal Officer. Documentation will be included in their personnel file.

## **6.4 Appeal Procedures**

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

### **6.4.1 Employee's Responsibility**

Employees, with the exception of Department Heads, feeling aggrieved by either a suspension of more than three (3) days or a change of status (e.g., dismissal or demotion) may, in writing, appeal the disciplinary action to the Board of Township Trustees after written notification to the Department Head.

- A) The appeal must be filed in writing with the Township Fiscal Officer and the Board of Trustees within ten (10) days of the employee's receipt date of the written notification of the disciplinary action from the Board of Trustees. If the ten (10) day appeal filing time is exceeded, the Board of Township Trustees will take no action in the matter. This appeal:
  - 1) Must be signed by the individual who is appealing and include their department therein; and
  - 2) Must have attached thereto a copy of the disciplinary order.
- 3) B) The employee will present the written request for an appeal hearing in dispassionate language and shall not vilify the character or motivation of the Department Head or Board of Trustees. The written request should specify either or both of the following grounds for appeal:
  - 1) There was a failure on the part of a Township official to observe or correctly apply the provisions of the Personnel Rules or the terms of the subject's appointment; and/or
  - 2) There was not a complete consideration of the facts regarding the disciplinary action taken against the appellant.
- C) The appeal hearing request should contain all written material truly relevant to the case.
- D) The Board of Trustees will be provided a copy of all material presented in the request for an appeal hearing when it is filed.
- E) Hearings will normally be closed to the public. However, the appellant may request that it be open at the time they submit the written appeal. The Board of Trustees reserves the right to deny the request.

#### **6.4.2 Board of Township Trustees Responsibility & Authority**

- D) The Board shall set a time for an appeal hearing promptly and should strive to have the hearing date no later than ten days after receiving the request for an appeals hearing.
- E) The Board will review all written material submitted. If present, the Board shall hear the appellant or their counsel. If present, the Board shall hear the Department Head or their counsel. The Board will examine evidence upon the matter that may be pertinent and relevant.
- F) The Board may affirm, disaffirm or modify the disciplinary measure taken against the employee.

#### **6.4.3 Police Officers Right of Appeal**

As provided by ORC 505.49 (B)(3), a certified police officer may appeal a decision of the Board of Trustees (for suspension, demotion or removal) to the Court of Common Pleas.

#### **6.4.4 Fire Fighters Right of Appeal**

As provided by ORC 505.38 (A), a fire fighter may appeal a decision of the Board of Trustees (for suspension, demotion or removal) to the Court of Common Pleas.

### **6.5 Grievance Procedure**

- C) A grievance is defined as any cause of complaint or dissatisfaction arising between the Township and the employee regarding terms or conditions of employment.
- D) It is the policy of the Board of Trustees that all employees have the right to voice their complaints. We recognize the meaningful value and importance of full discussion in resolving misunderstandings and preserving good relations between management and our employees. It also protects the employer's and employee's rights. Accordingly, we believe that the following procedure will ensure that complaints receive full consideration.

#### **6.5.1 Procedure**

- G) In the event the employee feels a problem remains unresolved, following discussions with the Department Head, the employee may submit the complaint in writing for reconsideration. A Grievance Report, (see Section 6.5.3) is to be submitted to the Board of Trustees, Fiscal Officer and their Department Head. Upon reviewing the complaint, the Department Head should arrange a meeting with the employee within three (3) working days after receipt of the written complaint and return a decision within seven (7) days of the meeting. Normally, complaints will be resolved at this step of the grievance procedure.
- H) An employee who feels the complaint has not received adequate attention may direct the complaint to the Board of Trustees. Such complaints are to be made in writing within three days of receiving the answer provided. The Board of Trustees will review the complaint with the Department Head and arrange a meeting with the employee within

three (3) days of receiving the complaint. The Board of Trustees shall have final authority in all such grievances and appeals. All other means should be exhausted prior to bringing a complaint to the Board of Trustees.

### **6.5.2 Right of Counsel**

The employee/grievant shall have the right to have a grievance counselor, at their expense, present at any of the steps, with the exception of the preliminary step. However, in the interest of resolving the grievance, at the earliest possible step of the grievance procedure, it may be beneficial that other representatives not specifically designated, be in attendance. Therefore, it is intended that either party may bring in additional representatives to any meeting in the grievance procedure, but only upon advance initial agreement among the parties specifically designated to attend.

### **6.5.3 The Grievance Report**

- I) Grievances should be in writing in order to:
  - 1) Reduce the possibility of conflicting decisions
  - 2) Reduce the number of arguments over facts
  - 3) Reduce the number of unfounded grievances
  - 4) Aid record keeping and grievance analysis
- B) The Grievance Report is used by the employee to report and describe the grievance. The report should be completed with copies for the employee, the employee's personnel file, and the Department Head. It must be completed in full, dated and signed by the employee and presented to the Department Head who will distribute the copies. It is to be used only after a meeting and verbal discussion with the Department Head.

## **6.6 Termination**

At the time an employee is terminated, for whatever reason, the following steps must be taken prior to receipt of final pay:

- E) Provide the Fiscal Officer with the proper forwarding address in order to receive W-2 forms and any other pertinent information needed to file the current year's income tax returns. Advise the Fiscal Officer as to the type of action desired with regard to employee's retirement plan.
- F) Turn in uniforms, tools, building keys, keys to Township offices and/or any other Township property to their Department Head. A receipt will be issued to the employee for all property returned. The receipt will be signed and dated by the Department Head and employee.

## **6.7 Access to Township Building.**

Immediately upon resignation, termination, retirement, leave of absence, family medical leave, or disability leave, access to any Township property is limited to office hours and public functions. Any Township employee granting unauthorized personnel access to Township property will be subject to discipline or termination.

## **ARTICLE 7 - EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of the Board of Trustees that equal employment opportunity be afforded to all persons without regard to sex, race, religion, color, age, national



origin, or handicap. It is the Board of Trustees policy to support and abide by all pertinent federal, state and local laws assuring non-discrimination.

## **ARTICLE 8 - APPLICABILITY**

- G) The personnel policies and procedures contained herein apply to all employees, and appointees of Washington Township. It is the responsibility of each employee to fully read and understand the provisions of this manual.
- H) Police personnel shall also refer to their respective manual for additional policies and procedures. It is their responsibility to fully read and understand the provisions of all policy and procedure manuals.

## **ARTICLE 9 - EMPLOYMENT STATUS**

- I) Fire personnel are employed by Washington Township in accordance with Ohio Revised Code 505.38. Fire personnel may be suspended or removed from employment for cause in accordance with Ohio Revised Code 733.35 to 733.39.
- J) Police personnel are employed by Washington Township in accordance with Ohio Revised Code 505.49. Police personnel may be suspended or removed from employment for cause in accordance with Ohio Revised Code.
- K) The Chief of Police is employed by Washington Township at the discretion of the Board of Trustees and may be removed from employment without cause by a majority vote of the Board of Trustees. The Chief of Police may be removed from employment for cause in accordance with the Ohio Revised Code.
- L) All other employees of Washington Township are employed by and at the sole discretion of the Board of Trustees and may be removed from employment with or without cause by a majority vote of the Board of Trustees.
- M) Any employee that has not worked in the last six (6) months, except seasonal employees and employees on approved leave, will be automatically removed from current personnel rosters.
- N) Any employment status change must be approved by the Board of Trustees.

## **ARTICLE 10 – PROBATION**

### **10.1 Probationary Period**

Upon appointment by the Board of Trustees, all new employees shall serve a minimum probationary period of **one year** unless specified to the contrary by the Board of Trustees. At the end of that probation period, that employee may be eligible for full-time or part-time status appointment as specified by the Board of Trustees. Upon completion of probationary period, all probationary employees must be evaluated by their Department Head. The Department Head will turn in evaluations along with their recommendation to the Board of Trustees. The employee shall be considered a probationary employee until their status is changed by the Board of Trustees.

### **10.2 Full-time Status**

At the completion of probation or 36 or more hours per week for two consecutive months, the employee may attain full-time status if approved by the board. Such full-time appointment shall be recommended by the Department Head. Active pay status does not include any periods of paid leave during the work week.

Upon being promoted to full time employment, the employee has 30 days from that date to elect their health benefits plan. The employee shall contact the insurance carrier (agent) and fill out the necessary paper work or file a waiver of benefits if they choose no coverage.

Full time employees that elect benefits may also choose family coverage. However, it is the employee's responsibility to pay the difference for this plan. The difference between single and family coverage is due on the first of the month and must be in compliance with all Local, State and Federal Laws including C.O.B.R.A. Specifications.

### **10.3 Disciplinary Action**

If and when the Board of Trustees or Department Head indicate that probationer's performance is unsatisfactory they may be removed, demoted or disciplined. The written notice involving removal or demotion shall be given to the Fiscal Officer, placed in their personnel file and copied to the employee. Such removal or demotion shall not be subject to appeal.

### **10.4 False Credentials**

If it should come to the attention of the Board of Trustees or Department Head, either during the probationary period, or thereafter, that an employee was hired on the basis of false credentials, or other intentional deception, said employee will be subject to disciplinary procedures, up to and including dismissal.

### **10.5 Probationary Period Following Promotion**

Whenever an employee is promoted, they immediately begin a new probationary period of the same length as would be served by an employee in an original appointment to that classification. However, if during the probationary period following promotion the employee's services are found unsatisfactory, they may be reduced to the position which they held prior to promotion. If an employee is demoted during his or her probationary period following promotion, this action will complete the probationary period.

## ***ARTICLE 11 - LAYOFF/RECALL***

### **11.1 Work Force Reduction**

Should a reduction in the work force of Washington Township be necessary, that reduction shall occur in the manner prescribed as follows. The Board of Trustees shall determine those employees which shall be reduced in number. Such reduction will take place as determined by the Board of Trustees. Employees may be laid off at the time and in the number specified by the Board of Trustees, in inverse order of their relative merit as established by employee performance evaluations. All probationary employees may be laid off before the part-time employees and all part-time employees before full-time employees.

### **11.2 Recall Eligibility List**

The names of individuals laid off in accordance with this section shall be placed on a recall eligibility list for a period of 12 months. The order of that list shall be in inverse order of the order in which the layoff occurred.

### **11.3 Recall to Work**

When situations so warrant, those employees who have been laid off shall be called back to work in the order as indicated on the recall eligibility list. Should an employee be unavailable to return to work in a period of time as deemed reasonable by the Board of Trustees, or refuse to return to work, that employee's name shall be removed from the re-employment list. Any such employee shall be eligible to apply for original appointment in accordance with the appropriate section of these Personnel Policies and Procedures.

## ***ARTICLE 12 - HOURS OF WORK & COMPUTATION OF PAY***

### **12.1 Standard Work Week**

The office of the Board of Trustees and Fiscal Officer shall be open to the public from 9:00 A.M. to 1:00 P.M Monday through Friday except legal holidays. When a holiday falls on a Saturday, the preceding Friday is observed. When a holiday falls on a Sunday, the following Monday is observed. Township offices are closed on legal holidays as appointed by the Board of Trustees or Governor, only when ratified by the Board of Trustees. The Board of Trustees may vary these hours according to need. The Board of Trustees may also alter the work schedule to remain in compliance with current Labor Laws, or to improve the efficient delivery of services.

### **12.2 Computation of Pay**

An hourly employee's pay shall be computed by multiplying their hours times their rate. A salaried employees pay shall be computed on the basis of twelve months.

### **12.3 Authorized Leave**

Employees are required to be at work during the prescribed hours unless on authorized leave as determined below. Should employees be unable to report for work, it will be incumbent upon the employee to report that inability two hours prior to commencement of the regular work shift. Employees shall notify the Township immediately as to when they will return to work.

### **12.4 Call In**

Any employee called in to work for an emergency or to fill in an absence shall be reimbursed at a minimum of one hour pay at their regular, normal hourly rate.

### **12.5 Overtime Compensation**

Overtime will be paid to all nonexempt employees in accordance with the Fair Labor Standards Act at a rate of one and one-half times their calculated hourly rate for time worked beyond forty (40) hours in the work week. All paid and unpaid periods of leave shall be excluded in calculating the forty (40) hour work week.

### **12.6 Working on a Holiday**

When an employee works on any of the following holidays, they shall receive 1.5 times their regular rate of pay or additional half time hours.

New Year's Day  
Martin Luther King Day  
President's Day

Columbus Day  
Veterans Day  
Thanksgiving Day

Memorial Day  
Independence Day  
Labor Day

Christmas Eve Day 6:00 p.m. to midnight  
Christmas Day  
New Year's Eve Day 6:00 p.m. to midnight

## **12.7 Hours Worked in a 24 Hour Period**

- A) Police Officers may work a maximum of 12 hours on and must take 12 hours off between shifts. Acting Chief or a Trustee may waive this regulation.
- B) Road Department Employees may work hours according to the Department of Transportation Regulations.

## **12.8 Time Clock Rules**

All hourly employees are required to use the time clock. Employees who neglect to punch in or out must notify their Department Head. No one may punch another employee in or out. All time card reports are approved by the Department Head. If you punch in seven minutes or more, before or after your shift, notification and approval of a Trustee or your Department Head is necessary.

## **ARTICLE 13 – PAID TIME OFF**

### **13.1 General Policies**

#### ***13.1.1 Combining Paid Time Off/Leaves—Full-time Employees***

Employees who are currently on authorized leave may extend the leave by combining two forms of leave. In any instance, after a type of leave has expired, vacation time will be used for any remaining days away from work.

#### ***13.1.2 Unscheduled Absence from Work***

Employees who are going to be absent from work on a non-scheduled basis shall notify their immediate supervisor at least two (2) hours prior to the start time. Employees shall not absent themselves from scheduled duty without the permission of their Department Head. The Department Heads shall not absent themselves from duty without informing a member of the Board of Trustees.

#### ***13.1.3 Special Periods***

The Board of Trustees may deny leave requests of any kind during special periods such as an emergency situation or departmental need.

### **13.2 Holiday Pay—Full-time Employees**

#### ***13.2.1 Working on a Holiday***

The following days shall be recognized by The Board as holidays for full-time employees of Washington Township. Full-time employees will be paid for their choice of 6 to 8 hours per day not to exceed 88 hours per year.

New Year's Day  
Martin Luther King Day  
President's Day

Columbus Day  
Veterans Day  
Thanksgiving Day

Memorial Day  
Independence Day  
Labor Day

Christmas Eve Day  
Christmas Day  
New Year's Eve Day

### **13.2.2 Holiday During Leave**

If a holiday occurs during a period of approved sick leave or approved vacation leave, the employee will be regarded as having taken the holiday and will not be charged for the use of sick leave or vacation leave. Holiday hours and pay may not be carried over to the next year. Holiday pay must be collected on the holiday or the next pay period. If not claimed, it will be forfeited.

### **13.2.3 Religious Holiday**

Special holidays of a religious nature may be allowed without pay upon advance request of the individual employee. Requests submitted to the department head and/or Board of Trustees at least one month in advance will, as much as possible, be authorized. Reasonable effort shall be made by the department head or Board of Trustees to accommodate all requests submitted after that period.

### **13.2.4 Personal Leave**

Each full-time employee is authorized three personal days per year. A reason for this type of leave is not required. Department Heads will authorize personal leave. Personal hours and pay may not be carried over to the next year and can only be taken by employees who have completed their probationary period.

## **13.3 Vacation Time Full-Time Employees**

- O) All full-time employees are eligible for vacation leave after completion of one (1) year of full time employment. The Board of Trustees has the authority to modify the one (1) year requirement.
- P) Regular vacation hours are credited the beginning of the calendar year. Full time employees may carry over a maximum of forty (40) hours into the next calendar year.
- Q) Vacation leave shall be taken at such time as approved by the Board of Trustees or Department Head. A minimum of forty (40) hours vacation time, off work, must be taken each year.
- R) Vacation leave shall be requested in writing at least thirty (30) days in advance. The thirty (30) day advance notice may be waived at the discretion of their Department Head.
- S) The anniversary date, for purposes of calculating the extra 40 hours of vacation leave entitlement, is considered to be the first day of full-time employment with Washington Township.
- T) The vacation accrual schedule is as follows:

7)	After one (1) year of service	40 hours
8)	After three (3) years of service	80 hours
9)	After seven (7) years of service	120 hours
10)	After twenty (20) years of service	160 hours

## 13.4 Sick Leave

- U) All full-time employees earn sick leave at a rate of 4.62 hours for each 40 hour pay period, up to a maximum of 240 hours. The smallest increment of sick leave that may be used is one (1) hour.
- V) Use of accrued sick leave by full-time employees may be authorized for the following reasons:
- 1) Illness, injury or pregnancy of the employee.
  - 2) Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees.
  - 3) Illness or injury of the employee's spouse, children under eighteen (18) years of age, or other dependents residing in the employee's household where the employee's presence is reasonably necessary for the health and welfare of the affected family member.
- C) When any employee is ill, or must care for a spouse, children under eighteen (18) years of age, or other dependent living in the employee's household who is ill, and such illness/care is not foreseeable, the employee is required to call the employee's Department Head at least two hours prior to the beginning of the employee's start time. The employee is required to call the Department Head each day the employee is off work unless the employee knows and reports in advance the amount of time the employee will be unable to work. In circumstances where the employee is incapacitated to the extent they can not personally call their Department Head, the employee may have someone call in on their behalf giving the reason for the absence and the date of return to work.
- D) In the event that the need for sick leave is foreseeable, the employee shall request such sick leave by completing a communication form and submitting the form to the employee's Department Head at least thirty (30) days in advance of the date the leave is to begin; except, where thirty (30) days notice is not possible, such as because of a lack of knowledge of approximately when the leave will begin, a change in circumstance or a medical emergency. In such case, notice must be given as soon as practicable, which ordinarily means at least one (1) to two (2) business days of when the need for leave becomes known to the employee. If the dates of the leave are originally unknown, or if the dates of the scheduled leave change, the employee is responsible for giving notice to the Department Head as soon as possible.
- E) The sick leave request, whether made in advance or upon return to work after use of sick leave, may be approved or disapproved depending upon its compliance with this article. Approval of sick leave does not occur until after the communication form has been submitted and determined by the Department Head to be in compliance with this article.
- F) If medical attention is required by the employee or employee's spouse, children under eighteen (18) years of age or dependent residing in the employee's household, a certificate from the health care provider/practitioner stating the nature of the condition may be required to justify the use of leave. In the case of an absence of more than three (3) consecutive calendar days, or three consecutive scheduled shifts, a health care provider/practitioner's statement

specifying the employee's inability to work and probable date of recovery shall be required. Return to work certification form from employee's health care provider/practitioner shall specify Washington Township as the employer and approval to perform all duties of their specified position.

G) Abuse of sick leave, including but not limited to excessive/patterned use of sick leave and consistent one-day sick leave usage, as well as falsification of either the need for sick leave or the health care provider/practitioner's certification shall be grounds for denying sick leave and may result in discipline up to and including dismissal.

H) Any employee calling in sick for three or more consecutive scheduled work shifts must supply a physician's statement upon return to work.

I) Nothing in this section shall be construed as to require the Board of Trustees to approve the use of sick leave by an employee when the Board of Trustees is reasonably certain that the employee was not ill or was not absent for the other reasons permitted by this section. Examples of when the Board of Trustees may not approve sick leave are: concerted use of sick leave by an employee singly or in concert with others as a means of withholding services; a chronic abuse of sick leave in an established pattern; or other situations where past history and facts do not substantiate the legitimate use of sick leave. The Board of Trustees may investigate all usage of sick leave and may withhold full payment of said sick leave until the investigation is completed. The Board may require the employee to furnish a written, signed statement justifying the use of sick leave. If medical attention is required, a certificate stating the nature of the illness from a licensed physician may also be required.

J) Should the Board of Trustees determine that an employee has not used sick leave properly, payment may be denied and discipline imposed. Employees who do not report for work due to sickness, and who have exhausted their sick leave days, are subject to disciplinary action for being absent without approved leave. The Board of Trustees is authorized to approve leave without pay to employees in this situation where it is determined that such action is in the best interest of the Township.

### **13.5 Funeral and Bereavement Time**

W) Regular, full-time employees are permitted to use up to three days of leave whenever there is a death in the immediate family (spouse and children) or whenever one of the following dies, father, mother, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparent or other person designated by the Board of Trustees.

X) Leave of absence without pay is allowed for other funerals when approved by the employee's Department Head.

Y) Employee's seeking to use sick leave for funeral leave are required to call their Department Head at least 2 hours prior to their regular starting time. Failure to do so will result in the employee being counted as missing, thus no sick leave benefit will be paid and the employee is subject to further disciplinary action. Persons working shift work should give at least two hours notice so that a replacement can be found.

Z) In order for leave to be paid, the employee may be required to provide documentation to the Board of Trustees. This information may consist of either a letter from the funeral home or a newspaper obituary.

- AA) Bereavement time off may be added to the employee's time off if they are on vacation at the time.

## **ARTICLE 14 - LEAVE WITHOUT PAY**

- BB) Employees with a disabling illness, injury or condition may be granted a leave of absence without pay. Approval of such leave of absence without pay is at the sole discretion of the Board of Trustees.
- CC) Leave of absence without pay shall be limited to the period of time the employee is unable to perform the essential duties of the employee's position, not to exceed six months. Subject to the Americans with Disabilities Act, renewal or extension beyond the six month period shall not be allowed.
- DD) Requests for a leave of absence without pay due to a disabling illness, injury or condition must be in writing. At the time of the request the employee must present a physician's certification supporting the need for the leave, including the reason for the leave and the probable period for which the employee will be unable to perform the essential functions of the position.
- EE) The Board of Trustees reserves the right to have the employee requesting the leave to be examined by a physician chosen by, and at the expense of, the Board of Trustees.
- FF) The Board of Trustees may require an employee on leave of absence without pay for a disabling illness, injury or condition, prior to the employee's return to work, to provide a physician's certificate that confirms the employee is able to perform the essential functions of the employee's position.
- GG) At the discretion of the Board of Trustees, any employee may be granted a leave of absence without pay for purposes of birth of a child and in order to care for the newborn child. All requests for leave of absence without pay for purposes of the birth of a child and care of the newborn child will be considered on a nondiscriminatory basis without regard to the sex of the employee. An adoptive or foster care parent's request for leave of absence without pay for purposes of child care will be considered on the same basis as that of a biological parent requesting leave of absence without pay for birth of a child and care for the newborn child.
- HH) An employee who fails to return to work within three working days of the scheduled return from leave of absence without pay, without explanation, shall be subject to dismissal.
- II) Where a leave of absence without pay under this policy is a qualifying reason for leave under the Family Medical Leave Act (FMLA) and the employee is eligible for leave under FMLA, any leave of absence without pay granted shall be credited against the employee's FMLA leave entitlement

### **14.1 Maternity Leave**

A full-time female employee with over six months of continuous service shall be entitled to unpaid maternity leave. Upon confirmation of her pregnancy, the employee shall provide the township with a statement stating the expected date of delivery. The start of maternity leave may begin earlier than this date if requested by the employee and approved by the township. After delivery, the employee will be reinstated without any break in service, provided she has notified the township within thirty (30) days of delivery indicating her desire to return to work. Maternity leave may be taken without pay and considered as a leave of absence. An employee who has vacation time or sick leave may elect to use all or part of this as maternity leave.



## **14.2 Leaves of Absence**

A leave of absence may be approved by the Board of Trustees under the following conditions:

- JJ) Leave of absence is always without pay (unless covered by the Family Medical Leave Act).
- KK) Leave of absence may be granted to employees who have successfully completed their probationary period.
- LL) The request for a leave of absence must be in writing from the employee outlining the reasons for the leave and requested in advance.
- MM) On any approved leave of absence in excess of one month, the employee shall pay the total premium cost for his medical and life insurance for the duration of the leave. This cost is to be paid in advance of the first month of the leave and prior to each month thereafter or the coverage will be terminated.
- NN) Failure to return from a leave of absence at the specified date will be considered as a resignation.
- OO) All approved leaves of absence shall be confirmed in writing to the employee by the Chairman of Board of Trustees with a copy to the employee's file.
- PP) Vacation and sick leave do not accrue on a leave of absence
- QQ) Re-employment, if applicable, should be part, or the condition of, the leave of absence. If not, the employee is subject to the availability of employment at the time of his or her requested return. Employees returning from military service are subject to the Veterans Re-employment Rights Act.
- RR) There are several types of leaves of absence. They include:
  - 1. Medical: Time away from the job because of accident or illness not covered by sick leave.
  - 2. Personal: Time needed to handle personal problems.

## **14.3 Unauthorized Leave**

Any absence from work which is not detailed in this section of these Policies and Procedures shall be considered an unauthorized absence from duty. Any such unauthorized absence from duty shall constitute just cause for disciplinary action, including termination. Any unauthorized leave shall go before the Board of Trustees.

## **14.4 Military Leave**

- SS) The Township shall not refuse to employ nor shall it discharge any person because of membership with the Ohio National Guard, the Ohio Defense Corps, the Ohio Naval Militia, the Armed Services of the United States or their auxiliaries or prevent him or her from performing any military service as he or she may be called upon to perform, by proper authority.
- TT) An employee of the Township shall be granted a leave of absence to perform service in the uniformed services with pay for periods up to one month, for each calendar year in which they are performing such service (ORC 5923.05)
- UU) An employee of the Township shall be granted a leave of absence to be inducted or otherwise enter military duty. If not accepted for such duty, they shall be reinstated in their position without loss of seniority or reduction in their pay rate.
- VV) When such military service (including National Guard and reserve duty) is carried out at the option of the employee, the Township will grant the employee a military leave of absence without pay. Employees must, when requesting military leave, submit a written request.

## **14.5 Civil Leave**

WW) An employee shall be given necessary time off without loss of pay when performing jury duty, appearing in court as a witness in answer to a subpoena, in an official capacity in connection with the township or as an expert witness either because of professional or observed knowledge, performing emergency civilian duty in connection with national defense, to participate in Olympic competition sanctioned by the United States Olympic Committee, and for the purposes of voting when the polls open at least two hours before or after the employee's scheduled hours of work. An employee must notify their Department Head in writing, five days prior to jury duty or service date. Any compensation received while on civil leave will be deducted from the employee's pay. If jury pay is higher than that paid by the Township, the employee is permitted to keep the difference. If the employee is on vacation or personal leave, they are allowed to keep the pay.

XX) If an employee is involved in court in a personal case either as plaintiff or as defendant in a suit not resulting from their duties with the Township they may be granted leave without pay unless the employee elects to utilize any available vacation time.

## **14.6 Family and Medical Leave**

Washington Township will comply with all regulations of the Family and Medical Leave Act of 1993 (FMLA). The FMLA poster is located at the Township Hall. The website address for the FMLA is: <http://www.dol.gov/esa/whd/fmla>.

## **14.7 Injury Leave**

Injury leave is time away from work because the employee is disabled due to an injury whether caused by external accidental means or accidental in character received in the course of or arising out of the injured employee's employment with the Township. The determination of eligibility for commencement and termination of injury leave status shall be made by the Board of Trustees subject to review by the Board of Trustees upon written request by the employee within ten (10) days of any such determination. The employee shall be required as a condition of eligibility for injury leave status to furnish the Board of Trustees information as required by them necessary to make a determination.

# ***ARTICLE 15 - BENEFITS***

## **15.1 Insurance**

All full-time status employees and elected officials (in accordance with the desires of the Board of Trustees) can be covered by the group medical and life insurance program provided by the Township unless the employee opts not to accept coverage. For insurance information, please contact the Township Fiscal Officer.

# ***ARTICLE 16 - BENEFITS; PERS & INSURANCE***

## **16.1 PERS & PFDPF Contribution**

Generally, all employees, except some fire and police personnel, are required to be a member of the State of Ohio Public Employee Retirement System. The township will deduct the required percent of the employee's gross wages or salary as the employee's contribution to PERS. The township is required to make a contribution on

behalf of the employee each month. The township contribution may vary. Generally, full-time police and fire personnel participate in the State of Ohio Police and Fire Disability Pension Fund. Employee contributions are deducted from their gross earnings. Part-time police officers participate in PERS. Part-time fire personnel, hired after August 3, 1992, participate in Social Security (FICA) instead of PERS. Federal law requires all public employee pension groups to inform public employees who are not paying into Social Security about the Government Pension Offset and Windfall Elimination Penalty. Employers are required to have employees hired after January 1, 2005 complete and sign Form SSA-1945: Statement Concerning Your Employment in a Job Not Covered by Social Security before employment begins. For more information, please see <http://www.socialsecurity.gov/form1945/>.

## **16.2 Workers' Compensation**

All Township employees are protected at Township expense under Ohio Workers' Compensation Program. From this fund, medical expenses are covered for workers who suffer injury or certain kinds of illness in the course of their employment. In addition, if workers are temporarily unable to work as a result of such injury or illness, weekly disability payments are made to them after they complete an initial waiting period of one week (ORC 4123.55).

### **16.2.1 Notification of Injury**

- J) When an employee is injured, they must verbally notify their Department Head or a Trustee at once. If possible they should be treated at St. Vincent Mercy Medical Center.
- K) The authority informed of the injury must report it at once to the Board of Trustees and the Department Head if they are not aware of the injury. It is the responsibility of the Department Head or the Board of Trustees to establish the validity of the claim. This includes a determination that the injury was actually sustained in the performance of the employee's duties. Should a Department Head find that the injury did not occur on the job, the facts of the case should be reported to the Board of Trustees in writing. When an employee is injured on the job, a written explanation should be prepared by the employee and given to their Department Head within twenty four (24) hours if possible. All required information must be supplied and submitted to the Fiscal Officer within twenty four (24) hours following the injury. Failure to report an injury may preclude approval by the Bureau of Workers' Compensation and can result in disciplinary action against the employee for failure to comply. The Board of Trustees may require the employee to submit to a medical examination, (ORC 4123.53).

## **16.3 Uniforms**

The township may furnish uniforms (which may be considered a taxable fringe benefit) to township employees as designated by the Board of Trustees. These uniforms and all other items issued by the township remain the property of the township and must be returned when the employee leaves the township's employment. The employee's final paycheck may be held until all township property has been returned.

## **16.4 Travel Expenses**

- YY) Employees and elected officials will be reimbursed for necessary expenses incurred while attending schools of instruction, institutes, or conventions of a nature relating to the art and science of their particular employment. Elected officials and employees will be reimbursed for expenses when using their private automobile while discharging duties connected with their employment. If Township employees use their private automobile in the conduct of official business, they shall be compensated at the rate equal to that allowed by the Federal Government for private auto travel. Elected Officials and employees will be reimbursed for mileage, meals (may be considered a taxable fringe benefit according to the IRS), lodging, Township related telephone calls, and 15 minutes of personal calls per day on their Township cell phone.
- ZZ) Receipts for all expenses claimed are to be itemized and submitted within thirty (30) days after such expenses are incurred. The cost of alcoholic beverages and personal items will not be reimbursed.
- AAA) Reimbursement may be made to any township employee for expenses incurred as approved in advance by the Board of Trustees.
- BBB) The Township Fiscal Officer is hereby authorized and directed to reimburse employees for travel expense in accordance with the above policies.

## ***ARTICLE 17 - EMPLOYEE EVALUATION SYSTEM***

### **17.1 Evaluations**

- CCC) Evaluation forms shall be approved by the Board of Trustees. Each employee will be evaluated upon completion of their probationary period. From that point on, evaluated at least once every year. Evaluations will be in writing and carried out by the employee's Department Head. All such evaluations shall be shown to the employee being rated and discussed thoroughly with them. All personnel evaluation forms must be signed by the employee and Department Head.
- DDD) Department Heads will be evaluated by the Board of Trustees. Evaluations will be signed by the Board of Trustees and Department Head.
- EEE) Evaluations will be given to the Fiscal Officer and placed in the employee's personnel file.
- FFF) Refusal to sign an evaluation will be considered insubordination.

### **17.2 Performance Ratings**

The Board of Trustees may establish a system of service ratings based upon standards of performance. Such standards shall measure the quantity and quality of work performed, the manner in which such service is rendered, the faithfulness of the employee to their duties, and other such characteristics that may measure the value of the employee to the township. Performance ratings shall be considered in determining salary increases and decreases within the fixed limits of the compensation plan, as a factor in determining order of layoff, and as a factor in determining the demotion or dismissal of an employee. Such service ratings shall be available for review by the employee rated.

## **ARTICLE 18 - EMPLOYEE RETIREMENT - OPERS**

### **18.1 Retirement**

Any employee of Washington Township who is eligible to retire under the applicable rules, regulations, and statutes of the State of Ohio shall be permitted to do so in accordance with the rules of the Public Employees Retirement System or the Police and Fire Disability and Pension Fund. All employees must notify the Board of Trustees in writing, prior to retirement. Generally, an employee who has passed his sixtieth (60) birthday and has five (5) or more years of total service credit or has twenty-five (25) or more years of total service credit and has attained their fifty-fifth (55) birthday or has thirty (30) or more years of total Ohio service credit, regardless of age, may file for retirement (ORC 145.32).

#### **18.1.1 Notice of Intent**

Employees shall file with the Board of Trustees, prior to effective retirement, a notice of their intent to retire. Although this notice should include the actual date of retirement, it will not be a formal resignation.

### **18.2 Disability Retirement**

Any employee of Washington Township who desires to apply for disability retirement shall do so in accordance with the rules set forth in ORC 145.35 through the Public Employees Retirement System or the Ohio Police & Fire Pension Fund (OP&F). The Public Employees Retirement Board is the final authority in determining eligibility for disability retirement. As part of determining eligibility, an employee may be required to submit to an examination by a physician.

## **ARTICLE 19 – EMPLOYEE RESIGNATION**

### **19.1 Proper Notice**

Employees who resign their employment should give a minimum of two weeks notice in writing prior to the effective date of the resignation.

### **19.2 Procedure**

At the time an employee resigns, for whatever reason, the following steps must be taken prior to receipt of final pay:

- C) Notify the Township Fiscal Officer to ensure that the proper forwarding address is recorded in order to receive W-2 forms and any other pertinent information needed to file the current year's income tax returns. Also, provide the Township Fiscal Officer as to the type of action desired with regard to employee's retirement plan.
- D) Turn in uniforms, tools, building keys, and any other township property to their Department Head.

### **19.3 Access to Township Buildings**

Immediately upon resignation or termination, access to any township property is limited to office hours and public functions. Any Township employee granting unauthorized personnel access to Township property will be subject to discipline or termination.

## ***ARTICLE 20 - PERSONNEL FILES & RECORDS***

### **20.1 Pertinent Information**

The Board of Trustees shall create, or cause to be created, a personnel file for each employee of the township. Such a file shall include the original application and the Board of Trustees meeting minutes page with their motion to hire or appoint and any change of status, and any other information that may be pertinent. The personnel file will contain all necessary information required by PERS for retirement benefits (ORC 145.18). Each Department Head shall be responsible for insuring that the personnel records are complete when submitted to the Fiscal Officer. The file will be retained by the Township Fiscal Officer.

### **20.2 Accessing Files**

Access to the personnel files shall be in accordance to the Ohio law regarding public records. Internally personnel files will be limited to the Fiscal Officer and those individuals who have the expressed permission of the Fiscal Officer to have access to the personnel files.

### **20.3 Updating File**

It is the responsibility of the employee to initiate any needed changes to their file. An employee's education, training and experience background information are important factors in the promotion procedure. These items should be reviewed by the employee periodically to be sure they are up-to-date. Also, the employee should notify the Township Fiscal Officer, in writing, of any changes in marital status or dependents as they may relate to insurance coverage, and changes of address or phone numbers. Police officers must notify the Fiscal Officer in writing two weeks prior to their anniversary date for seniority compensation.

## ***ARTICLE 21 - SPECIFIC RULES AND REGULATIONS***

### **21.1 Attendance Policy**

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

### **21.2 General Requirements**

#### ***21.2.1 Ohio Ethics Law***

The Ohio Ethics Law applies to all township officers and employees. The township will provide a copy of the Ohio Ethics Law to all officers and employees in their new hire packet before they begin service with the township. No township officer or employee may take any action to purchase or acquire services or property for the township where they, their family, or their business associates have a financial interest in the service or property. No township officer or employee may take any action to employ their spouses, parents, grandparents, children, grandchildren, brothers, or sisters and any

relatives who live with the officers or employees. No one may take any official action on matters that will result in a benefit to themselves, their family members, or their business associates, see Article 23 for further information. For additional information and assistance with the Ohio Ethics Law, township officers and employees should contact the Ohio Ethics Commission at 614.466.7090.

### ***21.2.2 Character and Workplace Behavior***

- L) Each employee shall be held accountable for their personal appearance; friendly, courteous, and helpful attitude toward the public; loyalty to the Township; and willingness to cooperate with their superiors and fellow employees. Improper language is in extremely poor taste and displays an unsatisfactory attitude.
- M) Each employee should be especially careful that they do not express negative comments, engage in gossip, half-truths, or the release of confidential information pertaining to the Township or its operations, employees, elected officials and residents. The close association of the business and home lives of people in the community makes it necessary that employees use the utmost consideration and good judgment when speaking to others about Washington Township, their work and daily contacts.

### ***21.2.3 Bonds***

The State of Ohio and the Board of Trustees may require Township officers and employees to be bonded prior to assuming the duties of their respective positions. Bonds will be paid by the Township. The Board of Trustees may increase the bond amount to match the amount of cash handled during one year if they determine that the employee is handling more cash than the approved bond amounts. Bond documents are to be kept on file with the Fiscal Officer. Original Bond document of the Fiscal Officer is sent to the Lucas County Treasurer, after it is copied to the bond file at the Township.

### ***21.2.4 Political and Religious Tests;***

#### ***Memberships in Organizations***

Consideration of political or religious opinions as a test for employment or promotion in any position of the Township service shall be prohibited. Township employees will not be required to be members of any organization, unless it is a professional organization and directly connected with employment duties. The township may pay membership fees required by professional organizations and/or licenses.

## **21.3 Acceptance of Gifts and Gratuities**

An employee may not accept gifts, gratuities, or loans from organizations, business concerns, or individuals with whom they have official relationships of business with the township. These limitations are not intended to prohibit employees from accepting articles of negligible value which are widely distributed to the general public nor from accepting social courtesies which promote good public relations. It is particularly important that township employees guard against collusion. The securing of a loan by an employee from a financial institution doing business with the Township does not constitute a conflict of interest.

## **21.4 Drug and Alcohol Free Workplace**

GGG) Washington Township prohibits the manufacturing, distribution, possession and use of alcohol, drugs, controlled substances, drug paraphernalia or any combination thereof, on any Township premises or work site; including Washington Township vehicles or private vehicles parked on Washington Township's property or work sites. Work site is defined to mean the site for the performance of work done in connection with employment by Washington Township. See Article 21.13 for further information.

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

III) Employees arrested for any violation of any criminal drug statute, including misdemeanors, must notify the Board of Trustees directly within one (1) day after such arrest. Following such arrest, the employee shall keep the Board of Trustees informed of any trial dates, pleas or convictions. The employee shall notify the Board of Trustees directly of any pleas or conviction within one (1) day of such plea or conviction.

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

## **21.5 Outside Employment**

Full-Time employees may not carry on, concurrently with their Township employment, any private business or undertaking, the attention to which affects their working hours or the quality of their Township work.

## **21.6 Public Relation**

Employees shall conduct their activities and actions, both on and off the job, so as to improve relations between the Township and the public. In every contact, whether it is in the nature of trouble, service complaint, or request for information, the employee represents the Township. The employee's manners and attitudes toward the residents, as well as their competence in handling matters, are the basis for good public relations. The township will meet all open records requirements with requests for information directed to the Board of Trustees or Fiscal Officer. The Township has adopted a public records policy in accordance with the requirements of Chapter 149 of the Ohio Revised Code. All township employees must read this policy and sign a form indicating that they have read and understand the Township's public records policy and will act in accordance with that policy.

## **21.7 Identification Cards**

Township employees shall be issued an identification card upon their hiring if deemed necessary by the Board of Trustees. The card will display the employee's picture and name. It will be updated as needed and surrendered upon termination. The card is to be carried or displayed and used only in conjunction with Township duties.



## **21.8 Safety**

The township intends to make everyone's job safe in all respects and requires employees to report any hazardous conditions at once to their Department Head or the Board of Trustees. The following is a list of general safety rules and regulations. Additional safety operating procedures for specific work may be provided in an employee Safety Document.

- KKK) Learn the right way to do your job. Never hesitate to ask questions about things you do not understand, especially on new jobs.
- LLL) Use and maintain in safe condition the correct equipment and tools for your work.
- MMM) Observe the recommended work procedures developed for your job.
- NNN) Keep your work area in good order. Cluttered floors, aisles, storage, and work areas all make your job more difficult as well as more dangerous.
- OOO) Always work at a safe speed. Never hurry foolishly, such as running in aisles or down stairs, taking short-cuts through dangerous areas, or trying to speed up by removing machine guards.
- PPP) Avoid horseplay and practical jokes.
- QQQ) Call your Department Heads attention to any unsafe conditions. Make suggestions when you feel they will improve the safety or performance of an operation.
- RRR) If you are injured, report promptly for first aid treatment. Even minor cuts and scratches can become infected unless proper care is taken.
- SSS) Learn first aid. Encourage your fellow workers to have a working knowledge of it.
- TTT) Respect moving machinery and equipment, electricity, ice on walks and excavated areas. Never operate equipment with guards removed.
- UUU) Wear protective equipment where and when it is appropriate and in accordance with OSHA regulations.

## **21.9 Standing Orders**

The Board of Trustees may from time to time issue "Standing Orders", which will have the same force as if included in these regulations.

## **21.10 Appointment of Relatives**

The Board reserves the right to make decisions concerning the hiring of relatives on a case by case basis.

## **21.11 Employee Benefits**

All sick time, vacation time, or personal time is lost at the time of termination, resignation, or retirement from employment with the township. If time has not been used it is lost.

## **21.12 Harassment Policy**

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

- WWW) Sexual harassment is a form of employee conduct either committed against a fellow employee or anyone who comes in contact with the township that undermines the integrity of the employment and business relationship. It is the policy of Washington Township to maintain a work environment free from all forms of sexual harassment and to ensure that all employees and anyone who comes in contact with the township are treated with dignity, respect, and courtesy.
- XXX) Sexual harassment of our employees and anyone who comes in contact with the township is contrary to township policy and prohibited by law.
- YYY) Sexual harassment refers to behavior that is not welcome, that is personally offensive, and that debilitates morale and therefore interferes with the work effectiveness of the victim and their co-workers. Sexual harassment may include a range of behaviors and may involve individuals of the same or different gender.
- ZZZ) Sexual harassment may include, but is not limited to, actions such as:
- 11) Sexually oriented verbal "kidding" or abuse;
  - 12) Subtle or direct pressure or coercion for sexual activity;
  - 13) Unwelcome physical contact such as patting, pinching, brushing, or touching the body of another individual;
  - 14) Demands for sexual favors, accompanied by implied or overt promises of threats or preferential treatment concerning an individual's employment status;
  - 15) Display in work area of photographs, ads, posters, calendars, cartoons, drawings or other graphic representations which an employee or customer, either male or female, may find offensive, degrading, exploitive, or inappropriate for the workplace.
- F) Sexual harassment is also a prohibited practice when it results in discrimination for or against an employee on the basis of conduct that is not directly related to work performance. This type of harassment may take the form of:
- 16) Taking or refusing to take or recommend a personnel action, including promotion of employees who submit to sexual advances;
  - 17) Refusing to promote or recommend to promote employees who resist or protest sexual advances.
- G) Bullying is usually seen as acts or verbal comments that could 'mentally' hurt or isolate a person in the workplace. Sometimes, bullying can involve negative physical contact as well. Bullying usually involves repeated incidents or a pattern of behavior that is intended to intimidate, offend, degrade or humiliate a particular person or group of people. It has also been described as the assertion of power through aggression.
- AAAA) This policy prohibits bullying, offenses and conduct:
- 18) Spreading malicious rumors, gossip, or innuendo that is not true.
  - 19) Excluding or isolating someone socially.
  - 20) Intimidating a person.
  - 21) Undermining or deliberately impeding a person's work.
  - 22) Physically abusing or threatening abuse.
  - 23) Removing areas of responsibilities without cause.
  - 24) Constantly changing work guidelines.
  - 25) Establishing impossible deadlines that will set up the individual to fail.

- 26) Withholding necessary information or purposefully giving the wrong information.
- 27) Making jokes that are 'obviously offensive' by spoken word or e-mail.
- 28) Intruding on a person's privacy by pestering, spying or stalking.
- 29) Assigning unreasonable duties or workload which are unfavorable to one person (in a way that creates unnecessary pressure).
- 30) Underwork-creating a feeling of uselessness.
- 31) Yelling or using profanity.
- 32) Criticizing a person persistently or constantly
- 33) Belittling a person's opinions.
- 34) Unwarranted (or undeserved) punishment.
- 35) Blocking applications for training, leave or promotion.
- 36) Tampering with a person's personal belongings or work equipment.

Note: this list is provided only as examples and is not exhaustive.

### **21.12.1 Policy**

It is the policy of Washington Township ("the Township") to maintain a workplace free of harassment and unlawful discrimination. All employees are bound and expected to maintain a standard of decorum for promoting an environment that is free from harassment and unlawful discrimination. No employee shall initiate, engage in alone or with others, or encourage another to violate any portion of this policy. All supervisors shall be accountable to take steps as outlined in this policy to prevent harassment incidents from occurring within their departments and are responsible for reporting any such incidents to the Board of Trustees. Any behavior contrary to this policy will not be tolerated and will result in disciplinary action up to and including discharge.

### **21.12.2 Definitions**

- N) Sexual Harassment is a violation of Section 703 of Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000e-2, and Ohio Revised Code Section 4112.02. The EEOC's Guidelines on Sex Discrimination, 29 C.F.R. Section 1604.11 Sexual harassment, defines sexual harassment as:

"Harassment on the basis of sex is a violation of section 703 of Title VII. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
  - (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
  - (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."
- O) There are generally two types of sexual harassment:
    - 5) Quid Pro Quo Harassment – means "this for that" and occurs when submission to or rejection of unwelcome

sexual conduct, either explicitly or implicitly, is used as the basis for employment decisions affecting such individual. This standard requires that the victim prove that a tangible employment action resulted from a refusal to submit to a supervisor's sexual demands.

- 2) Hostile Environment – is when unwelcome sexual advances, or other sexually offensive conduct, that doesn't involve a specific reward or punishment, is sufficiently severe or pervasive so as to unreasonably interfere with an individual's job performance or create an intimidating, hostile or abusive working environment. This standard requires an objectively hostile or abusive environment – one that a reasonable person would find hostile or abusive – as well as the victim's subjective perception that the environment is abusive.

C) Sexual Harassment can include, but is not limited to:

6) Verbal:

- 4) Sexual Innuendo
- 5) Suggestive Comments
- 6) Threats
- 7) Insults
- 8) Obscene Joke Telling
- 9) Unwelcome Humor and Jokes about sex or gender-specific traits
- 10) Sexual Proposals
- 11) Unwanted and repeated requests for association

2) Non-Verbal:

- 12) Making sexual or suggestive or insulting noises
- 13) Obscene gestures
- 14) Whistling
- 15) Leering
- 16) Written or electronically transmitted messages and/or letters
- 17) Pictures, photographs

3) Physical:

- 18) Touching
- 19) Pinching
- 20) Squeezing
- 21) Patting
- 22) Coerced Sexual Activity
- 23) Assault
- 24) Repeated brushing against body

D) Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship or any other characteristic protected by law or that of his/her relatives, friends or associates. This policy prohibits conduct that:

- 1) Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
  - 2) Has the purpose or effect of unreasonably interfering with an individual's work performance; or
  - 3) Otherwise adversely affects an individual's employment opportunities.
- E) Harassing conduct includes, but is not limited to:
- 1) Epithets, slurs or negative stereotyping;
  - 2) Threatening, intimidating or hostile acts;
  - 3) Denigrating jokes or written or graphic material that denigrates or shows hostility or aversion towards an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.
- F) If an employee believes that they are a victim of any type of harassment, the employee is expected to report this concern to their Department Head or the Board of Trustees. In addition, individuals who believe that they are being subjected to any type of harassing conduct are encouraged to promptly advise the offender that their behavior is unwelcome and request that the unwelcome behavior be discontinued. Harassment complaints will be promptly, thoroughly, and objectively investigated.
- G) Anyone who engages in any type of harassment will be subject to disciplinary action up to and including termination of employment. Any person who retaliates against an employee for reporting a perceived violation of this policy or for participating in a harassment investigation will result in disciplinary action up to and including termination of employment.
- H) Washington Township has developed this policy to ensure that all of our employees can work in an environment free from harassment. Washington Township will make every reasonable effort to ensure that all concerned are familiar with this policy and aware that any complaint in violation of this policy will be investigated and resolved appropriately. Questions concerning this policy may be directed to the Board of Trustees.

### **21.12.3 Reporting Procedure**

- P) An employee who believes they have been subjected to sexual harassment may report such belief verbally or in writing to their Department Head or directly to the Board of Trustees. No employee is required to first report such incident to their Department Head.
- Q) A complaint of sexual harassment, either verbal or written, formal or informal, received or known by a supervisor shall immediately be brought to the attention of the Board of Trustees.
- R) Upon receipt of an alleged harassment complaint to Board of Trustees and/or the Board of Trustees' designee shall conduct a prompt and thorough investigation. The investigation shall be conducted in accordance with the following guidelines:
- 7) Complainant shall be interviewed.
  - 8) Alleged harasser(s) shall be interviewed including disclosure of alleged allegations.

- 9) Witnesses, if any, including persons to whom contemporaneous complaints have been made, shall be interviewed.
- 10) All relevant evidence shall be collected and weighed.
- 11) A written investigative report and findings with appropriate action recommended shall be compiled and if the investigation is conducted by someone other than the Board of Trustees, such report and findings shall be submitted to the Board of Trustees.
- 12) The Board of Trustees or the Board of Trustees' designee shall meet with the complainant to discuss the results of the investigation. Upon request, the complainant may receive a copy of the written report and findings.
- 13) The Board of Trustees retains the sole authority to determine what if any action should be taken based upon the report and recommendation of the Department Head.

#### **21.12.4 Retaliation**

It is a violation of this policy to retaliate in any way against any employee of the Township who files a claim of sexual harassment or unlawful discrimination, or who participates in the investigation of such a claim.

#### **21.12.5 Penalties**

Any employee found to be in violation of this harassment policy, or a supervisor who knowingly allows violation of this policy without taking appropriate action, may be subject to disciplinary action up to and including discharge.

### **21.13 Drug Free Work Place Policy**

- BBBB) The purpose of this policy is to comply with the Federal "Drug-Free Workplace Act of 1988." It is the intention of the Board of Trustees to continue to maintain a drug-free workplace through implementation of this policy. It is the policy of the Board of Trustees to maintain a workplace free from the effects of alcohol, illegal drugs, illicitly used prescription or over-the-counter medication and other intoxicating substances which may cause potential health, safety and security problems. Further, it is the policy of the Board of Trustees to foster public trust by requiring all employees to maintain the highest standard of integrity, honesty and responsibility during both work and non-work hours. All employees are expected to be fit for duty and capable of performing their assigned responsibilities in a safe and productive manner.
- CCCC) Employees are prohibited from the use, manufacture, distribution, dispensing, transportation, promotion or sale of illegal drugs, drug paraphernalia, or otherwise legal but illicitly used substances. These prohibitions also apply to unlawful conduct relating to alcohol.
- DDDD) Employees are prohibited from being at work or on official business while impaired by alcohol or with illegal or illicit substances present in their system. This prohibition includes prescribed or over-the-counter drugs not being used as intended and authorized. **Employees who are arrested for any violation of any criminal drug statute, including misdemeanors, must notify the Board of Trustees directly within one (1) day after such arrest. Following such arrest, the employee shall keep the Board of Trustees**

**informed of any trial dates, pleas or convictions. The employee shall notify the Board of Trustees directly of any pleas or conviction within one (1) day of such plea or conviction.** A conviction includes any guilty finding, including one agreed to by the employee, or plea of no contest and/or imposition of a fine, jail sentence, suspended sentence or other penalties.

EEEE) Employees who have an alcohol or drug abuse problem are strongly encouraged to seek available treatment. When work performance is impaired, participation in treatment or any other program does not exempt an employee from appropriate disciplinary action up to and including termination.

FFFF) Employees will abide by this policy as a condition of employment. Any violation of this policy will result in discipline up to and including removal.

### **21.13.1 Drug Testing**

S) Reasonable Suspicion Testing:

37) As a condition of employment, drug testing may occur whenever the Board of Trustees has reasonable suspicion to question if an employee is under the influence or has alcohol or drugs in their system. Reasonable suspicion may include, but is not limited to:

- 14) Physical appearance.
- 15) Direct observation of behavior.
- 16) Pattern of abnormal conduct or erratic behavior.
- 17) Absenteeism or other job-related circumstances.
- 18) Employee who is arrested for, convicted of, or identified as a target of or involved with a criminal investigation for a drug or alcohol offense.
- 19) Information provided by reliable and credible sources or through independent corroboration.
- 20) Evidence discloses that an employee has tampered with a prior drug test.

B) Follow-up Testing

21) Employees who have been referred to counseling or rehabilitation as a result of the employee's drug or alcohol use may be subject to required follow up testing. An initial test for drugs and alcohol will be performed prior to an employee's return to work. Thereafter, periodic unannounced testing for both drugs and alcohol will be conducted for the next four years as part of the Board of Trustees' effort to assist the employee in avoiding a return to substance abuse. The frequency of follow up will be determined by the Board of Trustees or its designee on a case by case basis.

22) The Board of Trustees shall pay the cost for the drug testing program as outlined in this policy. Employees who are required to take a drug test shall be provided with the appropriate acknowledgment and agreement forms by the Board of Trustees. Employees who refuse drug testing will be subject to disciplinary action up to and including removal.

23) The Board of Trustees shall utilize the professional services of a specimen and collection laboratory that has been or will be determined by the Board of Trustees when implementing the referral for drug testing.

- 24) All test results will remain confidential subject to applicable federal, state and local laws and ordinances.

## 21.14 Violence Prevention Policy

GGGG) The Board of Trustees recognizes the need for a work environment free of violence for employees and the visiting public. The purpose of this policy is to ensure all employees of a safe workplace free from aggressive, threatening or violent acts. To ensure safety, Washington Township has adopted a zero tolerance stance towards any sort of inappropriate conduct and behavior. As a Washington Township employee, you are expected to refrain from inappropriate conduct including but not limited to:

- 38) Physical acts of bodily harm.
- 39) Threatening harm to individuals, their family, friends, associates or property.
- 40) Verbal or written threats of physical violence, through force, or intimidation (including the use of the mail, phone, electronic mail or any other media), or “stalking”.
- 41) Stealing or deliberately damaging Township property.

B) All acts of work place violence are **prohibited and will not be tolerated** by the Board of Trustees.

C) This policy covers all employees directly under the jurisdiction and appointing authority of the Board of Trustees.

D) Acts or threats of violence referenced under this policy are those acts committed:

- 42) By one employee against another
- 43) By an employee against a third party
- 44) By a third party against an employee
- 45) Any act or threat committed against the Township as an entity

E) It is considered the duty and responsibility of all employees to prevent violence in the workplace. Therefore, all employees have an obligation to report any and all incidences of violence and/or inappropriate conduct/behavior immediately to their Department Head. Reports will be investigated and all information will be held strictly confidential. Any and all employees in violation of this policy and the above listed prohibitions may be subject to discipline up to and including termination.

### 21.14.1 Possession of Weapons

It is a violation of this policy for any person (excluding law enforcement personnel on official business) to bring firearms or other weapons defined as “deadly weapons” by Ohio Revised Code 2923.11 onto Township property (including parking lots, facilities and vehicles), or to carry such weapons while conducting Township business unless specifically authorized by law. The exception to this is if the person is a valid concealed carry holder or covered active military member. “Deadly weapons” mean any instrument, device or thing capable of inflicting death, and designed or specifically adapted for use as a weapon, or possessed, carried, or used as a weapon to cause injury or intimidation. Concealed carry holders and covered active military members may store their personal firearms and ammunition in their personal vehicles as long as the vehicle is in a location where it is otherwise permitted to be (i.e. parking lot).



### **21.14.2 Procedure**

- T) Any known threat of a specific action directed toward a specific individual or group of individuals will be taken seriously.
- U) Any employee having knowledge of an act or threat of violence involving themselves or another employee must report the incident to their Department Head as soon as possible. If the person allegedly making the threats or committing the violent act is the employee's supervisor then the report shall be made directly to the Board of Trustees.
- V) **In situations of potentially imminent harm or where an act has already occurred**, the appropriate law enforcement authorities and emergency responders shall be contacted immediately by the supervisor if not already contacted by the employee who was threatened. If the Township department involved has internal security staff, they will also be notified immediately.
- W) Once notified, the Department Head must report the act or threat of violence to the Board of Trustees as soon as possible.
- X) If the threat is not imminent, then the "Threat Assessment Team" shall meet immediately to determine specific actions to be taken in response to the threat. This team shall be comprised of the supervisor, the Board of Trustees or its designee; employee representatives from the sheriff's office and other appropriate agencies as needed. Notification to the Threat Assessment Team shall be made by the supervisor. All reasonable actions will be taken to reduce the possibility of a violent act. Recommendations of the Threat Assessment Team shall be reported to the Board of Trustees.
- Y) If an act has already occurred, the Threat Assessment Team shall take all reasonable and diligent measures to meet as soon as possible to determine specific actions to be taken to prevent further incidents.
- Z) Nothing in this policy prohibits an employee from independently filing criminal charges and/or a police report, and employees will be encouraged to file such reports.
- AA) Employees are encouraged to inform their supervisor of any domestic threats, "stalking", or restraining/protective orders. Once notified, the supervisor shall follow the above-listed steps. In addition, the Board of Trustees may seek a protective order of its own against the person making the threats.
- BB) It is a violation of this policy to retaliate in any way against any employee or citizen who files a complaint; it is also a violation for employees to file frivolous complaints.

### **21.14.3 Investigation**

- CC) In cases where the person allegedly making the threat or committing the act is an employee, the Board of Trustees may, in addition to the procedures set forth herein, conduct an investigation using the guidelines outlined in the Board of Trustees' existing "Harassment Policy".
- DD) Any investigation by the Board of Trustees under its "Harassment Policy" will be limited to employment-related issues. It will not interfere with any law enforcement investigation into the same allegations.

- EE) In cases where the alleged perpetrator is not an employee, the Board of Trustees and/or the victim may request that an investigation be conducted by the appropriate law enforcement agency. In general, it will be the Board of Trustees' practice to meet any act of violence, threat or intimidation against its employees by a third party with an immediate response, including legal action where appropriate.
- FF) The Board of Trustees and its employees shall cooperate fully with law enforcement authorities during any investigation.

#### ***21.14.4 Personal Counseling***

Where appropriate, employees (both victims and those making threats or committing acts) may be referred immediately to an employee assistance program (EAP). Where it is an employee making threats or committing acts, the employee may be required to attend and successfully complete counseling at the employee's expense as a condition of continued employment. This action alone does not prevent further steps (including discipline) from being taken.

#### ***21.14.5 Confidentiality***

Information about an incident or threat will be disclosed on a need-to-know basis only, so that a fair and thorough investigation can be conducted. Every effort will be made to ensure the confidentiality of the employees involved.

#### ***21.14.6 Employees Working in the Field***

If a job task requires an employee to visit another outside of the office, then the following steps will be taken prior to the employee making the visit:

- GG) The employee shall inform their Department Head of the need for the visit, the person to be visited and all relevant information.
- HH) If the person to be visited is known to have a history of violent or harassing behavior or if there is reason to believe the potential for such behavior exists, then a reasonable combination of steps may be taken to reduce the potential risk. Examples include, but are not limited to, the following:
  - 25) Another employee (preferably the supervisor) may accompany the employee.
  - 26) Appropriate law enforcement agency may be notified so they can be in the area.
  - 27) The employee(s) may be provided with a reliable means to communicate in an emergency (such as a hand held radio or portable phone, if one is available).
  - 28) The employee(s) may be instructed to notify their supervisor immediately upon arrival at and departing from the field location.
  - 29) The person to be visited may be asked to conduct business in the office instead.

#### ***21.14.7 Training and Education***

The Board of Trustees may provide additional information and training programs related to violence prevention in the work place. Such information and programs may include:

- A) Training for all employees on ways to anticipate, avoid and deal with threats or acts of job-related violence and,

- B) Training for supervisors and department heads on recognizing symptoms of potentially violent persons and situations.

### **21.14.8 Penalties**

- A) Any employee found in violation of this policy, or any supervisor who knowingly allows a violation of this policy, shall be subject to disciplinary action, up to and including dismissal.
- B) In addition, the employee(s) involved may be subject to criminal prosecution and the resulting penalties thereof. Because the Board of Trustees has “**zero tolerance**” for acts or threats of violence, the Board of Trustees will prosecute employees who commit such acts or threats, where appropriate.

## **21.15 Authorization to Charge and Credit Cards**

HHHH) All Department heads have authorization to charge up to \$1,000.00 and up to \$1,500.00 with approval of one member of the Board of Trustees. Credit cards will be handed out at the discretion of Board to Department Heads and then to employees as deemed necessary. Lists are to be maintained by Department Heads of credit card number and credit card locations (in whose possession).

- III) The following payment review and approval procedures must be adhered to:
  - 1) Detailed invoices or receipts are required for all transactions using the township credit card.
  - 2) Invoices and/or receipts must show the transaction date, the dollar amount of the transaction, as well as a description of the transaction (service or item(s) purchased), and the authorized signature (if applicable) of the Township elected official or employee making the purchase.
  - 3) All such paperwork must be submitted to the Township Fiscal Officer no later than the next business day after completing the transaction.

JJJJ) Personal credit cards are not to be used for purchases. Reimbursements will not be made for any such purchases. The township credit card is not to be used for personal purchases under any circumstances.

## **21.16 Political Activity**

### **21.16.1 Employees May Not**

- II) Use official authority or influence for the purpose of interfering with an election or nomination to office, or affecting the results thereof; or
- JJ) Directly or indirectly coerce or attempt to coerce, command, or advise any other officer or employee to pay, lend, or contribute any part of his or her salary or compensation or anything of value to any party or committee, organization, agency, or person for political purposes.

### **21.16.2 Employees May**

Join or affiliate with civic organizations of a partisan or political nature, serve as precinct election officials, give financial contributions to political candidates and organizations, circulate petitions on legislation relating to their employment, attend political meetings, vote, and advocate or support the principles or policies of civic or political organizations.

## 21.17 Investments

The primary objective of the township's investment activities is the preservation of capital and the protection of investment principal. The Fiscal Officer will abide by the Ohio Revised Code Chapter 135 for investment and deposit activities.

### **ARTICLE 22 - USE OF TOWNSHIP EQUIPMENT**

- KKKK) When equipment and supplies to perform a job are provided by the Board of Trustees, it is the responsibility of the Department Head and employees to see that they are properly used and maintained. It is therefore expected that employees will treat all Township equipment and supplies with care to avoid unnecessary damage.
- LLLL) In the event that damage happens to any Township building, equipment, or vehicles or damage is done to any residential property or vehicles by a Township employee in the performance of the employee job the following steps should be taken.
- MMMM) 1) Report the incident immediately to the Department Head.  
2) Write up a damage report describing how, where, and when incident happened, including pictures of all damage.  
3) The Department Head will report the incident to the Board of Trustees as soon as possible.  
4) A Police Report should be filed within 24 hours if the incident involves anything other than Township property.
- NNNN) 5) It is the responsibility of the Department Head to get costs of any repairs. The Department Head and the Board of Trustees will decide if any claims will be turned into the Insurance company for payment.
- C) No person or persons that are not employees of Washington Township shall be allowed to operate or ride on any Township owned vehicles including all equipment and watercraft with the exception of:
- 1) Persons being transported on official police matters.
  - 2) Persons being transported in water rescue operations.
  - 3) Persons being transported on fire, ems, or rescue calls.
- Any other transporting must be reported to the Board of Trustees by the Department Head. Waivers of responsibility will be required.
- D) Misuse, neglect, theft or abuse of equipment and supplies is prohibited. Accidents involving the misuse, neglect or abuse of equipment and supplies will be cause for disciplinary action up to and including discharge. If an employee loses or damages equipment or supplies, the employee may be required to pay for those items lost or damaged.
- E) The use of township equipment, including but not limited to vehicles, tools, uniforms and supplies, for personal business or private use is strictly prohibited unless prior permission is granted by the Department Head/ Board of Trustees. Violators may be subject to discipline up to and including discharge.
- F) Washington Township provides cellular telephones as needed for the purpose of conducting Township business. Cellular telephone use includes the following requirements:
1. Cellular telephone users should review the detailed monthly statements, indicate non-township related calls, affix their signature to authorize payment to the vendors. Department Heads will routinely review usage of all cellular telephones including a review of

the total number of minutes used compared to the number of minutes allowed per the cellular phone users contract to determine if the user is not excessively exceeding their contracted minutes.

2. Cell phone personal calls are calculated at \$.05 per minute as a taxable fringe benefit. Use of Township cell phones in Township vehicles, for anything but Township business requires a notation made in the cell phone log listing the name, phone number, date and time of the call. Anything above the regular monthly service charge will be the responsibility of the employee.

- G) Smoking in Township vehicles is prohibited.
- H) No one may log on or off the time clock for anyone but themselves.

## 22.1 INTERNET CODE OF CONDUCT

Access to the Internet has been provided to Washington Township staff members for the benefit of the township. It allows staff members to connect to information resources around the world. Every staff member has a responsibility to maintain and enhance Washington Township's public image and to use the Internet in a productive manner. **There is no right to privacy in use of the Internet.** To ensure that all staff members are responsible, productive Internet users and are protecting Washington Township's public image, the following guidelines for using the Internet have been established:

### A) ACCEPTABLE USES:

Staff members accessing the Internet are representing Washington Township. All communications should be for professional reasons. Staff members are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. Internet Relay Chat channels may be used to conduct official township business, or to gain technical or analytical advice. Data bases may be accessed for information as needed. E-mail may be used for business contacts and limited personal business.

### B) UNACCEPTABLE USES:

The Internet should not be used for personal gain, personal purchases or the advancement of individual views. Solicitation of any non-township business, or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the township network or the networks of other users. Use of the Internet must not interfere with the staff members' productivity.

### C) COMMUNICATIONS:

Staff members are responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. The user's name must be attached to all messages sent and no messages may be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language may be transmitted through the system. Staff members who wish to express personal opinions on the Internet are encouraged to obtain their own user names on other Internet Systems. Staff members are not permitted to express personal opinions on the Washington Township system.

### D) SOFTWARE:

To prevent computer viruses from being transmitted throughout the system, unauthorized downloading of any software is strictly prohibited.

- E) **COPYRIGHT ISSUES:**  
Staff members on the Internet may not transmit copyrighted materials belonging to entities other than Washington Township. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action up to and including termination of employment or legal action by the copyright owner.
- F) **SECURITY:**  
All messages created, sent or retrieved over the Internet are property of Washington Township and should be considered public information. Washington Township reserves the right to access and monitor all messages and files on the computer system as deemed necessary and appropriate. Internet messages are public communication and are not private. All communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or receiver.
- G) **HARASSMENT:**  
Harassment of any kind is strictly prohibited. No messages with derogatory or inflammatory remarks about an individual or group's race, gender, religion, national origin, physical attributes, or sexual preferences may be transmitted.
- H) **VIOLATIONS:**  
Violations of any of the guidelines set forth within this policy may result in disciplinary action up to and including termination of employment. Washington Township reserves the right to advise appropriate legal officials of any illegal violations. Questions concerning this policy may be directed to the Board of Trustees.

## **ARTICLE 23 - ETHICS**

- OOOO) All employees of Washington Township are bound and expected to maintain the highest ethical standards, to serve the public skillfully and effectively, and to ensure that our actions as public employees are governed by applicable laws and regulations and the public interest, and are never influenced by private interests or gains.
- PPPP) Employees of Washington Township are public servants whose compensation is paid by the taxpayers. Accordingly, employees must:
  - 1) Avoid any conflict of interest, or appearance of any conflict of interest;
  - 2) Accept no private compensation or reward in the performance of their duties, as provided under state ethics laws;
  - 3) Maintain the confidentiality of information learned in the course of work that is not properly part of the public realm;
  - 4) Serve all members of the public with honesty, diligence, respect, equality, courtesy and fairness.
- QQQQ) It is the responsibility of each employee to review and understand the Ohio Ethics Law.

RRRR) Any employee found in violation of this policy may be subject to discipline up to and including discharge.

SSSS) All employees are subject to the current Ohio Ethics Law.

## **ARTICLE 24 - DRESS CODE**

- E) POLICE AND FIRE FIGHTERS: are to be in full uniform while on regular duty or representing the township. They are not allowed to be in uniform while off duty unless it is an authorized function or approved by their Chief. Facial piercing, visible tattoos and excessive jewelry are prohibited.
- F) PARK/ROADS: Shirts must be worn with a minimum four inch sleeve. Appropriate work shoes must be worn (no flip flops) and appropriate protective attire as required by the State and Federal Government. Shorts are allowed with a minimum 8 inch inseam. All attire must be clean, well kept and without holes. No visible undergarments. Clothing with wording or logos that may be potentially offensive or with slogans, pictures, or transparent fabric are not appropriate. Clothing should cover your chest, upper thighs, back, midriff and shoulders. Facial piercing, visible tattoos and excessive jewelry are prohibited.
- G) ELECTED OFFICIALS ASSISTANTS: Dress Code is casual business attire. Appropriate work shoes must be worn, no flip flops. Dress, skirt, and splits may not exceed three inches above the knee. All attire must be clean, well kept and without holes. No visible undergarments. Clothing with wording or logos that may be potentially offensive or with slogans, pictures, or transparent fabric are not appropriate. Clothing should cover your chest (no visible cleavage), upper thighs, back, midriff and shoulders. Facial piercing, visible tattoos and excessive jewelry are prohibited.

## **ARTICLE 25 – SECONDARY EMPLOYMENT**

### **25.1 Purpose**

The purpose of this policy is to establish policy and regulations regarding secondary employment for all Full-time Officers of the Police Department. The purpose is also to regulate “outside” or secondary employment of Part-time or Auxiliary Officers and to establish procedures to maintain accountability for the welfare of the department. These requirements are essential for the efficient operations of the department and for the protection of the community.

### **25.2 Definition**

The term “secondary or outside employment” shall mean any type of employment where compensation is received for services rendered by an employer other than the Washington Township Police Department.

### **25.3 Procedure**

TTTT) The intent of the Department is to permit secondary employment of all Officers where such employment has no impact or liability on the operation of efficiency of the Department.

- B) The fact that an Officer will not be paid for their police services shall not be cause for exemption from any of the provisions or procedure dealing with outside employment. (Donation of services)

- C) Officers engaged in secondary employment shall insure that such employment does not:
- 46) Render the Officer unavailable during an emergency.
  - 47) Render the Officer unavailable when called upon to appear in court to testify when a subpoena is issued.
  - 48) Mentally or physically exhaust the Officer to the point that expected performance is affected.
  - 49) Constitute a threat to the status or dignity of law enforcement as a professional occupation.
  - 50) Bring the Department or the Township into disrepute or place either in a position of assuming civil liability or defense cost were the Officer to be involved in any litigation arising out of secondary or "outside employment".

## **25.4 Restrictions on Secondary or "Outside Employment"**

- UUUU) Officers of the Department will not be allowed secondary or outside employment with any business or activity involving the sale, manufacture or transportation of alcoholic beverages as a principal business.
- VVVV) Officers, Full-time, Part-time, or Auxiliary, working as private security guards or in private investigative work which provide private police services shall comply with the Laws and Licensing regulations of the State pertaining to these types of businesses.

## **25.5 Procedures for Secondary or "Outside Employment"**

- WWWW) All outside employment must first be approved by the Chief of Police.
- XXXX) An Officer wishing to work secondary or outside employment will submit a request to the Chief of Police. The request should contain the following information:
- 51) The name, address, and telephone number of the business or organization from which the Officer is working or applying for.
  - 52) A job description for which the Officer is employed.
  - 53) The expected hours and days of employment.
- C) All Officers working any secondary or outside employment shall:
- 54) Report any employment change or status (laid-off, suspended, termination, quit, etc.), in writing to the Chief of Police within 5 working days of any such change.
- D) All Full-time officers will be required to be on-call at all times during emergencies and may not hold secondary employment unless first approved by the Chief of Police and The Board of Trustees.

# **ARTICLE 26 - GENERAL DRIVING RULES AND REGULATIONS AS RECOMMENDED BY INSURANCE COMPANY**

## **26.1 Policies**

### A) Overview:

As a Washington Township employee, you are constantly in the public eye. Every time you drive a vehicle or piece of equipment in the performance of your duties, you are representing Washington Township. You are not only responsible for your security but the safety and security of citizens and visitors to Washington Township. As a result, all Washington Township drivers are required to exercise the utmost care



and caution while operating a motor vehicle. Employees who regularly or occasionally operate Township or personally owned vehicles while in the employment of the Washington Township are required to abide by all applicable State laws in addition to these rules and regulations.

B) Definitions

- 1) Vehicle – Unless otherwise specified, a vehicle is any automobile, truck or piece of equipment allowed to operate on the streets and highways of the State, whether licensed or not.
- 2) Assigned Vehicle – A vehicle that is provided to a particular employee. The employee is considered the principal driver of the vehicle and may or may not use the vehicle to commute to and from work or otherwise operate the vehicle after normal business hours.

C) Driving Record Acceptability

Any employee who drives a Township or personal vehicle while in the employment of the Washington Township whose driving record shows any one of the following conditions will be considered to have an unacceptable driving record and will not be permitted to drive until his/her record no longer exhibits one of the criteria listed below:

- 1) One or more serious violation(s) in the last two years.
- 2) Two or more at-fault accidents in the last year involving a Washington Township owned vehicle where the accident results in property damage in excess of \$2,500
  - a) Any employee involved in three or more at-fault accidents within a one year period, or more than four within a two year period (regardless of accident type or monetary loss), will be required to attend a defensive driving course or similar remedial type training. The employee's respective Department will be responsible for ensuring that the employee receives this training within a reasonable time frame, training is documented, and all documentation is forwarded to Washington Township.
- 3) More than three moving violations in the last two year period, including traffic citations received as a result of an accident.
- 4) Any combination of traffic accidents and/or moving violations equaling five or more in the last two years.
- 5) Unless otherwise noted above, moving violations include those that involve personal vehicles that are and/or are not being used during employment as well as those that involve Washington Township owned vehicles.
- 6) At-fault accidents that occur in an "emergency vehicle" when the vehicle is on an emergency call (e.g. fire fighters driving a fire engine in response to an alarm and police officers responding to a code 3), will be counted only if the accident is determined by an accident review committee to have been "avoidable". The traffic accident committee should be comprised of at least 5 full-time employees of the same department, and represent a variety of ranks within that department. The committee should review each at-fault (unit-1) accident to determine whether the accident was "avoidable". An "avoidable" accident is defined as: "one in which the operator failed to do everything reasonably expected of him/her to avoid the accident".

- 7) Serious violations include, but are not limited to driving while intoxicated; Driving while under the influence of drugs; Negligent homicide arising out of the use of a motor vehicle (gross negligence); Operating a vehicle without a license; Using a motor vehicle during the commission of a felony; Aggravated assault with a vehicle; Operating a vehicle without the owner's authority (grand theft); Permitting an unlicensed person to drive; Reckless driving; Speed contest; and Hit and run driving.

D) General Rules and Regulations

- 1) Only employees who are included on a Washington Township roster of drivers that shall be considered an attachment to this policy and procedures are allowed to drive Township owned or personal vehicles during the course of their employment.
- 2) Vehicles are to be driven in a manner such as to create a favorable impression to the public. Drivers shall exercise special precautions when:
  - a) Children are playing on a roadway, alley, or near the curb
  - b) Passing schools or playgrounds
  - c) Approaching persons on bicycles
  - d) Driving during inclement weather
- 3) No employee under the age of 18 is allowed to drive Washington Township owned or personal vehicles during the course of their employment.
- 4) Authorization for temporary/seasonal employees to operate vehicles shall be limited where practical. However, if authorized, these employees must sign the License/Insurance/Maintenance Requirements Form and be approved by Washington Township .
- 5) Vehicle Operators must possess a current Operators license appropriate to the vehicle being driven.
- 6) Any employee who operates a vehicle on a regular or occasional basis is required to report any license suspension or revocation, including those that result from the operation of personal vehicles, to his immediate superior. Likewise, all accidents or moving violations obtained while driving a Washington Township owned vehicle must be reported to his/her immediate superior. All reportable accidents and/or moving violations shall be forwarded to Washington Township's Fiscal Officer and Trustees .
- 7) Drivers will not operate vehicles when under the influence of alcohol or illicit and/or driving impairing drugs.
- 8) Drivers will use the proper signals when stopping, turning, or slowing down.
- 9) All drivers will give a pedestrian the right of way.
- 10) Flasher lights on trucks, cars and equipment should be used as emergency or work conditions require. Flasher lights are not to be used as an excuse to gain the right of way or to break traffic rules.
- 11) All traffic laws of the State, including signs and speed limits will be obeyed.
- 12) Employees driving vehicles during their employment are responsible for insuring that the vehicle is properly maintained and in a generally safe operating condition.

- 13) Employees shall not transport passengers except for those who are employees of Washington Township or are conducting business with or on behalf of the Township, except as noted under Personal Use and Take Home Policy below.
- 14) No one is permitted to ride outside the passenger compartment when a vehicle is in motion (except in the case of certain fire engines).
- 15) Employees driving personal vehicles while in the employment of the Washington Township will maintain primary automobile liability insurance coverage on the vehicle being driven. State required minimum bodily injury/physical damage limits must be maintained. Washington Township's Fiscal Officer and Trustees are responsible for insuring that employees using their personal vehicles maintain adequate insurance.
- 16) Personal vehicles will not be used to pull trailers or haul equipment while being used in Washington Township related business.
- 17) Washington Township owned vehicles shall be kept free of having placed on or within any stickers or signs which: indicate any political candidate, party, organization, or theme; are in poor taste; or relate to specific social concerns that may be found objectionable by citizens.

E) Seat Belts

All employees shall use their seat belts (including shoulder straps) while driving vehicles other than equipment. Employees shall wear seat belts, if provided, when operating equipment. All passengers are required, unless unable to do so, to occupy only those seating positions equipped with seat belts and use them.

F) Backing

Backing of vehicles should be discouraged given the rate of accidents that take place during this operation. No vehicles should be backed up unless the driver cannot avoid it and he has a clear view of the entire area to be backed into. If such a view is not present, the driver, if alone, will get out of the vehicle and inspect the area to be backed into or, if a second person is in the vehicle, the second person will get out and guide the driver using appropriate hand and/or voice signals.

G) Vehicle Inspections

All vehicles except personal passenger cars and pick-ups will be inspected at least once each day or, if the vehicle is not used daily, each time before the vehicle is placed into service, but no more than once during a 24 hour period, except with respect to police cruisers that will be inspected before each shift. Personal passenger cars and pick-ups will be inspected on at least a quarterly basis. Inspections will focus on identifying any obvious physical damage, inoperable running lights and horns, loose steering, and inappropriate tire condition. Records of these inspections will be maintained. Any deficiency encountered will be reported to the employee's Department Head of designee immediately. It will be the Department Head's responsibility to insure that appropriate action is taken to correct the problem.

H) Maintenance

All Washington Township owned vehicles are to be maintained according to the manufacturer's specifications. Records of this maintenance activity are

to be retained. All personal vehicles driven during the course of employment shall be maintained in a manner that promotes safe travel.

I) Parking

Washington Township vehicles or personal vehicles driven by Washington Township employees during the course of their employment are not to park in "NO PARKING" zones. No vehicle or piece of equipment is to be left unattended with the ignition key left in the ignition. All vehicles will be locked when parked and unoccupied.

J) Personal Use and Take Home Policy

Washington Township vehicles are not to be used for personal business except for incidental purposes while used for Washington Township business. For example, an employee may, when commuting between work and home, stop and pick-up or drop off a spouse or child at work or at school, as long as the stop to be made is not significantly out-of-the-way. However, if an employee's personal vehicle is near his work-site, a Washington Township vehicle may not be used for personal errands such as running to the bank or taking people to lunch unless there is a work-related purpose immediately prior to or following the personal errand and it is more time efficient to use the Township vehicle.

Washington Township vehicles that are taken home are not to be used for personal business while housed at the employee's residence unless the employee is on-call and must have ready access to his vehicle. In addition, the Township may grant personal use of marked and unmarked police vehicles and marked fire vehicles within their appropriate jurisdictions. If an employee is on extended absence from working including injury leave or is on restricted or modified duty and unable to perform on-call duty or work evenings and/or weekends, he will not use the assigned Washington Township owned vehicle until he returns to active on-call or an evening/weekend work schedule.

K) Special Equipment

Special Equipment such as tractors, fire engines, or any vehicle which has special devices added for specific types of work will require that the driver receive formal instruction prior to usage. This special training will comply with all appropriate OSHA, NFPA and DOT Standards and rules and regulations and should include:

- 1) Explanation and demonstration of all control devices.
- 2) Explanation and demonstration of all safety equipment.
- 3) A walk through of all inspection criteria.
- 4) Demonstration of operation.
- 5) Supervised new driver operation.

Written documentation of all special training will be retained by the departments.

L) Proof of Insurance

Each Washington Township owned vehicle should have an insurance card kept in the glove compartment or attached to the driver's sun visor. Missing insurance cards should be reported to the Township's Fiscal Officer. Any employee using their personal vehicle during the course of employment should carry a proof of insurance card. It is Washington Township's Fiscal Officer and Trustees responsibility to ensure all employees using personal vehicles for Washington Township business purposes, complete the Appendix B "Insurance Maintenance Requirement for Personal Vehicle"

form once each year, and return to Washington Township's Fiscal Officer and Trustees.

## 26.2 PROCEDURES

- A) Driving Record Acceptability  
Washington Township's Fiscal Officer and Trustees will obtain Motor Vehicle Records on all employees on the Township Roster of Drivers once every year. These, along with any Uniform Police Traffic Accident and Ohio Uniform Accident Reports will be reviewed by Township Fiscal Officer and Trustees to determine if any employees on the roster of drivers has an unacceptable driving record. Those who do will be notified in writing by Township Fiscal Officer and Trustees using the Notice of an Unacceptable Driving Record form in Appendix A. A copy of the complete form will be sent to the employee's Department Head.
- B) Roster of Drivers
- 1) An official Roster of Drivers that is supplied by the various Department Heads will be maintained by Washington Township's Fiscal Officer and Trustees. This document will highlight the number of at-work at-fault accidents, citations and major violations that drivers have had in the last three years. **Only employees whose names appear on this roster are allowed to drive during the course of their employment.**
  - 2) Departmentally specific sections of this roster will be disseminated to appropriate Department Heads every six months. It is the responsibility of the Department Head to insure that the roster for their particular department remains current and that Washington Township's Fiscal Officer and Trustees are notified of any correction, additions and/or deletions to the list.
  - 3) Driver Type:
    - A = Person drives during the course of their employment on more than an occasional basis
    - B = Person drives occasionally during the course of their employment
    - C = Person may be required to drive their own personal vehicle for employment purposes.
      - 1 = Person is assigned a Washington Township vehicle that is taken home at night
      - 2 = Person is assigned to a Washington Township vehicle(s) that is not taken home at night
      - 3 = Person has a CDL and is not assigned to a Washington Township vehicle that is taken home at night
- C) General Driving Rules and Regulations  
All employees who drive personal vehicles during the course of their employment are required to complete the Insurance/Maintenance Requirements for Personal Vehicles form (See Appendix B) each year and return the form to Washington Township's Fiscal Officer and Trustees.
- D) Personal Use and Take Home  
Washington Township will maintain a list of employees that the Fiscal Officer and Trustees have indicated can take Township owned vehicles home and/or can be used for personal business. The Department Heads are responsible for notifying Washington Township's Fiscal Officer and Trustees so appropriate changes in the list can be made.

E) Training

Employees who are assigned to a particular Washington Township owned vehicle will be instructed by the Service Department on the operation and general driving conditions of the vehicle before being allowed to initially drive the vehicle. Employees who drive other than private passenger automobiles and pick-up trucks not equipped with special equipment will be trained in the operation of the vehicles in question before being allowed to drive such vehicles. The Department Heads are responsible for insuring such training takes place, and that it is documented. Driver Training courses will be offered as deemed necessary, and all employees having one "at-fault" accident or one moving violation (received while driving a Washington Township vehicle) within a prior one year period will be asked to attend.

F) Record Keeping

25) Any Notice of an Unacceptable Driving Record will become part of an employee's personnel file.

26) Motor Vehicle Records and Uniform Police Traffic Accident/Uniform Traffic Accident Reports will be maintained by Fiscal Officer in a central file.

27) The Roster of Drivers shall be considered a part of these policies and procedures and will be included with them.

28) Signed and dated "Insurance Maintenance Requirement for Personal Vehicle" forms will be maintained by Fiscal Officer in a central file.

29) Fiscal Officer will maintain a list of employees authorized to take vehicles home.

## **26.3 APPENDIX A**

### **NOTICE OF AN UNACCEPTABLE DRIVING RECORD**

**TO:**

**DATE:**

After reviewing your Motor Vehicle Record as supplied by the State and analyzing any accidents within the last three years that you were involved in while driving during the course of your employment, it was determined that your driving record does not meet the standards of acceptability as set down in the Washington Township General Driving Rules and Regulations. As a result, your driving privileges have been suspended until your record once again is acceptable. Given no further moving citations and/or at-work at-fault accidents, it is projected that your record will once again be acceptable on

A copy of this form is being forwarded to the head of your department. A copy will be placed in your personnel file.

If you have any questions concerning the suspension of driving privileges, please do not hesitate to contact me.

## **26.4 APPENDIX B**

### **INSURANCE/MAINTENANCE REQUIREMENTS**

#### **FOR PERSONAL VEHICLES**

I, the undersigned, agree, as a requirement for using my personal vehicle during the course of my employment with Washington Township, will retain automobile liability insurance for bodily injury and property damage on the vehicle that I am driving for at least the minimums required by the State.

I further agree to maintain my vehicle in a safe operating condition.

NAME:

SIGNATURE:

DATE: